



**EAST AURORA**  
**SCHOOL DISTRICT 131**

"Making Choices for Excellence"

# **Section 6**

# **Instruction**

## Instruction

### Educational Goals, Philosophy and Objectives

#### Philosophy and Objectives

Education is a continuous process. The American Public School was designed to provide an educational opportunity for all citizens and thus enable each person to improve his/her way of life.

The role of the public school is to educate children so that -- upon reaching adulthood -- they will have the skills needed to govern themselves, the training needed to meet life's challenges in an era of rapid technological change, and the leadership needed to serve their communities.

The Board of Education believes that District 131 schools must provide instructional programs that stimulate each student to develop to the maximum of his/her ability.

The Board believes that its schools should:

1. Provide its students with the basic tools of learning: critical thinking, problem solving, reading, writing, and mathematics.
2. Provide its students with a broad curriculum that utilizes these tools (e.g., social sciences, natural sciences, foreign languages, etc.)
3. Provide its students curriculum and focused instruction so that they learn to read and read to learn proficiently.
4. Provide guidance to its students so that they are exposed to activities that best prepare them for life.
5. Provide skills so that, upon graduation, each student is prepared to pursue additional education or obtain and hold a job.
6. Help youth to achieve and maintain mental health and physical fitness.
7. Teach the students to become knowledgeable consumers.
8. Teach the students to respect authority and the rights of others.
9. Help our youth to become good citizens.
10. Teach our students to be responsible family members.
11. Teach our students to use their time wisely.

### Accreditation and School Improvement Plan

The Superintendent will supervise the District's participation in the Illinois Public School Accreditation Process and Annual Application for Accreditation, including the District's:

1. Reporting of the extent to which each of its schools meets the law's operational requirements and Illinois State Board of Education rules as identified in "The Illinois Program for Evaluation, Supervision, and Recognition of Schools, Part I."
2. Reporting of the extent to which each of its schools meets student performance and school improvement standards through the development of a School Improvement Plan, which addresses the following areas:
  - a. Analysis of existing conditions
  - b. Learning outcomes, standards, and expectations
  - c. Assessment systems
  - d. Analysis of student performance data
  - e. Evaluation of student performance and school programs
  - f. Reviewing expectations and implementing activities to improve student performance
  - g. Reporting to the public.
3. Measuring student and school performances using the Illinois Learning Standards.

The Superintendent will regularly report the District's progress to the Board and seek Board approval for each School Improvement Plan per the requirements of the Illinois *School Code* and the applicable standards under the No Child Left Behind Act of 2001.

### Multi-Culturalism

The instructional program will emphasize multi-cultural education by presenting (in context) the contributions of all races and cultures, and by recognizing in all grades the similarities of students' various cultures. The building principal will monitor his/her school's multi-cultural experiences and instructional program.

### Goals for Learning

The primary purpose of schooling is the transmission of knowledge and culture through which students learn what they need to know for their continuing development and education. The Board gives priority in the allocation of resources -- including funds, time, personnel and facilities -- to fulfill this purpose.

School District 131 establishes the following learning goals as consistent with the primary purpose of schooling and the areas of learning identified in Section 27-1 of the Illinois *School Code*:

### Language Arts

The skills and knowledge of the language arts are essential for student success in virtually all areas of the curriculum. They are also a central requirement for the development of clear expression and critical thinking. The language arts include the study of literature and the development of skills in reading, writing, speaking, and listening.

As a result of their schooling, students will be able to:

- X read, comprehend, interpret, evaluate and use written material;
- X listen critically and analytically;
- X write standard English in a grammatical, well-organized and coherent manner for a variety of purposes;
- X use spoken language effectively in formal and informal situations to communicate ideas and information, and to ask and answer questions;
- X understand the various forms of significant literature representative of different cultures, eras and ideas; and
- X understand how and why language functions and evolves.

### Mathematics

Mathematics provides essential problem-solving tools applicable to a range of scientific disciplines, business, and everyday situations. Mathematics is the language of quantification and logic; its elements are symbols, structures, and shapes. It enables people to understand and use facts, definitions, and symbols in a coherent and systematic way in order to reason deductively and to solve problems.

As a result of their schooling, students will be able to:

- X perform the computations of addition, subtraction, multiplication, and division using whole numbers, integers, fractions and decimals;
- X understand and use ratios and percentages;
- X make and use measurements, including those of area and volume;
- X identify, analyze and solve problems using algebraic equations, inequalities, functions and their graphs;
- X understand and apply geometric concepts and relations in a variety of forms;
- X understand and use methods of data collection and analysis, including tables, charts and comparisons; and
- X use mathematical skills to estimate, approximate and predict outcomes and to judge reasonableness of results.

### Biological and Physical Sciences

Science is the quest for objective truth, it provides a conceptual framework for the understanding of natural phenomena and their causes and effects. The purposes of the study of science are to develop students who are scientifically literate, recognize that science is not value-free, are capable of making ethical judgments regarding science and social issues, and understand that technological growth is an outcome of the scientific enterprise.

As a result of their schooling, students will have a working knowledge of:

- X the concepts and basic vocabulary of biological, physical and environmental sciences and their application to life and work in contemporary technological society;
- X the social and environmental implications and limitations of technological development;
- X the principles of scientific research and their application in simple research projects; and
- X the processes, techniques, methods, equipment and available technology of science.

### Social Sciences

Social sciences provide students with an understanding of themselves and of society, prepare them for citizenship in a democracy, and give them the basics for understanding the complexity of the world community. Study of the humanities, of which social sciences are a part, is necessary in order to preserve the values of human dignity, justice and representative processes. Social sciences include anthropology, economics, geography, government, history, philosophy, political science, psychology and sociology.

As a result of their schooling, students will be able to:

- X understand and analyze comparative political and economic systems, with an emphasis on the political and economic systems of the United States;
- X understand and analyze events, trends, personalities, and movements shaping the history of the world, the United States and Illinois;
- X demonstrate a knowledge of the basic concepts of the social sciences and how these help to interpret human behavior;
- X demonstrate a knowledge of world geography with emphasis on that of the United States; and
- X apply the skills and knowledge gained in the social sciences to decision making in life situations.

### Fine Arts

The fine arts give students the means to express themselves creatively and to respond to the artistic expression of others. As a record of human experiences, the fine arts provide distinctive ways of understanding society, history and nature. The study of fine arts includes visual art, music, theater, and dance.

As a result of their schooling, students will be able to:

- X describe the unique characteristics of each of the arts;
- X understand the principal sensory, formal, technical and expressive qualities of each of the arts;
- X identify significant works in the arts from major historical periods and how they reflect societies, cultures and civilizations, past and present;
- X identify processes and tools required to produce visual art, music, theater and dance; and
- X demonstrate the basic skills necessary to participate in the creation and/or performance of one of the arts.

### Physical Development and Health

Effective human functioning depends upon optimum physical development and health. Education for physical development and health provides students with the knowledge and attitudes to achieve healthful living throughout their lives and to acquire physical fitness, coordination and leisure skills. As a result of their schooling, students will be able to:

- X understand the physical development, structure and functions of the human body;
- X understand principles of nutrition, exercise, efficient management of emotional stress, positive self-concept development, drug use and abuse, and the prevention and treatment of illness;
- X understand consumer health and safety, including environmental health;
- X demonstrate basic skills and physical fitness necessary to participate in a variety of conditioning exercises or leisure activities such as sports and dance;
- X plan a personal physical fitness and health program;
- X perform a variety of complex motor activities; and
- X demonstrate a variety of basic life-saving activities.

LEGAL REF.: Illinois School Code, Sec. 2-3.63, 2-3.64, and 27-1 (105 ILCS 5/2-3.63, 5/2-3.64, and 5/27-1),  
23 Ill.Admin.Code §1.210, and  
No Child Left Behind Act of 2001 (P.L. 107-110).

CROSS REF.: 120, 300, and 660  
Adopted: July 1, 2004

**Instruction**

**Equal Educational Opportunities**

District 131 is committed to providing educational programs and services designed to meet the individual needs and abilities of all students.

It is the policy of the Board to prohibit discrimination against any student on account of race, color, religion, economic status, nationality, sex, sexual orientation, ancestry, age, physical or mental disability, gender identity, status of being homeless, order of protection status, actual or potential marital or parental status, including pregnancy. Further, the District will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except the District remains viewpoint neutral when granting access to school facilities under Board Policy No. 830, *Use of School Facilities by Non-School Groups*. Any student may file a discrimination grievance by using Board Policy No. 296, *Uniform Grievance Procedure*.

**Sex Equity**

No student shall, based on sex, sexual orientation, or gender identity be denied equal access to programs, activities, services or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities. The prohibition against discrimination on account of sex is also intended to bar sexual harassment in any form as referenced in Board Policy 500.19 (Student - Staff Interaction). Any student may file a sex equity complaint by using Board Policy No. 600.01R, *Sex Equity Grievance Procedure*. A student may appeal the Board's resolution of the complaint to the Regional Superintendent (pursuant to 105 ILCS 5/3-10) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8).

**Administrative Implementation**

The Superintendent will appoint a Coordinator for nondiscrimination (the "Title IX Coordinator") for the District. The Superintendent and Building Principal shall use reasonable measures to inform staff members and students of this policy and grievance procedure.

LEGAL REF.: 42 U.S.C. §11431 et seq., McKinney Homeless Assistance Act.  
20 U.S.C §1681 et seq., 34 C.F.R. Part 106; Title IX of the  
Educational Amendments.  
29 U.S.C. §791 et seq., Rehabilitation Act of 1973.  
775 ILCS 35/5, Religious Freedom Restoration Act.  
Illinois Constitution, Art. 1, §18.  
Good News Club v. Milford Central School, 121 S.Ct. 2093 (2001).  
105 ILCS 5/10-22.5 and 27-1.

775 ILCS 5/1-101 et seq., Illinois Human Rights Act.  
23 Ill. Admin. Code §1.240 and Part 200.

CROSS REF.: 296 (Uniform Grievance Procedure)  
600.01-R (Sex Equity Grievance Procedure)  
710.01 (Student Rights and Responsibilities)  
715.11 (Harassment, Intimidation and Bullying of Students)  
730.16 (Student Meetings)  
830 (Use of School Facilities by Non-School Groups)

Adopted: November 19, 2012



**Administrative Procedures**

**Equal Educational Opportunities - Sex Equity Grievance Procedure**

1. It is the intent and purpose of the Board of Education to comply with and implement for the requirements of Title IX of the Education Amendment of 1972 (20 U. S. C. 1681 et. seq. ), Article 1, Section 18 of the Illinois Constitution, and Sections 10-22.5 and 27-1 of the School Code (Ill. Rev. Stat. 1985, Ch. 122, Pars. 10-22.5 and 27-1).
2. It is the policy and practice of Aurora East School District 131 not to discriminate on the basis of sex in the educational programs or activities of such school district. No person shall be excluded from employment with the district on the basis of sex; nor, shall any person, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in employment in this school district, pursuant and according to the requirements of Title IX of the Educational Amendments of 1972.
3. The District's Title IX Coordinator will provide a copy of the District's sex equity policy and grievance procedure to any student, parent, guardian or other individual requesting them within seven (7) calendar days of the filing of such a request. This grievance procedure is available to any student, any District employee, and any other party wishing to file on behalf of a student.
4. Students of School District 131 who feel that School District 131 has discriminated against them because of sex and in violation of the requirements of Title IX of the Federal Education Amendment of 1972, or parents, guardians or other persons acting on behalf of such students, are encouraged to use the following grievance procedure:

Explanation:

A Grievance is a difference of opinion involving: (1) the meaning, interpretation or application of established policies; (2) difference of treatment: or, (3) application of the legal requirement of civil rights legislation.

This procedure is not intended to limit the option of the district and a grievant to resolve any grievance mutually and informally. Any hearings and conferences held under this procedure shall be conducted at a time which will afford a fair and equitable opportunity to participate for all persons involved in the process.

Due process shall exist throughout the procedure, along with rights to:(1)representation;(2) present witnesses and evidence; (3) confidentiality;(4) review relevant records; and, (5) proceed without harassment and/or retaliation.

Time limits refer to days when school is in session.

**STEP 1:**

Any complaint alleging non-compliance with Title IX shall be in writing, shall include a statement of facts, comprising the alleged noncompliance, shall be signed and dated, and shall be filed with a Complaint Manager for the Uniform Grievance Policy and/or the building principal or appropriate administrator. This grievance must be filed within ten (10) days of the alleged discriminatory incident. The Complaint Manager, building principal or appropriate administrator will arrange for a meeting to take place within ten (10) days after receipt of grievance to discuss the matter. Within ten (10) days of such meeting, the principal or appropriate administrator shall make a decision on the complaint and communicate it in writing to the grievant.

**STEP 2:**

If the grievance is not satisfactorily resolved under Step 1, the grievant may appeal in writing to the \*Title IX Coordinator within ten (10) days of the Complaint Manager, principal or appropriate administrator's decision in Step 1. Within ten (10) days of such notice, a meeting shall be called with grievant and other appropriate parties, if any, for discussion and an equitable resolution of the grievance. Within ten (10) days of their meeting, the Title IX Coordinator shall communicate his decision in writing, together with supporting reasons, to the grievant.

**STEP 3:**

If the grievance is not satisfactorily resolved under Steps 1 and 2, the grievant may appeal in writing to the Superintendent of Schools within ten (10) days of the Complaint Manager, principal or appropriate administrator's decision in Step 2. Within ten (10) days of such notice, a meeting shall be called with grievant and other appropriate parties, if any, for discussion and an equitable resolution of the grievance. Within ten (10) days of their meeting, the Superintendent of Schools shall communicate his decision in writing, together with supporting reasons to the grievant.

**STEP 4:**

If the grievance is still not resolved, the grievant may appeal the issue in writing within ten (10) days of the Superintendent of School's decision in Step 3, to the President of the Board of Education, and may request a hearing before the Board of Education. The Board

of Education, within fifteen (15) days of receipt of hearing request, shall hear the issue. Within fifteen (15) days after the hearing, or within fifteen (15) days after receipt of written grievance, if no hearing is requested, the Board of Education shall communicate its decision in writing, together with supporting reasons to the grievant.

**STEP 5:**

Grievance decisions made at the local level may be appealed to the appropriate Education Service Region Superintendent and, thereafter, to the State Superintendent of Education.

\*The Title IX Coordinator for District 131 is the Assistant Superintendent for Personnel and may be contacted at 417 Fifth Street, or by calling 844-5567.

LEGAL REF.: Title IX of the Education Amendments, 20 U.S.C. ' 1681 et seq., 34 C.F.R. Part 106.

Adopted: July 1, 2004

**Instruction**

**Title I Parental Involvement**

Aurora East School District 131 believes that parental participation is a very important part of the educational program. The district also recognizes that parents are concerned about their children's education; therefore, the Title I Program of Aurora East School District 131 promotes communication between home and school.

Parents of children being served in the Title I project will have the opportunity to participate in the design and implementation of the Title I project as required by federal rules and regulations. Parents will be invited to a planning meeting prior to submission of the project application. Parents will be notified of their child's selection to participate in the Title I Targeted Assisted Programs. Parents will have an opportunity for Title I involvement through parent-teacher conferences, Title I class visitation, student progress reports, newsletters, and questionnaires.

The administration is directed to implement the above policy through Administrative Guidelines.

LEGAL REF.: Education Consolidation and Improvement Act, Title I, General Administrative Requirements, Sec. 200.53(b)(1).

Adopted: July 1, 2004

**Administrative Procedures**

**Title I Parental Involvement**

In order to build a strong program under Title I of the Elementary and Secondary Education Act that meets the needs of those students selected for the program, District 131 will implement programs, activities, and proceedings for the involvement of parents/guardians in programs of students receiving services, or enrolled in programs, under Title I.

**District-Level Parent Involvement Policy**

District 131 will develop jointly with, agree on with, and distribute to, parents of participating children a written District-level parental involvement policy. Both parents/guardians and teachers directly involved with the program are encouraged to cooperatively design, plan and implement the program.

District efforts to provide an opportunity for parent/guardian involvement at the District level will include the following:

1. The District will involve parents/guardians in the joint development of the District's plan to help low-achieving children meet challenging achievement and academic standards, and in the process of school review and improvement, by utilizing measures which may include some or all of the following:
  - X Establishing a District-level committee with parent/guardian liaisons from each school building as well as representatives from other impacted programs;
  - X Establishing meaningful, ongoing two-way communication between the District, staff and affected parents/guardians;
  - X Developing a District newsletter to communicate to parents/guardians about the plan and to seek their input and participation; and/or
  - X Training personnel on how to collaborate effectively with families with diverse backgrounds that may impede parents/guardians participation (e.g. illiteracy or language difficulty).
  
2. The District will provide the coordination, technical assistance, and other support necessary to assist participating schools in planning and implementing effective parent/guardian involvement activities to improve student academic achievement and school performance, by utilizing measures which may include some or all of the following:
  - X Providing ongoing District-level workshops to assist District schools in planning and implementing improvement strategies;
  - X Establishing training programs for building liaisons to bring the communication and facilitation skills to the District schools that they represent;

- X Providing information to parents/guardians about the various assessment tools and instruments that will be developed to monitor progress; and/or
  - X Seeking input from parents/guardians in developing workshops.
3. The District will build the capacity of schools and parents/guardians for strong parental involvement by utilizing measures which may include some or all of the following:
- X Providing ongoing communication about the District-wide committee through District newsletters or other written or electronically communicated means;
  - X Engaging the building PTO's to actively seek out and involve parents/guardians through regular communication updates and information sessions;
  - X Utilizing PTO's to assist in identifying effective communication strategies based on their members' needs; and/or
  - X Providing a master calendar of District meetings to discuss pertinent topics.
4. The District will coordinate and integrate parent/guardian involvement strategies under this policy with parent/guardian involvement strategies under other programs, (such as the Head Start program, Reading First program, Early Reading First program, Even Start program, Parents as Teachers program, and Home Instruction Program for Preschool Youngsters, and State-run preschool programs), by utilizing measures which may include some or all of the following:
- X Involving District and building representatives from other programs to assist in identifying specific population needs; and/or
  - X Sharing data from other programs to assist in developing new initiatives to improve academic achievement and school improvement;
5. The District will conduct, with the involvement of parents/guardians, an annual evaluation of the content and effectiveness of the parent/guardian involvement policy in improving the academic quality of the schools served under Title I, including identifying barriers to greater participation by parents/guardians in activities authorized hereunder (with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background), and use the findings of such evaluation to design strategies for more effective parent/guardian involvement, and to revise, if necessary, the parent/guardian involvement policies described in this section, by utilizing measures which may include some or all of the following:
- X Evaluating the effectiveness of the content and communication methods through a variety of methods, including: focus groups, surveys, workshops, and informal coffees with District and building administrative staff, parents/guardians, and teachers;

- X Identifying barriers to effective evaluation by language support or other assistance as needed; and/or
  - X Identifying potential policy changes to revise and improve program(s).
6. The District will involve parents/guardians in the activities of the schools served under Title I, by utilizing measures which may include some or all of the following:
- X Providing communication and calendar information to parents/guardians of upcoming meetings, discussions or events and encouraging their participation; and/or
  - X Providing Building Principal and PTO coordination of events.

School-Level Parental Involvement

Each Building Principal or his/her designee will also develop with, and distribute to, parents/guardians of participating children a written a school-level parental involvement policy, agreed on by such parents/guardians, according to Title I requirements. Parents/guardians will be notified of this school-level parental involvement policy in an understandable and uniform format and, to the extent practicable, in a language they can understand. The policy will also be made available to the local community and updated periodically to meet the changing needs of the parents/guardians and the school.

Policy Involvement

Each school served under Title I will:

1. Convene an annual meeting, at a convenient time, to which all parents/guardians of participating children are invited and encouraged to attend, to inform parents/guardians of their school's participation under Title I and to explain the requirements of Title I, and the right of the parents/guardians to be involved. In connection therewith, the Building Principal or his/her designee may:
  - X Invite all parents/guardians of participating children to the annual meeting at school;
  - X Explain the rights of parents/guardians to be involved in establishing this compact;
  - X Introduce and involve the building representatives on the District-level committee;
  - X Provide an overview of Title I and give parents/guardians an opportunity to express questions and concerns;
  - X Indicate the mechanisms by which the committee work will be communicated;
  - X Seek the involvement and input of parents/guardians; and/or

- X Provide child care so that all parents/guardians who would otherwise be unable to attend may attend.
2. Offer a flexible number of meetings, such as meetings in the morning or evening, and may provide, with funds provided under this part, transportation, child care, or home visits, as such services relate to parental involvement. In connection therewith, the Building Principal or his/her designee may:
- X Provide parents/guardians with opportunities to ask questions and dialogue informally about student academic achievement and school performance;
  - X Engage building-based parent organizations to assist with communication and implementation needs; and/or
  - X Develop and use outreach programs to involve community groups and organizations.
3. Involve parents/guardians in an organized, ongoing, and timely way, in the planning, review, and improvement of programs under Title I, including the planning, review, and improvement of the school parental involvement policy and the joint development of the school wide program plan, except that if a school has in place a process for involving parents/guardians in the joint planning and design of the school's programs, the school may use that process, if such process includes an adequate representation of parents/guardians of participating children. In connection therewith, the Building Principal or his/her designee may:
- X Identify and establish a process by which an adequate representation of parents/guardians of participating children can occur; and/or
  - X Establish a schedule for the building-based committee to plan, review, and recommend improvements to the District-level parental involvement policy.
4. Provide to parents/guardians of participating children:
- X Timely information about programs;
  - X A description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels students are expected to meet; and
  - X if requested by parents/guardians, opportunities for regular meetings to formulate suggestions and to participate, as appropriate, in decisions relating to the education of their children, and respond to any suggestions as soon as practicably possible.
5. If the school wide program plan is not satisfactory to the parents/guardians of participating children, the Building Principal or designee will:
- X Submit any parent/guardian comments when the school makes the plan available to the School Board.



Shared Responsibilities for High Student Academic Achievement (School-Parent Compact)

As a component of the school-level parental involvement policy, each school served under Title I will jointly develop with parents for all children served under this part a school-parent compact that outlines how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards. Each Building Principal or designee will ensure that the compact is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title 1. The compact will:

1. Describe the school's responsibility for providing a high-quality curriculum and instruction in a supportive and effective learning environment that enables the children served under Title I to meet the State's student academic achievement standards, and the ways in which each parent will be responsible for supporting their children's learning, by:

- X Monitoring attendance, homework, and television viewing;
- X Volunteering in their child's classroom; and
- X participating, as appropriate, in decisions relating to their children's education and extracurricular activities.

2. Address the importance of communication between teachers and parents/guardians on an ongoing basis through:

- X Parent-teacher conferences in elementary schools, at least annually, during which the compact will be discussed as the compact relates to the individual child's achievements;
- X Frequent reports to parents/guardians on their children's progress; and
- X Reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities.

Building Capacity for Involvement

To ensure effective involvement of parents/guardians and to support a partnership among the school involved, parents/guardians, and the community to improve student academic achievement, each school and the District:

- X Will provide assistance to parents/guardians of children served in understanding the State's academic content standards and State student academic achievement standards, State and local assessments, monitoring a child's progress and working with educators to improve the achievement of their children;
- X Will provide materials and training (such as literacy, technology, etc.) to help parents/guardians work with their children;

- X Will educate teachers and other staff in the value and utility of contributions of parents/guardians and how to effectively communicate with and work with parents/guardians as equal partners;
- X Will implement and coordinate parent/guardian programs that will build ties between them;
- X Will, to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with Read Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program and public preschool and other programs and conduct other activities, such as parent/guardian resource centers that encourage and support parents/guardians in more fully participating in the education of their children;
- X Will ensure that information is sent to the parents/guardians of participating children in a format and language that the parents/guardians can understand;
- X May involve parents/guardians in the development of training for teachers, Building Principals, and other educators to improve the effectiveness of such training;
- X May provide necessary literacy training from funds received under this part if the District has exhausted all other reasonably available sources of funding for such training;
- X May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child care costs to enable parents/guardians to participate in school-related meetings and training sessions;
- X May train parents/guardians to enhance the involvement of other parents/guardians;
- X May use outreach programs to involve community groups and organizations.
- X May arrange school meetings at a variety of times, or conduct in-home conferences between teachers and other educators, in order to maximize parental involvement and participation;
- X May adopt and implement model approaches to improving parental involvement;
- X May establish a District-wide parent advisory council to provide advice on all matters related to parental involvement in supported programs;
- X May develop appropriate roles for community-based organizations and businesses in parent/guardian involvement activities; and
- X Will provide such other reasonable support for parental involvement activities under this section as parents/guardians may request.

Adopted: July 1, 2004

**Instruction**

**Library Media Philosophy**

The Board subscribes in principle to the “Library Philosophy” as expressed in the American Library Association's Library Bill of Rights (see Administrative Procedures 602-R, and Exhibit 602-E3).

Adopted: July 1, 2004

## **Library Bill of Rights**

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

1. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

2. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

3. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

4. Libraries should cooperate with all persons and groups concerned with resisting abridgement of free expression and free access to ideas.

5. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

6. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 18, 1948

Amended February 2, 1961, June 27, 1967, and January 23, 1980  
by the ALA Council.

## Administrative Procedures

### INTRODUCTION

Copyright protection is for the life of the author plus 50 years. Copyright protection exists from the time the "pen hits paper", from the time the work is created in fixed form. The copyright of the work **IMMEDIATELY** becomes the property of the author who created it.

Protection is provided for "original works of authorship fixed in any tangible medium of expression." Copyright protection for an original work of authorship **DOES NOT** extend to any idea, procedure, process, system, or discovery.

It is not necessary to register the work in the Copyright Office in order to secure copyright. An author has copyright as soon as the work is in fixed form. Under the law, persons must assume that any work created after 1978 is copyrighted and, therefore, permission to copy should be requested. There are definite advantages to registering a work at the Copyright Office.

### WHAT IS COPYRIGHTABLE

Copyrightable works include the following categories:

1. literary works
2. musical works, including any accompanying words
3. dramatic works, including any accompanying music
4. pantomimes and choreographic works
5. pictorial, graphic, and sculptural works
6. motion pictures and other audiovisual works
7. sound recordings

To be copyrightable, a work must be original in the sense that the author has created it by his or her own skill, labor, and judgment; but no large measure of novelty is necessary.

### WHAT IS NOT COPYRIGHTABLE

These items or works are not copyrightable:

1. words and short phrases such as names, files, and slogans
2. familiar symbols or designs
3. mere variations of typographic ornamentation, lettering, coloring
4. mere listing of ingredients or contents
5. ideas, plans, methods, systems or devices
6. blank forms, account books, bank checks, diaries, graph paper, order forms, report forms, scorecards, time cards
7. works consisting of common property-type information

### ARE FACTS, RESEARCH COPYRIGHTABLE?

Facts cannot be copyrighted. Factual information is in the public domain so an author can use facts, whether correct or incorrect, that are published in a copyrighted article without asking permission. Copyright permission extends only to an author's expression of facts and not the facts themselves.

## BUT WHAT ABOUT FAIR USE?

Congress has given the five exclusive rights to the copyright holder, but Congress also added some limitations. If there were not limits on the owner's rights, it would not be possible to copy anything for any reason without the owner's permission. Some of these limitations are outlined specifically in various Sections of the law. Other limits are relegated to the broad interpretations under Fair Use.

"Fair use" has been the cry educators have used when copying for instructional purposes. Educators have a tendency to lump all copying done in the school setting under the banner "fair use" because schools are nonprofit and the copying is done to teach students. "Fair use" is often used as an excuse for copying rather than a well thought out reason for copying. Fair Use is a part of the copyright law.

Section 107 of the 1976 Copyright Act discusses four factors that determine whether copying can be done legally. **ALL FOUR** of the factors must be considered in determining fair use. **ALL FOUR** criteria must be met before copying of any material is allowed. The law does not give one factor more weight over another. However, the courts have generally placed the most emphasis on the last factor while the second factor is generally accorded the least importance and is also the most unclear of the four.

1. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes.
2. The nature of the copyrighted work.
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole.
4. The effect of the use upon the potential market for or value of the copyrighted work.

The four factors are explained below.

## PURPOSE AND CHARACTER OF WORK

If the purpose for copying does not fall into the categories of criticism, comment, news reporting, teaching, scholarship or research, it is not a fair use. The fair use guidelines are not to be interpreted as any sort of not-for-profit or educational "carte blanche" for copying.

## NATURE OF THE COPYRIGHTED WORK

"Where the nature of the copyright work is more in the nature of a collection of facts than in the nature of creative or imaginative work, alleged infringers have greater license to use portions of such work under the fair use doctrine than they would have if creative work were involved." (New York Times Co. v. Roxbury Data Interface Inc.) In other words, copying a news magazine article (factual) is more likely to be allowed under Fair Use than copying a short story (creative).

## AMOUNT OF WORK USED

The use of an entire work, in other words, wholesale copying, can **NEVER** be a fair use, even in cases where the infringer had no intent to infringe. Copying a large portion of a work or the "essence" of a work is an infringement.

## FAIR USE SUMMARY

Copying parts of or entire works for use in a classroom cannot be done simply because the purpose is educational. The Fair Use statute is used to determine the legality of copying when the instance of copying is not addressed in the other Sections of the Copyright Act. In other words, first look to the Copyright Act and the accompanying guidelines for the permission to copy. If the copying is not specifically prohibited, it **MAY** be allowed under Fair Use.

## GUIDELINES FOR EDUCATION OR CLASSROOM COPYING OF BOOKS OR PERIODICALS (Not Musical or Audiovisual Works)

There are guidelines established to help educators decide when copying materials is allowed. **GUIDELINES FOR CLASSROOM COPYING IN NONPROFIT EDUCATIONAL INSTITUTIONS** was written by educators, authors, and publishers and is a part of the legislative history of the Copyright Act. The **GUIDELINES** are not a part of the law.

The **GUIDELINES** are prefaced by the statement: "There may be instances in which copying does not fall within the guidelines stated below may nonetheless be permitted under the criteria of fair use."

### SINGLE COPYING

Teachers may make single copies of a chapter of a book; an article from a periodical or newspaper; a short story, essay or poem; a chart, graph, diagram, drawing, cartoon, or picture from a book, periodical or newspaper to teach a class.

### MULTIPLE COPYING

Multiple copies (one copy per pupil in a course) can be made if it meets the criteria of brevity, spontaneity, and cumulative effect and if each copy contains a notice of copyright.

1. **Brevity** -- A complete poem printed on no more than two pages or an excerpt from longer poem not to exceed 250 words copies in either case.

A complete article, story or essay of less than 2,500 words or a n excerpt from prose less than 1,000 words or 10% of the work, whichever is less, but in either event a minimum of 500 words to be copied. One chart, graph, diagram, drawing, cartoon, or picture per book or periodical issue.

2. **Spontaneity** -- Copying is done by the teacher when there is not a reasonable length of time to request and receive permission to copy.
3. **Cumulative Effect** -- The copying is only for one course and only nine instances of multiple copying per course during one class term is allowed. Not more than one short poem, article, story, essay, or two excerpts may be copied from the same author, nor more than three from the same collective work or periodical volume during one class term.

**SPECIAL WORKS**

Short works such as children's books are often less than 2,500 words. These works cannot be copied as a whole; but an excerpt of not more than two published pages containing not more than 10% of the words found in the text may be reproduced.

**PROHIBITIONS TO SINGLE OR MULTIPLE COPYING**

You can't copy:

- to substitute for purchase or replacement
- workbooks, exercise, standardized tests, or answer sheets
- the same item by the same teacher term after term
- if it is directed by a higher authority
- if there is a charge to students beyond the photocopy cost
- to create, replace, or substitute for anthologies, compilations, or collective works

**GUIDELINES FOR VIDEOTAPING****OFF-THE-AIR RECORDING**

**GUIDELINES FOR OFF-THE-AIR RECORDING OF BROADCAST PROGRAMMING FOR EDUCATIONAL PURPOSES** is a product of Congressman Robert Kastenmeier's committee and is not a part of the law. It does serve as the authority for taping off-air for educational purposes.

1. The guidelines apply only to off-air recording by nonprofit educational institutions.
2. Videotapes may be kept for only 45 calendar days after the recording date. The tapes must be erased after this time.
3. The videotape may be shown to students only during the first 10 school days after the recording date. It may be repeated once for reinforcement. (Points 2 and 3 are the 45-10 rule).
4. Off-air recordings may be made only at the request of an individual teacher and not in anticipation of a teacher request. The same teacher can request the program be recorded only once.
5. If several teachers request the same program be recorded, duplicate copies may be made.
6. After the first 10 school days allowed for showing, the recording may only be used for evaluation purposes.
7. Off-air recordings may not be edited or combined with other recordings to create an anthology or a new work.
8. All copies of the recording must contain a notice of copyright as broadcast.



9. Schools are expected to establish the appropriate controls to ensure compliance with these guidelines.

The above are guidelines and the law does not address the situation of a teacher who videotapes a program off-air at home and then uses the videotape in the classroom. A review of the literature indicates that the teacher should follow the above guidelines to comply with the spirit of the law.

### **PUBLIC BROADCAST PROGRAMS**

Public Broadcasting Service, Public Television Library, Great Plains National Instructional Television Library, and Agency for Instructional Television allow educators to videotape their programs off-air under these conditions:

1. Recordings may be made by students or teachers in accredited, nonprofit educational institutions.
2. Recordings may be used only for instruction in a classroom, lab, or auditorium. (Not restricted to one classroom or one teacher).
3. Recordings may not be shared outside of that school.
4. Recordings may be used as often as needed for seven days and must then be erased.

### **"FOR HOME USE ONLY" VIDEOTAPES**

Rented videotapes often carry the warning "**FOR HOME USE ONLY**" which raises the question of whether the rented videotapes may be used in the classroom. If the videotape has been cleared for public performance, there is not problem using it in the classroom.

The gray area revolves around whether a classroom is a public place. The debate over this question will continue until a court case resolves it. In the meantime, a review of literature **INDICATES** that a teacher **COULD** show a home-use-only videotape in a classroom with the reasoning that educators have the right to display or perform works in face-to-face teaching situations. A review of the literature indicates that the videotape must meet an instructional goal and not be entertainment for the students.

## **COPYRIGHT AND COMPUTER SOFTWARE**

The Copyright Act of 1976 and the Computer Software Copyright Act of 1980 do not give educators crystal clear guidelines as to when computer software may be copied. There has also been no definitive judicial guidance.

Interpretations of the law have been made by several experts and the following is a summary of those interpretations.

### **YOU CAN**

You can make an archival or back-up copy of the software program that you own. The back-up copy is to be used only if the original fails. You can't use the back-up copy on a second microcomputer simultaneously with the master copy.

You can adapt the program to your use by adding to the content or adapting it to another language. You can't sell, distribute, or transfer the adapted version of that program.

You can loan the computer software in the school media center.

### **YOU CAN'T**

You can't make multiple back-up copies.

You can't make one copy for home and one copy for school.

You can't make a copy for a friend (unless it's public domain).

You can't transmit through a network outside of a school building.

### **FAIR USE AND SOFTWARE**

Educators are concerned about their rights under the provision of Fair Use. As you must meet all four Fair Use criteria, it is not reasonable to use Fair Use as the rationale for copying. A review of the literature indicates that copying computer software for a short term, emergency use may be allowed.

### **COMPUTER LABS**

Software use in computer labs is a gray area in some regards. There are differing views of what is allowable. The basic difference in opinion stems from the misunderstanding of what constitutes a copy of computer software.

There are two definitions of making a copy of computer software.

Under the law educators are allowed to make one back-up copy and this copy cannot be used at the time the original is being used. You cannot make several copies of one program for students to use in a lab (even though you have purchased a program, you have not purchased the right to copy the program).

A copy of a computer program is also being made when loaded into the memory of a computer. If you load one program into several microcomputers to be used at the same time, you are making **illegal copies** and are violating the law. This instance of copying is often overlooked by educators because it produces an intangible copy. This interpretation of copying, although difficult to understand, is accepted by many legal experts whose articles were reviewed for this publication.

### **YOU MAY NOT**

Here is an example of what one expert suggests you may and may not do with multiple microcomputers. You would likely be **IN VIOLATION** of the law if you load one program into several microcomputers for use at the same time. (Assuming the program was not packaged and sold for that very purpose). The key here is simultaneous use. To get around this problem of multiple loads for simultaneous use, some companies are using multi-copy pricing and licensing provisions.

**YOU MAY**

Therefore, it would appear that **YOU CAN** use one program sequentially on several microcomputers. That is, load in one microcomputer, use it, turn off the microcomputer, load into another microcomputer, etc. Again, the key is simultaneous use. Simultaneous use is likely in violation of the copyright law; sequential use is not.

**LICENSING AGREEMENTS**

Some software programs have a statement on the shrink-wrap or the cover that you agree to the conditions for using the program as therein stated. Occasionally the conditions may seem prohibitive.

There have been no judicial guidelines as to whether these licensing statements are legally binding. Until there are some legal guidelines, the experts reviewed for this publication urge educators to be cautious when using any programs with this type of statement.

**GUIDELINES FOR COPYING MUSIC**

The **GUIDELINES FOR EDUCATIONAL USES OF MUSIC** are not a part of the law but are helpful in determining when copying music is allowed.

**COPYING FOR PERFORMANCE**

Emergency copying is allowed only if the purchased copies are not available for a performance. The photocopies must then be destroyed.

**COPYING FOR ACADEMIC PURPOSES**

Single or multiple copies of excerpts may be made if less than 10% of the whole work and if it is not a performable unit such as a selection, movement, or aria.

Purchased music may be edited if the fundamental character of the work is not distorted or the lyrics altered or added if none exist.

A single copy of an entire performable unit can be made if it is out of print or unavailable except in a larger work. It can; t be sued for performance.

A single recording may be made for aural exercises or tests and may be retained by the school or teacher.

A single copy may be made as a free service for the blind.

A single copy of a student performance may be made for study and for the archives.

A single copy may be made for preservation or replacement in the library when copies are not available for purchase.

**COPYING THAT IS PROHIBITED**

You can't copy to create, replace, or substitute for anthologies, compilations, or collective works.

You can't copy to avoid purchase.

**DISPLAYS, PERFORMANCE, AND COPYING  
OTHER AUDIOVISUAL WORKS**

If there were no exceptions to the five exclusive rights of the copyright owner (the rights to reproduce, prepare derivative works, perform, display, and distribute the copyrighted work) no audiovisual materials could be used in a school. The material would be displayed or performed and would violate the copyright law.

To protect educators when using copyrighted audiovisual materials in a class, the following conditions must be met:

**YOU MAY USE AUDIOVISUAL MATERIALS WHEN**

1. It is shown as part of the instructional program.
2. It is shown by students, teachers, or guest speakers.
3. It must be shown in the classroom, studio, workshop, library, gym, or auditorium.
4. It must be shown in a face-to-face teaching situation or in the same building or general area.
5. It must be shown only to students or educators.
6. Copyright notice must be included and it must be a legitimate copy.

**YOU MAY NOT USE AUDIOVISUAL MATERIALS WHEN**

1. It is for entertainment or recreational purposes and unrelated to a teaching activity.
2. It is transmitted by radio or television from an outside location (such as closed circuit from another building).
3. It is shown to an audience other than students or teachers, even when students or teachers are present.
4. you may not use an illegally acquired or duplicated copy.

**PROFESSIONALLY PREPARED SELECTION AIDS**

**Bibliographies** (latest editions available)

American Historical Fiction  
Basic Book Collection for Elementary Grades

The Best in Children's Books  
Children and Books  
Children's Catalog  
Elementary School Library Collection  
European Historical Fiction and Biography  
Guide to Resources in Education Media  
Junior High School Catalog  
Reference Books for School Libraries  
Subject Guide to Children's Books in Print  
Subject Index to Books for Intermediate Grades  
Subject Index to Books for Primary Grades  
Westinghouse Learning Directory  
Vertical File Index  
Other bibliographies prepared by educational organizations

**Current Reviewing Media:**

AAS Science Books and Films  
American Film and Video Association Evaluations  
Booklist  
Bulletin of the Center for Children's Books  
Horn Book  
Kirkus Reviews  
Library Journal  
School Library Journal  
Wilson Library Bulletin

**Instruction**

**School Calendar**

The Superintendent will appoint a calendar committee to confer about the school calendar. The committee will consist of representatives from the K-12 staff.

The calendar, which is subject to State regulations, will establish each calendar year's dates for opening and closing classes, teacher institutes and in-service workshops, the length and dates of vacations, and the days designated as school holidays.

LEGAL REF.: Illinois School Code, Sec. 10-19 (105 ILCS 5/10-19).

Adopted: July 1, 2004

**Instruction**

**School Day**

On an annual basis, the Board will establish the length of the school day for the coming year, based upon the recommendation of the Superintendent and subject to applicable State law requirements and Board policy.

LEGAL REF.: Illinois School Code, Sec. 18-8 (105 ILCS 5/18-8);  
23 Ill.Admin.Code, §1.420(f).

Adopted: July 1, 2004

**Instruction**

**Organization of Instruction**

The organizational framework within which educational services are provided to students in District 131 consists of elementary schools, middle schools and high schools.

Instruction within each school does not necessarily follow grade-level designations. The professional staff of a school may design, with the approval of the Superintendent, an instructional plan that they consider most advantageous to their students. For purposes of attendance reporting and other records, however, each student must be identified as to grade-level placement.

CROSS REF.: 110

Adopted: July 1, 2004



**Instruction**

**Encouragement of Excellence in English Usage**

The District's Philosophy of Education emphasizes that young people will be taught the basic skills of learning. To this end, teachers -- through example as well as instruction -- influence the development of English language skills in their students. The Board of Education, therefore, encourages the staff to write and speak well.

Adopted: July 1, 2004

## Instruction

### Curriculum Development, Implementation and Review

#### Adoption

The Board of Education is responsible for curriculum adoption and must approve all substantive changes, including the adoption of new textbooks and new courses, before such changes are made. Control over development, approval and implementation of the District's curricula will remain within the purview of the District 131 Board and Professional Staff. That power will not be shared with or supplanted by any outside entity without Staff recommendation and Board Approval.

The Superintendent, or the Assistant Superintendent for Curriculum at the direction of the Superintendent, will present all substantive curriculum changes to the Board's Curriculum Committee for its review. The Committee then will make recommendations regarding the changes to the entire Board.

#### Design and Content

The curriculum will be designed to accomplish the District's learning objectives and goals for excellence (see Policy 600).

#### Development

The Superintendent will implement a curriculum development program to monitor the current curriculum and suggest changes to make the curriculum more effective, to take advantage of improved teaching methods and materials, and to be responsive to social change, technological developments, the rapid expansion of knowledge, student needs, and community expectations.

The Superintendent may establish a Faculty Curriculum Committee to assist in the curriculum development program.

#### Review

To insure that the curriculum of District 131 accurately reflects the needs of the student population and is consistent with the financial resources available to the District, a regular review of content and learning standards in each curricular area will be performed. This review will be performed in coordination with all other administrative procedures for curriculum review and textbook adoption and will include a review of existing programs, potential extensions of such programs and new curricular initiatives. It is the intent of the Board to encourage public participation in the curriculum review and development process; therefore, consistent administrative mechanisms for such participation will be provided. As part of the review process, the Board will determine

priorities for curricular objectives and will insure that annual budgets reflect these priorities.

#### Field Tests and Action Research

Field testing or action research that will result in improved learning for students may be conducted with the approval of the Assistant Superintendent for Curriculum. However, the Board must be informed of such field tests prior to their initiation, via a report indicating the purpose of the test and the anticipated expenses and outcomes. In addition, the Board must receive evaluative reports during and after the tests. The final evaluation will include a recommendation regarding inclusion of the course or project, or a change thereto, into the District curriculum.

#### Curriculum Guides and Course Outlines

The Superintendent is responsible for the development of curriculum guides for the various subject areas and their distribution to appropriate staff members.

LEGAL REF.: Illinois School Code, Sec. 10-19, 10-20.8 and 28-6 (105 ILCS 5/10-19, 5/10-20.8 and 5/28-6);

CROSS REF.: 600, 625, 625.03, 625.04, 625.05, 625.07, 625.10, 630.01.

Adopted: July 1, 2004

**Administrative Procedures**

**Curriculum Development, Implementation and Review**

Research and Planning

The Assistant Superintendent for Curriculum will:

1. Identify and evaluate trends in curriculum and share this knowledge with the professional staff and the Board.
2. Monitor the operations of the instructional program and work with the staff in problem areas.
3. Provide leadership and/or counsel in District curriculum studies.
4. Provide a varied program of curriculum reference materials and facilities for the preparation of instructional supplements.
5. Implement regular, systematic communication of curriculum development activities and trends.

District Administrators will be responsible for interacting with the Assistant Superintendent for Curriculum and certified staff in the above related areas.

Curriculum Review Cycle

The curriculum review cycle -- as presented by the office of the Assistant Superintendent for Curriculum -- will include some or all of the following areas:

Art  
Business Education  
Driver Education  
English/Language Arts  
Family and Consumer Science  
Foreign Language  
Health  
Industrial Technology  
Mathematics  
Music  
Physical Education  
Reading  
Science  
Social Studies

### Faculty Curriculum Committees

The Superintendent may establish Faculty Curriculum Committees to assist in the District's curriculum planning process and provide the Administration with recommendations and supportive summaries. The Committees will serve in an advisory capacity only.

The Faculty Curriculum Committees will:

1. Provide adequate and continual communication on matters relating to curriculum between individual teachers (between grade levels, within subject-matter areas and between instructional and administrative staff);
2. Provide system-wide coordination of the curriculum in relation to student learning experiences;
3. Identify and categorize problems related to curriculum in order to establish priorities with respect to studies;
4. Conduct studies and research in the various curriculum areas, using the resources available to the school system;
5. Engage in long-range planning for the continuous improvement of the District's curriculum, including the alignment of standards, assessment, and instruction; and
6. Maintain a systematic format for reporting curriculum activities to the Board of Education.

The Superintendent will keep the Curriculum Committees informed of the specific tasks and the time-frame in which the work must be completed.

### Curriculum Guides and Course Outlines

1. Development of guides:
  - 👉 Curriculum guides are best developed by the teachers who use them.
  - 👉 When entire staff participation is not feasible, staff representatives and/or the departments concerned will form system-wide committees for study, creation and revision.
  - 👉 Completed guides will be given to the Superintendent and appropriate teachers.

Adopted: July 1, 2004

## **Instruction**

### **Curriculum Changes**

The Board of Education encourages continuous improvement of curricula and instructional methods through research and development. However, basic changes in course content, and the addition or deletion of courses to the curriculum, must be approved by the Board.

Field testing or action research that will result in improved learning for students may be conducted with the approval of the Assistant Superintendent for Curriculum. However, the Board must be informed of such field tests prior to their initiation, via a report indicating the purpose of the test and the anticipated expenses and outcomes. In addition, the Board must receive evaluative reports during and after the tests. The final evaluation will include a recommendation regarding inclusion of the course or project, or a change thereto, into the District curriculum.

Such field tests must not be conducted on a trial basis for more than two years. After this period, recommended changes must be approved by the Board or discontinued.

For the purposes of this policy, action research is defined as replicating or creating innovative curricular or instructional practices based on best practices and/or data-based projects or theses that have proven or predictable positive learning results.

Also, field testing is defined as a research-based adjustment to an entire class/course involving substantial curricular, instructional, and instructional material modifications. The testing will determine the feasibility of such a change, the necessary related support (e.g., staff development, equipment, software, staffing, etc.) for effective implementation, and the degree of improvement in student learning.

Adopted: July 1, 2004

**Instruction****Curriculum Content**

A list of the curriculum offered to District 131 students is coordinated by the Superintendent or his/her designee. When changes or modifications are desired, they will be submitted to the Board of Education for approval. This information is kept on file in the Office of the Superintendent and/or his/her designee.

K-5 Subject Areas: In kindergarten the emphasis is on learning to live in groups and to appreciate activities in all areas of the instructional program.

Mathematics	K-5
Language Arts	
Composition	K-5
Grammar	K-5
Reading	K-5
Spelling	K-5
Penmanship	K-5
Vocabulary	K-5
Science	K-5
Social Studies	K-5
Art	K-5
Music	K-5
Physical Education	K-5

**6-8 Subject Areas:**

Mathematics	6 - 7 - 8
Language Arts	
Composition	6 - 7 - 8
Grammar	6 - 7 - 8
Literature	6 - 7 - 8
Reading	6 - 7 - 8
Speaking	6 - 7 - 8
Spelling	6 - 7 - 8
Vocabulary	6 - 7 - 8
Science	6 - 7 - 8
Social Studies	6 - 7 - 8
Applied Studies	
Family and Consumer	
Science	6 - 7 - 8
Foreign Language	7 - 8
Applied Technology	6 - 7 - 8



	Art	6 - 7 - 8
	Music	6 - 7 - 8
	Physical Education and Health	6 - 7 - 8
<u>9-12 Subject Areas:</u>	Mathematics	9 - 12
	Science	9 - 12
	Social Studies	9 - 12
	English/Language Arts	9 - 12
	Composition	9 - 12
	Spelling	9 - 12
	Grammar	9 - 12
	Literature	9 - 12
	Reading	9 - 12
	Speaking	9 - 12
	Vocabulary	9 - 12
	Physical Education	9 - 12
	Applied Sciences	
	Applied Technology	9 - 12
	Business Education	9 - 12
	Family and Consumer Science	9 - 12
	Drivers' Education	10 - 12
	Health	10
	Foreign Language	9 - 12
	Fine Arts	
	Visual Arts	9 - 12
	Music	9 - 12

College Board Advanced Placement courses are offered, when applicable, in Calculus, Chemistry, United States History, English Literature and Composition, Physics, Statistics and Probability, Computer Science and Programming, Biology, Level IV Foreign Languages, Macro and Micro Economics, European History, and Psychology.

Also, computers are a part of the District's instructional program and are used in grades K-12. See the Philosophy Statement on Technology (625.08) for further information.

Adopted: July 1, 2004

**Instruction**

**Instruction Required by Statute**

In addition to the curriculum set forth in Board policy 625, District 131 curriculum will include instruction on the following topics as required by State statute.

1. Honesty, Kindness, Justice, and Moral Courage. Every teacher will teach students honesty, kindness, justice, and moral courage for the purpose of lessening crime and raising the standard of good citizenship.
2. Patriotism. The Pledge of Allegiance and the National Anthem, as well as the proper use and display of the American flag, will be taught along with American patriotism and the principles of representative government as enunciated in the Declaration of Independence and the Constitutions of the United States and the State of Illinois. The Pledge of Allegiance will be recited each school day in grades K-8.
3. Physical Education. Specialists in the area of physical education are employed to teach physical education. The District will comply with the requirements mandated in the Illinois School Code.

Except where State approved exceptions have been granted, students will be engaged in daily courses of physical education for periods that are compatible with the optimum growth and development needs at the various age levels. However, students may be excused from physical education classes when a request has been submitted to the District by the parents or guardians or by a person licensed under the Medical Practice Act.

For those students whose physical and/or emotional well-being prevent their participation in the District's regular physical education classes, as determined by a person licensed under the Medical Practice Act, the District will provide special activities in physical education.

Courses in physical education and training will be for the following purposes:

- a. To develop organic vigor;
- b. To provide bodily and emotional poise;
- c. To provide neuro-muscular training;
- d. To prevent or correct certain postural defects;
- e. To develop strength and endurance;
- f. To develop desirable moral and social qualities;
- g. To promote hygienic school and home life; and
- h. To secure scientific supervision of the sanitation and safety of school buildings, playgrounds, athletic fields and equipment.

4. Career Education.

- a. The career education program will promote the desire to work and acquire the necessary skills; teach the relationship between learning and work; teach good work habits and values; and discourage occupational stereotyping.
- b. A vocational education program will provide students with an opportunity to develop the basic skills to enter the world of work and/or continue formal education.
- c. A student work program may be developed and implemented under the direction of the Superintendent and other appropriate staff members to provide work experiences as extensions to the regular classroom.

5. United States History. Instruction concerning the events of United States History will be included in the curriculum of District 131. The unit of instruction will include:

- a. An analysis of the principles for which our government stands in relation to other nations, including the study of the place of our government in world-wide movements and the leaders thereof, with emphasis upon the basic principles and ideals of our representative form of government.
- b. A study of the role and contributions of ethnic groups in the history of this country and this State.
- c. A study of the role of labor unions and their interaction with government in achieving the goals of a free-enterprise system.

6. History of Women in America. A unit of instruction studying the History of Women in America will be included in the curriculum of District No. 131. The unit of instruction will include:

- a. The contributions made by individual women in government, in the arts, sciences, and education, and in the economic, cultural and political development of Illinois and the United States;
- b. The struggle of women to gain the right to vote and be treated equally as they strive to earn and occupy positions of merit in our society; and
- c. Other events that may be determined to be significant to the history of women.

7. Black History. A unit of instruction studying the events of Black history will be included in the curriculum of District 131. The unit of instruction will include:
- a. The contributions made by individual African-Americans in government and in the arts, humanities and sciences, and to the economic, cultural and political development of the United States and Africa;
  - b. The socio-economic struggle that African-Americans experienced collectively in striving to achieve fair and equal treatment under the laws of this nation;
  - c. The history of the African slave trade, slavery in America, and the vestiges of slavery in this country; and
  - d. Other events that may be determined to be significant to the study of Black history.

The studying of Black history will constitute an affirmation by students of their commitment to respect the dignity of all races and peoples, and to forever reject every form of discrimination in their lives and careers.

8. Holocaust Study. A unit of instruction studying the events of the Holocaust will be included in the curriculum of District 131. The unit of instruction will include the events of the Nazi atrocities of 1933 to 1945 known as the Holocaust.

The studying of the Holocaust will constitute a reaffirmation of free peoples from all nations to never again permit the occurrence of another Holocaust.

9. Conservation of Natural Resources. Instruction, study and discussion of current problems and needs in the conservation of natural resources will be included in the curriculum of District 131.

This will include air pollution, water pollution, waste reduction and recycling, the effects of excessive use of pesticides, the preservation of wilderness areas, forest management, the protection of wildlife and humane care of domestic animals.

10. Health Education. The Superintendent will develop a comprehensive health education program.

11. Violence Prevention and Conflict Resolution. Instruction concerning violence prevention and conflict resolution will be included in the curriculum of District 131 for grades 4 through 8, provided the program can be exclusively funded by grants from private sources or the federal government.

While the Board will comply with State statutes, the Board will reserve the right to determine the minimum amount of instructional time that will qualify as a unit of instruction for each of the aforementioned curricular components. In addition, any substantive changes to the curriculum that result from compliance with these State statutes will be brought to the Board for approval.

LEGAL REF.: Illinois School Code, Sec. 27-3, 27-4, 27-5, 27-6, 27-7, 27-12, 27-13.1, 27-20.3, 27-20.4, 27-20.5, 27-21, 27-23.4, and 110/3 (105 ILCS 5/27-3, 5/27-4, 5/27-5, 5/27-6, 5/27-7, 5/27-12, 5/27-13.1, 5/27-20.3, 5/27-20.4, 5/27-20.5, 5/27-21, 5/27-23.4, and 110/3), Illinois Medical Practice Act (225 ILCS 60/1, *et seq.*), and 23 Ill.Admin.Code '1.420.

CROSS REF.: 620, 620-R

Adopted: July 1, 2004

**Instruction**

**Human Relations Education**

School District 131 is committed to the goal of educating students to function effectively and cooperatively in a pluralistic society. The attainment of this goal will be fostered by the use of materials reflecting:

1. Respect for one's self and others, regardless of economic status, intellectual or physical ability, sex, age, race, color, religion, creed, ethnic origin.
2. Respect for cultural differences.
3. Respect for the economic, political, and social rights of others.
4. Respect for the rights of others to seek and maintain their own identities.

Instructional materials at all grade levels will reflect and fairly portray the history, contributions and culture of various ethnic and racial groups in our society.

Adopted: July 1, 2004

## Instruction

### Teaching About Religions

The teaching or propagation of any religion in the District's instructional program is strictly prohibited and is unlawful.

However, teaching about religion(s) is permitted as long as it is done in a way that furthers the students' understanding of its contribution to the history of mankind and the world's cultures. Essential guidelines that direct the implementation of this policy are:

1. Instruction must be age-appropriate to ensure that students will not believe the District is sponsoring religion.
2. Instruction may expose students to religious views, but may not impose any particular views.
3. Instruction must be academic, not devotional.
4. Instruction may study what people believe, but may not teach a student what to believe.
5. Instruction will strive for student awareness of a variety of religions, but will not press for student acceptance of any one religion.
6. Instruction will educate students about all religions, not attempt to convert students to any one religion.
7. Instruction will seek to inform students about various beliefs, not seek to conform students to any one belief.

Within the parameters of the academic study of religion, teachers may display objects, artifacts and symbols that give form to a variety of religious customs, beliefs, and expressions. Any classroom and school displays -- presented as a part of religious study or holiday activities -- will meet the following criteria:

1. The display will be exhibited on a temporary basis.
2. The display will be constructed in a manner that presents no endorsement, favoritism, or promotion of a single religion or religious belief.
3. The display will include non-secular as well as secular symbols.
4. The display will include appropriate, descriptive labels attached to the symbols.

Individual student participation in the preparation of a religious study display or a religious holiday display is strictly voluntary. If the display is a class activity, the student who wishes not to participate may be given an alternative assignment.

Adopted: July 1, 2004



## Instruction

### Teaching About Controversial Issues

Students may benefit from the study and discussion of controversial issues. The Board supports the presentation of controversial issues in the classroom when the study contributes to the educational goals and objectives of the District.

The Board recognizes the classroom teacher as both moderator and discussion leader whenever a controversial topic becomes part of the curriculum. The teacher will direct the study and discussion in such a manner that will allow the students to have a free exchange of ideas, to present facts objectively, and to evaluate issues.

To ensure that controversial issues are dealt with fairly, the Board will require that the following criteria be observed:

1. The controversial topic area will be of significant interest and appropriate for the grade level of the students.
2. The controversial topic area will be suitable for the maturity and skills of the students involved.
3. The controversial topic area will be within the scope of the course's curriculum.
4. Students will have access to supplementary materials that are relevant and significant to the issues.
5. Teachers will direct the study without interjecting personal biases.

CROSS REF.: 620

Adopted: July 1, 2004

**Instruction****Drug Education - Related Subjects**

District 131 will provide an age-appropriate program that educates all students about the dangers of drug/substance abuse and communicable diseases such as HIV, which will be presented as a significant health hazard. Also, this curriculum will include an understanding of sexual abstinence, other preventive measures and their limitations, and the problems communicable diseases such as HIV create in our society. Such instruction, discussion and study will be part of regular courses and/or special programs.

In grades 6 through 12, the District may initiate a program that emphasizes methods for increasing life-coping skills, self-esteem and parenting skills as a deterrent to self-destructive actions.

Instruction also will be provided in the prevention of abuse of anabolic steroids in grades 7 through 12. The Superintendent will determine the appropriate curriculum program or course for such instruction. Emphasis will be placed upon understanding that the use of anabolic steroids presents a serious health hazard when used to enhance athletic performance or physical development.

LEGAL REF.: Illinois School Code, Sec. 27-13.2, 27-23.2, and 27-23.3 (105 ILCS 5/27-13.2, 5/27-23.2 and 5/27-23.3); and 23 Ill.Admin.Code §1.420(u).

Adopted: July 1, 2004

**Instruction****Transitional Bilingual Education**

In accordance with State law, including Article 14C of the Illinois *School Code*, District 131 will establish and maintain a transitional bilingual education program for children of limited English-speaking ability. The program will recognize the student's primary language and culture of origin and develop learning strategies for successful participation in the adopted curriculum of District 131. The program will provide instruction (1) in all those courses or subjects which a child is required by law to receive and which are required by the child's school district which shall be given in the native language of the children of limited English-speaking ability who are enrolled in the program and also in English, (2) in the reading and writing of the native language of the children of limited English-speaking ability who are enrolled in the program and in the oral comprehension, speaking, reading and writing of English, and (3) in the history and culture of the country, territory or geographic area which is the native land of the parents of children of limited English-speaking ability who are enrolled in the program and in the history and culture of the United States; or a part-time program of instruction based on the educational needs of those children of limited English-speaking ability who do not need a full-time program of instruction. The major effort in the transitional bilingual education program will be directed toward teaching the student to speak, read, and write the English language. Parents of children enrolled in the District's transitional bilingual education program will receive notice as required by law.

LEGAL REF.: Illinois School Code, Article 14C.

Adopted: July 1, 2004

**Instruction**

**Comprehensive Health Education Program**

The District will provide a comprehensive health education program, which will cover the following:

1. For all grades, the health program will include human ecology and health; human growth and development; the emotional, psychological, physiological, hygienic and social responsibilities of family life, including sexual abstinence until marriage; and the prevention and control of disease.
2. In grades 6 through 12, the program will include the prevention, transmission and spread of HIV; the limitations of preventive measures; public and environmental health; consumer health; safety education and disaster survival; mental health and illness; personal health habits; alcohol/drug use and abuse, including the medical and legal ramifications of alcohol, drug, and tobacco use/abuse during pregnancy; sexual abstinence until marriage; tobacco; nutrition; and dental health.
3. The following topics also may be included in the health curricula: basic first aid (including cardiopulmonary resuscitation and the Heimlich maneuver); early prevention and detection of cancer; heart disease; diabetes; stroke; and the prevention of child abuse, neglect, and suicide.

Note: No student will be required to take or participate in any class or course on HIV or family life education if his/her parent or guardian submits a written objection to such instruction. Further, the refusal to take or participate in the course/program will not be reason for the suspension or expulsion of the student, or changing the student's grade. The student will be required to complete an alternative activity that is aligned (by goal(s), purpose, and standard) to the instructional activity in which the student is not participating.

4. In grades 5 through 12, alcohol and drug use and abuse programs will be included in classroom instruction. Included into these programs will be topics of the physical effects, legal effects and ramifications of alcohol and drug abuse.

The District also will provide the following health- and safety-related instruction, as appropriate:

1. In grades kindergarten through 8, the health program will include instruction that provides students with effective ways to recognize the danger of and

avoid abduction and sexual abuse.

2. In grades 6 through 12, students may be provided parenting education in accordance with Section 27-23.1 of the Illinois School Code.
3. In all grades, students may be provided safety instruction in accordance with Section 27-17 of the School Code.
4. In grades 6 through 12, students may receive instruction on reducing self--destructive behavior. This instruction will include various ways to improve the life-coping skills, self-esteem, and parenting skills (of adolescents and teenagers) in order to deter their acceptance or practice of self-destructive behavior.
5. All students will receive age-appropriate instruction on motor-vehicle safety and litter control.
6. All students who are transported by bus to or from school or to any school activity will receive instruction on bus riding safety.

As part of the District's comprehensive health education program, the Board of Education encourages:

1. Increased use of mass-communication media to alert adults and children to the alarming increase in social problems and health hazards; and
2. Cooperation in the development of meaningful materials and resources for use in the schools to help students understand the nature of these social problems and health hazards. Also, it is hoped that these materials and resources will contribute to the development of attitudes and values that will help students be constructive agents in finding solutions to these social problems and to make responsible personal choices concerning the health hazards.

LEGAL REF.: Illinois Critical Health Problems and Comprehensive Health Education Act (105 ILCS 110/1, *et seq.*);  
Illinois School Code, Sec. 27-13.2, 27-23.1, 27-17, 27-23.2, 27-23, 27-26 (105 ILCS 5/27-13.2, 5/27-23.1, 5/27-17, 5/27-23.2, 5/27-23, 5/27-26);  
23 Ill.Admin.Code §1.420(t).

CROSS REF.: 620

Adopted: July 1, 2004



**Instruction****Philosophy Statement on Technology**

The goal of technology education in District 131 is to provide students with the opportunity for technological literacy starting with the elementary curriculum. Our emphasis with students will be on the application of technology across all grade levels and curricular areas and on the development of problem-solving and critical-thinking skills.

Curricular applications, including Internet use, will become more complex as students progress through their schooling in District 131. Elementary technology experiences will cover software applications, construction of media, and utilization of different forms of technology. Middle-school students will experience a variety of activities and simulations incorporating technology based on real-world applications. When appropriate, introductory and advanced courses in computer programming also will be offered. High-school students will have the opportunity to learn a variety of technological applications, such as video production, graphic design, and data manipulation and analysis, as well as how to service hardware and networks.

CROSS REF.:       625

Adopted:           July 1, 2004

**Instruction**

**Family Life and Sex Education**

District 131's family life and sex education program will be taught sequentially -- in relation to the students' physical, emotional and intellectual maturity levels.

**Family Life**

The District will provide age-appropriate instruction designed to promote a wholesome and comprehensive understanding of the emotional, psychological, physiological, hygienic, and social-responsibility aspects of family life. Also, students in grades 6 through 12 will receive instruction regarding the prevention, transmission and spread of HIV.

**Sex Education**

The District will provide instruction concerning sex education in accordance with the requirements of Section 27-9.1 of the Illinois School Code. Such sex education courses -- taught to students in grades 6 through 12 -- will include instruction regarding the prevention, transmission and spread of HIV; sexual abstinence; and other preventive measures and their limitations. Class sessions that deal exclusively with human sexuality may be conducted separately for males and females. Course content will be age-appropriate.

Note: No student will be required to take or participate in any class or course on HIV or sex education if his/her parent(s) or guardian(s) submits a written objection to the building principal. Further, that decision not to take or participate in any such course or program will not be reason for the suspension or expulsion of the student, or changing the student's grade. The student will be required to complete an alternative activity that is aligned (by goals, purpose and standards) to the content and stated objective of the class or course.

LEGAL REF.: Illinois School Code, Sec. 27-9.1 and 27-9.2 (105 ILCS 5/27-9.1 and 5/27-9.2); and  
23 Ill.Admin.Code §1.420(t).

CROSS REF.: 620

Adopted: July 1, 2004



**Notification to Parent(s)/Guardian(s)**

Date: \_\_\_\_\_

\_\_\_\_\_  
Building Principal

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dear [Parent(s)/Guardian(s)]:

Instructional materials and procedures for instructional programs in family life and sex education are developed and implemented by the District's teaching staff after they have been received and approved by the appropriate District administration.

The Illinois School Code provides that no student is required to take or participate in any class or course in sex education or HIV instruction if his/her parent(s)/guardian(s) submit written objection.

The code further states that the student's refusal to take or participate in a course or program will not be reason for the suspension or expulsion of the student, nor affect the child's grade.

The instructional materials and course outline for the family life and sex education classes are available from the classroom teacher for your inspection. Please return the attached form to school if you wish to examine the instructional material.

You may wish to request that your child not participate in a sex education course or a class on HIV. If so, a class attendance waiver request is enclosed for your convenience. Please return the waiver within 10 school days or I will assume that your student will attend class as usual.

Sincerely yours,

Building Principal

**Class Attendance Waiver Request**  
(To be submitted to Building Principal)

Name of Student: \_\_\_\_\_  
Class/Time: \_\_\_\_\_  
Teacher: \_\_\_\_\_

I, the undersigned parent/guardian of \_\_\_\_\_, hereby request that the District waive the class attendance of the above-mentioned student from the (check all that apply):

Sex education classes.

HIV class.

Signature: \_\_\_\_\_

\_\_\_\_\_  
Name of Parent/Guardian (please print)

Address: \_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

**Request to Review Class Materials**  
(To be submitted to Classroom Teacher)

Name of Student: \_\_\_\_\_

Class/Time: \_\_\_\_\_

Teacher: \_\_\_\_\_

I, the undersigned parent/guardian of \_\_\_\_\_, would like to examine the instructional materials and a course outline for the following class (check all that apply):

Sex education classes.

HIV class.

It is my understanding that the District materials I will examine are a sample of the materials that may be used in a sex education course or an HIV class.

Signature: \_\_\_\_\_

\_\_\_\_\_  
Name of Parent/Guardian (please print)

Address: \_\_\_\_\_

\_\_\_\_\_  
Date: \_\_\_\_\_

**Instruction**

**Environmental Education**

The Board of Education endorses an environmental education program that includes the study of nature guided by the scientific processes used in the field. The building principal and teachers will organize and implement the program, part of which may take place off campus.

Fees will be charged to students as necessary to cover the expenses of the environmental education program. However, the District will pay for all necessary bus transportation, and school parent associations may help pay any additional expenses.

Adopted: July 1, 2004

**Instruction**

**Kindergarten**

The District will provide a kindergarten program that fulfills the District's curriculum goals and objectives and the requirements of the Illinois School Code.

LEGAL REF.: Illinois School Code, Sec. 10-20.19a and 10-22.18 (105 ILCS 5/10-20.19a and 5/10-22.18); and 23 Ill.Admin.Code, Ch. 1, §1.420.

CROSS REF.: 620

Adopted: July 1, 2004

**Instruction**

**Community School - Adult Education**

- A. Community School and/or Adult Education classes may be conducted under the direction of the Superintendent in such buildings as the Board may determine, if the need for such classes is indicated.
- B. The Board of Education or its designee shall make all decisions regarding admission applications pursuant to this Policy and any administrative procedures promulgated to implement this Policy. Unless otherwise provided herein, and subject to the availability of space and funding, the Board of Education or its designee shall admit students who satisfy the following conditions:

A student should have junior status in order to apply, and must be over the age of 16 and may not be enrolled in day school or any other high school program, unless otherwise approved by the Superintendent or his/her designee.

The Board of Education recognizes that it owes a duty to protect its students, staff, and property from harm. Accordingly, the Board of Education or its designee reserves the right to deny the admission of any student who otherwise qualifies for admission based upon the finding of the Board of Education or its designee that the applicant poses a serious risk of danger or harm to the District's students, staff, or property. In making this determination, the Board of Education or its designee may consider, among other things, the applicant's past school discipline record, the applicant's past criminal record, the time and location of the Community School classes, and the amount of security that will be present during the Community School classes. The Board of Education or its designee may not consider an applicant's race, gender, religion, or national origin in denying admission.

If the Board of Education or its designee denies admission to any applicant, it shall forward written notification of the denial to the applicant. The notification need not explain why the application was denied, but must notify the applicant of his/her rights to a hearing to review the denial of the application. If the applicant requests a review hearing within ten (10) days of the mailing of the notice of denied application, the Board of Education or its designee shall hold an informal hearing to discuss the denial and to hear any additional information the applicant chooses to raise to refute the denial of admission. At the close of the informal hearing, the Board of Education or its designee shall provide written notice of its decision to the applicant. The decision of the Board of Education or its designee shall be final.

- C. The Community School will operate as a four-year school, Grades 9-12, on a semester basis using the Carnegie unit of credit (six units of Community School credit equals one Carnegie unit of credit). A minimum of 16 Carnegie units of credit or its equivalent (96 units) will be required by the diploma completion

program.

- D. No student may be graduated until he has completed a minimum of two Carnegie credits, or 12 units of credit in the Community School. Exception to this may be recommended by the Director in those cases where it would be impossible for a student entering with 15 Carnegie credits to obtain a high school diploma by the transfer of one unit of credit back to the student's former school. One Carnegie unit of credit will require 120 hours of class work or its equivalent.
- E. The record of a student entering the Community School shall be reviewed to ascertain the specific credits that may be granted by the Director to the student on the basis of his/her previous high school work and/or other educational experiences.
- F. Units of credit may be granted for the following:
  - 1. Acceptable credits previously earned and documented by school transcripts for grades 9-12.
  - 2. Credits on the basis of prior work training or experience. Credit may be granted for documented apprenticeship programs or evidence of successful occupational or vocational learning or achievement. The credit shall be granted on the basis of an evaluation of the work experience by the appropriate professional staff of the Community School and approved by the Director.
  - 3. Credits through extension and correspondence study. The Community School will accept credit earned by a student through correspondence or extension study, provided such courses have been taken under the auspices of a College or University Extension Division accredited by the North Central Association, or one of the other regional accrediting associations.
  - 4. Credit by examination. The Community School will use examinations as the basis for granting credits for students with educational experiences for which previous credits have not been determined. Credit for a specific subject may be given on a performance basis through the administration of an examination approved by the Community School, with the qualifying score to be determined in advance. The examination will cover the content ordinarily included in the Community School course in a given subject area. G.E.D. tests may be used, and credit will be granted under the circumstances indicated in section 5 below.
  - 5. Credit based on G.E.D. Test Scores. A student maybe given credit for courses by coming the following test scores on the G.E.D. test.

Test I - Correctness and Effectiveness of English Expression

40 or over = one Carnegie unit of credit for English I or its equivalent.

45 or over = an additional Carnegie unit of credit for English II or its equivalent.

50 or over = an additional Carnegie unit credit for English III or its equivalent.

Test 2 - Interpretation of Reading Materials. in Social Studies

40 or over = one Carnegie unit of credit for a general social studies course.

Test 3 - Interpretation of Reading Materials in the Natural Sciences

40 or over = one Carnegie unit of credit in General Science.

Test 4 - Interpretation of Literary Materials

55 or over = one Carnegie unit of credit for English IV or its equivalent.

Test 5 - General Mathematical Ability

40 or over = one Carnegie unit of credit for General Mathematics.

45 or over = an additional Carnegie unit of credit for General Mathematics 11.

Credit may not be granted for the specific course if the student already has the subject listed for credit on his/her transcript or has gained credit in that particular course by some other procedure.

6. Credit through Military Experience. The Community School will, in accordance with the established policies of the Illinois Office of Education, grant units of credit toward graduation for the following types of educational experiences received while in military service:
  - a. United States Armed Forces Institute courses.
  - b. United States Armed Forces Institute subject examinations,



- c. High School courses offered through United States Armed Forces Institute by cooperating colleges and universities; credit upon transfer from the school offering the course.

- d. Marine Corps Institute courses.
  - e. Basic or recruit training accepted in lieu of required courses in Physical Education and Health.
  - f. Service School Training.
- 7. Credit for Secondary School Level Work on a College Campus. Credit may be given for secondary school level course work taken at a two-year or four-year college. The course work and the credit to be granted must be arranged in advance with the Community School, and may be granted only by the Community School Director.
  - 8. Secondary School Credits Earned in Foreign Countries. Credit for specific subjects may be granted for a student who presents evidence of secondary education course work in another country upon the evaluation of the official transcript from the foreign school by the United States Department of State.
  - 9. Credit from Television Course Work. Credit may be granted by the Community School for secondary level course work completed through television if the specific program had been agreed to by the Community School in advance, or is approved by the Director. The television program must be provided by a regionally accredited college or university, a school district, or an established non-profit educational association.

Note: Credit may not be granted for any specific course by examination or in any other manner, if the student already has the subject listed for credit on his transcript, or has gained credit for that specific course by some other procedure.

- G. The Community School shall post on an official transcript all specific credits granted to the student upon his enrollment in the diploma completion program. Sixteen Carnegie units of credit for Grades 9-12 (with at least two units taken from the Community School) will be required for graduation from the Community School.
- H. Examination of the Constitution Test will be satisfied by the Government course or a separate Constitution Test will be required before a diploma may be issued by the Community School.
- I. Vocational objectives should be set by the student and occupational courses should be selected in that area. The counselor should encourage the students to select math, science, and other electives which will assist them in meeting their

occupational objectives and job entry skills.

J. Specific courses approved for offering by the Community School are listed in official Board of Education minutes under the dates of meetings in which such approval was established.

K. Required courses and credits are enumerated in Board Policy 725.12.

Adopted: July 1, 2004

**Instruction****Driver Education**

Both the classroom instruction part and the practice driving part of the driver education course (as defined in 5/27-24.2 of the Illinois *School Code*) shall be open to a resident or non-resident pupil attending a non-public school in the school district and to each resident of the district who acquires or holds a currently valid driver's license during the term of the course and who is at least 15 but has not reached 21 years of age. Students otherwise eligible to take a driver education course must receive a passing grade in at least eight (8) courses during the previous two (2) semesters before enrolling in the course. This requirement may be waived by the Superintendent of Schools or by the Chief Administrator of a non-public high school in the District, if he/she deems it to be in the best interest of the student.

Adopted: July 1, 2004

**Instruction**

**Students With Disabilities**

The District will provide a free appropriate public education (FAPE) and necessary related services to all children with disabilities residing within the District, as required under the Individuals With Disabilities Act ("IDEA"); the Code of Federal Regulations; the Illinois School Code; Section 504 of the Rehabilitation Act of 1973; and the Americans With Disabilities Act.

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be identified as disabled under Section 504 even though they do not require services pursuant to IDEA.

For students eligible for services under IDEA, the District will follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the Illinois State Board of Education's Rules and Regulations to Govern the Administration of Special Education. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504, need or the belief that special instruction or related services are needed, the District will establish and implement a system of procedural safeguards. The safeguards will cover a student's eligibility needs, services recommended, and educational placement. Also, this system will include notice, an opportunity for the student's parent(s)/guardian(s) to examine relevant records, an impartial hearing with opportunity for participation by the student's parent(s)/guardian(s) and representation by counsel, and a review procedure.

A full continuum of special education services from the least to the most restrictive educational environment (LRE) is provided through the school district, and appropriate needs and services are determined through the IEP process.

LEGAL REF.: Illinois School Code, Sec. 14-1.01, *et seq.*, 14-7.02, and 14-7.02a (105 ILCS 5/14-1.01, 5/14-7.02, and 5/14-7.02a); and 23 I11.Admin.Code Part 226.

CROSS REF.: 255, 630.05, 715.07, and 715.10.

Adopted: July 1, 2004

**DELETED**

December 1, 2008

Aurora East School District #131
Child Service Center, 231 E. Indian Trail Road, Aurora, IL 60505

CONFIRMATION OF REVOCATION OF CONSENT &
PRIOR WRITTEN NOTICE OF TERMINATION OF SERVICES

Date: School of Attendance: Home School:

STUDENT NAME: DOB:

Parent/Guardian Name: Student ID

Home Address: City/State/Zip

Dear :

In response to your oral/written (circle one) communication of (date), please treat this notice as confirmation of your decision to revoke consent for the provision of special education and related services to (Student Name).

You are hereby notified that, effective immediately, all special education and related services set forth in the Individualized Education Program (IEP) dated will cease. In addition, you are further notified that, as appropriate, the student's schedule and classroom placement will be modified to reflect the student's status as a general education student. (Other:)

All rights and responsibilities previously held by your child, including special education disciplinary protections, will be modified to reflect his/her status as a general education student.

In the event you decide at some future date that you wish to consider special education and related services for the student, you will be required to request a new evaluation for the student in order to determine if special education eligibility is appropriate.

If you have further questions or concerns regarding the contents of this notice, please contact , the Assistant Director of Special Education at 630-299-7902.

Sincerely,

(Name of the District Representative)

(Title/School/Department)

- C: Student's Temporary Files at CSC and School of Attendance
Assistant Director of Special Education, Child Service Center
Principal, School of Attendance
Special Education Coordinator
Special Education Case manager
Other:

Adopted: November 2, 2009

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**Special Education Procedures Assuring the Implementation of  
Comprehensive Programming for Children with Disabilities  
Revised November 2009**

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- Section 1. Provision of a Free Appropriate Public Education
- Section 2. Child Find
- Section 3. Evaluation and Determination of Eligibility
- Section 4. Individualized Education Programs
- Section 5. Students' Participation in Assessments
- Section 6. Serving Students in the Least Restrictive Environment
- Section 7. Provision of Extended School Year Services
- Section 8. Transition of Children Served Under Part C of IDEA into  
Preschool Programs
- Section 9. Serving Students Who Attend Nonpublic Schools
- Section 10. Procedural Safeguards
- Section 10.5 Behavioral Intervention and Discipline
- Section 11. Establishing the Goal of Full Educational Opportunity
- Section 12. Confidentiality of Personally Identifiable Information
- Section 13. The Use of Federal Matching Funds Under The Medicaid (Title  
XIX) or Children's Health Insurance (KidCare; Title XXI)  
Program to Supplement Special Education Programs and  
Services (if the School District is Participating in One or More  
of those Federal Programs)

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*Adopted: July 1, 2004*

*Amended: December 1, 2008*

*April 6, 2009*

*November 2, 2009*



## **Section 1. Provision of a Free Appropriate Public Education**

### **A. Comprehensive Program**

The School District provides and maintains appropriate and effective educational programs in order to afford every eligible child with a disability who is between the ages of 3 and 21 (inclusive), is enrolled in the School District, and requires special education and related services to address the adverse effect of the disability on his/her education, a free appropriate public education (FAPE). As part of this effort, the School District shall make available to all eligible children who are residents of the School District a comprehensive program of special education, which includes each of the following:

1. A viable organizational and financial structure;
2. Systematic procedures for identifying and evaluating the need for special education and related services.
3. A continuum of appropriate alternative placements available to meet the needs of children for special education and related services which may include, but is not limited to, any of the following:
  - a. Regular classes;
  - b. Special classes;
  - c. Special schools;
  - d. Home/hospital services; and
  - e. State operated or nonpublic programs.
4. Qualified personnel who are employed in sufficient number to provide:
  - a. Administration of the program;
  - b. Supervisory services;
  - c. Instructional and resource services;
  - d. Related services; and
  - e. Transportation services.
5. Appropriate and adequate facilities, equipment, and materials.

6. Functional relationships with public and private agencies that can supplement or enhance the special education services of the public schools.
7. Interaction with Parents and other concerned persons that facilitates the educational development of children with disabilities.
8. Procedures for internal evaluation of the special education services provided.
9. Continuous planning for program growth and improvement based on internal and external evaluation.

B. Public Awareness

The School District shall create public awareness of special education and related services and advise the public of the rights of children with disabilities pursuant to School District developed procedures. In creating public awareness of special education and related services and advising the public of the rights of children with disabilities, the School District shall comply with the following:

1. Information provided to the public shall be made available in each of the major languages represented in the School District and in the language that will be understandable to Parents regardless of ethnic or cultural background or hearing or visual abilities;
2. Annual notification shall be provided to all Parents in the School District regarding the special education services available in or through the School District and of their right to receive a copy of § 226.50 of ISBE regulations upon request;
3. Annual dissemination of information to the community served by the School District regarding the special education services available in or through the School District and the rights of children with disabilities;
4. Documentation, including examples as appropriate, of the School District's efforts in this regard shall be maintained in the School District's files.

C. Providing Free Appropriate Public Education

Each School District will provide a free appropriate public education (FAPE) to all children with disabilities between the ages of 3 and 21 (inclusive), including children with disabilities who have been suspended or expelled from school for more than 10 consecutive school days during the school year, or who receive a series of removals that constitute a change in placement. In order to meet the requirements of the School District to provide FAPE, the School District shall comply with the following:

1. The School District shall be responsible for actively seeking out and identifying all children from birth through age 21 within the School District (and those parentally-placed private school children for whom the School District is responsible (See Section 9)) who may be eligible for special education and related services.
2. The School District must ensure that FAPE is available to any individual child with a disability who needs special education and related services, even though the child has not failed or been retained in a course or grade and is advancing from grade to grade.
3. The special education and related services shall be provided according to the child's individualized education program (IEP), which shall be developed in accordance with these procedures, at no cost to the Parent. The IEP shall specify the special education and related services needed in order to ensure that the child receives FAPE, including any extended school year services, if appropriate.
4. FAPE shall be made available to all eligible children with disabilities no later than the child's third birthday.
5. The special education services and placement that constitute FAPE for a particular child shall be identified based on the child's unique needs and not on the child's category of disability. These services shall address all of the child's identified needs for special education and related services.

6. The School District shall provide nonacademic and extracurricular services and activities in a manner necessary to afford children with disabilities an equal opportunity to participate in those services and activities.
7. No delay shall occur in implementing a child's IEP, including any case in which the source of payment or provision of services to the child is being determined.
8. No eligible child from 3 through 21 years of age, inclusive, may be permanently excluded from the public schools, either by direct action by the board of education, by indication of the School District's inability to provide an educational program, or by informal agreement between the Parents and the School District to allow the child to remain without an educational program.
9. The School District need not provide a child with services during periods in which the child has been removed from his/her current placement for 10 school days or fewer in a particular school year, if services are not provided to a child without disabilities who has been similarly removed. However, an eligible child who has been suspended or expelled from school for more than 10 school days during a particular school year shall continue to receive services necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's IEP.
10. If a child with a disability who is receiving special education from his/her current school district transfers to this School District, this School District shall ensure that the child receives FAPE. (See Section 3, C for applicable procedures).
11. In providing FAPE to children with disabilities who have been suspended or expelled from school, the School District shall meet the requirements set forth in Subpart E of ISBE regulations.

12. Any child for whom services are sought shall not be denied FAPE regardless of any jurisdictional disputes among Illinois agencies.
13. The School District shall provide an eligible student who requires continued public school educational experience to facilitate his/her integration into society with services through age 21, inclusive (i.e., through the day before the student's 22nd birthday).

D. Exceptions to Providing FAPE

1. The School District is not required to provide FAPE to a student with a disability who has graduated with a regular high school diploma. Students who have participated in a graduation ceremony but have not been awarded a regular high school diploma continue to be eligible to receive FAPE through age 21, inclusive.
2. The School District is required to provide FAPE to a student with a disability who has fulfilled the minimum State graduation requirements set forth in The School Code but whose IEP prescribes special education, transition planning, transition services, or related services beyond that point. In such case, the issuance of the diploma shall be deferred so that the student will continue to be eligible for those services.
3. Any child 18 through 21 years of age who is incarcerated and who is not identified as eligible and did not have an IEP in his/her educational placement immediately prior to incarceration shall not be provided FAPE.

LEGAL REF.: 20 U.S.C. §§ 1412 (State eligibility), 1413 (local educational agency eligibility).  
34 C.F.R. §§ 300.101 (free appropriate public education (FAPE)), 300.102 (limitation -- exception to FAPE for certain ages), 300.300 (provision of FAPE), 300.103 (FAPE-methods and payments), 300.106 (extended school year services).

105 ILCS 5/14-1.02 (children with disabilities).  
23 Ill. Admin. Code §§ 226.50 (requirements for a FAPE), 226.700  
(general).

## **Section 2. Child Find**

### **A. Child Find Responsibility**

1. Each School District shall be responsible for actively seeking out and identifying all children from birth through age 21 within the School District (and those parentally-placed private school children for whom the School District is responsible – see Section 9) who may be eligible for special education and related services. This requirement relates to homeless children, children who are wards of the state and highly mobile and migrant children. Procedures developed to fulfill the child find responsibility shall include:
  - a. An annual screening of children under the age of five for the purpose of identifying those who may need early intervention or special education and related services.
  - b. Ongoing review of each child’s performance and progress by teachers and other professional personnel, in order to refer those children who exhibit problems which interfere with their educational progress and/or their adjustment to the educational setting, suggesting that they may be eligible for special education and related services.
  - c. Ongoing coordination with early intervention programs to identify children from birth through two years of age who have or are suspected of having disabilities, in order to ensure provision of services in accordance with applicable timelines. Each local School District shall participate in transition planning conferences arranged by the designated lead agency in order to develop a transition plan enabling the public school to implement an IFSP or IEP no later than the third birthday of each eligible child.
2. When the responsible School District staff members conclude that an individual evaluation of a particular child is warranted based on factors such as a child’s educational progress, interaction with others, or other

functioning in the school environment, the requirements for evaluation set forth herein shall apply.



LEGAL REF.: 20 U.S.C. §§ 1412 (State eligibility), 1412(a)(3), 1413 (local  
educational agency eligibility), 1413(a)(1), 1413(a)(3).  
34 C.F.R. §§ 300.111.  
23 Ill. Admin. Code § 226.100.

### **Section 3. Evaluation and Determination of Eligibility**

#### **A. Evaluation and Determination of Eligibility**

##### **1. Evaluation Procedures**

###### **a. Definitions**

- (1) The “date of referral” shall be the date the School District receives the informed written consent for the evaluation or reevaluation from the Parent(s).
- (2) Screening procedures used by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered an evaluation.
- (3) Domain means an aspect of a child’s functioning or performance that must be considered in the course of designing a case study evaluation. The domains to be considered are health, vision, hearing, social emotional status, functional performance, general intelligence, academic performance, communication status, and motor abilities.

###### **b. Procedures for Requesting an Initial Evaluation**

Each School District shall develop and make known to all concerned persons procedures by which an evaluation may be requested. These procedures shall:

- (1) Designate the steps to be taken in making a request for an evaluation;
- (2) Designate the persons to whom a request may be made;
- (3) Identify the information that must be provided;
- (4) Provide any assistance that may be necessary to enable persons making requests to meet any related requirements established by the School District; and
- (5) Identify the process for providing the Parents with notice of their rights with respect to procedural safeguards.

###### **c. Persons Who Can Make A Request for an Evaluation**

A request may be made by a Parent of a child or by an employee of a State educational agency, another State agency, a local educational agency, or a community service agency.

d. School District's Response to Request

- (1) The School District shall be responsible for processing the request, deciding what action should be taken, and initiating the necessary procedures.
- (2) To determine whether the child requires an evaluation, the School District may utilize screening data and conduct preliminary procedures such as observation of the child, assessment for instructional purposes, consultation with the teacher or other individual making the request, and a conference with the child.
- (3) Within 14 school days after receiving a request for an evaluation, the School District shall determine whether an evaluation is warranted.
- (4) If the School District determines not to conduct an evaluation, it shall provide written notice to the Parents as required by State and federal law.
- (5) If an evaluation is to be conducted:
  - (a) The School District shall convene a team of individuals (including the Parent(s)) having the knowledge and skills necessary to administer and interpret evaluation data. The composition of the team will vary depending upon the nature of the child's symptoms and other relevant factors.
  - (b) The team shall identify the assessments necessary to complete the evaluation as described below and shall prepare a written notification for the Parent(s) that describes any evaluation procedures to be conducted. For each domain, the notification shall either describe the needed assessments or

explain why none are needed. The team may identify the assessments necessary without a meeting.

(c) The School District shall ensure that the notification of the team's conclusions is transmitted to the Parent(s) within the 14-school-day timeline applicable along with the School District's request for the Parent(s)' informed written consent to conduct the needed assessments.

(d) Informed written consent for the initial evaluation shall be obtained from the Parent(s) of the child before conducting the evaluation.

e. Identification of Needed Assessments

(1) An evaluation shall cover all domains, which are relevant to the individual child under consideration.

(2) The following procedures shall be used for an evaluation:

(a) The IEP Team members shall review and evaluate existing information about the child, including the following if available:

- i. Information from a variety of formal and informal sources, including information provided by the child's Parent(s);
- ii. Current classroom-based assessments and observations;
- iii. Observations by teachers and providers of related services;
- iv. Information, if any, provided by the child; and
- v. Information from specialized evaluations such as those performed by independent evaluators, medical evaluators, behavioral intervention specialists, bilingual specialists, etc.

(b) The team may conduct its review without a meeting.

(3) After review of the information described above, the IEP Team members shall determine whether additional evaluation data is needed in any relevant domain and from what source(s) to determine:

- (a) Whether the child has, or continues to have, one or more disabling conditions;
- (b) The present levels of performance and educational needs of the child;
- (c) Whether the disability is adversely affecting the child's educational performance;
- (d) Whether the child needs or continues to need, special education and related services; and
- (e) Whether any additions or modifications to the child's special education and related services are needed to enable the child to meet the goals and objectives of his/her IEP and to participate appropriately in the general curriculum.

f. Upon completion of the assessments, but no later than 60 school days following the date of receipt of informed written consent from the Parent(s) to perform the needed assessments (or prior to the first day of the next school year if there are less than 60 school days remaining at the time informed written consent is received), the determination of eligibility shall be made at an IEP meeting.

g. If the School District fails to conduct the evaluation, the Parent(s) of the child may appeal this failure in an impartial due process hearing.

B. Evaluation Requirements

1. In conducting the evaluation, the School District must:

- a. Use a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about the child, including information provided by the Parent(s) that may assist in determining:

- (1) Whether the child is a child with a disability;
  - (2) The content of the child's IEP.
- b. Not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.
  - c. Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
  - d. Each evaluation shall be conducted so as to ensure that it is nondiscriminatory with respect to language, culture, race, and gender.
    - (1) The languages used to evaluate a child shall be consistent with the child's primary language or other mode of communication. Determination of the child's language use pattern and general cultural identification shall be made by determining the languages spoken in the child's home and the languages used most comfortably and frequently by the child. If the language use pattern involves two or more languages or modes of communication, the child shall be evaluated by qualified specialists or, when needed, qualified bilingual specialists using each of the languages or modes of communication used by the child.
    - (2) If documented efforts to locate and secure the services of a qualified bilingual specialist are unsuccessful, the School District shall use an individual who possesses the professional credentials required under 23 Ill. Admin. Code § 226.840 to complete the specific components of the evaluation. This qualified specialist shall be assisted by a certificated School District employee or other individual who has demonstrated competencies in the language of the child.

- (3) If documented efforts to locate and secure the services of a qualified bilingual specialist or a qualified specialist assisted by another individual are unsuccessful, the School District shall conduct assessment procedures which do not depend upon language. Any special education resulting from such alternative procedures shall be reviewed annually until the student's proficiency is determined no longer to be limited pursuant to 23 Ill. Admin. Code § 228.
  - (4) Tests given to a child whose primary language is other than English shall be relevant, to the maximum extent possible, to his/her culture.
  - (5) Determination of the child's mode of communication shall be made by assessing the extent to which the child uses verbal expressive language and the use he or she makes of other modes of communication (e.g., gestures, signing, unstructured sounds) as a substitute for verbal expressive language.
  - (6) If the child's receptive and/or expressive communication skills are impaired due to hearing and/or language deficits, the School District shall utilize test instruments and procedures that do not stress spoken language and one of the following:
    - (a) Visual communication techniques in addition to auditory techniques.
    - (b) An interpreter to assist the evaluative personnel with language and testing.
  - (7) The child's language use pattern, proficiency in English, mode of communication, and general cultural identification shall be noted in the child's temporary student record, and this information shall be used in the evaluation and in the development and implementation of the individualized education program.
2. Assessments and their evaluation materials must be:

- a. Used for the purposes for which the assessments or measures are valid and reliable;
- b. Administered by trained and knowledgeable personnel; and
- c. Administered in accordance with any instructions provided by the producer of the assessments.

C. Determination of Eligibility

1. No later than 60 school days following the date of receiving informed written consent to conduct an evaluation (or prior to the first day of the next school year if there are less than 60 school days remaining at the time informed written consent is received), an IEP meeting will be held to consider the results of the evaluation and, if the child is determined to be eligible for special education and related services to develop an IEP.
2. The team shall consist of a group of qualified professionals and the Parent(s).
3. The IEP Team, after considering the evaluation and other information available regarding the child, shall determine whether the child is or continues to be eligible for special education and related services as a child with a disability as defined by federal and state law and the child's educational needs. In making this determination, the IEP Team shall:
  - a. Draw upon information from a variety of sources, including aptitude and achievement tests, parental input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;
  - b. Ensure that information obtained from all of these sources is documented and considered; and
  - c. Ensure that a psychological evaluation has been conducted and a recommendation for eligibility has been made by a school psychologist for all children determined to have a cognitive disability.



4. A child may not be determined eligible if the determinant factor for that determination is lack of instruction in reading or math or limited English proficiency and the child does not otherwise meet the School District's eligibility criteria.
5. At the conclusion of the meeting convened to consider the results of the evaluation, the team shall prepare a report describing its consideration of pre-existing information about the child, all new evaluation reports obtained, and any other information relevant to the decision about the child's eligibility. This description shall relate the information considered to the child's needs and shall further conform to the requirements relating to identifying students suspected of or having a specific learning disability, if applicable. The IEP Team's report shall also include:
  - a. The date of the meeting;
  - b. The signatures of the participants, indicating their presence at the meeting; and
  - c. Any separate written statement provided by a participant who wishes to be on record as disagreeing with the conclusions expressed in the team's report.
6. If an assessment is conducted under nonstandard conditions, a description of the extent to which the assessment varied from standard conditions shall be included in the evaluation report. This information is needed so that the team of evaluators can assess the effects of these variances on the validity and reliability of the information reported and determine whether additional assessments are needed.
7. If any needed portion of the evaluation cannot be completed due to lack of parental involvement, religious convictions of the family, or inability of the child to participate in an evaluative procedure, the School District shall note the missing portions in the child's evaluation report and state the reasons why those portions could not be completed.

8. In the event that the student is determined to be eligible for special education and related services, the IEP meeting shall be conducted within 30 days (and no later than 60 school days from the date the School District receives the informed written consent for the evaluation or reevaluation from the Parent(s)) after the date of that determination.
  9. A copy of the IEP Team's report, together with all documentation upon which it is based will be maintained in the child's temporary education record in accordance with confidentiality requirements.
  10. A copy of the completed document will be provided to the Parent(s). If requested, a copy of any evaluation reports will also be provided.
  11. No later than 10 school days following the IEP meeting, the Parent(s) will be provided a written notice of the determination of the team, in compliance with 23 Ill. Admin. Code § 226.520.
- D. Additional Requirements for Identifying Children with Specific Learning Disabilities
1. The criteria for identifying children with specific learning disabilities
    - a. Must permit the use of a process based on the child's response to scientific, research-based intervention and, by 2010-2011 school year, require the use of a process that determines how the child responds to scientific, research-based interventions as part of the evaluation procedure;
    - b. May permit the use of other alternative research-based procedures to determine whether a child has a specific learning disability, as defined in federal law; and
    - c. In addition to the process described above, the School District may permit the use of a severe discrepancy between intellectual ability and achievement for determining whether a child has a specific learning disability.
  2. Additional group members required to determine specific learning disability eligibility

The determination of whether a child suspected of having a specific learning disability is a child with a disability must be made by the child's Parent(s) and a team of qualified professionals, which must include:

- a. The child's regular teacher; or
  - b. If the child does not have a regular teacher, a regular classroom teacher qualified to teach a child of his/her age; or
  - c. For a child less than school age, an individual qualified by ISBE to teach a child of his/her age; and
  - d. At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.
3. Determining the existence of a specific learning disability
- a. The group described above may determine that a child has a specific learning disability, if:
    - (1) The child does not achieve adequately for the child's age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child's age or State-approved grade-level standards:
      - (a) Oral expression.
      - (b) Listening comprehension.
      - (c) Written expression.
      - (d) Basic reading skills.
      - (e) Reading fluency skills.
      - (f) Reading comprehension.
      - (g) Mathematics calculation.
      - (h) Mathematics problem solving.
    - (2) A) The child does not make sufficient progress to meet age or State-approved grade-level standards in one or more of the areas

identified above when using a process based on the child's response to scientific, researched-based intervention; or

B) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade-level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability, using appropriate assessments; and

The group determines that its findings above are not primarily the result of:

- (a) A visual, hearing, or motor disability;
- (b) Cognitive disability;
- (c) Emotional disability;
- (d) Cultural factors;
- (e) Environmental or economic disadvantage; or
- (f) Limited English proficiency.

(3) To ensure that underachievement in a child suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group must consider, as part of the evaluation:

- (a) Data that demonstrate that prior to, or as a part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
- (b) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's Parent(s).

(4) The public agency must promptly request parental informed written consent to evaluate the child to determine if the child

needs special education and related services, and must adhere to the timeframes, unless extended by mutual written agreement of the child's Parent(s) and a group of qualified professionals:

- (a) If, prior to a referral, a child has not made adequate progress after an appropriate period of time when provided instruction, as described above; and
- (b) Whenever a child is referred for an evaluation.

- 4. Observation
  - a. The School District must ensure that the child is observed in the child's learning environment (including the regular classroom setting) to document the child's academic performance and behavior in the areas of difficulty.
  - b. The group meeting to determine whether a child has a specific learning disability, must decide to:
    - (1) Use information from an observation in routine classroom instruction and monitoring of the child's performance that was done before the child was referred for an evaluation; or
    - (2) Have at least one member of the group conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parental informed written consent is received.
  - c. In the case of a child of less than school age or out of school, a group member must observe the child in an environment appropriate for a child of that age.
- 5. Specific documentation for a determination of specific learning disability
  - a. For a child suspected of having a specific learning disability, the documentation of the determination of eligibility must contain a statement of:
    - (1) Whether the child has a specific learning disability;

- (2) The basis for making the determination, including assurance that the determination has been made in accordance with Section 3, C (3) (a & b);
- (3) The relevant behavior, if any, noted during the observation of the child and the relationship of that behavior to the child's academic functioning;
- (4) The educationally relevant medical findings, if any;
- (5) Whether:
  - (a) The child does not achieve adequately for the child's age or to meet State-approved grade-level standards as provided above; and
  - (b) (A) The child does not make sufficient progress to meet age or State-approved grade-level standards as provided above; or  
(B) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade level standards or intellectual development as provided above;
- (1) The determination of the group concerning the effects of a visual, hearing, or motor disability; cognitive disability; emotional disability; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level; and
- (2) If the child has participated in a process that assesses the child's response to scientific, research-based intervention:
  - (a) The instructional strategies used and the student-centered data collected; and
  - (b) The documentation that the child's Parent(s) were notified about:

- i. The State’s policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided;
      - ii. Strategies for increasing the child’s rate of learning; and
      - iii. The Parent(s)’ right to request an evaluation.
    - b. Each group member must certify in writing whether the report reflects the member’s conclusion. If it does not reflect the member’s conclusion, the group member must submit a separate statement presenting the member’s conclusions.
- E. **Reevaluations**
- 1. The School District must ensure that a reevaluation of each child with a disability is conducted in accordance with the procedures for an evaluation in accordance with Section 3, A (1) (a), (d), (e), (f) and Section 3, B:
    - a. If the School District determines that the educational or related services needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or
    - b. If the child’s Parent(s) or teacher requests a reevaluation.
  - 2. A reevaluation conducted as described above:
    - a. May occur not more than once a year, unless the Parent(s) and the public agency agree otherwise; and
    - b. Must occur at least once every 3 years, unless the Parent(s) and the School District agree that a reevaluation is unnecessary.
- F. **Independent Educational Evaluation**
- 1. Parents have the right to obtain an independent educational evaluation of their child in accordance with State and federal law. (See Section 10, (L)).
  - 2. An “Independent Educational Evaluation” (“IEE”) means an evaluation conducted by a qualified examiner who is not employed by the School District.

3. The School District shall send the notice convening the IEP Team's meeting within ten days after receiving the report of an evaluation conducted at public expense. In the case of an evaluation conducted at private expense, the School District shall send the notice within ten days after the Parent requests a meeting to consider the results. (See Section 10, (L)).



LEGAL REF.: 20 U.S.C. §§ 1412 (State eligibility), 1412(a)(3), 1413 (local educational agency eligibility), 1413(a)(1), 1413(a)(3).  
34 C.F.R. §§ 300.122, 300.201, 300.301- 300.311.  
23 Ill.Admin.Code §§ 226.110, 226.120, 226.130, 226.135, 226.140, 226.150, 226.180.

## **Section 4. Individualized Education Programs**

### **A. Development of IEP**

1. An IEP meeting will be conducted within 30 days (and no later than 60 school days from the date the School District receives the informed written consent for the evaluation or reevaluation from the Parent(s)) after a child is determined to be eligible. The child receiving special education and related services must have an IEP developed in compliance with these procedures and in effect at the beginning of each subsequent school year.
2. The specified group of persons responsible for the development of the IEP (IEP Team) includes:
  - a. A representative of the School District (other than the child's teacher) who is qualified to provide or supervise the provision of special education, is knowledgeable about the general curriculum, is knowledgeable about the School District's resources, has the authority to make commitments for the provision of resources set forth in the IEP, and is able to ensure that the services in the IEP will be implemented.
  - b. At least one of the child's special education teachers, or where appropriate, at least one special education provider of the child. If the child is receiving only speech and language services, the speech and language pathologist shall fulfill this role.
  - c. At least one general education teacher of the child (if the child is, or may be, participating in regular education environment) who is, or may be, responsible for implementing a portion of the IEP.
  - d. For a child age three through five who has not yet entered the primary grades, an individual qualified to teach preschool children without disabilities.
  - e. One or both of the child's Parents.

- f. If appropriate, the child may be invited by either the School District or the Parent(s). The School District shall invite the child when the purpose of the IEP meeting is to consider and plan transition services or when the child has reached the age of 18. When the child does not attend the IEP meeting where transition services are discussed, the School District shall take other steps to ensure that the child's preferences and interests are considered.
- g. Other individuals, at the discretion of the Parent(s) or School District, who have knowledge or special expertise regarding the child, including related services personnel as appropriate.
- h. An individual who is qualified to interpret the instructional implications of the evaluation results (who may be one of the individuals listed herein).
- i. A qualified bilingual specialist or bilingual teacher (who may be one of the individuals listed herein), if needed to assist meeting participants in understanding the child's language or cultural factors as related to the child's instructional needs. If documented efforts to locate such a person are unsuccessful, the School District shall meet the requirements for nondiscriminatory evaluations (see Section 3, B 1.(d)).
- j. In those cases where the child's behavior impedes his/her learning or the learning of others, a person knowledgeable about positive behavior strategies.
- k. If transition services will be discussed and with the informed written consent of the Parents (or child who has reached the age of majority), the School District shall invite representative(s) of any participating agencies that are likely to be responsible for providing or paying for transition services.
- l. For a child who was previously served under Part C of the IDEA, upon request of the Parent, the Part C service coordinator or other

representative of the Part C system shall be invited to the initial IEP meeting to assist with the smooth transition of services.

3. IEP Team Attendance
  - a. A member of the IEP Team described above is not required to attend an IEP meeting, in whole or in part, if the Parent(s) and the School District agree in writing that the attendance of the Team member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.
  - b. If an IEP meeting involves a modification to or discussion of an IEP Team member's area of the curriculum or related services, that IEP Team member may be excused from attending the meeting, in whole or in part, if (1) the Parent(s) and the School District consent to the excusal in writing and (2) the IEP Team member submits, in writing to the Parent(s) and the IEP Team, input into the development of the IEP prior to the meeting.
4. The School District will take the following steps to encourage parental participation in the IEP process:
  - a. The School District will schedule each IEP meeting at a mutually agreed upon time and place, whenever possible;
  - b. The School District will notify Parents at least 10 days prior to any IEP meeting of the purpose, time and location of the meeting, the titles of the persons who will be in attendance, and the Parents' right to invite other individuals with knowledge or special expertise regarding the child;
  - c. The School District may conduct an IEP meeting without a Parent in attendance if the School District is unable to obtain parental participation;

- d. If neither Parent is present at an IEP meeting, the School District will maintain a record of its attempts to arrange a mutually agreed on time and place;
  - e. The Parent(s) and School District may agree to use alternative means of meeting participation, such as video conferences and conference telephone calls; and
  - f. The School District will take whatever action is necessary and reasonable to facilitate the Parent(s)' understanding of and participation in the IEP meeting, including arranging and paying for the expense of an interpreter for Parent(s) who are deaf or whose native language is other than English.
5. In developing a child's IEP, the IEP Team shall consider the strengths of the child, the concerns of the Parent(s) regarding the child's education, the results of the most recent evaluation, and the academic, developmental, and functional needs of the child. The IEP Team also shall consider the following factors:
- a. Positive behavior strategies, interventions, and supports for children with behavior that impedes their learning or that of others;
  - b. Language needs of children with limited English proficiency as those needs relate to the IEP;
  - c. Instruction in Braille and the use of Braille, unless the IEP Team determines that, after an evaluation of the child's reading and writing skills, needs and appropriate reading and writing media, it is not needed, for children who are blind or visually impaired;
  - d. Communication needs;
  - e. Assistive technology devices and services; and
  - f. For a child who is deaf or hard of hearing, the child's language and communication needs, opportunities for direct communication with peers and professionals in the child's language and communication mode, academic level and full range of needs, including opportunities

for direct instruction in the child's language and communication mode.

- g. For students on the autism spectrum (which includes autistic disorder, Asperger's disorder, pervasive developmental disorder not otherwise specified, childhood disintegrative disorder, and Rett Syndrome, as defined in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM IV, 2000)), the IEP team shall also consider all of the following factors:
  - (1) The verbal and nonverbal communication needs of the child.
  - (2) The need to develop social interaction skills and proficiencies.
  - (3) The needs resulting from the child's unusual responses to sensory experiences.
  - (4) The needs resulting from resistance to environmental change or change in daily routines.
  - (5) The needs resulting from engagement in repetitive activities and stereotyped movements.
  - (6) The need for any positive behavioral interventions, strategies, and supports to address any behavioral difficulties resulting from autism spectrum disorder.
  - (7) Other needs resulting from the child's disability that impact progress in the general curriculum, including social and emotional development.
- h. If the student may be eligible to participate in the Home Based Support Services Program for Mentally Disabled Adults authorized under the Developmental Disability and Mental Disability Services Act upon becoming an adult, the student's individualized education program shall include plans for:
  - (1) Determining the student's eligibility for those home based services,
  - (2) Enrolling the student in the program of home based services, and

(3) Developing a plan for the student's most effective use of the home based services after the student becomes an adult and no longer receives special educational services under this Article. The plans developed under this paragraph shall include specific actions to be taken by specified individuals, agencies, or officials.

6. The IEP shall include the following components:
  - a. A statement of the child's present levels of academic achievement and functional performance. This must include: (1) a statement of how the child's disability affects his/her involvement and progress in the general curriculum; or (2) for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities.
  - b. A statement of measurable annual goals that reflect consideration of the State Goals for Learning and the Illinois Learning Standards, as well as benchmarks or short-term objectives, developed in accordance with the child's present levels of educational performance, designed to:
    - (1) Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general curriculum, or for preschool children to participate in age appropriate activities; and
    - (2) Meet each of the child's other educational needs that result from the child's disability.
  - c. A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, and program modifications or supports that will be provided for the child to:
    - (1) Advance appropriately toward attaining the annual goals; and

- (2) Be involved in and make progress in the general curriculum and participate in extracurricular and other nonacademic activities; and
  - (3) Be educated and participate with other children with and without disabilities.
- d. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and district-wide assessments, or a statement of why the child cannot participate in such assessments and why the particular alternate assessment selected is appropriate (see Section 5).
  - e. The projected beginning date for the beginning of the services and modifications, and the amount, frequency, and anticipated duration of those services and modifications.
  - f. An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular class and in extracurricular and nonacademic activities.
  - g. A statement as to whether the child requires extended school year services and, if so, a description of those services that includes their amount, frequency, duration, and location.
  - h. A description of how the child's progress towards annual goals will be measured, and when periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided.
  - i. A statement as to the languages or modes of communication in which special education and related services will be provided, if other than or in addition to English.
  - j. Beginning not later than the first IEP to be in effect when the child turns age 14 1/2, and updated annually thereafter, the IEP shall



include (1) appropriate, measurable, postsecondary goals based upon age-appropriate assessments related to employment, education or training, and, as needed, independent living; (2) the transition services that are needed to assist the child in meeting those goals, including courses of study and any other needed services to be provided by entities other than the School District; and (3) any additional requirements contained in Section 14-8.03 of The School Code [105 ILCS 5/14-8.03].

- k. Beginning not later than one year before the child reaches the age of 18, the IEP must include a statement that the child has been informed of the rights under IDEA that will transfer to the child when he or she reaches the age of 18.
  - l. The IEP of a student who may, after reaching age 18, become eligible to participate in the home-based support services program for adults with cognitive disabilities that is authorized by the Developmental Disability and Mental Disability Services Act [405 ILCS 80] shall set forth specific plans related to that program pursuant to the requirements of Section 14-8.02 of The School Code [105 ILCS 5/14-8.02].
7. The IEP of a student who requires a behavioral intervention plan shall:
- a. Summarize the findings of the functional behavioral assessment;
  - b. Summarize prior interventions implemented;
  - c. Describe any behavioral interventions to be used, including those aimed at developing or strengthening alternative or more appropriate behaviors;
  - d. Identify the measurable behavioral changes expected and methods of evaluation;
  - e. Identify a schedule for a review of the interventions' effectiveness;
- and

- f. Identify provisions for communicating with the Parents about their child's behavior and coordinating school-based and home-based interventions.
- 8. When an IEP Team determines that no less restrictive setting on the continuum of alternative placements will meet a child's needs, the child may be placed in a State-operated or nonpublic special education facility. In such a case, the use of a State-operated program should be given first consideration if appropriate. The determination shall be based on recent diagnostic assessments and other pertinent information and made in light of other factors such as proximity to the child's home. Before the School District places a child or refers a child to such a facility:
  - a. The School District will convene an IEP meeting and invite representative(s) of the State-operated or nonpublic school to attend to assist in identifying or verifying the appropriate placement for that child. If one or more needed representatives cannot attend, the School District will use other methods to ensure their participation.
  - b. With respect to the annual review and revision of the IEP of a child with a disability placed or referred to a State-operated or nonpublic school by the School District, the School District may permit the nonpublic school to initiate IEP meetings which will be conducted as described above, provided that the Parent(s) of the child and a representative of the School District are invited to participate in any decision about the child's IEP and agree to any proposed changes in the IEP. The School District remains responsible for the development and implementation of the child's IEP and for convening any needed IEP meetings, including annual reviews.
- 9. The IEP shall state the placement the IEP Team has determined to be appropriate for the child. The IEP Team shall take into consideration the student's eligibility for other educational programs and services such as bilingual education, career and technical education, gifted education, and

federal Title I programs. The placement determination shall be reviewed at least annually or at any time the IEP is revised.

10. Each initial IEP must be completed by the IEP Team no later than 30 days after the determination of eligibility and in no case later than 60 school days from the date of the School District's receipt of informed written consent from the Parent(s) to perform the needed assessments. When a child is referred for an evaluation with fewer than 60 days of pupil attendance left in the school year, the eligibility determination shall be made and, if the child is eligible, an IEP shall be in effect prior to the first day of the next school year.
11. The School District shall provide special education and related services to eligible children in accordance with their IEPs.
12. The School District shall provide the Parent(s) with a copy of the IEP at the conclusion of the IEP Team meeting at no cost to the Parent(s).

**B. Determination of Related Services**

1. Participants in IEP Team meetings held to develop, review, or revise the IEP shall determine what related services are necessary to assist a child in benefiting from special education, as defined in 34 C.F.R. 300.34.
2. Related services do not include a medical device that is surgically implanted, the optimization of that device's functioning (e.g., mapping), maintenance or replacement of that device.

**C. Implementation of the IEP**

1. Implementation of the IEP shall occur no later than 10 days after the Parent(s) have been provided notice of the placement unless otherwise agreed by the IEP Team.
2. Informed written parental consent is required at least 10 days prior to the initial provision of special education and related services to a child. Parent(s) may waive the 10-calendar-day interval before placement.
3. The IEP must be accessible to all staff members who are responsible for implementing the IEP; each shall be informed of his/her specific

responsibilities relating to the IEP and the specific accommodations, modifications and supports to be provided to the child in accordance with the IEP.

D. Review and Revision of the IEP

1. The IEP of each child with a disability currently receiving special education and related services must be reviewed at least annually to determine whether the annual goals are being achieved. The IEP should be revised as appropriate to address any lack of expected progress toward the annual goals; the results of a reevaluation; information about the child provided to, or by, the Parent(s); the child's anticipated needs; or other matters.
2. A child's teacher or Parent(s) may request a review of the child's IEP at any time. Within 10 days after receipt of such request, the School District will either agree and notify the Parent(s) of the meeting, or notify the Parent(s) in writing of its refusal to meet. Notice of a refusal will include an explanation of the reason no meeting is necessary to ensure a FAPE to the child. Parents may revoke their consent for special education services in accordance with their procedural safeguards. (See Section 10, F. 3.)
3. After the annual review IEP Team meeting, the Parent(s) and the School District may agree not to convene an IEP Team meeting for the purpose of making changes to a child's IEP and instead may develop a written document to amend or modify the current IEP, rather than redrafting the entire IEP. The School District must ensure that the child's IEP Team is informed of those changes. Upon request, a Parent must be provided with a revised copy of the IEP with the amendments incorporated.
4. If a participating agency other than the School District, fails to provide the transition services described in the IEP, the IEP Team must reconvene to identify alternative strategies to meet the transition objectives for the child set out in the IEP.

E. Transfer Children

1. If a child receiving special education transfers into the School District, the School District will ensure FAPE in consultation with the Parent(s) by providing special education and related services in conformity with an IEP.
  - a. For transfers from within Illinois, the School District shall enroll the child and provide FAPE, including education services comparable to those in the IEP from the former School District, until the School District either: (1) adopts the IEP from the former School District, or (2) develops, adopts and implements a new IEP.
  - b. For transfers from another state, the School District shall enroll the child and provide FAPE, including services comparable to those in the IEP from the former School District, until the School District: (1) conducts an evaluation, if determined to be necessary, and (2) develops, adopts and implements a new IEP, if appropriate.
  - c. If the School District does not adopt the former IEP and plans to develop a new one, within 10 days after the date of the child's enrollment the School District must provide written notice to the Parent(s), including the proposed date of the IEP meeting.
2. The School District must take reasonable steps to obtain the child's records, including the IEP, from the former School District. If the School District does not receive a copy of the transfer child's IEP or verbal or written confirmation of requirements of the IEP from the former School District, the child will be enrolled and served in the setting that the School District believes will meet the child's needs until the current IEP is obtained or a new IEP is developed.

F. Children Aged Three Through Five

1. For a child with a disability aged three through five, an Individualized Family Service Plan (IFSP) may serve as the child's IEP if using that

plan is agreed to by the School District and the Parent(s). If the School District proposes to use an IFSP, it shall:

- a. Provide a detailed explanation of the differences between an IFSP and an IEP to the Parents(s);
- b. Obtain informed, written parental consent for the use of an IFSP;  
and
- c. Ensure that the IFSP is developed in accordance with IEP requirements.

LEGAL REF.: 20 U.S.C.§§ 1400(c), 1412(a)(4), 1414(d).  
34 C.F.R. §§ 300.34, 300.39, 300.114-117, 300.320-325, 300.328,  
300.503.  
105 ILCS 5/2-3.64, 5/14-8.02, 8.02(b).  
23 Ill. Admin. Code §§ 226.50 (requirements for a FAPE), 226.200  
(general requirements), 226.210 (IEP team), 226.220  
(development, review and revision of the IEP), 226.230  
(content of the IEP), 226.240 (determination of placement),  
226.250 (child aged 3 through 5), 226.260 (child reaching age  
3), 226.300 (continuum of placement options), 226.310 (related  
services), 226.330 (placement by school district in  
state-operated or nonpublic special education facilities),  
226.530 (Parents' participation).

## **Section 5. Students' Participation in Assessments**

Each IEP of an eligible child shall include a statement of the child's ability to participate in State and School District-wide assessments. This statement must include any individual accommodations that are necessary to measure the academic achievement and functional performance of the child on the assessments. If the IEP Team determines that the child must take an alternate assessment, a statement must be included in the IEP documenting why the child cannot participate in the regular assessment and why the particular alternate assessment is appropriate for the child.

To the extent that individual accommodations are necessary for the child's participation in classroom-based assessments, they shall also be noted in the IEP.

LEGAL REF.: 20 U.S.C. §§ 1400(c), 1412(a)(4), 1414(d).  
34 C.F.R. §§ 300.34, 300.39, 300.114-117, 300.320-325, 300.328, 300.503.  
105 ILCS 5/2-3.64, 5/14-8.02.  
23 Ill. Admin. Code §§ 226.50 (requirements for a FAPE), 226.200 (general requirements), 226.210 (IEP team), 226.220 (development, review and revision of the IEP), 226.230 (content of the IEP), 226.240 (determination of placement), 226.250 (child aged 3 through 5), 226.260 (child reaching age 3), 226.300 (continuum of placement options), 226.310 (related services), 226.330 (placement by school district in state-operated or nonpublic special education facilities), 226.530 (Parents' participation).



## **Section 6. Serving Students in the Least Restrictive Environment**

### **A. Overview of Placement**

1. The School District supports the right of children with disabilities to be educated with nondisabled children to the maximum extent appropriate.
2. The child's placement shall be based on the child's IEP and shall be as close as possible to the child's home. Unless the IEP of a child with a disability requires some other arrangement, the child shall be educated in the school that he or she would attend if nondisabled. A placement determination based solely upon the category of a child's disability or on the current configuration of the School District's service delivery system is prohibited. In selecting the least restrictive environment (LRE), consideration shall be given to any potential harmful effect on the child or on the quality of services received.
3. Children with disabilities must be allowed to participate to the maximum extent appropriate with nondisabled children in nonacademic and extracurricular activities (including meals, recess periods, athletics, clubs, and recreational activities).
4. Parental participation shall be encouraged. Informed written parental consent is required only before initial special education placement. In cases in which informed written parental consent cannot be obtained, the School District may request a due process hearing to compel services/placement in special education, except in an initial placement of a child in special education.

### **B. Participation in Regular Education Programs**

1. The School District shall take steps to ensure that children with disabilities have equal access to the variety of educational programs and services available to nondisabled children.
2. Steps taken by the School District to ensure the availability of regular educational programs and services to children with disabilities may include, but not be limited to:

- a. Modification of instructional methodologies, staffing, materials and equipment to permit effective participation as appropriate; and
  - b. Individualization of the instructional program including staffing, curriculum modifications, classroom accommodations, modified grading, assistive technology, and instructional materials to permit the effective participation of children with disabilities.
3. The IEP must include a statement describing how the child's disability adversely affects the child's participation in, and progress toward general education curriculum objectives, including:
  - a. Participation in extracurricular and other nonacademic activities;
  - b. The extent to which the child will be educated and participate with nondisabled children;
  - c. An explanation of the extent, if any, to which the child will not participate with nondisabled children; and
  - d. A statement of any individual modifications in the administration of State or School District-wide assessments necessary in order for the child to participate in the assessments. If the IEP Team determines that the child cannot participate in State or School District-wide assessments, the IEP Team must explain why and describe how the child will be alternately assessed. (See Section 5, Students' Participation in Assessments).

C. State-Operated or Nonpublic Special Education Facility

When an IEP Team determines that no less restrictive setting on the continuum of alternative placements will meet a child's needs, the child may be placed in a State-operated or nonpublic special education facility. In such a case, the use of a State-operated program should be given first consideration if appropriate. The determination shall be based on recent diagnostic assessments and other pertinent information and made in light of other factors such as proximity to the child's home. Before the School District places a child or refers a child to such a facility:

1. The School District will convene an IEP meeting and invite representative(s) of the State-operated or nonpublic school to attend to assist in identifying or verifying the appropriate placement for that child. If one or more needed representatives cannot attend, the School District will use other methods to ensure their participation.
2. With respect to the annual review and revision of the IEP of a child with a disability placed or referred to a State-operated or nonpublic school by the School District, the School District may permit the nonpublic school to initiate IEP meetings which will be conducted as described above, provided that the Parent(s) of the child and a representative of the School District are invited to participate in any decision about the child's IEP and agree to any proposed changes in the IEP. The School District remains responsible for the development and implementation of the child's IEP and for convening any needed IEP meetings, including annual reviews.

D. Continuum of Placement Options

The School District will ensure that a continuum of alternative placement options is available to meet the needs of children with disabilities. This continuum will include instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions. The continuum will also make provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

E. Determining Educational Placement

1. In determining any educational placement of a child, the School District shall ensure that:
  - a. The placement decision is made by a group of persons, including the Parent(s), and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options, and is

- made in conformity with the least restrictive environment requirements;
- b. The child's placement is determined at least annually, is based on the child's IEP, and is as close as possible to the child's home;
  - c. Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school he/she would attend if nondisabled;
  - d. In selecting the LRE, consideration is given to any potentially harmful effect on the child or on the quality of services that the child needs; and
  - e. A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.
2. When making a placement determination on behalf of a child with a disability between the ages of 3-5, the School District must provide a free appropriate public education (FAPE) in the least restrictive environment. The least restrictive environment alternatives may include:
- a. Providing opportunities for the participation (even part-time) of preschool children with disabilities in other preschool programs operated by public agencies (such as Head Start);
  - b. Placing children with disabilities in private school programs for nondisabled preschool children or private preschool programs that integrate children with disabilities and nondisabled children; or
  - c. Locating classes for preschool children with disabilities in regular elementary schools.
3. In the event the School District must remove a special education child from his/her current program because of behavior that causes serious bodily injury or due to a weapons or drug violation, the IEP Team shall identify an interim alternative educational setting (IAES). This setting will enable the child to continue to progress in the general curriculum

and to receive those services and modifications as described in the child's current IEP.

4. Homebound instruction may be recommended by the IEP Team in accordance with subsection C of this Section and the eligibility requirements under 23 Ill. Admin. Code § 226.300.

F. Nonacademic and Extracurricular Services

1. The placement decision shall permit the child to participate, as appropriate, in nonacademic and extracurricular services and activities (e.g., meals, recess, recreational activities, and clubs sponsored by the School District). According to the needs of the child, as articulated in his/her IEP, the School District may provide service(s) to a child in order to allow him/her to access participation in nonacademic or extracurricular activities.
2. A child with a disability may be excluded from participation in nonacademic and extracurricular activities for misconduct provided the exclusion is consistent with the School District's disciplinary code, is applied to children without disabilities and takes into consideration the special needs of the child.

LEGAL REF.: 20 U.S.C. §§ 1412 (State eligibility), 1412 (a)(7), 1413 (local educational agency eligibility).  
34 C.F.R. §§ 300.305 (program options), 300.345 (Parent(s) participation), 300.346 (development review and revision of IEP), 300.347 (content of IEP), 300.350 (general LRE requirements), 300.551 (continuum of alternative placements), 300.552 (placements), 300.553 (nonacademic settings).  
105 ILCS 5/14-1.02 (children with disabilities), 5/15-8.02 (identification, evaluation and placement of children).  
23 Ill. Admin. Code. §§ 226.240 (determination of placement), 226.300 (continuum of placement options), 226.310 (related services), 226.530 (Parent(s)' participation), 226.720 (facilities and classes), 226.220 (development, review and revision of the IEP), 226.230 (content of the IEP).

**Section 7. Provision of Extended School Year Services**

- A. Extended school year services are special education and related services, which are provided by the School District to an IDEA eligible child with a disability beyond the School District's regular school year in accordance with the child's IEP at no cost to the child's Parent(s) and meet the standards of ISBE.
- B. Extended school year services shall be provided to each special education child whose unique needs require special education and related services in excess of the regular school year. Special education children who may require extended school year services are those whose IEPs specify an extended school year program and/or related services as determined by the child's IEP Team in accordance with the IDEA and ISBE standards and regulations. The child's IEP Team shall determine the type, amount, and/or duration of the services necessary as part of the child's extended school year program on an individualized basis.
- C. The School District shall not limit the provision of extended school year services to children with a particular category or categories of disability or unilaterally limit the type, amount, or duration of those services.

LEGAL REF.: 20 U.S.C. §§ 1412 (State eligibility), 1413 (local educational agency eligibility).  
34 C.F.R. § 300.106  
23 Ill. Admin. Code § 226.75 (definitions).

**Section 8. Transition of Children Served Under Part C of IDEA into  
Preschool Programs**

**A. Children Reaching Age Three**

1. For a child with an IFSP who will be making the transition from an early intervention program into the special education program of the School District at age three, the School District shall ensure that either an IEP or the child's IFSP is in effect on his/her third birthday. A representative of the School District shall participate in the transition meeting.
2. For a child without an IFSP:
  - a. If the child is referred at least 60 school days prior to his/her third birthday, and determined eligible, the School District shall ensure that either an IEP or an IFSP is in effect on his/her third birthday.
  - b. If the child is referred with fewer than 60 school days remaining before his/her third birthday, or after that date, the School District shall follow the procedures herein to determine whether or not an evaluation is warranted, and if so, to conduct an evaluation.
3. If a child's third birthday occurs during the summer, the IEP Team shall determine when the School District's services to the child will begin.

**B. Children Reaching Age Six**

The School District may permit an eligible child in an Early Childhood class who reaches his/her sixth birthday during the school year to complete that school year in the Early Childhood class.



LEGAL REF.: 20 U.S.C. § 1412(a)(9).  
34 C.F.R. § 300.124.  
23 Ill. Admin. Code § 226.260, Subpart C.

## **Section 9. Serving Students Who Attend Nonpublic Schools**

### **A. Placements by the School District in Nonpublic Special Education Programs/Facilities**

1. The IEP Team shall conduct a meeting(s) and complete an IEP before placing a child in a nonpublic special education program or facility.
  - a. The School District is responsible for arranging participation of a representative of the private school/facility in the IEP meeting.
  - b. The School District remains responsible for the development and implementation of the child's IEP.
2. The School District will determine, for those children placed in a nonpublic special education program or facility, that the conditions contained in 23 Ill. Admin. Code § 226.330(c) are satisfied.

### **B. Children With Disabilities Enrolled by Their Parents In Private Schools Where FAPE Is At Issue**

1. The School District is not responsible for educational costs, including special education and related services, of children placed in nonpublic special education programs or facilities by their Parents if the School District made FAPE available to the child and the Parent(s) elected to place the child in a nonpublic special education program or facility.
2. If the Parents of a child with a disability, who previously received special education and related services from or through the School District, enroll the child in a private school without the consent of or referral by the School District, a court or hearing officer may require the School District to reimburse the Parents for the cost of the private school if there are findings that (a) the School District did not make a FAPE available to the child in a timely manner prior to the private school enrollment, and (b) the private placement is appropriate.
3. The School District will notify the Parent(s) of the conditions under which reimbursement for the cost of a unilateral placement in a

nonpublic special education program or facility may be reduced or denied. Those conditions include:

- a. Failure of the Parent(s) to inform the IEP Team at the most recent IEP meeting prior to the removal of the child from the public school of the Parents' rejection of the placement proposed by the School District and a statement of their concerns and their intent to enroll their child in a nonpublic special education program or facility at public expense at least 10 business days prior to the removal of the child from the public school; or
- b. At least 10 business days before the removal of the child from the public school, the Parents did not give written notice to the School District of the information described in subparagraph **a** above; or
- c. If, prior to the Parent(s)' removal of the child from the public school, the School District informed the Parent(s), through the notice requirements, of its intent to evaluate the child, but the Parent(s) did not make the child available for the evaluation; or
- d. Any judicial finding of unreasonableness with respect to the actions taken by the Parent(s).

C. Children With Disabilities Enrolled By Their Parents In Private Schools  
Where FAPE Is Not An Issue

1. The School District shall develop and implement a system to locate, identify and evaluate children with disabilities who attend private schools (including religiously affiliated schools and home-schools) located within the School District. The School District will conduct child find activities for private school children with disabilities that are similar to those for children with disabilities in public schools.
2. Upon evaluation or reevaluation and determination that a private school child is eligible or still eligible for special education and related services, the School District will develop a services plan for the child if he/she is

designated by the School District to receive special education and related services.

3. The School District is not obligated to provide the special education and related services the child would receive if enrolled in a public school.
4. The School District shall consult annually with private school representatives and representatives of Parents of private school children regarding the following:
  - a. The child find process, including how parentally placed private school children can participate equitably and how Parents, teachers, and private school officials will be informed of the process;
  - b. The determination of proportionate share of funds available to serve parentally-placed private school children with disabilities;
  - c. The consultation process;
  - d. The provision of special education and related services; and
  - e. A written explanation by the School District regarding services.
5. The School District shall make final decisions with respect to the services to be provided to eligible children who are enrolled in private schools. The services to be provided to such children are those services that the School District has determined, through the consultation process, it will make available.
6. The School District shall assure that the providers of services to private school children with disabilities meet the same standards as personnel providing services in the public schools, except that private elementary and secondary school teachers who provide equitable services to parentally-placed private school children with disabilities do not have to meet the “highly qualified” requirements of law.
7. The School District shall be responsible for providing Parents with all notifications required to be provided to Parents of students with disabilities who attend the public schools.

8. By December 1 of each year, the School District will conduct a census of the number of nonpublic school children eligible under IDEA, who may or may not be receiving special education and related services.

LEGAL REF.: 20 U.S.C. §§ 1412(a)(10) (State eligibility), 1413(a)(1) (local educational agency eligibility).  
34 C.F.R. §§ 300.115 (continuum of alternative placements), 300.325(private school placement), 300.130-300.144 (children with disabilities enrolled by their Parents in private schools), 300.145-300.147 (children with disabilities in private schools placed or referred by public agencies), 300.148 (children with disabilities enrolled by their Parents in private schools when FAPE is at issue).  
105 ILCS 5/29-4, 5/14-6.01, 5/14-7.01, 5/14-7.02.  
23 Ill. Admin. Code §§ 226.300 (continuum of placement options), 226.310 (related services), 226.320 (service to students living in residential care facilities), 226.330 (placement by school district in state-operated or nonpublic special education facilities), 226.340 (nonpublic placements by Parents where FAPE is at issue), 226.350 (service to parentally-placed private school students).

## **Section 10. Procedural Safeguards**

### **A. Procedural Safeguards Notice**

1. Written notification of the procedural safeguards available to the Parent(s) of a child with a disability shall be given to the Parent(s) one time per school year, and:
  - a. Upon referral for an initial evaluation or reevaluation or Parent request for evaluation or reevaluation;
  - b. In accordance with certain disciplinary removals (see Section 10.5);
  - c. Upon request by a Parent; and
  - d. Upon receipt of the first State complaint and upon first request for a due process hearing in a school year.
2. The procedural safeguards notice shall include a full explanation of all of the procedural safeguards relating to:
  - a. Independent education evaluation;
  - b. Prior written notice to Parents as required by State and federal law;
  - c. Parental consent;
  - d. Access to educational records;
  - e. Opportunity to present and resolve complaints through the due process and State complaint procedures;
  - f. The availability of mediation;
  - g. The child's placement during the pendency of any due process complaint;
  - h. Procedures for children who are subject to placement in an interim alternative educational setting;
  - i. Requirements for unilateral placement by Parents of children in private schools at public expense;
  - j. Due process hearings, including requirements for disclosure of evaluation results and recommendations;
  - k. Civil actions; and
  - l. Attorneys' fees.

B. Prior Notice by School District

1. The School District shall provide 10 days written notice to the Parent(s) as required by State and federal law before proposing or refusing to initiate or change the identification, evaluation, or educational placement of, or the provision of free, appropriate public education to, a child. If the notice is related to an action proposed by the School District that also requires informed written parental consent, the School District may give notice at the same time as it requests informed written consent.
2. The notice required by this Section shall include:
  - a. A description of the action proposed or refused by the School District;
  - b. An explanation of why the School District proposes or refuses to take the action;
  - c. A description of any other options that the IEP Team considered and the reason why those options were rejected;
  - d. A description of each evaluation procedure, assessment, record, or report the School District used as a basis for the proposed or refused action;
  - e. A description of any other factors that are relevant to the School District's proposal or refusal;
  - f. A statement that the Parent(s) of a child with a disability have protection under the procedural safeguards of the Individuals With Disabilities Education Act, Article 14 of The School Code of Illinois and their respective implementing regulations, and an indication of the means by which a description of those procedural safeguards may be obtained; and
  - g. Sources for Parents to contact to obtain assistance and understanding of the provisions of the IDEA, Article 14, and their respective implementing regulations.

C. Notice of Issuance of Diploma

If a student is to receive a regular high school diploma, at least one year prior to the anticipated date of its issuance, both the Parents(s) and the student shall receive written notification that eligibility for public school special education services ends following the granting of a diploma and that the Parent (or student if he or she is 18 or over) may request an IEP meeting to review the recommendation that the student receive a regular diploma.

D. Language of Notifications

1. The notices required under the “Procedural Safeguards Notice” and “Notice by School District” Sections above shall be written in language understandable to the general public and provided in the native language of the Parent(s) or other mode of communication used by the Parent(s), unless it is clearly not feasible to do so.
2. If the native language or other mode of communication of the Parent(s) is not a written language, the School District shall take steps to insure and document that the notice is translated orally or by other means to the Parent(s) in his/her native language or other mode of communication and that the Parent(s) understands the content of the notice.

E. Opportunity to Examine Records; Parent(s) Participation in Meetings

1. The Parent(s) of a child with a disability shall be afforded an opportunity to inspect and review all education records with respect to their child. The School District shall insure that Parents of children with disabilities have the opportunity to participate in meetings with respect to the identification, evaluation, and educational placement of, and the provision of free, appropriate public education to, the child. A meeting does not include informal or unscheduled conversations involving School District employees or officials or other routine communications or consultation between School District employees or officials, including preparatory activities that school personnel engage in to develop a proposal or a response to a Parent’s proposal that will be discussed at an IEP meeting.



2. Whenever a meeting is to be held which a Parent has a right to attend, the following requirements shall apply:
  - a. The School District shall notify in writing the Parent(s) at least ten days prior to the proposed date of the meeting of the purpose of the meeting, the proposed date, time, and place for the meeting, who will be in attendance; and the Parent(s)' right to invite other individuals whom the Parent(s) believe have knowledge or special expertise regarding the child; for the initial IEP meeting of a child who was previously served under Part C of the IDEA, upon request of the Parent, the Part C service coordinator or other representative of the Part C system; and, beginning not later than the first IEP to be in effect when the child turns 14½, or younger if deemed appropriate by the IEP Team, that post-secondary goals and services will be considered, that the student will be invited, and the identity of any other agency that will be invited to send a representative;
  - b. If the Parent(s) indicates that the proposed date or time is inconvenient, the School District shall make reasonable efforts to accommodate the Parent(s)' schedule;
  - c. If neither Parent can attend, the School District shall use other methods to ensure at least one Parent's participation;
  - d. A meeting may be conducted without a Parent in attendance if the School District is unable to obtain the Parent(s)' participation. In this case, the School District shall maintain a record of its attempt to arrange a mutually agreed-upon time and place;
  - e. The School District shall take whatever action is necessary and reasonable to facilitate the Parent(s)' understanding of and participation in the meeting including arranging for and covering the expense of an interpreter for Parents who are deaf or whose native language is other than English; and

- f. Any document generated during the meeting shall be provided to the Parent(s) upon request, unless applicable federal or State statute or federal regulation requires its automatic provision without a request.

F. Consent

1. The School District shall document that informed written parental consent is obtained prior to:
  - a. Conducting any initial evaluation;
  - b. The initial provision of special education and related services to a child;
  - c. Conducting any reevaluation;
  - d. Using the Parent(s)' private insurance or Medicaid or other public benefits or insurance programs to pay for services required by the child's IEP;
  - e. Using an IFSP instead of an IEP;
  - f. Disclosing personally identifiable information about a child, consistent with the requirements of federal and State law;
  - g. Disclosing information to officials of participating transition agencies; and
  - h. Disclosing information to officials of a private school or a private school student's district of residence.
2. Consent for a proposed action is written agreement provided by a Parent(s) who has been fully informed of all information relevant to the activity for which consent is sought in his/her native language or mode of communication; who understands and agrees in writing to the carrying out of the activity for which consent is sought, and the consent describes the activity and lists the records (if any) that will be released and to whom; and that the agreement is voluntary and may be revoked at any time.
3. Parental informed written consent is not required before reviewing existing data as part of an evaluation or a reevaluation or administering a

test or evaluation that is administered to all children unless parental informed written consent is required of all children taking the test.

G. Revocation of Consent for Evaluations and Reevaluations

1. Revocation of informed written consent for evaluations or reevaluations may be communicated orally or in writing. If communicated orally, the School District will commit it to writing and provide the Parent(s) with a copy within five days. Any revocation of informed written consent for evaluations or reevaluations is effective immediately, but is not retroactive. The School District will promptly inform all staff members whose activities are affected by the revocation. If the School District disagrees with a Parent's revocation of informed written consent, the School District may request a due process hearing.

H. Revocation of Consent for Special Education and Related Services

1. A Parent may revoke consent for special education and related services.
2. Revocation of consent for special education and related services may be communicated by a Parent in writing or orally. The District will memorialize the Parent's oral revocation of consent in writing and provide a copy to the Parent within five days.
3. Within 10 calendar days after the School District's receipt of written revocation of consent, the School District will provide the Parent with prior written notice at which time all IEP services shall cease.
4. When a Parent revokes consent for special education and related services:
  - a. The School District may not utilize mediation or the due process procedures to obtain agreement or a ruling that the services may be provided to the child.
  - b. The School District is not required to convene an IEP meeting or develop an IEP for the child for further provision of special education and related services.

- c. The School District will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services.
- d. The School District is not required to amend the child's education records to remove any reference to the child's receipt of special education and related services because of the revocation of consent.

I. Filing a Due Process Complaint

- 1. The Parent(s) or the School District may file a due process complaint regarding: the School District's proposal to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child; or the School District's refusal to initiate or change the identification, evaluation, or educational placement of the child or the provision of FAPE to the child. The due process complaint must allege a violation that occurred not more than two years before the date the Parent(s) or School District knew or should have known about the alleged action that forms the basis of the due process complaint. This two-year limitations period does not apply to a Parent(s) if the Parent(s) was prevented from filing a due process complaint due to a specific misrepresentation by the School District that it had resolved the problem forming the basis of the due process complaint or due to the School District's withholding of information from the Parent(s) that was required to have been provided.
- 2. Notification to Parent(s)  
The School District shall notify Parent(s) in writing of the procedures for requesting a due process hearing which includes a requirement that the due process complaint contain the following information:
  - a. The name and address of the residence of the child or in the case of a homeless child or youth (within the meaning of the McKinney-Vento

Homeless Assistance Act), available contact information for the child;

- b. The name of the school that the child attends;
- c. A description of the nature of the problem of the child relating to the proposed or refused initiation or change of the identification, evaluation, or educational placement of the child or the provision of FAPE to the child, including facts relating to such problem; and
- d. A proposed resolution of the problem to the extent known and available to the party filing the due process complaint at the time.
- e. This written notice must be provided to the Parent by the School District upon the School District's receipt of a due process complaint.

3. Content of the Due Process Complaint

The filing, basis for, and content of the due process complaint, whether by a Parent, a student, or the School District, must contain items specified in Section 10, G (2) (a-d) and a party may not have a hearing on a due process complaint until the party, or the attorney representing the party, files a due process complaint that meets these requirements. If a party believes that the due process complaint does not meet these requirements, a party can challenge the sufficiency of the due process by notifying the hearing officer and the other party in writing within 15 days of receipt of the due process complaint. The due process complaint must be deemed sufficient unless such a challenge is made. The hearing officer must make a determination on the face of the due process complaint of whether the due process complaint meets the requirements within 5 days of receipt of the challenge and must immediately notify the parties in writing of that determination.

4. Notification of Free or Low Cost Legal Services or Other Related Services in the Area

The School District shall inform the Parent(s) in writing of any free or low-cost legal services and other publicly-funded services available in the area if the Parent(s) requests the information or the Parent(s) or the School District files a due process complaint.

5. Forwarding of Parent Due Process Complaint to ISBE

The School District's Superintendent shall, within 5 days after its receipt of the due process complaint, forward the complaint by certified mail or another means that provides written evidence of delivery to the Illinois State Board of Education in Springfield.

6. School District Response to Due Process Complaint

If the School District has not sent a "prior written notice" under IDEA's implementing regulations at 34 C.F.R. § 300.503 to the Parent(s) regarding the subject matter contained in the Parent(s)' due process complaint, the School District must, within 10 days of receiving the due process complaint, send to the Parent a response that includes:

- a. An explanation of why the School District proposed or refused to take the action raised in the due process complaint;
- b. A description of other options that the IEP Team considered and the reasons why those options were rejected;
- c. A description of each evaluation procedure, assessment, record, or report the School District used as the basis for the proposed or refused action; and
- d. A description of the other factors that are relevant to the School District's proposed or refused action.
- e. The School District's submission of a response to the Parent's due process complaint does not preclude the School District from challenging the sufficiency of such complaint, where appropriate.

7. Other Party Response to Due Process Complaint

The party receiving a due process complaint must, within 10 days of receiving the due process complaint, send to the other party a response that specifically addresses the issues raised in the due process complaint.

8. Resolution Meeting

Within 15 days of receiving notice of the Parent(s)' due process complaint, and prior to the initiation of a due process hearing, the School District must convene a meeting with the Parent and the relevant member or members of the IEP Team who have specific knowledge of the facts identified in the due process complaint. This meeting must include a representative of the School District who has decision-making authority on its behalf and cannot include the School District's attorney unless the Parent(s) is accompanied by an attorney. The purpose of this meeting is for the Parent(s) of the child to discuss the due process complaint, and the facts that form the basis of the due process complaint, so that the School District has an opportunity to resolve the dispute that is the basis of the complaint. The Resolution Meeting need not be held if the Parent(s) and the School District agree in writing to waive the meeting or to use the mediation process. Except where the parties have jointly agreed to waive the resolution process or to use mediation, the failure of the Parent(s) filing a due process complaint to participate in the resolution meeting will delay the timelines for the resolution process and due process hearing until the meeting is held. If the School District is unable to obtain the participation of the Parent(s) in the Resolution Meeting after reasonable efforts have been made, the School District may, at the conclusion of the 30-day period, request that a hearing officer dismiss the Parent's due process complaint. If the School District fails to hold the Resolution Meeting within 15 days of receiving notice of a Parent(s)' due process complaint or fails to participate in the Resolution Meeting, the Parent may seek the intervention of the hearing officer to begin the due process hearing timeline. If a resolution to the dispute is

reached at the Resolution Meeting, the parties must execute a legally binding agreement that is signed by both the Parent(s) and a representative of the School District who has the authority to bind the School District. The Resolution Agreement shall be enforceable in a State court of competent jurisdiction or a Federal district court. A party may void the Resolution Agreement within 3 days of its execution.

9. Amendment of the Due Process Complaint

A party may amend its due process complaint only if: the other party consents in writing to the amendment and is given an opportunity to resolve the due process complaint through a resolution meeting; or, the hearing officer grants permission, except that the hearing officer may only grant permission to amend at any time not later than five days before the due process hearing begins.

10. Rights of the Parties Related to the Impartial Due Process Hearing

Any party to a due process hearing has the following rights:

- a. To be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities;
- b. To present evidence and confront, cross-examine, and compel the attendance of witnesses;
- c. To prohibit the introduction of any evidence at the hearing that has not been disclosed to that party at least five business days before the hearing;
- d. To obtain a written, or, at the option of the Parent(s), electronic, verbatim record of the hearing;
- e. To obtain written, or, at the option of the Parent(s), electronic findings of fact and decisions; and
- f. To receive disclosure of all evaluations completed by five business days prior to the hearing and recommendations based on the offering party's evaluations that the party intends to use at the hearing.



11. Parental Rights Related to the Due Process Hearing

Parent(s) involved in hearings must be given the right:

- a. To have the child who is the subject of the hearing present;
- b. To open the hearing to the public;
- c. To have the record of the hearing and the findings of fact and decisions provided at no cost to the Parent; and
- d. To have access to the School District's list of independent evaluators and may obtain an independent evaluation of their child at their own expense. The Parent(s) may ask the hearing officer to determine whether an independent evaluation is needed. If the hearing officer concludes, after reviewing the available information, that an independent evaluation is necessary, the hearing shall be delayed.

12. Participant's Right to Interpreter

Either party, or any other person participating in the hearing, may request that an interpreter be available during the hearing because one of the participants is hearing impaired and/or uses a primary language other than English. Interpreters shall be provided at the expense of the School District.

13. Stay-Put

During the pendency of any administrative or judicial proceeding initiated pursuant to this Section, except as provided below, unless the School District and the Parent(s) of the child agree otherwise, the child shall remain in his/her current educational placement. If the hearing involves the initial admission of the child to the public school, the child must be placed in the public school, with the Parent's informed written consent, until the completion of all the proceedings. If the due process complaint involves an application for initial services under Part B of IDEA for a child who is transitioning from Part C of IDEA and is no longer eligible for Part C services, the School District is not required to provide Part C services that the child has been receiving. If the child is

found eligible for special education and related services under Part B and the informed Parent consents in writing to the initial provision of special education and related services, then the School District must provide those special education and related services that are not in dispute between the Parent and the School District. If the decision of the hearing officer agrees with the Parent(s) that a change of placement is appropriate, that placement shall be treated as agreement between the State or School District and the Parent(s) for purposes of this Section.

14. School District Authority to Change a Student's Placement

School personnel have the authority to change the current educational placement of a child with a disability:

- a. For not more than 10 consecutive school days for any violation of school rules, and additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement as defined in the IDEA and related federal and State regulations); and
- b. To an appropriate interim alternative educational setting for the same amount of time that a child without a disability would be subject to discipline, but for not more than 45 school days, if:
  - (1) The child carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function; or
  - (2) The child knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function; or
  - (3) The child has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function; or
  - (4) Ordered by a hearing officer in accordance with the expedited hearing procedures set forth below.

15. Hearing Timelines

The School District will fully cooperate with the timelines set forth by the hearing officer to ensure that the hearing process is completed within 45 days from: the expiration of the 30-day resolution period; or, the date both parties agree in writing to waive the Resolution Meeting; or, after either the Mediation or Resolution Meeting starts but before the end of the 30-day period, the parties agree in writing that no agreement is possible.

16. Right to Appeal Hearing Decision

The Parent(s) or the School District may appeal the due process hearing findings and decision, within 120 days from the date the decision was mailed to the parties, by commencing a civil action in any court of competent jurisdiction.

J. Expedited Due Process Hearings

1. The School District may request an expedited due process hearing if school personnel believe that maintaining the current placement of the child is substantially likely to result in injury to the child or others.
2. The Parent(s) or child (if he or she is at least 18 years of age or emancipated) may request an expedited due process hearing if there is disagreement with regard to:
  - a. The School District's determination that a child's behavior was not a manifestation of his/her disability;
  - b. The decision of the School District to move the child to an interim alternative educational setting; or
  - c. The interim alternative educational setting selected.
3. When requesting an expedited hearing the requesting party must provide the following:
  - a. Name of legal counsel if the party is represented by counsel or intends to retain counsel;
  - b. Matters in dispute and specific relief sought;
  - c. Names of all witnesses to be called to testify at the hearing; and

- d. Relevant documents.
4. No later than two days prior to the hearing, both parties involved in the expedited hearing must disclose to the hearing officer and to each other any evidence, which is intended to be submitted into the hearing record.
5. Unless the Parents and the School District agree in writing to waive a Resolution Meeting, a Resolution Meeting must occur within seven days of receiving notice of the due process complaint and the due process may proceed unless the matter has been resolved to the satisfaction of both parties.

K. Mediation

1. The purpose of mediation is to attempt to informally resolve disputes regarding the identification, evaluation, or placement of, or the provision of free, appropriate public education to, a child. The School District shall inform Parent(s), at least whenever a due process hearing is requested, that ISBE offers a process of mediation that may be used to resolve such disputes.
2. ISBE's Special Education Unit shall appoint a trained impartial mediator upon the request of the Parent(s) or the School District. Mediation sessions shall be scheduled in a timely manner and held in a location that is convenient to the parties.
3. Mediation is entirely voluntary. In no way shall mediation be used as a means to deny or delay a Parent's right to a hearing or any other rights afforded under IDEA, Article 14 of The School Code, or their implementing regulations.
4. Any resolution reached as part of the mediation process must be set forth in writing, is legally binding, and is enforceable by a court of competent jurisdiction.
5. Discussions that occur during mediation shall be confidential and may not be used as evidence in any subsequent due process hearings or civil proceedings.

L. Complaints

1. A Parent, individual, organization, or advocate may file a signed, written complaint with ISBE alleging that the School District has violated the rights of one or more children with disabilities. Such a complaint must include:
  - a. A statement that the School District has violated a requirement of the IDEA, Article 14, or their implementing regulations;
  - b. The facts on which the statement is based;
  - c. The signature and contact information for the complainant;
  - d. The names, addresses, and schools of attendance of the students involved, if known;
  - e. A description of the nature of the problem of the child, including facts relating to the problem; and
  - f. A proposed resolution to the problem to the extent known and available to the party at the time the complaint is filed.
2. A complaint to ISBE must allege only violations that occurred not more than one year prior to the date on which ISBE receives the complaint.

M. Surrogate Parents

1. The School District shall ensure that the rights of a child with a disability are protected through the appointment of a qualified surrogate Parent(s) when:
  - a. The Parent(s) cannot be identified or located; or
  - b. The child is a ward of the State; or
  - c. The child is an unaccompanied youth as defined in Section 725(6) of the McKinney-Vento Homeless Assistance Act.
2. The School District shall undertake reasonable efforts to identify and discover the whereabouts of the Parent(s) of the child with a known or suspected disability. Such reasonable efforts may include documented phone calls, letters, certified letters with return receipts, visits to the

home, and interviews with relatives and other individuals who may have knowledge of the whereabouts of the child's Parent(s).

3. If, after reasonable efforts have been made, the Parent(s) cannot be located, the School District shall take similar steps to establish contact with a relative, or an individual with whom the child resides and/or the individual or agency which is legally responsible for the child's care and education.
4. If, after reasonable efforts have also been made to identify a guardian of the child or a person acting as the Parent(s) of the child, no such person has been either identified or located, the School District shall make a written request to ISBE to appoint a surrogate Parent(s) for the child in matters relating to the identification, evaluation, and educational placement of, and provision of free, appropriate public education to, him or her.
5. The written request to ISBE shall include information on the racial, linguistic or cultural background of the child.

N. Independent Educational Evaluations

1. Parent(s) have the right to obtain an independent educational evaluation of their child, subject to the provisions of federal and State law.
2. The School District shall provide to the Parent(s), upon their request, the list of independent educational evaluators developed by ISBE.
3. If the Parent(s) disagree with the School District's evaluation and wish to obtain an independent educational evaluation at public expense, they shall submit to the superintendent a written request to that effect.
4. If the School District disagrees with the need for an independent educational evaluation, it shall initiate a due process hearing to demonstrate that its evaluation is appropriate. Such a hearing shall be initiated by the School District within five days following receipt of a written parental request.

5. An independent educational evaluation at public expense shall be completed within 30 days after receipt of a Parent's written request, unless the School District initiates a due process hearing or the parties agree that the 30-day period should be extended. If either party wishes such an extension and is unable to obtain the other party's agreement, the School District shall initiate a due process hearing.
6. If the final decision of the hearing and review process is that the School District's evaluation is appropriate, the Parent(s) shall have the right to an independent educational evaluation, but not at public expense.
7. If the School District's evaluation is shown to be inappropriate, the School District shall pay for the independent educational evaluation or reimburse the Parent(s) for the cost of said evaluation.
8. If the Parent(s) are entitled to an independent educational evaluation at public expense, it shall be completed within 30 days after the decision is rendered, unless the parties agree that the 30-day period should be extended. If either party wishes such an extension and is unable to obtain the other party's agreement, the School District shall initiate a due process hearing.
9. When an independent evaluation is obtained at public expense, the party chosen to perform the evaluation shall be either:
  - a. An individual whose name is included on the list provided by ISBE with regard to the relevant type(s) of evaluation; or
  - b. Another individual possessing the credentials required by 23 Ill. Admin. Code § 226.840.
10. If the Parent(s) wishes an evaluator to have specific credentials in addition to those required by 23 Ill. Admin. Code § 226.840, the Parent(s) and the School District shall agree on the qualifications of the examiner and the specific evaluation(s) to be completed prior to the initiation of an independent educational evaluation at public expense. If

agreement cannot be reached, the School District shall initiate a due process hearing subject to the time constraints set forth in this Section.

11. The conditions under which an independent evaluation is obtained at public expense, including the location of the evaluation and the qualifications of the examiner, shall meet the criteria that the School District uses when it initiates an evaluation, to the extent that those criteria are consistent with the Parent's right to an independent evaluation.
12. If the Parent(s) obtains an independent educational evaluation, the written results of that evaluation shall be considered by the IEP Team and may be presented as evidence at a due process hearing as provided by law. The School District shall send the notice convening the IEP Team's meeting within ten days after receiving the evaluation report or after the Parent(s) requests a meeting to consider the results of an independent evaluation.

O. Transfer of Parental Rights

1. All rights accorded to Parent(s) under the IDEA, Article 14 of The School Code, and their implementing regulations transfer to the child when he or she reaches 18 years of age or becomes an emancipated minor, unless a legal guardian has been appointed for the child or the child delegates his/her rights to the Parents or another adult after the child turns 18 years of age. The School District shall notify the child and the Parent(s) of such transfer of rights and the process for delegating such rights, and shall provide the student with a Delegation of Rights form, at least one year prior to the date that the child reaches the age of majority.
2. The School District shall provide any notice required by the IDEA, Article 14 of The School Code, and their implementing regulations to the child and the Parent(s).



LEGAL REF.: 20 U.S.C. §§ 1412(a)(6) (State eligibility), 1412(a)(7), 1413(a)(1) (local educational agency eligibility), 1415 (procedural safeguards).

34 C.F.R. §§300.500-300.520 (procedural safeguards and due process), 300.610-300.627 (confidentiality of information), 300.322 (Parent participation), 300.154(d) (methods of ensuring services), 300.320(c) (notification of transfer of rights).

105 ILCS 5/ 8.02, 5/14-8.02a, 5/14-8.02b, 5/14-6.10.

23 Ill. Admin. Code §§ 226.500-226.690 (procedural safeguards, State complaints, and due process), 226.180 (independent educational evaluations), 226.230(d) (age of majority for transfer of rights).

- **Behavioral Intervention and Discipline**

- A. Behavioral Interventions

1. Behavioral interventions shall be used with children with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors.
2. A committee shall be established to develop and monitor procedures on the use of behavioral interventions for children with disabilities in accordance with the requirements of Section 5/14-8.05 of The School Code. The committee shall review the State Board of Education's guidelines on the use of behavioral interventions and use them as a non-binding reference. The behavioral intervention procedures shall be furnished to the Parents of all children with individual education plans within 15 days after their adoption or amendment by, or presentation to, the Board or at the time an individual education plan is first implemented for a student; all children shall be informed annually of the existence of the procedures. At the annual individualized education plan review, a copy of the School District's behavioral intervention policy and procedures shall be given and explained to Parents. A copy of the procedures shall be available at any time and provided upon request of the Parents.
3. A behavioral intervention plan shall be based on a functional behavior assessment and shall include positive behavioral intervention strategies, and supports to address the inappropriate behavior. A functional behavioral assessment shall be completed, if appropriate, in relationship to the development or modification of a student's behavioral intervention plan. A functional behavioral assessment is an assessment process for gathering information regarding a student's target behavior, its antecedents and consequences, controlling variables, the student's strengths, and the communicative and functional intent of the behavior, for use in developing behavioral interventions. The conduct of the

functional behavioral assessment does not require parental informed written consent unless the IEP Team decides to conduct individualized assessments that go beyond the review of existing data and the administration of tests or other evaluations that are administered to all children.

B. Discipline of Children with Disabilities

1. The School District shall comply with the provisions of the Individuals With Disabilities Education Improvement Act of 2004 (IDEA) when disciplining students. No special education student will be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of his/her disability. Any special education student whose gross disobedience or misconduct is not a manifestation of his/her disability may be expelled pursuant to the expulsion procedures, except that such child shall continue to receive educational services as provided in IDEA during the period of expulsion.
2. A special education student may be suspended for periods of no more than 10 consecutive school days each in response to separate incidents of gross disobedience or misconduct, regardless of whether the student's gross disobedience or misconduct is a manifestation of his/her disability, as long as the repeated removals do not constitute a pattern that amounts to a change in placement (considering factors such as the length of each removal, the total amount of time the child is removed, and the proximity of the removals to one another) and provided that such child receives educational services to the extent required by IDEA during such removals.
3. Any special education student may be temporarily excluded from school by court order or by order of a duly appointed State of Illinois impartial due process hearing officer changing the student's placement to an appropriate interim alternative educational setting for up to 45 school days, if the School District demonstrates that maintaining the child in

his/her current placement is substantially likely to result in injury to the child or others.

4. A special education student who has carried a weapon to school or to a school function or who knowingly possesses or uses illegal drugs or sells or solicits the sale of controlled substance while at school or a school function or who has inflicted serious bodily injury upon another person while at school or at a school related activity may be removed from his/her current placement. All such children shall be placed in an appropriate interim alternative educational setting for no more than 45 school days in accordance with IDEA. The length of time a child with a disability is placed in an alternative educational setting must be the same amount of time that a child without a disability would be subject to discipline.
5. Upon the occurrence of any act that may subject the student either to expulsion from school or suspension resulting in more than ten cumulative days of suspension during any one school year, the School District shall convene a meeting of the IEP Team to review the student's behavioral intervention plan or, if a behavioral intervention plan has not yet been developed, to develop one.

C. Special Education Suspension Procedures

1. All suspension notices and suspension review procedures established by The School Code shall be followed when suspending a special education student. In addition, a special education student who is suspended from school for more than 10 cumulative school days in a school year shall receive educational services in accordance with IDEA.
2. The first time a child is removed for more than 10 cumulative days during the school year, the School District shall, no later than 10 business days after the decision to suspend a child is made, convene an IEP meeting to review and, if appropriate, modify the student's behavioral intervention plan, as necessary, to address the student's behavior. If no

behavioral intervention plan is in place, the IEP Team shall develop a plan for a functional behavioral assessment that must be used to develop a behavioral intervention plan.

3. For all subsequent removals of the child that do not constitute a change in placement, the IEP Team members must review the behavioral intervention plan and its implementation. If any team member indicates that the plan may need to be modified, the IEP Team must be convened to review the plan and revise it, if appropriate.
4. For all removals that exceed 10 cumulative days during one school year, the School District must provide services to the student. School personnel, in consultation with at least one of the child's teachers, shall determine the services to be provided. Such services must be designed to enable the child to progress in the general curriculum and advance toward his/her IEP goals.

D. Special Educational Procedures for Expulsion or Disciplinary Change in Placement

1. For purposes of this subsection, a disciplinary removal constitutes a "change of placement" if:
  - a. A student is removed from the his/her current educational placement for more than 10 consecutive school days; or
  - b. The student has been subjected to a series of removals that constitute a pattern:
    - (1) Because the series of removals total more than 10 school days in a school year;
    - (2) Because the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and
    - (3) Because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.

2. The School District shall promptly notify the student's Parent(s) of the gross disobedience or misconduct and whether the child shall be recommended for expulsion. All procedural protections pertaining to notice provided under the School District's discipline policy shall apply to a notice of recommended expulsion in the case of a special education student. The Parent(s) shall also receive a copy of the procedural safeguard and written notification that a manifestation determination review must be made to determine whether the student's act of gross disobedience or misconduct is a manifestation of his/her disability. The manifestation determination review shall take place as soon as possible, but no later than 10 school days after the decision related to the discipline of the child is made.
3. The manifestation determination review must be completed by the Parent(s) and relevant members of the child's IEP Team (as determined by the Parent(s) and the School District).
4. In carrying out the manifestation determination review, the team shall consider, in terms of the behavior subject to the disciplinary action, all relevant information in the student's file, including:
  - a. The child's IEP;
  - b. Any teacher observations of the student; and
  - c. Any relevant information provided by the Parent(s).
5. The conduct must be determined to be a manifestation of the student's disability if it is determined that:
  - a. The conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
  - b. The conduct in question was the direct result of the School District's failure to implement the student's IEP.
6. If, at the manifestation determination review conference, it is determined that the behavior of the child was a manifestation of his/her disability, the authorized administrator shall not continue with his/her recommendation

for expulsion. The authorized administrator may request a review of the appropriateness of the educational placement of the child in accordance with the federal and State law. During the period necessary to propose a new placement, the child will remain in his/her then-current placement unless:

- a. The child has not served a full 10 school day suspension imposed for the gross disobedience or misconduct, in which case the child may be required to serve the remaining days of his/her suspension; or
  - b. The Parent(s) and the School District agree on an interim placement; or
  - c. The School District obtains an order from a court of competent jurisdiction or a State of Illinois impartial due process hearing officer decision changing the then-current placement or providing for other appropriate relief.
7. If, at the manifestation determination review conference, it is determined that the behavior of the child was not a manifestation of his/her disability, the authorized administrator may continue with his/her recommendation that the child be considered for expulsion by the School Board. In addition to issues regularly determined at an expulsion hearing, the authorized administrator must present evidence that the manifestation determination review team met and concluded that the student's misconduct was not a manifestation of his/her disability, which shall be duly noted by the Board. The administration shall ensure that relevant special education and disciplinary records of the child are transmitted for consideration by the Board.
8. If a special education student is expelled from school in accordance with the procedures set forth above, the School District shall convene an IEP meeting to develop an educational program to deliver educational services to the child during such period of expulsion.
- E. Misconduct Involving Weapons, Drugs, or Infliction of Serious Bodily Injury.

1. In accordance with the above procedures, the School District may take one or more of the following steps when a child with a disability carries a weapon to school or to a school function, or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or at a school-related function, or has inflicted serious bodily injury upon another person while at school or a school-related function:
  - a. Suspend the child from school for 10 school days or less.
  - b. Convene an IEP conference to: (a) determine placement in an interim alternative educational setting for up to 45 school days, (b) review and, if appropriate, modify the student's behavior intervention plan, as necessary, to address the student's behavior (if no behavior intervention plan is in place, the IEP Team shall develop a plan for a functional behavioral assessment that must be used to develop a behavior intervention plan), and (c) conduct a manifestation determination review.
    - (1) The child may be placed in an interim alternative educational setting even if the behavior is a manifestation of the student's disability.
    - (2) The interim alternative educational setting must:
      - (a) Enable the child to continue to progress in the general curriculum;
      - (b) Enable the child to receive the services and modifications set forth in his/her IEP; and
      - (c) Include services and modifications designed to address the misconduct to prevent it from recurring.
2. If the Parent(s) disagree with the interim alternative educational placement or with the School District-proposed placement and initiate a due process hearing, the child must remain in the interim alternative educational setting during the authorized review proceedings, unless the Parent(s) and the School District agree on another placement.



- F. Change of Placement if Maintenance of Current Placement Is Likely to Result in Injury
1. In the event that maintenance of a student’s current placement is substantially likely to result in injury to the child or to others, the School District may seek an order from a court of competent jurisdiction or a State of Illinois impartial due process hearing officer to change the student’s placement to an appropriate interim alternative educational setting for one or more 45 school day periods after convening an IEP meeting to:
    - a. Conduct a manifestation determination review following procedures described under sub-heading “Special Education Expulsion Procedures,” above, and
    - b. Determine a proposed interim alternative educational setting that meets the requirements under sub-heading “Misconduct Involving Weapons, Drugs, or Infliction of Serious Bodily Injury,” above.
  2. The length of time a child with a disability is placed in an alternative educational setting must be the same amount of time that a child without a disability would be subject to discipline.
- G. Protections for Children Not Yet Eligible Under IDEA
1. Any child who has not been determined to be eligible for special education and related services and who engages in behavior that violates the School District’s code of conduct shall be disciplined in accordance with the School District’s discipline policy for nondisabled students, unless the School District had knowledge that the child was a child with a disability.
  2. The School District will be deemed as having knowledge that a child may be eligible for special education and related services prior to the disciplinary incident, if any one of the following conditions exists:
    - a. The Parent(s) of the child expressed concern in writing (or orally if the Parent(s) does not know how to write or has a disability that

prevents a written statement) to supervisory or administrative School District personnel that the child is in need of special education and related services;

- b. The Parent(s) of the child has requested an evaluation of the child; or
  - c. The child's teacher or other School District personnel expressed specific concerns about a pattern of behavior demonstrated by the child directly to the School District's Director of Special Education or to other School District supervisory personnel.
3. The School District will not be deemed to have knowledge if:
- a. The Parent(s) of the child has not allowed their child to be evaluated after he/she was referred for such evaluation by the School District;
  - b. The Parent(s) has refused special education services; or
  - c. Documentation maintained in the school student records affirm that an evaluation to determine the presence of a disability was either conducted and the child was found not eligible for special educational and related services or the Parent(s) was provided with written notice that the School District had considered the need to conduct an evaluation and had determined that an evaluation was not warranted.
4. If, following the School District's decision to discipline a child who has not been determined to be eligible for special education and related services, the child's Parent(s) request a full and individual evaluation, the evaluation shall be conducted in an expedited manner. Until the evaluation is completed, the child shall remain in the educational placement determined by the School District, which may include suspension or expulsion without educational services.

H. Referral to and Action by Law Enforcement and Judicial Authorities

The School District is not prohibited from reporting a crime committed by a child with a disability to appropriate authorities. The School District shall ensure that copies of special education and disciplinary records are also

transmitted to the authorities in such instances, subject to the requirements of federal and State law.

LEGAL REF.: 20 U.S.C. §§ 1412, 1413, 1415 (Individuals with Disabilities Education Act).  
34 C.F.R. §§ 300.101, 300.530-300.535.  
105 ILCS 5/10-22.6, 5/14-8.05.  
23 Ill. Admin. Code §§ 226.50 (requirements for FAPE), 226.75 (definitions), 226.220 (factors in development of the IEP), 226.400 (disciplinary actions), 226.655 (expedited due process hearing).

- **Establishing the Goal of Full Educational Opportunity**

- A. Establishment of the Goal

The School District has established a goal of providing full educational opportunity to children with disabilities ages birth through 21. Attainment of the full educational opportunity goal for children, ages birth through 2, will be accomplished through full participation in, and full implementation of the “Infants and Toddlers with Disabilities Act.”

- B. Annual Data Collection Requirements

1. The School District shall annually collect the following information regarding children with disabilities residing within the jurisdiction of the School District:
  - a. The number of children with disabilities, by race, ethnicity, and disability category, who are receiving a free appropriate public education;
  - b. The number of children with disabilities, by race and ethnicity, who are receiving early intervention services;
  - c. The number of children with disabilities, by race, ethnicity, and disability category, who are participating in regular education;
  - d. The number of children with disabilities, by race, ethnicity, and disability category, who are in separate classes, separate schools or facilities, or public or private residential facilities;
  - e. The number of children with disability, by race, ethnicity, and disability category, who, for each year of age from age 14 to 21, stopped receiving special education and related services because of program completion or other reasons and the reasons why those children stopped receiving special education and related services;
  - f. The number of children with disabilities, by race and ethnicity, who from birth through age 2, stopped receiving early intervention services because of program completion or for other reasons;

- g. The number of children with disabilities, by race, ethnicity, and disability category, who under subparagraphs (A)(ii) and (B) of § 1415(k)(1) of IDEA, are removed to an interim alternative educational setting; the acts or items precipitating those removals; and the number of children with disabilities who are subject to long-term suspensions or expulsions;
  - h. The number of special education teachers;
  - i. The number of related services personnel;
  - j. The cost of all personnel;
  - k. The number of children receiving special education transportation;
  - l. The types of alternative placements available for children with disabilities; and
  - m. The number of children served in each type of placement.
2. The School District shall also annually collect information regarding the facilities, personnel and services necessary to accomplish the full educational opportunity goal.

LEGAL REF.: 20 U.S.C. §§ 1412 (State eligibility), 1413 (local educational agency eligibility), 1418 (program information).  
 34 C.F.R. §§ 300.123 (full educational opportunity goal-FEOG), 300.124 (FEOG-timetable), 300.125 (child find).  
 23 Ill. Admin. Code §§ 226.700 (general), 226.760 (evaluation of special education), 226.800 (personnel required to be qualified).

- **Confidentiality of Personally Identifiable Information**

- A. Confidentiality

1. The school student records of a child with disabilities shall be maintained confidentially in accordance with the requirements of the *Individuals with Disabilities Education Act*, the *Family Educational Rights and Privacy Act*, the *Illinois School Student Records Act*, the *Illinois School Code*, the *Illinois Mental Health and Developmental Disabilities Confidentiality Act*, and their respective implementing regulations.
2. The School District shall designate a Records Custodian to take all reasonable measures to comply with the confidentiality requirements of each of the above statutes.
3. The Records Custodian shall assume responsibility for the following:
  - a. Respond to any request for inspection and review of school student records, including a request for a copy of school student records;
  - b. Respond to any request for an explanation or interpretation of a school student record;
  - c. Respond to any request to amend or destroy a school student record;
  - d. Respond to any request to disclose or release personally identifiable information and/or school student records;
  - e. Keep a record of parties obtaining access to school student records including the name of the party, the date access took place, and the purpose of the authorized use;
  - f. Maintain, for public inspection, a current listing of the names and positions of the employees who may have access to personally identifiable information;
  - g. Provide upon request from the Parent(s) or the child at the age of majority, a list of the types and locations of school student records collected, maintained, or used by the School District;

- h. Take all reasonable measures to protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages of maintenance of school student records.
- 4. The school principal, person with like duties, or principal's designee, shall take all action necessary to assure that each person collecting or using personally identifiable information receives training or instruction regarding the policies and procedures governing confidentiality of personally identifiable information.
- 5. The School District will notify the Parent(s) or the child with disabilities at the age of majority of the right to access the school student records, to request amendments and to request a records hearing:
  - a. The school will notify annually the child and the student's Parent(s) if the child is under the age of majority, of their rights under the federal and State law with respect to access including, but not limited to, the following:
    - (1) The types and location of information contained in the permanent and temporary school student records;
    - (2) The right to inspect and copy permanent and temporary school student records and the cost of copying such records;
    - (3) The right to control access to and release of school student records and the right to request a copy of information released;
    - (4) The rights and procedures for challenging the contents of school student records that may be inaccurate, misleading or improper;
    - (5) The persons, agencies or organizations having access to the school student records without parental informed written consent;
    - (6) The right to copy any school student record or information contained therein which is proposed to be destroyed or deleted and the school's schedule for reviewing and destroying such information;



(7) The categories of information the school has designated as “directory information” and the right of the Parent(s) to prohibit the release of such information.

b. Notice will be delivered by the means most likely to reach the Parent(s) or the child at the age of majority, including direct mail, parent-teacher conferences, delivery by the child to the Parent, or incorporated in a “parent-student” handbook or other informational brochure for children and Parents disseminated by the school.

B. Type of Records Subject to Disclosure

1. School student records available for review by Parent(s) or authorized persons are those writings or other recorded information concerning a child and by which a child may be individually identified, maintained by a school or at its direction or by an employee of a school, regardless of how or where the information is stored. The following are not school student records and are not subject to disclosure. Writings or other recorded information maintained by an employee of the School District or other person at the direction of the School District for his/her exclusive use, provided that all such writings and other recorded information are destroyed not later than the student’s graduation or permanent withdrawal from the school, and provided further that no such records or recorded information may be released or disclosed to any person except a person designated by the school as a substitute unless they are first incorporated in a school student record and made subject to all of the provisions of federal and State law.
2. School student records do not include information maintained by law enforcement professionals working in the school.

C. Inspection and Review of School Student Records

1. The School District shall permit Parents and any other authorized persons the opportunity to inspect, review, and copy all school student records.

2. The Records Custodian shall respond to and grant any written request to inspect and to copy school student records to a Parent(s) or authorized representative within 15 school days after the date of receipt of such written request by the Records Custodian.
3. If requested by an authorized person, the Records Custodian shall provide a copy of the school student record if he/she determines that the Parent(s) will be effectively prevented from exercising his/her right to inspect and review school student records at the location where such records are normally maintained (or at any other location where the School District offers to produce such records). The School District may charge a reasonable fee for copies of records. The School District shall not charge a fee when the Records Custodian determines that, a Parent(s) is unable to bear the cost of such copying.

D. Release of Personally Identifiable Information

1. The School District shall obtain informed written parental consent or informed written consent from the child at age of majority before permitting personally identifiable information to be released or used except as otherwise authorized by law.
2. The School District may not release, transfer, disclose or otherwise disseminate information maintained in the school student record, except as follows and as provided by law:
  - a. To a Parent(s) or child or person specifically designated as a representative by a Parent, or;
  - b. To an employee or official of the school or School District or ISBE with current demonstrable educational or administrative interest in the student, in furtherance of such interest.
  - c. To the official records custodian of another school within Illinois or an official with similar responsibilities of a school outside Illinois, in which the child has enrolled, or intends to enroll, upon the request of such official or student.

- d. To any person for the purpose of research, statistical reporting or planning, provided that no child or Parent(s) can be identified from the information released and the person to whom the information is released signs an affidavit agreeing to comply with all applicable statutes and rules pertaining to school student records.
- e. Pursuant to a court order, provided that the Parent(s) shall be given prompt written notice upon receipt of such order of the terms of the order, the nature and substance of the information proposed to be released in compliance with such order and an opportunity to inspect and copy the school student records and to challenge their contents.
- f. To any person as specifically required by State or federal law.
- g. To juvenile authorities when necessary for the discharge of their official duties who request information prior to adjudication of the child and who certify in writing that the information will not be disclosed to any other party except as provided under law or order of the court. For purposes of this Section, a juvenile authority means:
  - (1) A judge of the circuit court and members of the staff of the court designated by the judge;
  - (2) Parties to the proceedings under the Juvenile Court Act of 1987 and their attorneys;
  - (3) Probation officers and court-appointed advocates for the juvenile authorized by the judge hearing the case;
  - (4) Any individual, public or private agency having custody of the child pursuant to court order;
  - (5) Any individual, public or private agency providing education, medical or mental health service to the child when the requested information is needed to determine the appropriate service or treatment for the minor;

- (6) Any potential placement provider when such release is authorized by the court for the limited purpose of determining the appropriateness of the potential placement;
- (7) Law enforcement officers and prosecutors;
- (8) Adult and juvenile prisoner review boards;
- (9) Authorized military personnel; or
- (10) Individuals authorized by court.

- h. Subject to regulations of ISBE, in connection with an emergency, to appropriate persons if the knowledge of such information is necessary to protect the health or safety of the child or other persons.
- i. To any person, with the prior specific-dated informed written consent of the Parent(s) designating the person to whom the records may be released, provided that at the time any such consent is requested or obtained, the Parent(s) shall be advised in writing that he has the right to inspect and copy such records, to challenge their contents, and to limit any such consent to designated records or designated portions of the information contained therein, as provided by law and as described herein.

E. Transfer of Records

- 1. The School District shall forward, within 10 days of receipt of notice of the student's transfer to any other private or public elementary or secondary school located in this or any other state, a copy of the student's unofficial record of the student's grades to the school to which the child is transferring. The School District at the same time shall forward to the school to which the child is transferring the remainder of the student's school student record and a Certification of Good Standing form. "In good standing" means that the student's medical records are up-to-date and complete and the child is not currently subject to suspension or expulsion.

- a. Written notice as required by State and federal law must be provided to the Parent(s) regarding the nature and substance of the information being released/transferred.

F. Amendment of School Student Records

1. A Parent(s) who believes that information in the school student records is inaccurate or misleading or violates the privacy or other rights of the student, exclusive of grades of the child and references to expulsions or out-of-school suspensions, may if the challenge is made at the time the student's records are forwarded to another school into which the child is transferring, challenge the specific entry in question.
2. The request for a hearing must be submitted in writing and contain notice of the specific entry or entries to be challenged and the root of the challenge.
3. The school principal, or principal's designee, upon receiving a written request from a Parent(s), shall hold an informal conference with the Parent(s) within 15 school days from the date of receipt of the request. The school principal, or principal's designee, will amend or delete information he/she determines to be inaccurate, irrelevant or improper. If the school principal, or principal's designee, refuses to amend the information, he or she shall inform the Parent(s) of the refusal and advise the Parent(s) of his/her right to proceed with a hearing.
4. If the dispute is not resolved by the informal conference, formal procedures shall be initiated:
  - a. A hearing officer, who shall not be employed in the attendance center where the child is enrolled, shall be appointed by the School District.
  - b. The hearing officer shall conduct a hearing within a reasonable time, but no later than 15 days after the informal conference, unless the Parent(s) and school officials agree upon an extension of time. The hearing officer shall notify the Parent(s) and the school officials of the time and place of the hearing.

- c. A verbatim record of the hearing shall be made by a tape recorder or a court reporter.
5. The written decision of the hearing officer shall, no later than 10 days after the conclusion of the hearing, be transmitted to the Parent(s) and the School District. It shall be based solely on the information presented at the hearing and shall be one of the following:
  - a. To retain the challenged contents of the student record;
  - b. To remove the challenged contents of the student record; or
  - c. To change, clarify or add to the challenged contents of the student record.
6. Any party shall have the right to appeal the decision of the local hearing officer to the Regional Superintendent within 20 school days after such decision is transmitted. If the Parent(s) appeals, the Parent(s) shall so inform the school and within 10 school days, the School District shall forward a transcript of the hearing, a copy of the record entry in question and any other pertinent materials to the Regional Superintendent. The School District may initiate an appeal by the same procedures. Upon receipt of such documents, the Regional Superintendent shall examine the documents and records to determine whether the School District's proposed action in regard to the student's record is in compliance with the Illinois School Student Records Act, make findings and issue a written decision to the Parent(s) and the School District within 20 school days of the receipt of the appeal documents. If the subject of the appeal involves the accuracy, relevance, or propriety of any entry in special education records, the Regional Superintendent should seek advice from special education personnel:
  - a. Who were not authors of the entry; and
  - b. Whose special education skills are relevant to the subject(s) of the entry in question.

7. The School District shall implement the decision of the Regional Superintendent.
8. If, as a result of the hearing, it is determined that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, the School District shall amend the information and inform the Parent(s) in writing.
9. If, as a result of the hearing, it is determined that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, the School District shall inform the Parent(s) of his/her right to place in the record a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the School District.
10. The School District shall ensure that a statement placed in an education record as described above:
  - a. Is maintained by the School District as part of the record of the child as long as the record or contested portion is maintained by the School District; and
  - b. Is disclosed by the School District to any party to whom the records of the child are disclosed.

G. Retention and Destruction of Records

1. The School District maintains two types of school student records: permanent and temporary.
  - a. The permanent record shall include:
    - (1) Basic identifying information;
    - (2) Academic transcripts;
    - (3) Attendance record;
    - (4) Accident and health reports;
    - (5) Scores received on the Prairie State Achievement Examination;
    - and
    - (6) Information pertaining to release of this record.

- b. The permanent record may also include:
  - (1) Honors and awards; and
  - (2) School-sponsored activities and athletics.
- c. No other information shall be placed in the permanent record. The permanent record shall be maintained for at least 60 years after the child graduated, withdrew, or transferred.
- d. The temporary record shall include:
  - (1) Disciplinary information, specifically including information regarding an expulsion, suspension, or other punishment for misconduct involving drugs, weapons, or bodily harm to another;
  - (2) Achievement test results, including scores on the Illinois Standards Achievement Test;
  - (3) Any DCFS final reports finding that a student is an indicated victim of physical or sexual abuse; and
  - (4) Information pertaining to release of this record.
- e. The temporary record may include:
  - (1) Family background;
  - (2) Intelligence and aptitude scores;
  - (3) Psychological reports;
  - (4) Participation in extracurricular activities;
  - (5) Honors and awards;
  - (6) Teacher anecdotal records;
  - (7) Special education files;
  - (8) Verified reports or information from non-educational persons, agencies or organizations; and
  - (9) Other verified information of clear relevance to the student's education
- f. Information in the temporary record will indicate authorship and date.



- g. The School District will maintain the student's temporary record for at least 5 years after the child transfers, graduates, or permanently withdraws.
- 2. The School District's destruction of school student records, shall be pursuant to prior notice to the Parents and in accordance with federal and State law, including the Local Records Act.

LEGAL REF.: 20 U.S.C. §§ 1232g (Family Educational Rights and Privacy Act),  
20 U.S.C. §§ 1412 (State eligibility), 1413 (local educational  
agency eligibility).  
34 C.F.R. §§ 300.127, 300.560-576, 300.740.  
34 C.F.R. Part 99.  
105 ILCS 10/1 *et seq.*; 740 ILCS 110/1 *et seq.*; 50 ILCS 205/1 *et  
seq.*  
23 Ill. Admin. Code Subpart K and §§ 226.50 (requirements for  
FAPE), 226.75 (definitions), 226.220 (factors in development  
of the IEP), 226.740 (records; confidentiality).  
23 Ill. Admin. Code Part 375 (student records).

**Section 13 Use of Federal Matching Funds Under The Medicaid (Title XIX) or Children’s Health Insurance (KidCare; Title XXI) Program to Supplement Special Education Programs and Services (if the School District is Participating in One or More of those Federal Programs)**

- A. The School District may look to non-educational entities, such as Medicaid and insurance programs, to pay for required special education services for which such entities are otherwise responsible.
- B. The School District will use federal matching funds received under Medicaid or a children’s health insurance program (e.g., KidCare, SCHIP) only to supplement special education programs and services.
- C. In seeking matching funds under Medicaid or a children’s health insurance program, the School District:
  - 1. May not condition a child’s FAPE on their Parent(s)’ enrollment in Medicaid or insurance programs;
  - 2. May not require Parent(s) to incur an out-of-pocket expense (e.g., payment of a deductible or co-pay amount) for services rendered in providing FAPE, except the School District may use Part B funds to pay the Parent(s)’ costs for such services;
  - 3. May not use a child’s Medicaid or health insurance benefits if such use would:
    - a. Decrease available lifetime coverage or any other insured benefit;
    - b. Result in the family paying for services that would otherwise be covered by Medicaid or health insurance and that are required for the child outside of the time the child is in school;
    - c. Increase premiums or lead to the discontinuation of benefits or insurance; or
    - d. Risk loss of home and community-based waiver eligibility, based on aggregate health-related expenditures;
  - 4. Must obtain voluntary, informed, written parental consent each time access to Medicaid or insurance benefits is sought; and

5. Must notify Parent(s) that their refusal to allow the School District's access to their public benefits or insurance does not relieve the School District of its obligation to provide FAPE at no cost to the Parent(s).

LEGAL REF.: 34 C.F.R. § 300.154 (methods of ensuring services).  
23 Ill. Admin. Code § 226.770 (special education fiscal provisions).

Amended: November 2, 2009

## Instruction

### Program for the Gifted

District 131 will strive to offer each child experiences appropriate to his/her individual needs, interests, and capabilities.

Gifted and talented students will be provided the opportunity to develop skills in inquiry and creative expression at a rate and to an extent appropriate to his/her ability. As skills and techniques are mastered. The District will offer opportunities for exploring other challenging, interesting, and rewarding methods and subject matter.

For the purposes of this policy, the term "gifted and talented students" means students whose mental development is accelerated beyond the average or who have demonstrated a specific aptitude or talent and can benefit from specially planned educational services to the extent they are needed. "Gifted and talented students" include those with exceptional ability in academic subjects, high-level thought processes, divergent thinking, creativity, and exceptional ability in the arts.

The Board authorizes the Superintendent to provide a gifted program that includes:

1. An identification system that identifies gifted and talented students early in their schooling experience;
2. An identification system based upon multiple techniques, which ensure all students equal access to gifted and talented programs, regardless of social, economic, linguistic and ethnic background;
3. Service provided to all who are qualified. Space constraints will not limit services to qualified students.
4. Educational programs that are accessible at all grade levels and encompass all of the fundamental areas of learning;
5. Educational programs that provide for continuity among grade levels, with programs that are consistent with the District's long-range goals;
6. Qualified instructional and administrative personnel with appropriate knowledge, training and experience to implement the program;
7. Staff development programs that address the need for all teachers to be knowledgeable about the characteristics and learning needs of gifted and talented students;

8. Procedures to foster cooperative relationships among classroom teachers, parents, and the teachers assigned to the gifted program;
9. Procedures to foster parental involvement in all aspects of the program;
10. Procedures to continually evaluate the placement and progress of students in the gifted program, with periodic progress reports issued to parents.

An annual report on the status of the District's gifted program will be submitted to the Board by the Superintendent.

LEGAL REF.: Illinois School Code, Sec. 14A-1, *et seq.* (105 ILCS 5/14A-1, *et seq.*).

Adopted: July 1, 2004

**Instruction****Special Instruction**

Special services may be provided to those students who require them as a supplement to the regular educational program. Services may be available in such areas as speech/language, resource services, occupational therapy, physical therapy, adapted physical education, social work/counseling, nursing, etc.

The Superintendent will approve the criteria for eligibility for these services, the procedures for referral and admission, and the guidelines under which the programs will operate. It will be the responsibility of the school administrators and the Assistant Superintendents to provide adequate special education programs for District students. Those programs and services will meet the standards of the Illinois State Board of Education and will qualify for state aid, where appropriate. The appropriate services will be determined through the IEP process, and the provision of services will follow the Illinois Rules and Regulations, as amended from time to time.

Adopted: July 1, 2004

## **Instruction**

### **Home and Hospital Instruction**

A home- or hospital-bound instructional program will be provided to any student with a health or physical impairment that, in the opinion of a licensed medical examiner, will cause the student to be absent from school and confined to home or a hospital for two (2) or more consecutive weeks -- if District personnel determine that such a program will be of educational benefit.

Appropriate educational services will begin as soon as eligibility has been established with a written statement from the licensed medical examiner which specifies the student's condition, the impact on the student's ability to participate in education, and the anticipated duration or nature of the student's absence from school, and a written parental or guardian request filed in the office of the Assistant Superintendent of Student Services, provided the student's physical and mental health permit these services to be provided. The District reserves the right to obtain a second opinion of the student's condition at the District's expense.

The Assistant Superintendent or his/her designee will determine and recommend instruction services based on the educational benefits the student will receive from the program. Also, the student's health status will be reviewed to determine individual need.

Instructional time will be provided for a minimum of five (5) clock hours per week on days when school is normally in session. Further, periodic conferences will be held between appropriate school personnel, parents/guardians, and hospital staff to coordinate course work and to facilitate the student's return to school.

Home- or hospital-bound instruction is expected to be a temporary service delivery model. It is not equivalent to the education a student receives by attending school. Lengthy or frequent medical certification may indicate the need for the District to initiate evaluation for possible special education services.

LEGAL REF.: Rules and Regulations to Govern the Administration and Operation of Special Education; 23 Ill.Admin.Code §226.300; and Illinois School Code, Sec. 10-22.6a (105 ILCS 5/10-22.6a).

Adopted: July 1, 2004



**Administrative Procedures**

**Home and Hospital Instruction**

The procedure to use when a child is involved in home- or hospital-bound instruction is as follows:

1. The family will fill out the necessary forms with the medical doctor.
2. The building will receive that information from the doctor and family, and a staffing will be held on the child.
3. All information will be forwarded to the Assistant Superintendent of Student Services.
4. The Assistant Superintendent or his/her designee will secure a tutor or the necessary tutoring for the home- or hospital-bound child.

Adopted: July 1, 2004

## **Instruction**

### **Behavioral Interventions for Students with Disabilities**

#### **I. General Policy**

District 131 is committed to providing all students with disabilities with a learning environment that is conducive to their academic, social and emotional growth. However, District staff will intervene, as necessary, with students whose behavior is not consistent with this goal.

Intervention may occur when a student's behavior (1) endangers the health and safety of the student or others, (2) is resulting in, or has the potential of resulting in, property loss or damage, (3) interferes with the school's educational purpose (e.g., non-compliance with the programs, rules and regulations), or (4) otherwise represents a disruption of the educational process.

When behavior interventions are used, they will be used only in consideration of the student's physical freedom and social interaction, and will be administered in a manner that respects human dignity and personal privacy, and that ensures a student's placement in the least restrictive educational environment.

It is the belief and policy of District 131 that the use of nonaversive or positive interventions -- designed to develop and strengthen desirable behavior -- is the most effective way to develop and strengthen adaptive student behaviors. Such nonaversive or positive interventions are preferable to aversive and more restrictive procedures, and will be used to the maximum extent possible. In accordance with this policy, positive interventions will be given the highest priority and will always accompany the use of more restrictive procedures.

#### **II. Behavioral Interventions Advisory Committee**

A Behavioral Interventions Advisory Committee will be established and maintained by the District. The Superintendent will have the authority and responsibility for appointing, removing and replacing committee members, who may include the Superintendent or his/her designee, administrative personnel, parents of students with disabilities, teachers who have training in the use of behavioral interventions, school psychologists, school social workers, behavioral intervention consultants or other interested members of the public.

The Advisory Committee will have the following duties and responsibilities:

- 1.) Develop and review policies and procedures on the use of behavioral interventions for students with disabilities who require behavioral intervention.
- 2.) Advise the Superintendent or his/her designee regarding effective behavior programming and issues related to the use of behavioral interventions, including restrictive interventions.
- 3.) Advise the Superintendent or his/her designee regarding staff development in the area of behavioral interventions.

### **III. General Guidelines for Use of Behavioral Interventions**

For purposes of this policy, District 131 uses the intervention categories set forth by the Illinois Behavioral Implementation Guidelines: nonrestrictive, restrictive, highly restrictive, and prohibited interventions. A specific listing of these categories is available in the State guidelines.

Nonrestrictive interventions are preferred, when appropriate, because of the low risk of negative side effects and the high priority placed on positive behavior change rather than behavioral control. These interventions may be used without the development of a written behavioral support plan or inclusion in the student's IEP. A best-practice approach to the implementation of any behavioral intervention, however, involves a functional analysis of the behavior needing intervention, careful planning and monitoring of the intervention procedures, and systematic evaluation of the intervention outcomes. The use of positive and nonaversive interventions will be given the highest priority and will be directed at the development of positive student behaviors and skills.

Restrictive interventions may be appropriate during emergency situations or when less restrictive interventions have been attempted but have failed. Except in the case of an emergency situation, restrictive interventions will be used only after a functional analysis of behavior has been completed and documented, a behavioral support plan written, and appropriate modification of the student's IEP completed. In addition, restrictive interventions will be used for the minimum amount of time necessary to control the individual's behavior and in conjunction with positive interventions designed to strengthen competing behaviors. Also, such interventions will be replaced by less restrictive procedures as quickly as possible.

The restrictive interventions of isolated time out and physical restraint are defined by state regulations. Isolated time out refers to contingent withdrawal of reinforcing stimuli by removing the student from the classroom to a time out room or any other form of enclosure, including the classroom, from which egress is restricted. This pertains to a temporary removal from other students/adults with the intention of moving the student to

restraint is the use of safe and effective behavioral management techniques involving physically holding or otherwise restricting a student's movements. Such physical restraint will be used as a last resort with students who demonstrate a danger to self or others or in the case of property damage that is likely to result or has resulted in physical harm to self or others (per DHS, DCFS, Illinois Behavior Implementation Guidelines). These restrictive interventions will be implemented in accordance with State rules, and will be evaluated and documented accordingly.

Interventions listed as highly restrictive are deemed inappropriate in most circumstances. Therefore, these types of interventions will be used in District 131 only with the prior written consent of the Superintendent.

Interventions listed as prohibited are illegal and will never be used in District 131 under any circumstances.

#### **IV. Behavior Support Plan**

##### **A. Elements of the Behavior**

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Each student receiving special education services, who requires the use of a restrictive behavioral intervention, will have a written behavioral support plan developed by the IEP team and documented in the student's IEP. This plan must include the following:

- a) A summary of the functional analysis of target behaviors
- b) Interventions attempted previously
- c) A description of interventions to increase or strengthen more important behaviors, including setting events, positive programming, skill training, reactive strategies, and a crisis plan

- d) Personnel responsible for implementing the plan
- e) Data-collection procedures and methods for monitoring the plan
- f) A schedule of ongoing review of the plan's effectiveness

## **B. Guidelines for Implementation of Behavioral Procedures**

When evaluating an intervention for possible use, the impact of an intervention on the student's physical freedom, social interaction, personal dignity, and privacy will be carefully considered. When monitoring the effectiveness of the behavior management

plan, IEP team members will make every effort to plan for generalization and maintenance of skills across settings. Interventions will be evaluated by teachers, parents, and other parties involved in the intervention on a regular basis, utilizing baseline data and ongoing progress monitoring. Parent input will be solicited and parents will be notified of any significant changes to the plan. Thereafter, such changes will be implemented through an IEP meeting.

## **V. Staff Development and Training**

Staff development and training opportunities will be provided on a regular basis to assure that adequately trained staff are available to effectively implement behavioral interventions. This specifically applies to restrictive interventions, including the use of physical restraint techniques and isolated time out. Training activities may include in-service workshops, professional conferences, coursework, or other appropriate measures. These training efforts will be available to all district staff members and will be conducted by qualified individuals who have expertise in the relevant areas of behavior assessment and intervention.

## **VI. Emergency Use of Restrictive Interventions**

Restrictive interventions may be used in the case of an emergency. For the purposes of this policy, "emergency" refers to a situation in which an immediate restrictive intervention is necessary to protect students, other individuals, or the physical site from physical injury, severe emotional abuse due to verbal and nonverbal threats and gestures, severe property damage, and/or serious and continuous disruption of the learning environment. When confronted with an emergency, school personnel will use interventions that are the least intrusive possible to reasonably respond to the situation. The emergency use of restrictive interventions will be documented in writing and the parents or guardians of a

student will be notified within twenty-four (24) hours. Written notice of the intervention also will be provided to the Assistant Superintendent of Student Services.

All guidelines for developing behavior management plans will be followed by the IEP team and an IEP meeting convened no later than ten (10) days after emergency procedures have commenced.

## **VII. Protections and Due Process Rights**

Parents and/or guardians will have the right to be actively involved in the development of any behavior support plan utilizing restrictive procedures. Also, parents and/or guardians will be provided with copies and/or explanations of the functional analysis conducted and the behavior support plan developed for their child. And the parents/guardians will receive written notification of the development of any behavior support plan. Further,

**East Aurora School District No. 131**

**630.05**

Page 5 of 5

documentation will be provided through the IEP process and a copy of the plan will be attached. Under no circumstances will a behavior support plan be implemented without its inclusion in the child's IEP.

All procedural safeguards, including rights to conflict resolution, mediation, and an impartial due process hearing, as required through the Individuals with Disabilities Education Act and the Illinois School Code, will be applicable to the resolution of disputes involving behavior support plans. If a parent or guardian disagrees with a proposed restrictive behavior intervention or any aspect of the implementation of a restrictive intervention, the District will coordinate with the parent to attempt resolution of the dispute.

## **VIII. State Board of Education Guidelines**

This policy has been adopted after careful review and consideration of the State Board of Education's guidelines relating to behavioral interventions. Copies of the State Board of Education's guidelines, entitled "Behavioral Interventions in Schools: Guidelines for Development of District Policies for Students with Disabilities," may be obtained by writing the State Board of Education at the following address:

Illinois State Board of Education  
100 N. First St.  
Springfield, Illinois 62777

## **IX. Dissemination of Policy**

Copies of this policy, and any other policies and procedures adopted in relation to the use of behavioral interventions for students with disabilities, will be provided to the parents

and/or guardians of all students with individualized education plans within fifteen (15) days after they are adopted by the Board of Education, or within fifteen (15) days after they are amended by the Board. Copies of such policies and procedures also will be provided to the parents and/or guardians of a student at the time an individualized education plan is first implemented for the student. In addition, the principal of each school will be responsible for informing students of the existence of such policies and procedures on an annual basis. At the student=s annual review, the IEP team will (1) explain those policies and procedures, (2) furnish a copy of the policies to parents and/or guardians, and (3) make available, upon request of any parents and/or guardians, a copy of those procedures.

LEGAL REF.: Illinois School Code, Sec. 10-20.14, 14-8.05, and 24-24 (105 ILCS 5/10-20.14, 5/14-8.05, and 5/24-24).

Adopted: July 1, 2004

**Instruction**

**Service Animals in School**

The Board adopts this policy to ensure that individuals with disabilities are permitted to participate in and benefit from District programs, activities and services, and to ensure that the District does not discriminate on the basis of disability.

“Service animal” means any dog individually trained to do work or perform tasks for the benefit of an individual with a disability. Miniature horses may be utilized as service animals if:

1. The miniature horse is individually trained to do work or perform tasks for the benefit of an individual with a disability.
2. The facility can accommodate the type, size and weight of the miniature horse.
3. The presence of the miniature horse does not compromise the safe operation of the facility.

The work or tasks performed by a service animal shall be directly related to the handler’s disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

The provisions of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purpose of this definition.

**General Provisions**

1. Only qualified individuals with disabilities are eligible to use or bring service animals into school facilities or on to school grounds. An individual who believes he/she may be eligible should bring this issue to the attention of the District’s Director of Student Services in accordance with the procedure outlined below under “Service Animal Request Procedure.”
2. Use of a service animal by a student with a disability will be allowed in school when it has been determined that the student’s disability requires such use for the student to have equal access to and benefit from the services, programs or activities offered by the school.
3. Use of a service animal by an employee with a disability will be allowed when such use is necessary to enable the employee to perform essential functions of his/her position, or to enable the employee to enjoy equal benefits and privileges of employment as are being enjoyed by other similarly situated employees without disabilities.
4. It shall be the responsibility of the individual with the disability to insure the proper care and supervision of a service animal. A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would



interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means). A school administrator may ask an individual with a disability or a parent/guardian of a child with a disability to remove a service animal from a school building, a classroom, or from a school function if any one of the following circumstances occurs:

- The animal is out of control and the animal's handler does not take effective action to control it; or
- The animal is not housebroken.

Owners of service animals are liable for any harm or injury caused by the animal to other students, staff, visitors, and/or property.

5. The District shall not be responsible for the supervision, training, or care of a service animal, including walking the animal or responding to the animal's need to relieve itself.

- a. The District is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
- b. Students with service animals are expected to care and supervise their animals. In the case of a young child or a student with disabilities who is unable to care for or supervise a service animal, the parent is responsible for providing care and supervision of the animal. Issues related to the care and supervision of service animals will be addressed on a case-by-case basis at the discretion of school administration.
- c. The District must approve any person who is authorized to assist in the care and supervision of the service animal while on school property.

#### Service Animal Request Procedure

All requests for an individual with a disability to be accompanied by a service animal must be made in writing to the Director of Student Services, and must include appropriate documentation that the service animal is current on all required vaccinations. This written request must be delivered to the Director of Student Services at least 10 business days prior to bringing the service animal to school or a school function. In addition:

Owners of a service dog must provide annual proof of the following vaccinations: DHLPPC (Distemper, Hepatitis, Leptospirosis, Paroinfluenza, Parvovirus, and Coronavirus), Bordetella, and Rabies.

Owners of service miniature horses must provide annual proof of the following vaccinations: Equine Infectious Anemia (Coggins Test), Rabies, Tetanus, Encephelomyelitis, Rhinoneumonitis, Influenza, and Strangles.

All service dogs must be spayed or neutered. All service animals must be treated for, and kept free of, fleas and ticks. All service animals must be kept clean and groomed to avoid shedding and dander

Whenever a student, employee or visitor brings an animal to the premises and it is not obvious what service the animal provides, the school staff may ask the following questions:

1. Is the dog a service animal required because of a disability? and
2. What work or task has the dog been trained to perform?

Transportation of students with service animals shall be as determined after a meeting between the District and the parent.

Conflicting Disabilities

Employees or parents/guardians of students with medical issues that are impacted by animals (such as respiratory diseases) should contact the Director of Student Services if they have a concern about exposure to a service animal. The employee or parent(s)/guardian(s) of the student will be asked to provide medical documentation that identifies the disability and the need for an accommodation. The Director of Student Services will facilitate a process to resolve the conflict that considers the conflicting needs/accommodations of all persons involved.

Restrictions and Off-Limits Areas for Service Animals

The District imposes some restrictions on service animals for health and safety reasons. Service animals may be excluded or have limited access to certain areas of school facilities or certain programs for health and safety reasons. Areas or programs which may be considered off-limits for service animals include, but are not limited to:

- Laboratories, mechanical rooms, custodial closets, food preparation areas, areas where protective clothing is necessary, areas which have exposed sharp metal cuttings or other sharp objects which may pose a threat to the service animal's safety, areas with high levels of dust, and areas where there is moving machinery.

The determination to deny or limit the access of a service animal to specific programs or areas of that school facility will be on a case-by-case basis.

Requirements for Employees and Students

The following requirements apply to District employees, students, and guests in regard to their contact with an approved service animal:

1. An individual will be allowed to have their service animal accompany them at all times and everywhere on school grounds, except where service animals are specifically prohibited.

2. Service animals should not be pet, touched, or spoken to unless authorized by the animal's owner.
3. No individual other than the service animal's owner, unless authorized, should feed that animal.
4. Service animals should not be deliberately startled.
5. If a service animal becomes unruly, disruptive, or threatening, this behavior should be immediately reported to the Director of Student Services.

#### Limiting, Removing, or Excluding Service Animals from School

The school staff is not responsible for the care or supervision of a service animal. The school staff may ask an individual with a disability to remove a service animal from the premises if:

- The animal is out of control and the animal's handler does not take effective action to control it; or
- The animal is not housebroken.

When there is a legitimate reason to ask that a service animal be removed, staff must offer the person with the disability the opportunity to obtain goods and services without the animal's presence.

If the Director of Student Services recommends excluding, limiting or removing a student's service animal for any of the reasons noted above, the Director of Student Services shall convene a meeting of the Team to discuss the reason(s) that may require the exclusion, placing of limitations or removal of the service animal and what alternative methods or actions may resolve the problem(s) presented by the service animal.

If the Director of Student Services is recommending excluding, limiting, or removing a service animal of an employee for any of the reasons noted above, the Director of Student Services shall meet with the employee to discuss the reason(s) that may require the exclusion, placing of limitations or removal of the service animal, and what alternative methods or actions may resolve the problem(s) presented by the service animal.

Any employee or student with a service animal who is aggrieved by a decision to remove, limit, or exclude a service animal may appeal that decision to the superintendent of the school district. That appeal must be in writing and provide detailed information regarding the basis of the appeal.

The Director of Student Services shall include this policy in the Student Handbook and shall provide a copy to the parents/guardians of students.

LEGAL REF.: 28 CFR Part 35, 105 ILCS 5/14-6.02

APPROVED: March 4, 2013

**Instruction****Before and After School Programs**

In conjunction with outside agencies, the Board of Education may establish a before-school and/or an after-school program for students. The program may include time for homework, physical exercise, afternoon nutritional snacks and educational offerings that supplement those offered during the regular school day.

The program schedules will follow the regular school calendar. Parents or guardians of participating students will be responsible for providing transportation for the students to and from the programs.

LEGAL REF.: Illinois School Code, Sec. 10-22.18b (105 ILCS 5/10-22.18b).

Adopted: July 1, 2004

## **Instruction**

### **Summer School**

Each year, the Board of Education will offer a regular summer school program in such buildings, in such grade levels, for such length of time, and at such rates of tuition as the Board, upon the recommendation of the Superintendent, may determine. The purpose of this program is to provide summer opportunities for students with special needs or interests -- at all levels -- including remedial instruction, enrichment instruction, and/or special-interest activities.

In the event that state funding of the summer school program is not available or promised by the State of Illinois, then the Administration will make one of the following recommendations to the Board for their approval:

1. Use funds from the education fund.
2. Cancel summer school except for those portions that are funded from other sources, such as Title I federal funds.
3. Charge participants in the summer school program a tuition fee in an amount not to exceed the per capita cost of operating the program. The amount of per-student tuition will be determined by the Administration and approved by the Board. The Board may waive all or part of the tuition fee if it determines that the student's family is indigent or that the educational needs of the student require his/her attendance.

Parents or guardians of participating students will be responsible for providing transportation for the students to and from the program.

The Board may apply to the State Board of Education for grants to enable gifted children, talented children and children who need remedial instruction to qualify for academic advancement, to attend summer school without having to pay tuition, fees or instructional-material expenses. Any State funds received for this purpose will be used solely for employing certified personnel, transportation, textbooks and other instructional material for such students.

LEGAL REF.: Illinois School Code, Sec. 2-3.61, 10-22.33A, 17-2.1, 18-4.3, and 18-8 (105 ILCS 5/2-3.61, 5/10-22.33A, 5/17-2.1, 5/18-4.3, and 5/18-8).

Adopted: July 1, 2004

**Instruction**

**Outside Credit Courses for High School Students**

Correspondence courses from schools approved by the North Central Association for Colleges and Secondary Schools or other regional accrediting institutions may be allowed at the discretion of the Superintendent, or his/her designee, to apply toward graduation requirements.

Such courses are the financial responsibility of the student.

Adopted: July 1, 2004

**Instruction**

**Grouping for Instruction**

The Board recognizes that the grouping of children for instructional purposes is an educational decision that can best be made by the professional staff directly involved in a given situation.

The objective of grouping is to place each child in an appropriate and comfortable learning situation. Effective grouping should be as flexible as possible, with provision for altering the grouping as often as necessary.

Adopted: July 1, 2004



**Instruction**

**Team Teaching**

District 131 recognizes that the use of varied instructional methods through team teaching may enhance the educational program. Therefore, teachers may team teach, after receiving the approval of the Superintendent or his/her designee.

Adopted: July 1, 2004

**Instruction**

**Individualized Instruction**

Teachers are encouraged to respond to the instructional needs of students in an appropriate manner. Each student is different and should be allowed to proceed at an appropriate pace in order to attain the highest educational achievement possible.

Teachers will plan instructional time to reflect the District's commitment to students' special needs. Providing for individual differences will be given high priority in planning instructional programs, choosing teaching methods and materials, and evaluating the progress of students.

Adopted: July 1, 2004

**Instruction**

**Comparability of Services**

It is the intent of the District to meet the needs of all students enrolled in the District. The level of services to be provided to District students -- as they apply to staffing patterns, curriculum materials, and supplies -- will be based upon meeting the needs of the students enrolled in each of the District's schools.

Adopted: July 1, 2004

## INSTRUCTION

### ACCEPTABLE USE OF THE INTERNET

#### General Information

The global electronic community, commonly referred to as the "Information Superhighway" or the "Internet," is a very valuable resource for education. The Internet (including, but not limited to, Internet sites, pages, files, web logs, e-mail, on-line services, and bulletin board systems) provides access to a vast array of resources which can be used to support the curriculum by facilitating resource sharing, innovation, and communication. The School Board's goal is to include the resources of the Internet in the District's instructional program, where appropriate to increase learning and improve instruction. The Superintendent or his/her designee will develop an implementation plan for this policy, which will include administrative procedures for employee and student use of the Internet.

Use is a privilege, not a right, and therefore can be suspended or revoked. All use of the District's connection to the Internet must be in support of education and/or research, be consistent with the educational objectives, policies, rules, and regulations of the Board of Education, and be in compliance with and subject to District and building discipline codes.

General rules for behavior and communications, as stated in the District's and schools' codes of conducts, apply when using the Internet, whether the electronic connection is made at school or remotely through school district network interfaces. Breaches of the codes of conduct during use of the Internet will be treated as though they occurred "live", that is, within the school. **The failure of any student or employee to follow the terms of this policy or its administrative procedures, rules, or regulations may result in the loss of privileges, disciplinary action, and/or appropriate legal action.** The District's *Employee Agreement for Internet Access* and the *Student/Parent Agreement and Permission for Internet Access* contain the appropriate uses, ethics, and protocol for the Internet.

Electronic communications and downloaded material may be monitored, read, edited, or traced by school officials.

#### Use by Teachers for Instructional Purposes

The use of the Internet will be consistent with the curriculum adopted by the District as well as the varied instructional needs, learning styles, abilities, and developmental levels of the student. Access to materials, sites, services, bulletin board systems, etc. from the Internet shall comply with the Board's selection policy for instructional materials and

library-media center materials. Teachers may, consistent with the Superintendent's implementation plan, use the Internet throughout the curriculum.

The Internet may be used in a variety of formats. These include e-mail; on-line testing; teacher-selected material in a prescriptive setting; and "live" Internet interaction, in which material is not pre-selected.

Each teacher must complete a District training program (or its equivalent) and sign the District's *Agreement for Internet Access* as a condition for using the District's Internet connection, thereby becoming a "trained teacher" for purposes of this policy. A teacher may not use a live connection with students nor authorize such connection until such training is completed and the *Agreement* is signed. The Board will direct the Superintendent or his/her designee to establish the training program and schedule.

#### Use by Employees for Job-Related Purposes

Use of the Internet by District employees must be job-related. Employees who use the Internet will be required to sign and comply with the *Employee Agreement for Internet Access*. For purposes of this policy, the term "employee" includes individual Board of Education members.

#### Use by Students

Student control of live Internet interaction may only occur with specific authorization from a trained teacher. Such student control is subject to the *Student/Parent Agreement and Permission for Internet Access*, and requires student and parent acceptance of its terms and conditions. At the elementary and middle school levels, student control of live Internet interaction must be under the direct supervision of a trained teacher.

#### Children's Internet Protection Acts

In accordance with the requirements of the Children's Internet Protection Act (CIPA) and the Neighborhood Children's Internet Protection Act (Neighborhood Act), the District will monitor the online activities of minors, and operate a technology protection measure (filtering), with respect to any of its computers with Internet access, that blocks or filters Internet access to visual depictions that are obscene (as that term is defined in Section 1460 of Title 18, United States Code), child pornography (as that term is defined in Section 2256 of Title 18, United States Code), or -- with respect to use of computers with Internet access by minors -- harmful to minors. For purposes of this policy, "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

- (a) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- (b) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact (as those terms are defined in Section 2246 of Title 18, United States

Code), actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

- (c) taken as a whole, lacks serious literary, artistic, political or scientific value to minors.

The District will enforce the operation of the technology protection measure during any use of those computers by minors (individuals under the age of 17) and adults. However, an administrator, supervisor, or other person authorized by the District, may disable the technology protection measure concerned, during use by an adult, to enable access for bona fide research or other lawful and appropriate purpose.

In carrying out these responsibilities, the District will ensure, through this policy and the Use Agreements related hereto:

- (a) that minors are not provided with access to inappropriate matter on the Internet and World Wide Web. Determinations regarding what matter is inappropriate for minors shall be made by the Board, using such criteria as it deems appropriate;
- (b) the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
- (c) that minors are prevented from gaining unauthorized access, including so-called "hacking", and other unlawful activities, while online;
- (d) that there is no unauthorized disclosure, use or dissemination of personal identification information regarding minors; and
- (e) the use of appropriate measures designed to restrict minors' access to materials harmful to minors;

#### Disclaimer

The School District is not responsible for any information that may be lost, damaged, or unavailable when using the network, or for any information that is retrieved via the Internet. Though the District does provide and operate a technology protection measure (filtering), with respect to any of its computers with Internet access, it does not guarantee that all objectionable material will be restricted. Furthermore, the District will not be responsible for any unauthorized charges or fees resulting from access to the Internet.

Notice and Hearing

The Board will provide reasonable public notice and hold at least one public hearing or meeting to address this policy, prior to its adoption.

Legal Ref.: Consolidated Appropriations Act, 2001 (P.L. 106-554); Children's Internet Protection Act (P.L. 106-554, Sec. 1701, *et seq.*); Neighborhood Children's Internet Protection Act (P.L. 106-554, Sec. 1731, *et seq.*); Title III of the Elementary and Secondary Education Act of 1965 (20 U.S.C. Sec. 6801, *et seq.*); Section 254 of the Communications Act of 1934 (47 U.S.C. Sec. 254); 66 Fed. Reg. 19394 (April 16, 2001).

Adopted: July 1, 2004

Amended: December 1, 2008



## **Instruction**

### **Electronic Media Publication**

District 131 has access to and will use electronic media--including the World Wide Web (Internet), television and radio--to inform the public about its activities. Such media may be used by the District, its schools, or its approved educational programs to produce and display relevant information about District/school curricular programs, accomplishments and activities. However, all efforts related to the construction and publication of Internet documents must be in agreement with District Policy 645.

Since such electronic media is being used for educational purposes related to the curriculum and activities of the District, it is not a public forum, a forum for free speech, or a right of students or staff. As a District educational element, such media are governed by the District. Therefore, information submitted or developed by staff or students for placement on a District 131 World Wide Web publication, television broadcast, or other dissemination of electronic media must have a direct relationship to the curriculum, educational programs, student events, and/or activities listed as part of the District's co-curricular or extra-curricular programs. Such information also must have the prior approval of the appropriate school principal and contain no commercial advertising.

The Superintendent's designee(s) will serve as the publisher(s) of electronic media and will have final editorial authority with respect to all of the District's electronic media publications. The Superintendent's designee(s), at the Superintendent's direction, will develop and administer appropriate administrative guidelines, technical specifications, and procedures for electronic publishing.

Adopted: July 1, 2004

**Administrative Procedures**

**Electronic Media Publication**

As the Superintendent's designees, the \_\_\_\_\_ and the \_\_\_\_\_ serve as the co-publishers (hereinafter the "co-publishers") for the District's Internet documents. They have final editorial authority with respect to all electronic media publications. The \_\_\_\_\_ and the \_\_\_\_\_ are the co-managing editors who will manage the day-to-day operation of the District's World Wide Web publications.

The \_\_\_\_\_ and the \_\_\_\_\_ also serve as the co-producers (hereinafter the "co-producers") for the District's television productions. They have final editorial authority with respect to all televised productions. The \_\_\_\_\_ and the \_\_\_\_\_ are the co-managing directors (hereinafter the "co-managing directors"), who will manage the day-to-day operation of the District's television productions.

Building principals manage the development of all electronic media representing their schools. They have responsibility for the accuracy, content, and proper use of the electronic publications and media that are produced by their schools, staff and students.

The following procedures will guide the development of electronic media publications within the District and its schools:

**Internet**

1. All District-related World Wide Web (WWW) pages will be kept on the same file server, under a District 131 "home page". No District 131 WWW page will be linked to any personal home page or to any site that is not curriculum-related.
2. WWW pages are intended to provide relevant information about school curricular programs and accomplishments, and District activities. They may offer curriculum-matched resources, show links to external sources of information on curriculum topics, introduce visitors to the school, classroom or community, allow for feedback on topics under study in the school program, provide local news and information, offer information about District-sponsored activities and competitions, and/or provide other District-related information.
3. The content of WWW pages will be professional, ethical and tasteful. WWW pages will not include any materials that are racist, defamatory, obscene, lewd, vulgar, or otherwise objectionable, or that violate District policies. They will not include misspelled words, grammatical errors, or inappropriate comments, jokes or graphics. Also, materials reflecting commercial activities from which individuals, groups or companies may profit financially are prohibited.

4. When using photos of students, the Web pages will not clearly depict the faces ("head shots") or group closeups of those persons, unless written permission has been granted by the students' parent(s) or guardian(s). Written permission also will be required for staff photos in the same formats.
5. Full names and grade levels of students in grades K-8 will not be used. Students will be identified in such a way that they are not recognizable beyond the immediate school community (e.g., using the first name only; first name and initial of the last name; or initials only.) The use of high-school students' full names will follow the guidelines established for print media.
6. Student and staff home addresses and phone numbers will not be included.
7. Any e-mail address displayed must be part of District 131's system; specifically, it must contain the District's domain name. Personal e-mail addresses will not be included.
8. The District's WWW home pages will be both attractive and functional. Such home pages will include text links with graphic links so that users in text mode may access the pages, limit page length (wherever possible), limit the number and size of graphics, and include the District's URL (Web address). Such pages will be displayable and readable with all popular Web browsers (i.e. Netscape, Mosaic, Internet Explorer, etc.)
9. All Internet publications must be in agreement with Board policies 645 & 645.01.

### Television

1. All District-related television productions will be broadcast from District-owned facilities and/or those in which the District is a partner. No tape produced in District facilities will be released to any outside agencies without the final approval of the co-producers.
2. Television productions are intended to provide relevant information about school curricular programs and accomplishments, and District activities. They may offer curriculum-matched resources, show links to external sources of information on curriculum topics, introduce visitors to the school, classroom or community, allow for feedback on topics under study in the school program, provide local news and information, offer information about District-sponsored activities and competitions, and/or provide District-related information.
3. Television productions will not include any materials that are racist, defamatory, obscene, lewd, vulgar, or otherwise objectionable, or that violate District policies. They will not include misspelled words, grammatical errors, or inappropriate comments, jokes or graphics. Also, materials reflecting commercial activities from which individuals, groups or companies may profit financially, are prohibited.

4. All television productions must be in agreement with Board policy 645.01.

Adopted: July 1, 2004

## **Instruction**

### **Instructional Materials**

The educational process is enhanced by a variety of instructional materials. Consequently, classrooms and learning media centers will be equipped with a wide assortment of teaching tools, textbooks, workbooks, audiovisual materials and equipment selected to meet the individual needs of students.

Since the purpose of all instructional materials is to assist in providing quality learning experiences for children, the selection of such materials will be guided by the following objectives:

1. To provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served.
2. To provide materials that will stimulate growth in knowledge, literary appreciation, aesthetic values, and ethical standards.
3. To provide background information that will enable students to make intelligent judgments in their daily lives.
4. To provide materials on opposing sides of controversial issues so that young citizens may learn to practice critical analysis.
5. To provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
6. To place principles above personal opinion and reason above prejudice in the selection of materials of the highest quality -- to assure a comprehensive collection appropriate for the users of text and supplementary materials.
7. To provide access to a current, balanced collection of books, basic reference materials, texts, periodicals, and audiovisual materials that depict, in an accurate and unbiased way, the cultural diversity and pluralistic nature of American society.

A list of textbooks and instructional materials used in the District will be revised annually by building administrators under the Superintendent's direction and will be made available to the Board and professional staff as a reference. Any member of the public may inspect any District 131 textbook or instructional material.

Teachers are encouraged to limit the use of supplemental media material to only that which will enhance, or otherwise illustrate, the subjects being taught. All supplemental media material must be age-appropriate. No movie will be shown to students that is rated PG-13, R or NC-17, unless prior approval is received from the building principal.

LEGAL REF.:           General Education Provisions Act, 20 U.S.C. 1232g; and  
                              Illinois School Code, Sec. 28-19.1 (105 ILCS 5/28-19.1).

CROSS REF.:           645.03

Adopted:               July 1, 2004

## Instruction

### Instructional Materials Selection and Adoption

Learning resources are selected by District 131 to implement, enrich, and support the educational program for District students. Materials must serve both the breadth of the curriculum and the needs and interests of the students. It is the obligation of District 131 to provide for a wide range of abilities and to respect the diversity of many differing points of view. To this end, principles must be placed above personal opinion and reason above prejudice in the selection of learning resources of the highest quality and appropriateness.

For the purposes of this selection policy, the term "learning resources" will refer to any material (whether acquired or locally produced) with instructional content or function that is used for teaching/learning purposes. Learning resources include but are not limited to: textbooks, library books, other books, supplementary reading and informational materials, charts, dioramas, filmstrips, flash cards, games, globes, kits, maps, pictures, models, realia, slides, audio recordings, transparencies, video recordings, computer software, agencies and organizations, and community resource people.

The selection of learning resources is delegated to appropriate certified personnel, subject to the approval of the Superintendent and subject to review by the Board whenever it so desires. The selection of materials shall be governed by the criteria and policies outlined in the Library Bill of Rights of the American Library Association ( See Board Policy 602, Administrative Procedures 602-R, and Exhibit 602-E3) and the School Library Bill of Rights of the American Association of School Librarians. The following standards shall apply to such selection:

1. Learning resources will be purposely selected to support the educational, emotional and social development of the students, consistent with the adopted curriculum.
2. Learning resources will objectively present the concerns and build upon the contributions -- current and historical -- of both sexes and members of various religious, ethnic and cultural groups.
3. Learning resources will be appropriate for the subject area, age, ability level and learning style of the students for whom the materials are selected.
4. Learning resources will be provided to promote lifelong learning and active citizenship.
5. Learning resources will be selected because of their literary and/or artistic value.

6. Learning resources will clarify historical and contemporary forces by objectively presenting and analyzing intergroup relationships, placing emphasis on recognizing and understanding social and economic problems.
7. Learning resources will be selected for their strengths. Any weaknesses identified will be addressed through the use of supplemental materials.
8. Learning resources may present controversial issues when related to the subject matter of a specific curricular field at a given grade level. Reasonable effort will be made to present a balance of biases, divergent points of view, and opportunity for exploring conflicting viewpoints.
9. Learning resources will be obtained and utilized in compliance with current copyright law.
10. The presence of any learning resources does not indicate endorsement of its content.

LEGAL REF.: Illinois School Code, Sec. 28-1, et seq. (105 ILCS 5/28-1, et seq.).

CROSS REF.: Policies 602 and 645.02, Administrative Procedures 602-R, and Exhibit 602-E3 645.02

Adopted: July 1, 2004



**Administrative Procedures**

**Instructional Materials Selection and Adoption**

The review of instructional resources takes place at three levels: District (Board and administration), building and classroom.

1. In selecting learning resources\*, all certified staff members are encouraged to use personal knowledge and evaluate resources and curriculum needs using professional, accepted selection aids (see Administrative Procedures 602-R, pages 8 and 9).
2. Gift materials will be judged by the criteria outlined and will be accepted or rejected according to those criteria.
3. Selection is an ongoing process that should include the removal of learning resources that no longer meet established selection criteria and the replacement of lost or worn resources still of educational value.
4. Learning resources\* that are not the property of the District -- which are brought in for use with students -- must meet established selection criteria and be approved by a building administrator/department chair.
5. The library media specialist will work cooperatively with staff members to interpret and guide the application of this policy in making selections for the Library Media Center (LMC); however, final responsibility for selection of materials for the LMC lies with the LMC director and building principal.

\*Learning resources include but are not limited to: textbooks, library books, other books, supplementary reading and informational materials, charts, dioramas, filmstrips, flash cards, games, globes, models, maps, pictures, media, slides, audio recordings, transparencies, video recordings, computer software, agencies and organizations, and community resource people.

Adopted: July 1, 2004

**Instruction**

**Reconsideration of Learning Resources**

Textbooks, instructional materials and other learning resources shall be available for examination by all residents of District 131. These can be obtained from the building principal.

Any inquiry, question or concern about any textbook, instructional material and other learning resource, whether that comment is received in personal conversation, by letter, or by telephone, will be directed to the appropriate teacher, who will inform the building principal.

If the matter is not resolved informally, the individual or group will be supplied with a packet consisting of the Learning Resources Selection Criteria and the Request for Reconsideration of Learning Resources Form (see Administrative Procedures 602-R and Exhibit 645.04-E2), which will be completed and returned to the principal. Upon receipt of the written complaint, the staff member receiving an inquiry or complaint shall notify the building principal immediately.

The building principal shall assume responsibility for processing the inquiry or complaint on an informal level. The building principal shall arrange an informal meeting with the citizen and appropriate staff members. If the inquiry is resolved, the building principal shall notify all parties concerned. If the complaint/criticism is not resolved, it shall be submitted to the associate superintendent for curriculum and instruction and shall be in writing and signed by the complainant. A copy of the complaint/criticism shall be delivered to the teacher and/or appropriate staff member involved. The following procedures shall be followed:

- A. The complainant shall complete a 'Request for Reconsideration of Instructional Materials.
- B. When the formal complaint has been filed, the associate superintendent shall appoint a committee consisting of,
  - 1. Two lay people residing within the district, appointed by the executive board of the school PTA in consultation with the Superintendent.
  - 2. Building Librarian
  - 3. The department chairman
  - 4. The building principal
  - 5. Teacher Union president or designee
- C. The appropriate assistant superintendent shall chair the meeting or meetings.

- D. The committee shall review:
1. The complaint with the complainant
  2. The cited material
- E. The committee shall provide the Superintendent of Schools with a recommendation based on all the factual information available.

The Superintendent shall review all of the material and shall make a decision either to accept or reject the committee's recommendation. If the Superintendent accepts the recommendation, he shall notify the Board of Education of the committee's findings and support the recommendation of that committee. If the Superintendent rejects the recommendation, the Superintendent shall notify the Board of Education of the committee's recommendation and his reasons for rejecting the recommendation. The Board of Education reserves the right to either approve or reject the recommendation as reported by the Superintendent. The Superintendent shall inform the complainant of the action taken by the Board of Education.

Adopted: July 1, 2004

**(School Letterhead)**

Date \_\_\_\_\_

Dear \_\_\_\_\_

I appreciate your concern over the use of \_\_\_\_\_ in our school. The District has developed procedures for selecting learning resources, but realizes that not everyone will agree with every selection made.

To help you understand the selection process, I am sending you copies of the District's:

1. Learning Resources Policy
2. Policy for requesting reconsideration of learning resources.
3. "Request for Reconsideration of Learning Resources" form.

If you are still concerned after you have reviewed this material, please complete the form and return it to me within two weeks. No further action will be taken if you do not wish to complete the form.

Sincerely,

Principal

**EAST AURORA SCHOOL DISTRICT NO. 131  
REQUEST FOR RECONSIDERATION OF LEARNING RESOURCES FORM**

Parent Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Home \_\_\_\_\_

School: \_\_\_\_\_

Child's Name: \_\_\_\_\_ Grade: \_\_\_\_\_ School: \_\_\_\_\_

Title of Material: \_\_\_\_\_

Author/Producer: \_\_\_\_\_

Type of Material: (textbook, LMC book, filmstrip, videotape, etc.) Circle

Attached to this form is the established criteria for selection of learning resources that are used in District 131 classrooms. Your responses to the questions below should reflect the way the material in question does or does not meet the established Board Criteria for Selection of Learning Materials. This will be the basis on which the committee will review your complaint.

1. Describe the situation in which the material was used.

\_\_\_\_\_

\_\_\_\_\_

2. Have you read/viewed/listened to the entire material?

Yes \_\_\_\_\_ No \_\_\_\_\_ If not, which parts?

3. As specifically as possible, describe your concern regarding the material.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. What do you suggest the school do with the material?

\_\_\_\_\_ do not assign or recommend to my child

\_\_\_\_\_ withdraw it from all students

\_\_\_\_\_ other

5. Can you recommend alternate material(s) that would meet the same educational purpose?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Parent's Signature \_\_\_\_\_

\_\_\_\_\_ Date

Please return this form to the building principal



**Instruction**

**Teacher Assistants**

With Board approval, the Superintendent may authorize the employment of teacher assistants in situations that warrant this type of help.

Persons being considered for employment in teacher assistant positions will be interviewed and approved by the building principal.

Job descriptions will be available for the work to be performed by teacher assistants, with suitable modifications noted for specific situations, when necessary.

LEGAL REF.: Illinois School Code, Sec. 10-22.34 and 10-22.34a (105 ILCS 5/10-22.34 and 5/10-22.34a).

CROSS REF.: 540.15

Adopted: July 1, 2004

**Instruction**

**Library Media Center**

The Board supports the maintenance of a Library Media Center (LMC) in each school building. Regarded as a multi-media center, the LMC will provide resources for students and the professional staff.

In general, the Library Media program will focus on enlarging and enriching the ongoing classroom instructional program. However, the continuous upgrading of LMC materials and programs will be the responsibility of the principal, the LMC director, and the teachers in each building.

Each LMC's collection of materials will be comprehensive, support the curriculum, and provide for a variety of individual needs, interests, abilities and maturity levels.

LMC materials will be selected on the basis of encouraging learning and developing literary, cultural and aesthetic appreciation and ethical standards.

There will be opportunities for the free selection of materials based on the student's interests, as well as the guided selection of materials appropriate to specific, planned learning experiences.

Adopted: July 1, 2004



**Instruction**

**Student Excursion Tours**

- A. Excursion tours are defined as any tour involving students and School District staff and/or other adult chaperones which are NOT school sponsored field trips, athletic competition trips, or similar trips authorized by the School District as part of the District's regular educational programs.

While student excursion tours might provide opportunities for students to enhance their experiences, such tours as a matter of policy, are not sponsored by the School District. Any School District employee who plans, organizes, or chaperones such excursion tours is acting outside the scope of his/her employment as a District #131 staff member and is not acting at the direction of the Board of Education.

- B. It is not the intent of the Board of Education to prevent student excursion tours, but as a matter of policy, no School District staff member shall be permitted to make use of school premises during regular school hours, any school sponsored activity or school bulletin board to publicize an excursion tour. However, a School District staff member may apply for access to school premises in order to publicize or communicate information regarding an excursion tour by following the same steps as required of individuals wishing to use the school premises for non-school related purposes. The first step is for the individual to meet with the Principal of the building to which access is being requested.

Prior to communicating any details of the proposed excursion tour to students or parents, and prerequisite to the Principal's approval of the request, the School District staff member shall provide to the Superintendent, in writing, complete details of the proposed excursion tour.

- C. To provide clear communication to the parents, the following statement shall be displayed on all literature promoting the excursion tour:

*"Aurora East School District #131 is not sponsoring and does not assume responsibility or liability for this proposed excursion tour."*

At least 7 days before collecting any money from the students or parents/guardians, the School District staff member planning or organizing the excursion tour shall provide the Superintendent or designee with envelopes addressed to the students participating in the excursion tour, plus an equal number of copies of the form entitled: *"Notice to Parents/ Guardians of Students Participating in Excursion Tour."* This form will notify the parents/guardians of each student participating in the excursion tour that the School District does not sponsor or assume responsibility or liability for

the employees or students who may participate in the excursion tour. This form shall be signed by the Superintendent and the School District staff member planning the excursion tour. It shall be mailed to the parent/guardian prior to their making any payment for said excursion tour.

- D. Student participation in an excursion tour is voluntary. A student's absence because of participation in the excursion tour will be handled in accordance with the School District's regular attendance policy.
- E. Sample Notice to Parents/Guardians of Students Participating in Excursion Tour:

Notice to Parents/Guardians of Students Participating in Excursion Tour

<date>

<name & address of Parents>  
Re: <name of excursion tour>  
Dear \_\_\_\_\_:

The purpose of this notice is to provide you with information relative to the proposed excursion tour. It is not the intent of the Board or Education to prevent any excursion tour. While student excursion tours might provide opportunities for students to enhance their experiences, such tours as a matter of policy, are not sponsored by the School District nor does it assume responsibility or liability for the proposed excursion tour in which your child is planning to participate.

Participation of your child in this excursion tour is voluntary. Any student absence because of participation in the excursion tour will be handled in accordance with the School's attendance policy.

If you have any questions about this, please call either of us. Thanks.

Sincerely,  
Aurora East School District 131

By: \_\_\_\_\_  
Superintendent of Schools

\_\_\_\_\_  
District Staff Member Planning Trip

Adopted: July 1, 2004

**Instruction**

**Field Trips - School Sponsored**

- A. The Board of Education considers school sponsored field trips, athletic trips, and class oriented trips an integral part of the educational program. Generally, trips are sanctioned if they enhance the specific educational opportunities and embrace the curriculum. The Board recognizes the wealth of educational opportunities that lie beyond the classroom walls.

Carefully planned educational trips which operate in conjunction with and help to embellish the regular instructional program are encouraged.

Any field trip requiring transportation requires a written consent of the parent. These trips must be taken in conveyances properly insured against liability, preferably public buses or trains. Only buses approved by the Superintendent's office shall be utilized for school purposes.

Field trips shall not be supported from District funds paid through the central office.

The principals shall be responsible for adequate faculty supervision on all such trips. In instances where lay chaperones are utilized, the sponsor, director, or coach shall be responsible for instructing the chaperones fill their various duties. Students will be expected to conform to the behavior specified in the Uniform Code of Student Conduct and Behavior of District 131. Any student violation of the Code shall be reported immediately by the sponsor, director, or coach to the student's parents and to the building principal.

Special education program field trips may be paid from district funds to the extent reimbursable through the State of Illinois. Financial planning of all trips must be made to include all students.

- B. Whenever it is necessary to change the date of a class related program that causes it to conflict with a previously scheduled field trip, athletic event, or other class activity, the student involved shall be excused from the original activity that was rescheduled.

Adopted: July 1, 2004

**Administrative Procedures**

**Field Trips - School Sponsored**

Occasionally it may be determined that school groups would benefit uniquely from an extended trip/tour involving out-of-state travel and overnight lodging in an activity not covered by previous field trip procedures. If the trip/tour receives the proper administrative approval, it is with the understanding that the these conditions are met and followed:

1. SCHOOL DISTRICT
  - A. A fact sheet of information providing all essential details regarding departure, itinerary, lodging arrangements, total costs, transportation, and return data shall be generated by the faculty sponsor and approved by school and administration at least 60 days prior to presentation to students and parents. Exceptions would only be allowed in cases where students involved in a competition that is incompatible with these timeliness
  - B. The sponsor shall secure chaperones consisting of staff and/or parents with a ratio of one adult for every eighteen (18) students.
  - C. Require written permission from parent or guardian, granting permission for their son/daughter.
  - D. In addition, written permission for the faculty chaperone to administer medical treatment in the case of an emergency.
  - E. All non-school chaperones complete and sign an Indemnification and Hold Harmless form. (SEE ATTACHED)
2. STUDENTS
  - A. Students are to remain with their group at all times. Students are expected to comply with the group's itinerary. Students will not be permitted to deviate from itinerary without the authorization of the faculty sponsor(s).
  - B. Students traveling overnight will be expected to stay with their assigned roommate and observe all curfews and rules established by the faculty sponsor(s).

- C. The use of illicit drugs and the unlawful possession and use of alcohol is forbidden. Students witnessing any behavior of this nature are required to report this information immediately to the faculty sponsor or subject themselves to disciplinary action. Prescription medicines may only be dispensed by the faculty sponsor(s) with proper authorization from the parents.
- D. These special trips/tours are sanctioned by the school district; therefore, are subject to the same rules of the regular school day. These rules are enumerated in detail in the District's "Rights and Responsibilities Handbook". Violations of these district rules will result in appropriate disciplinary action.
- E. A student's parents and the appropriate school personnel will be informed of any violation of the rules. Students May be sent home at the expense of the parent for violation of the rules. This decision will be made solely by the school district.
- F. Parents will be held liable for any damages to personnel, school property, or other property damages caused by their children.

Adopted: July 1, 2004

**Instruction**

**Community Resource Persons and Volunteers**

Community resource persons can greatly enrich educational experiences. Therefore, the Board welcomes talented individuals with skills, knowledge, services, and time to share with District students -- provided that such opportunities reinforce or enhance a particular element of the curriculum.

The Board also encourages the participation of individual and group volunteers in local schools to perform appropriate school-related tasks before, during and after school hours -- under the supervision of professional personnel, in accordance with Illinois School Code guidelines.

Building principals must approve the use of such resource persons and volunteers.

LEGAL REF.: Illinois School Code, Sec. 10-22.34 and 10-22.34a (105 ILCS 5/10-22.34 and 5/10-22.34a).

Adopted: July 1, 2004

**Instruction**

**Adoption of Textbooks**

Textbooks and other instructional materials proposed for adoption must meet selection criteria that are based on editorial quality, educational value, and timeliness (the most current textbooks available when possible and appropriate).

These books and materials will reflect historical facts and sequences, and will offer a fair and factual representation of individuals, groups, and events in our society. Further, these texts should neither demean nor misrepresent such individuals, groups, or events in any manner that would contribute to prejudicial or stereotypical views of them. On the contrary, such textbooks and instructional materials should contribute to the general sense of the worth of all individuals, regardless of gender, race, religion, nationality, ethnic origin, disability or other differences that may exist.

The Board of Education must approve the adoption and purchase of all textbooks and instructional materials used in the District, following the receipt of recommendations from the textbook adoption committee, which is comprised of faculty members and administrators.

Textbooks and/or instructional materials recommended for adoption will be available for public inspection at the District Education Center for at least thirty (30) calendar days prior to their adoption.

Textbooks and other instructional materials will be adopted consistent with the provisions in of the Illinois School Code.

LEGAL REF.: Illinois School Code, Sec. 28-1, et seq. (105 ILCS 5/28-1, et seq.).

CROSS REF.: 645.02

Adopted: July 1, 2004

## EMPLOYEE AGREEMENT FOR INTERNET ACCESS

*Each employee must sign this Agreement as a condition for using the District's Internet connection. For purposes of this Agreement, the term "employee" includes School Board members. Please read this document carefully before signing.*

All use of the Internet utilizing District equipment or resources shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. District approved communication tools that are part of the District's electronic data and communication systems, including its computer network, servers, workstations, email system, access to the internet, and other software applications, can be used both inside and outside of the school setting to communicate with students to extend teaching and learning opportunities, communicate with District recognized support groups, or communicate with school sponsored extracurricular groups. Communication tools such as social networking sites, email, instant messaging, and other emerging technologies (e.g. Facebook, MySpace, personal email etc.) can be used to communicate with District recognized support groups, or communicate with school sponsored extracurricular groups as well as to work directly with students outside the school setting for teaching and learning opportunities. With respect to working directly with students by teachers or staff the same may be done provided the teacher or staff has given written notice to the student's parents or guardian on the District's approved form at least ten (10) days in advance of any such communication. This *Agreement* does not attempt to state all required or proscribed behavior by users. However, some specific examples are provided. **Employees will be subject to privileges, disciplinary action, and/or appropriate legal action for any violation of this Agreement or Board Policy 645/645-R, or for any inappropriate use of the Internet or network.** The signature at the end of this document is legally binding and indicates that the employee has read this Agreement carefully and understands its significance.

### Terms and Conditions

1. Acceptable Use - All use of the District's connection to the Internet must be in support of education and/or research, be consistent with the educational objectives, policies, rules, and regulations of the Board of Education, and be in compliance with and subject to District and building discipline codes.
2. Privileges - The use of the District's Internet connection is a privilege, not a right, and inappropriate use **may result in the loss of privileges, disciplinary action, and/or appropriate legal action**
3. Internet Safety – The use of the Internet will be controlled and monitored to ensure:



- a. that minors are not provided with access to inappropriate matter on the Internet and World Wide Web. Determinations regarding what matter is
- East Aurora School District No. 131** **645-E1**

Page 2 of 6

inappropriate for minors shall be made by the Board, using such criteria as it deems appropriate;

- b. the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
- c. that minors are prevented from engaging in unauthorized access, including so-called "hacking", and other unlawful activities, while online;
- d. that there is no unauthorized disclosure, use or dissemination of personal identification information regarding minors; and
- e. the use of appropriate measures designed to restrict minors' access to materials harmful to minors.
4. Unacceptable Use - The user is responsible for the user's actions and activities involving the network. Some examples of unacceptable uses are given below. The list is not intended to be exhaustive. The Administration reserves the right to impose consequences for any inappropriate use of the Internet or network. In addition, the Administration may periodically revise the concepts of acceptable and unacceptable use, at any time, without prior notice.

Examples of unacceptable uses:

- a. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any U.S. or State regulation;
- b. Unauthorized access or downloading of software, electronic files, e-mail, or other data (commonly referred to as "hacking");
- c. Downloading copyrighted material for other than legal personal or professional use;
- d. Using the network for private financial or commercial gain that adversely affects the district;
- e. Wastefully using district resources, such as file space;
- f. Gaining unauthorized access to resources or entities;
- g. Invading the privacy of individuals;

h. Using another user's account or password;

- i. Posting material authored or created by another without his/her consent;
  - j. Posting anonymous messages;
  - k. Using the network for commercial or private advertising;
  - l. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, harassing, or illegal material;
  - m. Using the network while access privileges are suspended or revoked;
  - n. Publishing or otherwise disseminating another person's identity, personal information, account, or password;
  - o. Using the network for unauthorized product advertisement or unauthorized political activity;
  - p. Promoting or encouraging the use of illegal or controlled substances;
  - q. Forgery or alteration of e-mail;
  - r. Unauthorized use of the network to play computer games, enroll in list serves, or participate in chat rooms;
  - s. Linking to banner advertisements.
5. Network Etiquette – You are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:
- a. Be polite. Do not become abusive in your messages to others.
  - b. Use appropriate language. Do not swear, or use vulgarities or any other inappropriate language.
  - c. Do not reveal the personal addresses, telephone numbers, or other confidential information relating to students or colleagues.
  - d. Recognize that electronic mail (e-mail) is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
  - e. Do not use the network in any way that would disrupt its use by other

users.

- f. Consider all communications and information accessed via the network to be School District property.
  - g. Inappropriate communications of any kind between employees and students, regardless of the setting, are strictly prohibited, and teachers are required to comply with all ethical expectations of the District. This provision applies to use of both District systems and privately owned systems.
  - h. Employees are to refrain from electronically posting in publicly accessible websites any statements, documents, or photographs that might cast the employee, students, or the District in a negative, scandalous, or embarrassing light. The effective education of our students depends in large part on the public's perception of the degree of professionalism and integrity demonstrated by our employees.
6. No Warranties - The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages you suffer. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or your errors or omissions. Use of any information obtained via the Internet is at your own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.
7. Indemnification - The user agrees to indemnify the School District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any breach of the *Agreement* or *Permission*.
8. Security - Network security is a high priority. If you can identify a security problem on the Internet, you must notify the system administrator or building Principal. Do not demonstrate the problem to other users. Keep your account and password confidential. Do not use another individual's account without written permission from that individual. Attempts to log-on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.
9. Vandalism - Vandalism will result in cancellation of privileges and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy the networks, software, hardware, and data of the District, another user, the Internet, or any other network. Users are prohibited from uploading or creating viruses, or degrading or disrupting equipment, software, or system performance. Users are responsible for any and all costs related to the repair or

restoration of any damage caused in violation of this paragraph. The District may use the legal system to seek restitution.

10. Telephone Charges - The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.
11. District Purchase of Goods and Services - Any purchase or ordering of goods or services on behalf of the District must conform to the rules, regulations and procedures required by the District's business office.
12. Teachers must complete appropriate training in the use of the Internet, as certified by a District administrator.
13. Each teacher must sign the *Agreement for Internet Access* as a condition for using a live Internet connection with students.
14. Each student, and his or her parent(s)/guardian(s) must sign the *Student/Parent Agreement and Permission for Internet Access* before the student is granted access under a trained teacher's authorization. A copy of the signed agreement/permission will be kept in the student's cumulative folder.
15. Though the School District provides and operates a technology protection measure (filtering) with respect to any of its computers with Internet access, it does not guarantee that all objectionable material will be restricted.

All use of the Internet shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. This *Agreement* does not attempt to state all required or proscribed behavior by users. However, some specific examples are provided. **Any inappropriate use of the Internet or network may result in the loss of privileges, disciplinary action, and/or appropriate legal action.** The signature at the end of this document is legally binding and indicates that the employee has read this Agreement carefully and understands its significance.

Signature Form

I understand and will abide by the above *Agreement for Internet Access*. I understand that if I commit any violation, my access privileges may be revoked, and I will be subject to disciplinary action and/or appropriate legal action. In consideration for using the District's Internet connection and having access to public networks, I hereby release the

School District and its Board members, employees, and agents from any claims and damages arising from my use of, or inability to use, the Internet.

**East Aurora School District No. 131**

**645-E1**

Page 6 of 6

EMPLOYEE NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

EMPLOYEE SIGNATURE: \_\_\_\_\_

CERTIFYING ADMINISTRATOR: \_\_\_\_\_

DATE TRAINING COMPLETED (for teachers): \_\_\_\_\_

Please complete this form and return it to your building principal or supervisor immediately.

Adopted: July 1, 2004

Amended: December 1, 2008

Amended: March 21, 2011

(Letter to Parents Regarding Student Use of the Internet)

Dear Parents:

The global electronic community, commonly referred to as the "Information Superhighway" or the "Internet," is a very valuable resource for education. The Internet (including, but not limited to, Internet sites, pages, files, e-mail, on-line services, and bulletin board systems) provides access to a vast array of resources which can be used to support the curriculum by facilitating resource sharing, innovation, and communication. The School Board's goal is to include the resources of the Internet in the District's instructional program where appropriate to increase learning and improve instruction.

At times, your child may have the opportunity to use a "live" Internet connection, in which the student controls the material that appears. With this educational opportunity also comes responsibility. Before the District permits that live access, the teacher and supervising staff member must have taken in-service training in the use of the Internet with students. In addition, both you and your child must sign the *Student/Parent Agreement and Permission for Internet Access*. Therefore, you and your child should read the enclosed *Student/Parent Agreement and Permission for Internet Access* and discuss it together. It establishes the rules which must be followed if a student is to use the Internet through the District's connection. The rules are established for the protection of your student, other students, and other people on the Internet. Failure to follow these rules may result in loss of the privilege of Internet use and/or disciplinary measures. The District and school codes of conduct apply to all actions taken on the Internet. Remember that you are legally responsible for your child's actions.

The District will take available precautions to eliminate controversial material, recognizing that it is impossible to fully eliminate or restrict access to controversial material. The District cannot guarantee that "filtering" software will be totally effective or that a student will not have access to materials that may be defamatory, inaccurate, offensive, or otherwise inappropriate in the school setting. On an unregulated network, it is impossible to control all material and a user may discover inappropriate material. This material does not simply appear, but rather is sought by the student. We will teach our students that the appropriate response to finding such material is to IMMEDIATELY exit the site, notify the supervising teacher, and not return to that material. Ultimately, parents are responsible for setting and conveying the standards that their child should follow. To that end, the School District supports and respects each family's right to decide whether or not to authorize Internet access.

In addition to the use of District approved communication tools, students and teachers have access to personal or private communication tools, such as social networking sites (e.g. Facebook or MySpace), email, instant messaging, and other emerging technologies. The District requires that any communications between a teacher and a student via such personal or private communication tools be (i) to promote teaching and learning opportunities, and (ii) after advance notice to the student's parent or guardian on the District's approved form.

Please read and discuss the *Student/Parent Agreement and Permission for Internet Access* with your child. If you agree to allow your child to have Internet access, sign the *Agreement/Permission* form and return it to your school.

If you have any questions, please contact your building Principal, or the Superintendent listed below.

Sincerely,

Superintendent

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Adopted: December 1, 2008  
Amended: August 1, 2011



## **STUDENT/PARENT AGREEMENT AND PERMISSION FOR INTERNET ACCESS**

*Each student and his or her parent/guardian must sign this form before the student is granted access to a live Internet connection. Please read this document carefully before signing.*

All use of the Internet shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. This *Agreement/ Permission* does not attempt to state all required or proscribed behavior by users. However, some specific examples are provided. **Students will be subject to loss of privileges, disciplinary action, and/or appropriate legal action for any violation of this Agreement or Board Policy 645/645-R, or for any inappropriate use of the Internet or network.** The signatures at the end of this document are legally binding and indicates that the student and the student's parent/guardian have read this Agreement carefully and understand its significance.

### Terms and Conditions

1. Acceptable Use - All use of the District's connection to the Internet must be in support of education and/or research, be consistent with the educational objectives, policies, rules, and regulations of the Board of Education, and be in compliance with and subject to District and building discipline codes.
2. Privileges - The use of the District's Internet connection is a privilege, not a right, and inappropriate use **may result in the loss of privileges, disciplinary action, and/or appropriate legal action.**
3. Internet Safety – The use of the Internet will be controlled and monitored to ensure:
  - a. that minors are not provided with access to inappropriate matter on the Internet and World Wide Web. Determinations regarding what matter is inappropriate for minors shall be made by the Board, using such criteria as it deems appropriate;
  - b. the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
  - c. that minors are prevented from engaging in unauthorized access, including so-called "hacking", and other unlawful activities, while online;
  - d. that there is no unauthorized disclosure, use or dissemination of personal identification information regarding minors; and



- e. the use of appropriate measures designed to restrict minors' access to materials harmful to minors.
4. Unacceptable Use - The user is responsible for the user's actions and activities involving the network. Some examples of unacceptable uses are given below. The list is not intended to be exhaustive. The Administration reserves the right to impose consequences for any inappropriate use of the Internet or network. In addition, the Administration may periodically revise the concepts of acceptable and unacceptable use, at any time, without prior notice. When appropriate, this Agreement may be amended to reflect such revisions then disseminated to students and parents/guardians for updated signatures.

Examples of unacceptable uses:

- a. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any U.S. or State regulation;
- b. Unauthorized access or downloading of software, electronic files, e-mail, or other data (commonly referred to as "hacking");
- c. Downloading copyrighted material for other than legal personal or professional use;
- d. Using the network for private financial or commercial gain that adversely affects the district;
- e. Wastefully using district resources, such as file space;
- f. Gaining unauthorized access to resources or entities;
- g. Invading the privacy of individuals;
- h. Using another user's account or password;
- i. Posting material authored or created by another without his/her consent;
- j. Posting anonymous messages;
- k. Using the network for commercial or private advertising;
- l. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, harassing, or illegal material, or attempting to circumvent software programs designed to restrict access to such

- m. Using the network while access privileges are suspended or revoked;
  - n. Publishing or otherwise disseminating another person's identity, personal information, account, or password,
  - o. Using the network for unauthorized product advertisement or unauthorized political activity;
  - p. Promoting or encouraging the use of illegal or controlled substances;
  - q. Forgery or alteration of e-mail;
  - r. Unauthorized use of the network to play computer games, enroll in list serves, or participate in chat rooms;
  - s. Linking to banner advertisements.
5. Network Etiquette - You are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:
- a. Be polite. Do not become abusive in your messages to others.
  - b. Use appropriate language. Do not swear, or use vulgarities or any other inappropriate language.
  - c. Do not reveal the personal addresses, telephone numbers, or other confidential information relating to students or District employees.
  - d. Recognize that electronic mail (e-mail) is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
  - e. Do not use the network in any way that would disrupt its use by other users.
  - f. Consider all communications and information accessed via the network to be School District property.
6. No Warranties - The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages you suffer. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or your errors or omissions. Use of any information obtained via the Internet is at your own risk. The District specifically denies any responsibility for

the accuracy or quality of information obtained through its services.

7. Indemnification - The user agrees to indemnify the School District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any breach of the *Agreement* or *Permission*.
8. Security - Network security is a high priority. If you can identify a security problem on the Internet, you must notify a responsible adult supervisor such as a teacher, building principal or the building system administrator. Do not demonstrate the problem to other users. Keep your account and password confidential. Attempts to log-on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.
9. Vandalism - Vandalism will result in cancellation of privileges and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy the networks, software, hardware, and data of the District, another user, the Internet, or any other network. Users are prohibited from uploading or creating viruses, or degrading or disrupting equipment, software, or system performance. Users are responsible for any and all costs related to the repair or restoration of any damage caused in violation of this paragraph. The District may use the legal system to seek restitution.
10. Telephone Charges - The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.
11. District Purchase of Goods and Services - Any purchase or ordering of goods or services on behalf of the District must conform to the rules, regulations and procedures required by the District's business office.

Students and their parents/guardians need only sign this *Agreement and Permission for Internet Access* once while enrolled in each school unless the agreement is revised.

We have read this *Agreement and Permission for Internet Access*. All use of the Internet must be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. This *Agreement/Permission* does not attempt to state all required or proscribed behavior by users. However, some specific examples are provided. **Students will be subject to loss of privileges, disciplinary action, and/or appropriate legal action for any violation of this Agreement or Board Policy 645/645-R, or for any inappropriate use of the Internet or network.** The signatures below are legally binding and indicate that the student and the student's parent/guardian have read this Agreement carefully and understand its significance.

We understand and will abide by the *Agreement and Permission for Internet Access*. We further understand that if the student commits any violation, the student's access privileges

**East Aurora School District No. 131**

**645-E3**

Page 5 of 7

may be revoked, and the student will be subject to disciplinary action and/or appropriate legal action. In consideration for using the District's Internet connection and having access to public networks, we hereby release the School District and its Board members, employees, and agents from any claims and damages arising from use of, or inability to use, the Internet.

We understand that access is designed for educational purposes. Even though the School District provides and operates a technology protection measure (filtering) with respect to any of its computers with Internet access, we recognize that it is impossible to fully eliminate or restrict access to all controversial or inappropriate material. We also understand that the District cannot guarantee that "filtering" software will be totally effective or that a student will not have access to materials that may be defamatory, inaccurate, offensive, or otherwise inappropriate in the school setting. We will hold harmless the District, its employees, agents, and Board members, for any harm caused by materials or software obtained via the network. I accept full responsibility for supervision if and when my child's use is not in a school setting. The undersigned have discussed the terms of this *Agreement/Permission*.

*Please check only one choice.*

- We hereby request that the student be allowed access to the District's Internet.
- We do not wish the student to have access to the District's Internet

DATE: \_\_\_\_\_

PARENT/GUARDIAN NAME (Please Print): \_\_\_\_\_

PARENT/GUARDIAN SIGNATURE: \_\_\_\_\_

STUDENT NAME (Please Print): \_\_\_\_\_

STUDENT SIGNATURE: \_\_\_\_\_

Students will not be allowed to use the District's internet until a signed permission is on file.

**NOTICE TO PARENT OF ELECTRONIC COMMUNICATION**

**NOTIFICATION OF INTENTION TO ELECTRONICALLY  
COMMUNICATE WITH STUDENT OUTSIDE OF SCHOOL**

To the Parent(s) of: \_\_\_\_\_ Date: \_\_\_\_\_

This notice is to inform you that I plan to communicate with your child for educational reasons using any or all of the following formats. This communication may occur outside of traditional school hours, but will be directly related to school events or for an educational purpose. Included below is information on how to access or monitor these communications.

\_\_\_\_\_ E-mail - my e-mail address: \_\_\_\_\_

\_\_\_\_\_ Website – my website address (and password if needed): \_\_\_\_\_

\_\_\_\_\_ Blog – my blog address (and password if needed): \_\_\_\_\_

\_\_\_\_\_ Instant Message/Chat – my IM/Chat ID: \_\_\_\_\_

\_\_\_\_\_ Social networking (Facebook, MySpace, LinkedIn): \_\_\_\_\_

\_\_\_\_\_ Twitter – my Twitter ID: \_\_\_\_\_

\_\_\_\_\_ Text Messaging – my text messaging number: \_\_\_\_\_

\_\_\_\_\_ Other: \_\_\_\_\_

If you have any questions on the communications between myself and your child or have questions on how to access or monitor this communication, please feel free to contact me. All communications will be in compliance with East Aurora School District Policy 645/645-R/645-E. **If you prefer that I do not contact your child using the above methods, please sign and return this form within 10 days.** Otherwise, it is assumed that I have permission to use these methods to communicate with your student for educational purposes. If there are any questions, please feel free to contact me.

\_\_\_\_\_ Phone Number \_\_\_\_\_

Employee Name \_\_\_\_\_





\_\_\_\_\_ I do NOT want my child to be contacted using any of these forms of electronic communication

\_\_\_\_\_  
Parent signature

Date \_\_\_\_\_

Adopted: July 1, 2004

Amended: December 1, 2008

Amended: August 1, 2011

East Aurora School District No. 131  
Aurora, Illinois  
Release of Photographs, Videotapes, Grade Information  
and other Student Information

From time to time, East Aurora School District No. 131 ("District") is requested to release and/or publish, or desires to itself publish, information about/of my child(ren), \_\_\_\_\_,  
\_\_\_\_\_, \_\_\_\_\_,  
\_\_\_\_\_.

including but not limited to photographs or videotapes taken while participating in a school-related activity, and athletic statistics. The District will treat these records and information as directory information under State and Federal Student Record laws.

I hereby understand and authorize the District to release and/or publish such information without further permission. Publications in which my child's information may appear include but are not limited to, the school yearbook, outside media such as newspapers and magazines, the school newspaper, the school academic planning guide, school brochures, and the school's world wide web site. I authorize the publication of my child's information in such District or outside publications. I understand and acknowledge that neither I nor my child will receive any compensation for such photographs or quotations.

With respect to such student information I waive any and all protections afforded me and my child under the Illinois School Student Records Act, the Federal Family Educational Rights and Privacy Act, and any privacy rights, and I agree to hold the District, its agents and assigns harmless against any and all claims, liability, loss or damage, including attorney's fees, caused or in any way arising out of the Districts publication of my child's information.

I understand that if I so request such information regarding my child shall be released. However, unless I request that such information not be released within 14 days of this mailing, the District may release the information. This release shall remain effective during my child's entire career at the District, but may be revoked at any time in writing directed to the Superintendent.

\_\_\_\_\_  
Print Name of Mother or Legal Guardian

\_\_\_\_\_  
Print Name of Father or Legal Guardian

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Phone Number

\_\_\_\_\_ I hereby request that no information regarding my child of the type described herein be released.

### **Loan Of School Equipment**

No School District equipment or property will be loaned out or removed from the District without the prior approval of the Superintendent or his/her designee.

When employees take computer equipment and /or materials off a District site, it is imperative that accountability safeguards are maintained. Supervisors who have custodial control over District computer equipment and/or materials valued at \$500 or more per unit and who allow and/or direct District employees to take the equipment off site, must have on file a completed ***"Loan of School Equipment"*** form signed by the employee.

For the purposes of this memo, the term "site" refers to any location where the business of the District is conducted. Thus, if a team is sent to a location outside the District to compete or demonstrate, that is considered a site. If a District employee takes computer equipment home for the summer break, that is considered off site. A supervisor has custodial control of equipment purchased with funds from an account the supervisor has the authority to expend.

Computer equipment and/or material that is the property of the District is intended to be used to further the operations of the District. District computer equipment and/or materials are not to be used for any personal venture, including any venture that provides an employee of the District with income that is not the result of work required of and compensated for by the District unless prior approval is obtained from the Superintendent of Schools.

If a District employee returns computer equipment and/or material that requires repair, is infected with viruses, or has to have software reinstalled, the employee will be charged time and labor and/or part charges to restore the equipment to the state it was in prior to the off site usage.

Loan of School Equipment Form

Date: \_\_\_\_\_

Employee Name: \_\_\_\_\_

Site: \_\_\_\_\_

The individual above is authorized to have off site the equipment listed below:

<u>Item</u>	<u>Description</u>	<u>Identification #</u>
-------------	--------------------	-------------------------

The employee understands and agrees to the terms of this form, including the provisions attached.

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_  
Supervisor

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Returned: Date: \_\_\_\_\_

Supervisor: \_\_\_\_\_

## ADMINISTRATIVE PROCEDURES

### INSTRUCTION

#### Acceptable Use of The Internet

All use of the Internet shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. **The failure of any user to follow the terms of the policy, administrative procedures, and appropriate *Agreements* may result in the loss of privileges, disciplinary action, and/or appropriate legal action.**

#### Terms and Conditions

1. Acceptable Use - All use of the District's connection to the Internet must be in support of education and/or research, be consistent with the educational objectives, policies, rules, and regulations of the Board of Education, and be in compliance with and subject to District and building discipline codes.
2. Privileges - The use of the District's Internet connection is a privilege, not a right, and inappropriate use **may result in the loss of privileges, disciplinary action, and/or appropriate legal action.**
3. Unacceptable Use - The user is responsible for the user's actions and activities involving the network. Some examples of unacceptable uses are given below. The list is not intended to be exhaustive. The Administration reserves the right to impose consequences for any inappropriate use of the Internet or network. In addition, the Administration may periodically revise the concepts of acceptable and unacceptable use, at any time, without prior notice.

Examples of unacceptable uses:

- a. Using the network for any illegal activity, including violation of copyright or other contracts, or transmitting any material in violation of any U.S. or State regulation;
- b. Unauthorized access or downloading of software, electronic files, e-mail, or other data (commonly referred to as "hacking");
- c. Downloading copyrighted material for other than legal personal or professional use;
- d. Using the network for private financial or commercial gain that adversely

- e. Wastefully using District resources, such as file space;
  - f. Gaining unauthorized access to resources or entities;
  - g. Invading the privacy of individuals;
  - h. Using another user's account or password;
  - i. Posting material authored or created by another without his/her consent;
  - j. Posting anonymous messages;
  - k. Using the network for commercial or private advertising;
  - l. Accessing, submitting, posting, publishing, or displaying any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, harassing, or illegal material, or attempting to circumvent software programs designed to restrict access to such material;
  - m. Using the network while access privileges are suspended or revoked;
  - n. Publishing or otherwise disseminating another person's identity, personal information, account, or password;
  - o. Using the network for unauthorized product advertisement or political activity;
  - p. Promoting or encouraging the use of illegal or controlled substances;
  - q. Forgery or alteration of e-mail;
  - r. Unauthorized use of the network to play computer games, enroll in list serves, or participate in chat rooms;
  - s. Linking to banner advertisements.
4. Network Etiquette – Students and employees are expected to abide by the generally accepted rules of network etiquette. These include, but are not limited to, the following:
- a. Be polite. Do not become abusive in messages to others.

- b. Use appropriate language. Do not swear, or use vulgarities or any other inappropriate language.

- c. Do not reveal the personal addresses, telephone numbers, or other confidential information relating to students or employees.
  - d. Recognize that electronic mail (e-mail) is not private. People who operate the system have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.
  - e. Do not use the network in any way that would disrupt its use by other users.
  - f. Consider all communications and information accessed via the network to be School District property.
5. No Warranties - The District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The District will not be responsible for any damages suffered by students or employees. This includes loss of data resulting from delays, non-deliveries, missed deliveries, or service interruptions caused by its negligence or the user's errors or omissions. Use of any information obtained via the Internet is at the user's own risk. The District specifically denies any responsibility for the accuracy or quality of information obtained through its services.
6. Indemnification - The user agrees to indemnify the School District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any breach of the *Agreement* or *Permission*.
7. Security - Network security is a high priority. If a user identifies a security problem on the Internet, the user must notify the system administrator or building Principal. The user must not demonstrate the problem to other users. All users must keep their account and password information confidential. Users may not use another individual's account without written permission from the individual. Attempts to log-on to the Internet as a system administrator will result in cancellation of user privileges. Any user identified as a security risk may be denied access to the network.
8. Vandalism - Vandalism will result in cancellation of privileges and other disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy the networks, software, hardware, and data of the District, another user, the Internet, or any other network. Users are prohibited from uploading or creating viruses, or degrading or disrupting equipment, software, or system

performance. Users are responsible for any and all costs related to the repair or restoration of any damage caused in violation of this paragraph. The District may use the legal system to seek restitution.

9. Telephone Charges - The District assumes no responsibility for any unauthorized charges or fees, including telephone charges, long-distance charges, per-minute surcharges, and/or equipment or line costs.

**East Aurora School District No. 131**

**645-R**

Page 4 of 4

10. District Purchase of Goods and Services - Any purchase or ordering of goods or services on behalf of the District must conform to the rules, regulations and procedures required by the District's business office.
11. For purposes of these administrative procedures, the term "employee" includes individual Board of Education members.
12. Teachers must complete appropriate training in the use of the Internet, as certified by a District administrator.
13. Each teacher must sign the *Agreement for Internet Access* as a condition for using a live Internet connection with students.
14. Each student, and his or her parent(s)/guardian(s) must sign the *Student/Parent Agreement and Permission for Internet Access* before the student is granted access under a trained teacher's authorization.

All use of the Internet shall be consistent with the District's goal of promoting educational excellence by facilitating resource sharing, innovation, and communication. These procedures do not attempt to state all required or proscribed behavior by users. However, some specific examples are provided. **Any inappropriate use of the Internet or network may result in the loss of privileges, disciplinary action, and/or appropriate legal action.**

Adopted: July 1, 2004

Amended: December 1, 2008



**Instruction**

**Fund Drives**

In order for a fund drive to be conducted in any District 131 school(s), the sponsors of the drive must obtain prior approval from the Superintendent or his/her designee.

Fund drives must not interfere with the regular operation of the school and no student will be obligated to participate.

Adopted: July 1, 2004

**Instruction**

**Academic Achievement**

Student academic achievement is not only measured in terms of standardized test scores, letter grades or other assigned numerical criteria but also in the attainment of specific skills, attitudes and concepts set out as instructional objectives and goals.

Academic achievement in reading will be assessed annually and student progress will be measured against grade level standards for proficient performance.

The instructional staff will develop means of (1) helping each student in appraising his/her own progress; (2) informing parents of the achievement progress of their children, and involving them, as necessary, in the design of learning programs; and (3) reporting to the Board and the public by using appropriate summaries of the academic achievement of students.

Adopted: July 1, 2004

**Instruction**

**Evaluation of Students**

Student evaluations will be consistent with the goals of the District. The evaluation system will reflect available research concerning the individual differences of students. Also, it will serve a constructive purpose by helping the student, parent and teacher evaluate student growth in all areas of performance and behavior.

Further, the District's evaluation system will be the result of a carefully developed plan for gathering data and will use a variety of instruments and devices.

In District 131, evaluation will foster a cooperative approach between student and teacher; it will help determine student progress; and it will involve the student, who will become knowledgeable about this ongoing process.

In addition, the student evaluation system will further the students= growth toward self-direction and self-responsibility.

Adopted: July 1, 2004

## Instruction

### Reporting to Parents

The progress of District students will be communicated to parents/guardians on a regular basis during the school year. However, grades and test reports will be made available only to those parents/guardians qualified to receive them. In the case of separated and/or divorced parents, both may receive notification of grade or test results, unless prohibited by a valid court order.

The Board endorses the use of various forms of communication with parents, including the following:

1. Parent-teacher conferences that will be conducted on a regular basis.
2. Student progress reports, which teachers will submit to parents according to a regular schedule.
3. Additional methods for reporting, such as open houses, parent education meetings and newsletters, which will be the responsibility of each school.
4. Interim reports, through which teachers contact parents to impart information or to arrange a conference when teachers believe additional information should be shared. Teachers also will make every effort to be available to meet with parents at a mutually agreed upon time.

The academic achievements of District students will be reported via standardized test scores, letter grades, and/or other assigned numerical criteria. Such tests will be based on the attainment of measurable instructional goals and objectives.

The District's instructional staff will provide students and parents with information about how grades were assigned, indications of progress, and the importance of test results to future learning.

The Superintendent and his/her designees will report to the Board periodically and provide summaries of the academic achievement of students in all instructional programs in the District, including their performance on standardized achievement tests.

Adopted: July 1, 2004

**Administrative Procedures**

**Reporting to Parents**

**Academic Progress Reports**

At any time during the school year, an academic progress report may be initiated for a student. This may be requested by parents, teachers or counselors.

**Mid-Term Reports**

At the mid-point of each quarter, reports will be sent to parents of students who are failing. Also, such reports may be sent to parents of students doing unsatisfactory work.

Adopted: July 1, 2004

**Instruction**

**Student-Teacher Feedback**

An important aspect of the learning process is that of sharing progress and results with the student.

Adopted: July 1, 2004

**Instruction**

**Grading, Promotion and Retention**

The Administration and professional staff will establish a system of grading, develop procedures for reporting academic achievement to parents and students, and determine when the requirements for promotion and graduation have been met.

**Grading**

Teachers will administer the approved marking system or other approved means of evaluating student progress in the District. Every teacher will maintain an evaluation record for each student in the teacher's classroom.

Teachers will maintain the right and the responsibility to determine grades and other student evaluations within the grading policies of the District, based upon the teacher's professional judgment of available criteria pertinent to any subject area or activity for which he/she is responsible. Student academic achievement will be assessed in terms of the attainment of measurable, specific skills determined by the teaching staff to be their instructional goals and objectives. Student academic achievement is graded in terms of standardized criterion-referenced test scores, letter grades, and/or other assigned numerical criteria.

All grades and symbols will be appropriately explained. Grading will not be used for disciplinary purposes. Grading will be based on improvement, achievement, and capability. Parents will be notified when a student's performance requires special attention.

The final grade assigned by the teacher will not be changed by any District administrator without notifying the teacher of the nature and reasons for the change. Reasons for changing a student's final grade include:

- 👉 A miscalculation of test scores;
- 👉 A technical error in assigning a particular grade or score;
- 👉 Agreement by the teacher that the student may do an extra work assignment, with its evaluation impacting the grade;
- 👉 An inappropriate grading system used to determine the grade; or
- 👉 An inappropriate grade based on an appropriate grading system.

Should a grade change be made, the administrator making the change will assume responsibility for determining the grade or student evaluation, and will sign or initial the changed record.

### Reporting to Parents

Parent(s)/guardian(s) will be informed of their child's progress in school at regular intervals, but at least four times a year. Divorced or separated parents will both be informed, upon request, in conformance with the Student Records Policy (Policy 735), unless a court order requires otherwise.

Various methods for communicating with parent(s)/guardian(s) will be used:

1. Parent-teacher conferences, conducted on a regular basis, are an effective means of reporting student progress to parent(s)/guardian(s). Parent-teacher conferences will be scheduled on different days and at different times to accommodate the various grade levels and attendance centers.

A parent-teacher conference also will be scheduled for the parents of any individual student whenever the teacher believes that the student's performance is one grade or more below current placement and/or the student's academic progress will likely result in retention of the student at the current grade level for the following school term. The building principal will monitor or participate in such parent-teacher conferences.

2. Additional methods for reporting, such as open houses, parent education meetings, and newsletters, will be the responsibility of each building principal.
3. Interim reports, through which teachers contact parents to impart information or to arrange a conference when teachers believe additional information should be shared, will be encouraged. Teachers also will make every effort to be available to meet with parent(s)/guardian(s) at any mutually agreed upon time.

### Promotion, Retention, and Remediation

Placement, promotion, or retention will be made in the best interests of the student after a careful evaluation of the advantages and disadvantages of the various alternatives. Every effort will be made to identify candidates for retention and to implement retention decisions in the primary grades rather than later in the student's academic experience.

Decisions to promote or retain students in any classes will be based on successful completion of the curriculum, attendance, performance based on Illinois Standards Achievement Tests, the Stanford Achievement Test 9, other testing, and/or other criteria established by the Board.



When any alteration in a student's normal progression through school is contemplated (i.e. retention or skipping of a grade), all factors will be considered. The teacher and school principal will use the expertise of other professional personnel as appropriate. And the support of the parents will be solicited before a decision is reached.

Quantitative measures such as age, physical size, ability and level of academic achievement will be supplemented by a qualitative assessment of the student's motivation, self-image and social adjustment. However, no student will be promoted to the next higher grade level or awarded a middle school diploma based upon age or other social reasons rather than the academic performance of the student.

Students who do not qualify for promotion to the next higher grade will be provided a remedial assistance plan developed in consultation with the student's parent(s) or guardian(s). The remedial assistance may include a summer bridge program of no less than 90 hours, an extended school day, special homework, tutorial sessions, modified instructional materials, increased or concentrated instructional time, other modifications in the instructional program, reduced class size, or retention in grade.

When retention would prevent a student from receiving a middle school diploma and going on to high school, the remediation plan may be revised with the consent of the Superintendent. For example, to qualify for promotion, the revised plan may require the student to attend or participate in an appropriate alternative high school program, or attend one of the District high schools, with a specialized schedule designed for remediation.

### Graduation

No District student who fails to satisfy the requirements for a middle or high school diploma will be permitted to attend the graduation ceremony or participate in other graduation activities.

LEGAL REF.: 105 ILCS 5/2-3.64, 5/10-20 9a, 5/10-21.8, and 5/27-27;  
23 Ill.Admin.Code §1.440

CROSS REF.: 725.01, 725.02, and 725.02-R

Adopted: July 1, 2004

**Instruction**

**Articulation**

With regard to the scope and sequence (articulation) of course content, ongoing communication from teacher to teacher, from grade level to grade level, and from school to school is of primary importance.

The Superintendent is responsible for the curricular materials designed to facilitate this process.

Adopted: July 1, 2004

**Administrative Procedures**

**Articulation**

The Superintendent or his/her designee will plan and implement staff in-service meetings for the purpose of reviewing and updating the scope and sequence of the District's educational programs. Ongoing communication from teacher to teacher, from grade level to grade level, and from school to school is of primary importance.

Standing committees that focus on the District's various curriculum disciplines will review the K-12 curriculum on a continuous improvement cycle. These committees will be organized as follows:

1. Chairperson - The designated curriculum coordinator.
2. Committee members - Teachers representing each grade level, confirmed by his/her principal, and principal representatives from each organizational level.
3. Size of committee - Membership will be appropriate to representation.

Also, the Superintendent or his/her designee may appoint a District Curriculum Advisory Council, which will be organized as follows:

1. Chairperson - The Assistant Superintendent for Curriculum and Instruction.
2. Committee members - Teacher representatives, including curriculum coordinators, and principal representatives.
3. Size of committee - Membership will be determined by the Superintendent.

Adopted: July 1, 2004

## Instruction

### Student Testing and Assessment Program

A District-wide program of standardized achievement testing will be developed and maintained by the Superintendent and his/her designee. Students' skills in mathematics, reading, language arts, science and other selected curriculum areas will be tested.

Such a testing program provides the professional staff with diagnostic information concerning the strengths and weaknesses of students. Although standardized testing can be used to help design a student educational program, it will not be used as the sole criteria for considering students for District programming. Also, it provides parents and the community with information regarding the level of accomplishment of District students.

The purposes of the student assessment program include:

1. Objective assessment of the strengths/needs of the instructional program in relation to norms and to District-student ability levels.
2. Accumulation of data regarding the ability and achievement of individual students.

The Superintendent will be responsible for developing and supervising all aspects of the testing program, including the design of the program, selection of tests, administration, scoring, and use of results. Also, the Superintendent will furnish the Board with reports regarding the operation and results of the program.

The program will:

1. Use appropriate assessment methods and instruments, including norm- and criterion-referenced achievement tests, aptitude tests, proficiency tests, and teacher-developed tests.
2. Be uniformly applied to all students who must be tested.
3. Conform to the schedule required by State law and State Board of Education rules. However, the District program also may include testing of students in grades that State law does not require be tested.
4. Emphasize the code of ethics for test administration.

The Superintendent will maintain descriptions of the District's assessment procedures and copies of District-wide instruments.

It is the policy of the Board that each pupil shall be required, unless excused by the principal for cause, to take those tests prescribed by the Superintendent, as a prerequisite to promotion to the next grade or to the granting of a diploma.

Test results will be recorded in the student's temporary school record and are available only to the student, the student's parent(s)/guardian(s), and school personnel directly involved with the student's educational program. Overall student assessment data on tests required by State law will be aggregated by the District and reported, along with other information, on the District's annual report card.

LEGAL REF.: Illinois School Code, Sec. 2-3.63, 2-3.64, 10-17a, and 27-1 (105 ILCS 5/2-3.63, 5/2-3.64, 5/10-17a, and 5/27-1)

CROSS REF.: 600

Adopted: July 1, 2004

**Administrative Procedures**

**Student Testing and Assessment Program**

According to the District's testing procedures:

1. The Stanford Achievement Test 9 will be given to all students in grades 2 - 7.

The EXPLORE test will be given to all students in grade 8.

The Otis Lennon Ability Test will be given to all students in grades 2, 4, 6 and 8.

The Ball Aptitude Test will be given to all students in grade 9.

The PLAN test will be given to all students in grade 10.

2. The achievement tests will be given during October.
3. Student test results will be reported to parents.
4. Student test results will be discussed at both the building and grade levels.
5. Students who score low on the achievement tests will be referred to the Special Services Team.

Adopted: July 1, 2004

## Instruction

### School Ceremonies and Observances

#### Special Days and Events

District 131 will commemorate special days and events by observing them as valuable parts of the educational program.

#### Religious Subjects

It is the policy of the Board of Education that no religious belief or non-belief will be promoted by District 131 or its employees, and none will be disparaged. Instead, District personnel will encourage all students and staff members to appreciate and be tolerant of each other's religious views. Also, District personnel will encourage understanding and mutual respect among students and parents with regard to race, culture, economic background and religious beliefs.

District 131 recognizes that one of its educational goals is to advance each student's knowledge and appreciation of the role that religious heritage has played in the social, cultural and historical development of civilization. School activities and instruction relating to religion(s) -- if conducted in an objective, historical and non-devotional manner -- is permitted. However, in the spirit of tolerance, students and staff members will be excused from participating in instruction that is contrary to their religious beliefs.

#### Religious Holidays

Those holidays that have a religious and/or secular basis may be observed in District 131 schools. In addition, the historical and contemporary values and the origin of religious holidays may be explained in an unbiased and objective manner without sectarian indoctrination. Music, art, literature and drama having religious themes or basis are permitted as part of the curriculum and for school-sponsored activities and programs, if presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday. The use of religious symbols --such as a cross, Menorah, crescent, Star of David, creche, symbols of Native American religions or other symbols that are a part of a religious holiday (such as Christmas, Easter, Passover, Hanukkah, Ramadan, St. Valentine's Day, St. Patrick's Day, Thanksgiving and Halloween) -- is permitted if used as a teaching aid or resource. Further, such symbols may be displayed, as long as they are identified as examples of the cultural and religious heritage of the holiday and are temporary in nature. The school district calendar will be prepared so as to minimize conflict with religious holidays of all faiths.

Any student who is absent from school on a particular day(s) or time of day because of the observance of a religious holiday or because the tenets of the student's religion forbid secular activity on such a day(s) or time of day, will be excused from any examination or any study or work assignments on those days or times.

Thereafter, staff members will enable the student to make up that examination, study or work requirement. Further, no special fees will be charged to the student for such make-up opportunities.

Those days designated by the Board as religious holidays -- during which the attendance of students will be excused -- include, but are not limited to, the following:

Orthodox Christian:	Julian and Gregorian calendar Christmas and Good Friday
Jewish:	Rosh Hashanah and Yom Kippur
Muslim:	Ramadan

In addition to these religious holidays, the Board or its designee (principal) will excuse the absence of a student on any other religious holiday.

No student excused from attending school in accordance with this policy will be required to submit a written excuse for such absence after returning to school.

Display of the Flag

The flag of the United States of America will be raised above each school building and at other appropriate places during all school sessions and on all legal school holidays, weather permitting. The flag will be raised before the opening of school and taken down at its closing every day.

Flag at Half-Staff

The following procedures will be observed:

Flying a national flag at half-mast, halfway up the staff, is a signal of mourning. The flag will be hoisted to the top of the staff for an instant before being lowered to half-mast. It should be hoisted to the peak again before being lowered for the night. By tradition, the national flag flies at half-mast only when the entire country mourns. In addition, it is lowered to half-mast for the formal mourning period on occasions of local mourning, as approved by the Superintendent or his/her designee. If local flags are flown at half-mast, the national flag may be flown at



full mast with them. Citizens may salute and recite the Pledge of Allegiance to the Flag when it flies at half-mast.

In the United States, the U.S. flag flies at half-mast (1) for 30 days after the death of the President or a former President; (2) for two days after the death of the Vice-President, the Chief Justice or a retired Chief Justice, or the Speaker of the House of Representatives; and (3) from the day of death until burial of an Associate Justice of the Supreme Court, a former Vice-President, a member of the Cabinet, or a secretary of the U.S. Army, Navy, or Air Force. In addition, the flags of a state or territory are flown at half-mast from the day the governor dies until his/her burial.

The Superintendent or his/her designee will order flags at appropriate buildings flown at half-mast in memory of Board members, staff or current students. The flags will be flown at half-mast for three (3) days or until the person's funeral, whichever occurs first.

LEGAL REF.: Illinois School Code, Sec. 10-22.15, 26-1, 26-2a, and 26-2b (105 ILCS 5/10-22.15, 5/26-1, 5/26-2a, and 5/26-2b); and World Book Encyclopedia.

Adopted: July 1, 2004

**Instruction****Animals in the Classroom**

Animals may be brought into the classroom for educational purposes only, and only then with the permission of the building principal or his/her designee. Such animals are to be kept in the classroom for an appropriate time necessary for their study and must be adequately housed and cared for. Only the teacher, or students designated by the teacher, will be permitted to handle such animals, which will be treated in a humane manner at all times. If animals are to be kept in the classroom on days when classes are not in session, arrangements will be made for their care.

Adopted: July 1, 2004

## Instruction

### Experimenting Upon or Dissection of Animals

Experiments on living animals are prohibited. The dissection of dead animals or parts of dead animals will be confined to the classroom and will not be practiced in the presence of any student not engaged in the study to be illustrated by that dissection.

Students who have moral objections to dissecting animals will be excused (without penalty) from classroom attendance during times when such activities are taking place. The building principal will inform students and parent(s)/guardian(s) at the beginning of the school year of the students' right to refrain from attending any class where the instruction will involve the dissecting of animals.

The following procedures will be followed by a student who wishes to be excused from classroom instruction that involves the dissecting of animals:

1. The student will submit a written request to the teacher from his or her parent(s)/guardian(s) -- stating the class, time and reason for not participating in the instruction period.
2. The student will complete an alternative activity that is aligned to the goals, purposes, and standards of the instructional activity in which he/she is not participating.
3. Credit given for this alternative activity will be equal to that given for the laboratory activity.

LEGAL REF.: Illinois School Code, Sec. 27-14 (105 ILCS 5/27-14).

Adopted: July 1, 2004

**Instruction**

**Extracurricular Activities**

A well-balanced curriculum permits a program of extra-curricular activities. However, each year the Superintendent or his/her designee will review extracurricular activities with respect to District finances.

The general supervision of staff members assigned to extracurricular duties will be the responsibility of the building principals. Also, the principals will evaluate how these staff members perform their extra duties.

Adopted: July 1, 2004

**Instruction**

**Pledge of Allegiance**

Classroom teachers in grades K-8 will regularly start the day by leading their students in reciting the Pledge of Allegiance to the Flag.

LEGAL REF.: Illinois School Code, Sec. 27-3 (105 ILCS 5/27-3).

Adopted: July 1, 2004

## Instruction

### Repertoire Selection Policy

The selection of music repertoire is crucial to the delivery of instruction related to the performing arts curriculum. To help facilitate appropriate selection of repertoire by our staff, the Administration has developed a repertoire selection procedure for District 131. This policy is intended to provide broad parameters for the staff to include all types of music experiences in a child's education.

Members of the District community (students, staff, parents and administration) have provided a wealth of information related to the subject of appropriate repertoire selection. Input from the community, results of legal cases involving religious music in the public schools, information from the Music Educators National Conference and existing board policies of District 131 have provided the underpinning of this new Repertoire Selection Policy. (See Board Policy appendix at end of document.)

The District has an obligation to be sensitive to the many different religious and cultural contexts of our diverse community. Public schools may not advance or inhibit religion, as the First Amendment requires government neutrality with respect to religion. However, religious materials and music may be used in the public schools if the materials and music are presented objectively as part of a secular program of education.

The Board, Administration and staff respect all people and endeavor to be aware of the cultural and religious sensitivities that are related to the delivery of instruction and to the core curriculum. However, this awareness must not interfere with our obligation to teach about significant works of art. The following is extracted from the American Choral Directors Association policy set forth in the December, 1993, Choral Journal:

“Any work of art studied or performed should be selected for its inherent beauty of structure and form. Its purpose in study should be learning for the sake of developing artistic understanding and responsiveness. Often artwork is related to a specific religious/cultural tradition. The study of such works of art can enhance one's understanding and appreciation of a cultural product which a particular tradition has fostered.”

The Board believes that music should not be selected for study and performance in the District 131 schools for the purpose of advancing or perpetuating a particular religious belief system. Rather, music should be selected first, on its own merits as an art form, and second, as a development of a particular movement in human civilization.

In order to best serve the students and parents of District 131, this policy addresses a process that teachers must follow to ensure that the curriculum drives their decisions regarding the selection of repertoire.

## REPertoire SELECTION: THE PROCESS

In order to provide teachers with specific guidelines to the repertoire selection process, the following considerations are included for thoughtful reference. These include the instructional goals of music repertoire, the "Lemon" test, additional considerations, and possible modifications of student participation.

### Instructional Goals of Music Repertoire:

- 1.) To provide an opportunity for students to prepare for and participate in a public performance as part of the on-going goals and objectives of the music curriculum.
- 2.) To increase student knowledge and appreciation of the history, culture and traditions of music of peoples around the world.
- 3.) To develop student appreciation of the diversity of beliefs, customs and traditions within our community and the world.
- 4.) To foster understanding and mutual respect among students regarding each other's beliefs, customs and traditions.

### The "Lemon" Test:

For staff to further consider the appropriateness of a given musical selection, the following questions raised by Chief Justice Warren E. Burger in the 1971 Lemon vs. Kurtzman case should be asked when choosing any particular piece of musical repertoire:

- 1.) What is the *purpose* of this selection? The piece should be chosen for a secular purpose, such as studying music of a particular composer's style or historical period.
- 2.) What is the primary *effect* of the activity? The activity should neither advance nor inhibit religion, and should not convey a message of endorsement or disapproval.
- 3.) Does the activity involve excessive *entanglement* with religion or a religious group, or between the schools and religious organizations?

Note: The "Lemon" Test has been readdressed in recent (1993-98) Supreme Court decisions. It has not been abandoned and no new test has been developed to replace it.

**ADDITIONAL CONSIDERATIONS FOR PLANNING IN COLLABORATION WITH BUILDING ADMINISTRATION:**

- 1.) Is the music selected on the basis of its musical and educational value and connection to our curriculum rather than on its religious context?
- 2.) Are the traditions of different people shared and respected?
- 3.) Is the role of any included sacred music such that it does not interfere with the free exercise of religion?
- 4.) Is the school board policy regarding religious holidays and the use of religious materials observed?
- 5.) Does the literature selected for educational use focus on musical and artistic considerations?
- 6.) Have the secular reasons for the selection of a particular piece of music, been explained to the students, and do the students understand those reasons?

**PARENTAL REQUEST FOR MODIFICATIONS**

The following procedures will be followed by parents who wish to have their child's participation modified, if participation is objectionable because of their religious convictions.

- 1.) The parents will discuss their concerns with their child's music teacher.
- 2.) After discussing their concerns with the teacher, the parents also may wish to speak with the building principal.
- 3.) After discussing their concerns with the teacher and the principal, the parents also may wish to speak with the Music Curriculum Coordinator, the Fine Arts Coordinator or the Assistant Superintendent for Curriculum.

If parents wish to have a child excused from participation, the following steps will be followed.

- a.) Determine the degree of nonparticipation as described below:
  - ☞ Parents wish to have student excused from performing religious words or phrases within a particular selection.



- ☞ Parents wish to have student excused from performing a particular selection.
  - ☞ Parents wish to have student excused from participating in an entire concert or program.
- b.) Submit a written request to the music teacher, asking that a student be excused from participation in one of the three ways listed above. Include the student's name and the nature of the objection.

These written requests will be approved by the building principal in consultation with the Assistant Superintendent of Curriculum. Parents may appeal decisions on these requests to the Superintendent.

Students who have been excused from participation in part or all of a performance or program will be given alternate activities during the instructional time spent on the objectionable selection. Further, the students' grades will not be affected by such excused nonparticipation.

Adopted: July 1, 2004