

**BOARD OF EDUCATION POLICY MANUAL  
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\*A policy on this subject is required by law.

October 2007

## **General Personnel**

### **Equal Employment Opportunity and Minority Recruitment**

The School District shall provide equal employment opportunities to all persons regardless of their race, color, religion, creed, national origin, sex, sexual orientation, age, ancestry, marital status, arrest record, military status, order of protection status, or unfavorable military discharge, citizenship status provided the individual is authorized to work in the United States, use of lawful products while not at work, being a victim of domestic or sexual violence, genetic information, physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation, and other legally protected categories.

Persons who believe they have not received equal employment opportunities should report their claims to the Nondiscrimination Coordinator and/or a Complaint Manager for the Uniform Grievance Procedure. No employee or applicant will be discriminated or retaliated against because he or she initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information.

### **Administrative Implementation**

The Superintendent shall annually announce the names, addresses, and phone numbers of the Nondiscrimination Coordinators for personnel who shall be responsible for coordinating the District's nondiscrimination efforts. The Superintendent will annually announce the names, addresses, and telephone numbers of the District's Complaint Manager for the Uniform Grievance Procedure. The Superintendent shall use reasonable measures to inform staff members and applicants that the District is an equal opportunity employer, such as by posting required notices and including this policy in the appropriate handbooks.

### **Minority Recruitment**

The District will attempt to recruit and hire minority employees. The implementation of this policy may include advertising openings in minority publications, participating in minority job fairs, and recruiting at colleges and universities with significant minority enrollments. This policy, however, does not require or permit the District to give preferential treatment or special rights based on a protected status without evidence of past discrimination.

- LEGAL REF.: Age Discrimination in Employment Act, 29 U.S.C. § 621 et seq.  
Americans with Disabilities Act, Title I, 42 U.S.C. § 12111 et seq.  
Civil Rights Act of 1991, 29 U.S.C. §§621 et seq., 42 U.S.C. §1981 et seq., §2000e et seq., and §12101 et seq.  
Equal Employment Opportunities Act (Title VII of the Civil Rights Act of 1964), 42 U.S.C. §2000e et seq., 29 C.F.R. Part 1601.  
Equal Pay Act, 29 U.S.C. § 206(d).  
Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.  
Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.  
Rehabilitation Act of 1973, 29 U.S.C. § 791 et seq.  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000e et seq.  
Title IX of the Education Amendments, 20 U.S.C. § 1681 et seq., 34 C.F.R. Part 106.  
Uniformed Services Employment and Reemployment Rights Act (1994), 38 U.S.C. §§4301 et seq.  
Ill. Constitution, Art. 1, §§ 17, 18, and 19  
Ill. Equal Pay Act of 2003, 820 ILCS 180/30.  
Genetic Information Protection Act, 410 ILCS 513/25.  
Ill. Whistleblower Act 740 ILCSA 174 et seq.  
Ill. Human Rights Act, 775 ILCS 5/1-103 and 5/2-102.  
Religious Freedom Restoration Act, 775 ILCS 35/5.  
Victims' Economic Security and Safety Act, P.A. 93-591.  
775 ILCS 5/1-103 and 5/2-102.  
105 ILCS 5/10-20.7, 5/10-20.7a, 5/10-21.1, 5/10-22.4, 5/10-23.5, 5/22-19, 5/24-4, 5/24-4.1, and 5/24-7.  
23 Ill. Admin. Code § 1.230.
- CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Sexual Harassment), 5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:70 (Religious Holidays), 5:180 (Temporary Illness or Temporary Incapacity), 5:200 (Terms and Conditions of Employment and Dismissal), 5:250 (Leaves of Absence), 5:270 (Employment at Will, Compensation, and Assignment), 5:300 (Schedules and Employment Year), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 7:10 (Equal Educational Opportunities), 7:180 (Preventing Bullying, Intimidation, and Harassment), 8:70(Accommodating Individuals with Disabilities)

## **General Personnel**

### **Sexual Harassment**

#### **Statement of Policy**

A learning and working environment that is free from any form of sexual harassment is essential and shall be maintained. It shall be a violation of Board policy for an employee of School District No. 95 to harass another individual in the work place. Violation of this policy shall be considered grounds for disciplinary action.

#### **Definition of Sexual Harassment**

“Sexual harassment” consists of unwelcome sexual advances; sexual advances to students by staff, whether welcome or unwelcome; requests for sexual favors; and other verbal or physical conduct of a sexual nature when made by any member of the school staff to a student or to another staff member where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person’s employment or educational development;
2. Submission to or rejection of such conduct is used as the basis for any employment or education decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual’s work or educational performance or creating an intimidating, hostile or offensive working or educational environment.

Sexual harassment, as defined above, may include, but is not limited to:

1. Uninvited sex-orientated verbal “kidding” or demeaning sexual innuendoes, leers, gestures, teasing, sexually explicit or obscene jokes, remarks or questions of a sexual nature;
2. Graphic or suggestive comments about an individual’s dress or body;
3. Displaying sexually explicit objects, photographs or drawings;
4. Unwelcome touching, such as patting, pinching or constant brushing against another’s body; or
5. Suggesting or demanding sexual involvement of any student or other employee whether or not such suggestion or demand is accompanied by implicit or explicit threats concerning one’s grades, educational opportunities, employment status, or similar personal concerns.

#### **Discipline**

Discipline for violation of this policy shall be in accordance with current Administrative procedures. A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action, up to and including discharge.

Aggrieved persons, who feel comfortable doing so, should directly inform the person engaging in sexually harassing conduct or communication that such conduct or communication is offensive and must stop.

Employees should report claims of sexual harassment to the Nondiscrimination Coordinator and/or use the Board of Education Policy 2:260, *Uniform Grievance Procedure*. Employees may choose to report to a person of the employee's same sex. Initiating a complaint of sexual harassment shall not adversely affect the complainant's employment, compensation or work assignments.

#### Complaint Resolution

The Superintendent will annually announce the names, addresses, phone numbers and contact information of the male and female Nondiscrimination Complaint Coordinators.

Complaints involving the implementation and/or perceived violation of this policy shall be investigated and resolved through the investigation and grievance procedure set forth in this policy.

LEGAL REF.: Title VII of the U.S. Civil Rights Act of 1964, Section 703  
Title IX of the Education Amendments of 1972, 20 U.S.C. Section 1681 et seq.  
U.S. Equal Employment Opportunity Commission 29 CFR Part 1604.11  
U.S. Department of Education 34 CFR Part 106.8(b)  
U.S. Department of Health and Human Services 45 CFR Part 86.8(b)  
Illinois Human Rights Act, 775 ILCS 5/2-102(D), 5/2-105

ADOPTED: March 22, 2007

## **General Personnel**

### **Administrative Procedure - Sexual Harassment**

#### **Investigation and Grievance Procedure**

Any individual who believes that he or she has been subjected to sexual harassment may submit a complaint to the Title IX Coordinator, in accordance with the following grievance procedures. If the Title IX Coordinator is the alleged harasser, then the complaint shall be submitted to the Superintendent, who shall be responsible for the investigation and grievance procedures contained herein.

#### **A. COMPLAINT:**

1. Any employee wishing to submit a complaint (*i.e.*, the “complainant”) must submit a written statement to the Title IX Coordinator, 400 S. Old Rand Rd., Lake Zurich IL 60047-2459, or alternatively, the Superintendent, in the event that the Title IX Coordinator is the alleged harasser. The written statement should state the specific facts and/or perceived wrongful act (*e.g.*, location, names, dates, times) to be investigated. All such written statements should be submitted within thirty (30) business days (defined as days when the School District’s Administrative Office is open) after the incident or act which gives rise to the complaint, unless the time for submission is extended by the Title IX Coordinator because the complainant has shown good cause for such an extension.
2. The Title IX Coordinator or his/her designee shall promptly investigate the complaint. The Coordinator/designee shall make all reasonable efforts, including but not limited to, convening a conference with the complainant to discuss the complaint and the results of the investigation, to resolve the matter informally.
3. Absent willful false reporting, reporting sexual harassment will not reflect adversely upon an individual’s status or affect future employment or work assignments.
4. The rights to confidentiality, both of the complainant and of the accused, will be respected consistent with the School District’s legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when the conduct has occurred.

#### **B. HEARING:**

5. In the event the complaint cannot be resolved informally, the Coordinator will advise the complainant of his/her right to a hearing and the following additional procedures:
  - a. The complainant’s request for a hearing must be submitted in writing to the Title IX Coordinator within five (5) business days of the complainant’s notification of a right to a hearing. A copy of the original complaint shall be attached to the hearing request.
  - b. Within ten(10) business days of the Coordinator’s receipt of the written request for a hearing, the Coordinator will convene an informal hearing, at which time both the complainant and the individual responsible for the alleged harassment may present testimony and documents relevant to the complaint.

DATED:

- c. A record of the hearing shall be made and kept. The Coordinator shall be responsible for making the record of the hearing available to the parties upon request.
- d. Within ten (10) business days of the hearing, the Coordinator shall provide the complainant and the Superintendent with written findings on the allegations of the complaint and, if necessary, recommendations for any corrective action. The decision shall specify the grounds upon which the disposition of the complaint was based.

C. REVIEW:

6. If the complainant is not satisfied with the Coordinator's disposition of the complaint, or if the Coordinator fails to provide the complainant with a written decision within the time limits specified in Paragraph 5 above, the complainant may thereafter seek a review of the decision as follows:
  - a. The complainant must forward a letter seeking review of the Coordinator's decision to the Board of Education within five (5) business days of the complainant's receipt of the decision. Copies of the original complaint, minutes of the hearing, and the Coordinator's decision shall be attached to the request for review.
  - b. The Board of Education may, in its discretion, convene a hearing at which the parties may present additional testimony and argument.
  - c. Within thirty (30) days of the filing of the request for review, the Board of Education shall provide the complainant, the Coordinator, and the Superintendent with a written decision affirming, reversing, or modifying the Coordinator's decision and specifying the grounds upon which the review decision is based.

**The filing of a complaint under the grievance procedures described herein shall not limit, extend, replace or delay the right of any person to file a similar complaint or charge with any appropriate local, State, or federal agency or court.**

Employees who believe they have been unlawfully harassed or discriminated against may also file a charge with the Illinois Department of Human Rights. The Department of Human Rights is a State agency which will investigate the charge without cost to the employee. If the Department of Human Rights determines that there is evidence of harassment or discrimination, it will attempt to conciliate the matter or it will file a complaint on behalf of the employee with the Illinois Human Rights Commission. The Human Rights Commission will hear the complaint pursuant to its rules and procedures. Employees may contact the Department of Human Rights at 100 West Randolph Street, Suite 10-100, Chicago, Illinois 60601, (312)814-6245 and the Human Rights Commission at 100 West Randolph, 5<sup>th</sup> Floor, Chicago, Illinois 60601, (312)814-6269.

DISCIPLINE

Any action taken pursuant to this policy will be consistent with requirements of applicable collective bargaining agreements, State and federal law and other applicable Board policies. If a charge is substantiated, the Board will take such disciplinary action as it deems necessary and appropriate, including warning, suspension, or immediate discharge.

The Board will discipline any individual who retaliates against any person who reports alleged sexual harassment or who retaliates against any person who testifies, assists, or participates in an

DATED:

investigation, proceeding or hearing relating to a complaint or charge of sexual harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

DISSEMINATION

The District shall take reasonable measures to assure that District employees are informed of this policy and grievance procedure by inclusion in employee handbooks. A copy is also available at the Administrative Office and all District schools.

DATED: August 19, 1999

DATED:

## **General Personnel**

### **Hiring Process and Criteria**

The Superintendent or designee is responsible for recruiting personnel, in compliance with Board of Education policy, and making hiring recommendations to the Board of Education. Educational support personnel applicants are initially screened by the Building Principal or supervisor. The District shall hire the best qualified personnel consistent with budget and staffing requirements, and shall comply with Board of Education policy on equal employment opportunity and minority recruitment. The Superintendent may select personnel on a short-term basis for a specific project or emergency condition before the Board of Education's approval.

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

### **Job Descriptions**

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

### **Investigations**

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

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

The District retains the right to not employ or discharge any employee whose criminal background investigation reveals a conviction for committing or attempting to commit any of the offenses outlined in Section 5/21-23a of The School Code or who falsifies, or omits facts from, his or her employment application or other employment documents.

### **Physical Examinations**

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

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

#### Orientation Program

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

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. § 12112, 29 C.F.R. Part 1630.  
Immigration Reform and Control Act, 8 U.S.C. § 1324a et seq.  
105 ILCS 5/10-20.7, 5/10-21.4, 5/10-21.9, 5/10-22.34, 5/10-22.34b, 5/22-6.5, and  
5/24-5.  
Duldulao v. St. Mary of Nazareth Hospital, 483 N.E.2d 956 (1st Dist. Ill.  
1985).*aff'd in part and remanded* 505 N.E. 2<sup>nd</sup> 314 (Ill.1987)  
Kaiser v. Dixon, 468 N.E.2d 822 (2<sup>nd</sup> Dist. Ill. 1984).  
Molitor v. Chicago Title & Trust Co., 59 N.E.2d 695 (5th Dist. Ill. 1982).

CROSS REF.: 3:50 (Administrative Personnel Other Than the Superintendent), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:40 (Communicable and Chronic Infectious Diseases), 5:280 (Education Support Personnel – Duties and Qualifications).

## **General Personnel**

### **Compliance with the Fair Labor Standards Act**

#### Job Classifications

The Superintendent will ensure that all job positions are identified as either “exempt” or “non-exempt” according to the State law and Fair Labor Standards Act (FLSA) and that employees are informed whether they are “exempt” or “non-exempt.” “Exempt” and “non-exempt” employee categories may include certificated and non-certificated job positions. All non-exempt employees, whether paid on a salary or hourly basis, are covered by minimum wage and overtime provisions.

#### Workweek and Compensation

The workweek for District employees will be 12:00 a.m. Sunday until 11:59 p.m. Saturday. Non-exempt employees will be compensated for all hours worked in a workweek including overtime. If the workweek is less than 40 hours, an employee is entitled to additional “straight time” compensation for the extra hours up to 40 hours and then overtime compensation for the hours worked over 40. “Overtime” is time worked in excess of 40 worked hours in a single workweek.

#### Overtime

The School Board discourages overtime work by non-exempt employees. A non-exempt employee shall not work overtime without his or her supervisor’s express approval. All supervisors of non-exempt employees shall: (1) monitor overtime use on a weekly basis and report such use to the business office, (2) seek the Superintendent or designee’s written pre-approval for any long term or repeated use of overtime that can be reasonably anticipated, (3) ensure that overtime provisions of this policy and the FLSA are followed, and (4) ensure that employees are compensated for any overtime worked. In lieu of overtime compensation, non-exempt employees may receive compensatory time-off, according to Board policy 5:310, *Compensatory Time-Off*.

#### Suspension Without Pay

No exempt employee shall have his or her salary docked, such as by an unpaid suspension, if the deduction would cause a loss of the exempt status. Certificated employees may be suspended without pay in accordance with Board policy 5:240, *Professional Personnel - Suspension*. Non-certificated employees may be suspended without pay in accordance with Board policy 5:290, *Educational Support Personnel - Employment Termination and Suspensions*.

#### Administrative Implementation

The Superintendent or designee shall implement this policy in accordance with the FLSA, including its required notices to employees. In the event of a conflict between the policy and State or federal law, the latter shall control.

LEGAL REF.: Fair Labor Standards Act, 29 U.S.C. §201 et seq., 29 C.F.R. Parts 516, 541, 548, 553, 778, and 785.

CROSS REF.: 5:240 (Suspension), 5:290 (Employment Termination and Suspensions), 5:310 (Compensatory Time-Off)

5:35

ADOPTED: April 23, 2009

## **General Personnel**

### **Communicable and Chronic Infectious Disease**

The Superintendent shall develop and implement procedures for managing known or suspected cases of a communicable and chronic infectious disease involving District employees that are consistent with State and federal law, Illinois Department of Public Health rules, and Board of Education policies.

The Superintendent shall appoint a Communicable and Chronic Infectious Disease Review Team. An employee with a communicable or chronic infectious disease is encouraged to inform the Superintendent immediately and grant consent to being monitored by the District's Communicable and Chronic Infectious Disease Review Team. The Review Team, if used, provides information and recommendations to the Superintendent concerning the employee's conditions of employment and necessary accommodations. The Review Team shall hold the employee's medical condition and records in strictest confidence, except to the extent allowed by law.

An employee with a communicable or chronic infectious disease will be permitted to retain his or her position whenever, after reasonable accommodations and without undue hardship, there is no substantial risk of transmission of the disease to others, provided an employee is able to continue to perform the position's essential functions. An employee with a communicable and chronic infectious disease remains subject to the Board's employment policies including sick and/or other leave, physical examinations, temporary and permanent disability, and termination.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. § 12101 et seq. 29 C.F.R. §1630.1 et seq.  
Rehabilitation Act of 1973, 29 U.S.C. § 791; 34 C.F.R. §104 et seq.  
20 ILCS 2305/6.  
105 ILCS 5/24-5.  
820 ILCS 40/1 et seq.  
Control of Communicable Diseases, 77 Ill.Admin.Code Part 690

CROSS REF.: 2:150 (Committees), 5:30 (Hiring Process and Criteria), 5:180 (Temporary Illness or Temporary Incapacity)

5:40

ADOPTED: November 16, 2006

## **General Personnel**

### **Drug- and Alcohol-Free Workplace**

All District workplaces are drug- and alcohol-free workplaces. All employees shall be prohibited from:

1. unlawful manufacture, dispensing, distribution, possession, use, or being under the influence of a controlled substance while on District premises or while performing work for the District.
2. distribution, consumption, use, possession, or being under the influence of alcohol while on District premises or while performing work for the District.

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

1. not legally obtainable;
2. being used in a manner different than prescribed;
3. legally obtainable, but has not been legally obtained; or
4. referenced in federal or State controlled substance acts.

As a condition of employment, each employee shall:

1. abide by the terms of the District policy respecting a drug- and alcohol-free workplace; and
2. notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than 5 calendar days after such a conviction.

In order to make employees aware of dangers of drug and alcohol abuse, the District will:

1. provide each employee with a copy of the District Drug- and Alcohol-Free Workplace policy;
2. post notice of the District Drug- and Alcohol-Free Workplace policy in a place where other information for employees is posted;
3. make available materials from local, state, and national anti-drug and alcohol-abuse organizations;
4. enlist the aid of community and state agencies with drug and alcohol informational and rehabilitation programs to provide information to District employees;
5. establish a drug-free awareness program to inform employees about:
  - a. the dangers of drug abuse in the workplace,
  - b. available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs, and
  - c. the penalties that the District may impose upon employees for violations of this policy.

District Action Upon Violation of Policy

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

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

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

LEGAL REF.:       Americans With Disabilities Act, 42 U.S.C. §12114.  
                          Controlled Substances Act, 21 U.S.C. §812; 21 C.F.R. §1308.11-1308.15.  
                          Drug-Free Workplace Act of 1988, 41 U.S.C. §701 et seq.  
                          Safe and Drug-Free School and Communities Act of 1994, 20 U.S.C. §7101 et seq.  
                          Drug-Free Workplace Act, 30 ILCS 580/1 et seq.

## **General Personnel**

### **Expenses**

#### Mileage Expense

Teachers shall be paid the IRS rate per mile in effect at the onset of the school term for all approved mileage to perform their assigned duties for which the teacher shall be required to use his automobile.

#### Expenses

Procedures shall be established in each building to permit teachers to acquire necessary instructional materials without resort to normal bidding procedures and to be promptly reimbursed for same, provided all such purchases shall first be approved by the building principal.

The Board of Education shall reimburse employees for expenses necessary for the performance of their duties, which have been approved by the Superintendent. If the anticipated expense amount exceeds budgeted amounts, prior Board approval is required.

All employees must submit to the Superintendent an itemized, signed voucher showing the amount of actual expenses, attaching receipts to the voucher. Expense reimbursements shall be presented to the Board of Education in its regular bill payment process.

LEGAL REF: 105 ILCS 5/10-22.32.

ADOPTED: March 22, 2007

## **General Personnel**

### **Religious Holidays**

The Superintendent shall grant an employee's request for time off to observe a religious holiday if the employee gives at least 5 days prior notice and the absence does not cause an undue hardship.

LEGAL REF.: 775 ILCS 5/2-101 and 5/2-102.  
Religious Freedom Restoration Act, 775 ILCS 35/5.

ADOPTED: March 22, 2007

## **General Personnel**

### **Court Duty**

The District will pay full salary during the time an employee is absent due to court duty or, pursuant to a subpoena, serves as a witness or has a deposition taken in any school-related matter pending in court.

An employee should give at least 5 days' prior notice of pending jury duty to the District.

LEGAL REF.: 105 ILCS 5/10-20.7.

ADOPTED: March 22, 2007

## **General Personnel**

### **Abused and Neglected Child Reporting**

Any District employee who suspects or receives knowledge that a student may be an abused or neglected child shall immediately report such a case to the Illinois Department of Children and Family Services. The employee shall also promptly notify the Superintendent or Building Principal that a report has been made. All District employees shall sign the "Acknowledgement of Mandated Reporter Status" form provided by the Illinois Department of Child and Family Services and the Superintendent or designee shall ensure that the signed forms are retained.

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

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

The Superintendent shall notify the State Superintendent and the regional superintendent in writing when he or she has reasonable cause to believe that a certificate holder was dismissed or resigned from the District as a result of an act that made a child an abused or neglected child. The Superintendent must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the certificate holder.

The Superintendent or designee shall provide staff development opportunities for school personnel working with students in grades kindergarten through 8, in the detection, reporting, and prevention of child abuse and neglect.

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

LEGAL REF.: 105 ILCS 5/10-21.9, 325 ILCS 5/1

CROSS REF.: 2:20 (Powers and Duties of the School Board), 5:20 (Sexual Harassment), 5:100 (Staff Development Program), 5:150 (Personnel Records), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

ADOPTED: November 19, 2009

## **General Personnel**

### **Staff Development Program**

The Superintendent shall implement a staff development program. The goal of such program shall be to update and improve the skills and knowledge of staff members in order to achieve and maintain a high level of job performance and satisfaction. Additionally, the development program for certified staff members shall be designed to correlate with the School Improvement Plan so that student learning objectives meet or exceed goals established by the District and State.

The staff development program shall provide, at a minimum, at least once every 2 years, the in-service training of certified school personnel and administrators on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school age children.

The staff development program shall provide, at a minimum, once every 2 years, the in-service training of all District staff on educator ethics, teacher-student conduct, and school employee-student conduct.

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

LEGAL REF.: 105 ILCS 5/2-3.60, 5/10-22.39, 5/10-23.12, 5/24-5, and 110/3.  
745 ILCS 49/1. Good Samaritan Act.

CROSS REF.: 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 4:160 (Hazardous and Infectious Materials), 5:90 (General Personnel - Abused and Neglected Child Reporting), 5:120 (Ethics), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day)

ADMIN PROC.: 4:170-AP6 (Plan for Responding to a Medical Emergency at an Indoor Physical Fitness Facility), 5:100-AP (Staff Development Program), 5:150-AP (Personnel Records), 7:250-AP1 (Measures to Control the Spread of Head Lice at School)

## **General Personnel**

### **Recognition For Service**

The Board of Education will periodically recognize those District employees who contribute significantly to the educational programs and welfare of the students.

## General Personnel

### Ethics

All District employees are expected to maintain high standards in their school relationships, to demonstrate integrity and honesty, to be considerate and cooperative, and to maintain professional and appropriate relationships with students, parents, staff members, and others.

The following employees must file a "Statement of Economic Interests" as required by the Illinois Governmental Ethics Act:

1. Superintendent
2. Building Principal
3. Head of any department
4. Any employee responsible for negotiating contracts, including collective bargaining agreement, in the amount of \$1,000 or greater
5. Hearing officer
6. Any employee having supervisory authority for 20 or more employees
7. Any employee in a position that requires an administrative or a chief school business official endorsement

### Ethics and Gift Ban

Board policy 2:105, *Ethics and Gift Ban*, applies to all District employees. Students shall not be used in any manner for promoting a political candidate or issue.

### Outside Employment and Conflict of Interest

No District employee shall be directly or indirectly interested in any contract, work, or business of the District, or in the sale of any article by or to the District, except when the employee is the author or developer of instructional materials listed with the State Board of Education and adopted for use by the Board. An employee having an interest in instructional materials must file an annual statement with the Board Secretary.

For the purpose of acquiring profit or personal gain, no employee shall act as an agent of the District nor shall an employee act as an agent of any business in any transaction with the District.

Employees shall not engage in any other employment or in any private business during regular working hours or at such other times as are necessary to fulfill appropriate assigned duties.

LEGAL REF.: U.S. Constitution, First Amendment.  
5 ILCS 420/4A-101.  
50 ILCS 135/1 *et seq.*  
105 ILCS 5/10-22.39, 5/22-5 and 5/24-22.  
Pickering v. Board of Township H.S. Dist. 205, 391 U.S. 563 (1968).  
Garcetti v. Ceballos, 547 U.S. 410 (2006)

CROSS REF: 2:105 (Ethics and Gift Ban); 5:100 (Staff Development Program)

ADOPTED: November 19, 2009

## **General Personnel**

### **Responsibilities Concerning Internal Information**

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

LEGAL REF.: 20 U.S.C. §1232g.  
45 C.F.R. §164.502.  
5 ILCS 140/1 et seq.  
50 ILCS 205/1 et seq.  
105 ILCS 10/1 et seq.  
820 ILCS 40/1 et seq.

CROSS REF.: 2:140 (Communications To and From the Board), 2:250 (Access to District Public Records), 5:150 (Personnel Records), 7:340 (Student Records)

## **General Personnel**

### **Solicitations By or From Staff**

District employees shall not solicit donations or sales, nor shall they be solicited for donations or sales, on school grounds without prior approval from the Superintendent.

CROSS REF.: 2:105 (Ethics and Gift Ban), 8:90 (Parent Organizations and Booster Clubs)

## **General Personnel**

### **Personnel Records**

The Superintendent shall manage the maintenance of personnel records in accordance with State and federal law and School Board policy. Records, as determined by the Superintendent, are retained for all employment applications, employees, and former employees, given the need for the District to document employment-related decisions, evaluate program and staff effectiveness, and comply with government recordkeeping and reporting requirements. Personnel records shall be maintained in the District's administrative office, under the Superintendent's or designee's direct supervision.

An employee will be given access to his or her personnel records according to State law and guidelines developed by the Superintendent. No one else may have access to an employee's personnel files and personal information except for: (1) a supervisor or management employee who has an employment or business-related reason to inspect the record, or (2) anyone who has the employee's written request.

The Superintendent or designee shall manage a process for responding to inquiries by a prospective employer concerning a current or former employee's job performance. The Superintendent shall execute the requirements in the Abused and Neglected Child Reporting Act whenever another school district asks for a reference concerning an applicant who is or was a District employee and is the subject of a report may by a District employee to DCFS.

When requested for information about an employee by an entity other than a prospective employer, the District will only confirm position and employment dates unless the employee has submitted a written request to the Superintendent or designee.

LEGAL REF.: 745 ILCS 45/10., 820 ILCS 40/1 et seq.  
23 Ill. Admin. Code § 1.660.

CROSS REF.: 2:250 (district records), 7:340 (Student Records)

## **General Personnel**

### **Copyright**

#### **Works Made for Hire**

The Superintendent shall manage the development of instructional materials and computer programs by employees during the scope of their employment in accordance with State and federal laws and School Board policies. Whenever an employee is assigned to develop instructional materials and/or computer programs, or otherwise performs work within the scope of his or her employment, it is assured the District shall be the owner of the copyright.

#### **Copyright Compliance**

While staff members may use appropriate supplementary materials, it is each staff member's responsibility to abide by the District's copyright compliance procedures and to obey the copyright laws. No staff member shall, without first obtaining the permission of the Superintendent or designee, install or download any program on a District-owned computer. The District is not responsible for any violations of the copyright laws by its staff or students. A staff member should contact the Superintendent, or the person designated as the copyright compliance officer, whenever the staff member is uncertain about whether using or copying material complies with the District's procedures or is permissible under the law, or wants assistance on when and how to obtain proper authorization. At no time shall it be necessary for a District staff member to violate copyright laws in order to properly perform his or her duties.

LEGAL REF.: Federal Copyright Law of 1976, 17 U.S.C. § 101 et seq.  
105 ILCS 5/10-23.10.

CROSS REF.: 6:235 (Access to Electronic Networks)

## **General Personnel**

### **Temporary Illness or Temporary Incapacity**

Temporary illness or temporary incapacity is an illness or other capacity of ill-being which renders an employee physically or mentally unable to perform assigned duties. During such a period, the employee can use accumulated sick leave benefits. However, income received from other sources (worker's compensation, District-paid insurance programs, etc.) will be deducted from the District's compensation liability to the employee. The Board of Education's intent is that in no case will the employee who is temporarily disabled receive more than 100 percent of gross salary.

Those insurance plans privately purchased by the employee and to which the District does not contribute, are not applicable to this policy.

If illness or incapacity, or any other condition causes an employee to be absent in one school year, after exhaustion of all available leave, for more than 90 consecutive work days, such absence may be considered a permanent disability and the Board of Education may consider beginning dismissal proceedings subject to State and federal law, including the Americans with Disabilities Act. The Superintendent may recommend this paragraph's use when circumstances strongly suggest that the employee returned to work intermittently in order to avoid this paragraph's application.

Any employee may be required to have an examination, at the District's expense, by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations if the examination is job-related and consistent with business necessity.

LEGAL REF.: Americans with Disabilities Act, 42 U.S.C. § 12102.  
105 ILCS 5/10-22.4, 5/24-12, and 5/24-13.  
Elder v. School Dist. No. 127 1/2, 208 N.E.2d 423 (1st Dist. Ill. 1965).  
Board of Education v. ISBE, 507 N.E.2d 134 (1st Dist. Ill. 1987).

CROSS REF.: 5:30 (Hiring Process and Criteria) 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

## **General Personnel**

### **Family and Medical Leave**

#### Leave Description

An eligible employee may use unpaid family and medical leave (FMLA leave), guaranteed by the federal Family and Medical Leave Act, for up to a combined total of 12 weeks per 12 months period.

During a single 12-month period, an eligible employee's FMLA leave entitlement may be extended to a total of 26 weeks of unpaid leave to care for a covered servicemember (defined herein) with a serious injury or illness. The "single 12-month period" is measured forward from the date the employee's first FMLA leave to care for the covered servicemember begins.

While FMLA leave is normally unpaid, the District may substitute an employee's accrued compensatory time-off and/or paid leave for unpaid FMLA leave. All policies and rules regarding the use of paid leave apply when paid leave is substituted for unpaid FMLA leave. Any substitution of paid leave for unpaid FMLA leave will count against the employee's FMLA leave entitlement. Use of FMLA leave shall not preclude the use of other applicable unpaid leave that will extend the employee's leave beyond 12 weeks, provided that the use of FMLA leave shall not serve to extend such other unpaid leave. Any full workweek period during which the employee would not have been required to work, including summer break, winter break and spring break, is not counted against the employee's FMLA leave entitlement.

FMLA leave is available in one or more of the following instances:

1. The birth and first-year care of a son or daughter.
2. The adoption or foster placement of a son or daughter, including absences from work that are necessary for the adoption or foster care to proceed and expiring at the end of the 12-month period beginning on the placement date.
3. The serious health condition of an employee's spouse, child, or parent.
4. The employee's own serious health condition that makes the employee unable to perform the functions of his or her job.
5. The existence of a qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation. A "covered military member" must be either a member of a Reserve component or a retired member of the regular Armed Forces or Reserve. "Qualifying exigencies" exist in the following categories: short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, rest and recuperation, post-deployment activities, and additional activities as provided in the FMLA regulations.
6. To care for the employee's spouse, child, parent, or next of kin who is a covered servicemember with a serious injury or illness. A "covered servicemember" is a member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty for which he or she is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list.

If spouses are employed by the District, they may together take only 12-weeks for FMLA leaves when the reason for the leave is 1 or 2, above, or to care for a parent with a serious health condition, or a combined total of 26 weeks for item 6 above.

An employee may be permitted to work on an intermittent or reduced-leave schedule in accordance with FMLA regulations.

#### Eligibility

To be eligible for FMLA leave, an employee must be employed at a worksite where at least 50 employees are employed within 75 miles. In addition, the following provision must describe the employee:

1. The employee has been employed by the District for at least 12 months and has been employed for at least 1,250 hours of service during the 12-month period immediately before the beginning of the leave. The 12 months an employee must have been employed by the District need not be consecutive. However, the District will not consider any period of previous employment that occurred more than 7 years before the date of the most recent hiring, except when the service break is due to National Guard or Reserve military service or when a written agreement exists concerning the District's intention to rehire the employee.

#### Requesting Leave

If the need for the FMLA leave is foreseeable, an employee must provide the Superintendent or designee with at least 30 days' advance notice before the leave is to begin. If 30 days' advance notice is not practicable, the notice must be given as soon as practicable. The employee shall make a reasonable effort to schedule a planned medical treatment so as not to disrupt the District's operations, subject to the approval of the health care provider administering the treatment. The employee shall provide at least verbal notice sufficient to make the Superintendent or designee aware that he or she needs FMLA leave, and the anticipated timing and duration of the leave. Failure to give the required notice for a foreseeable leave may result in a delay in granting the requested leave until at least 30 days after the date the employee provides notice.

#### Certification

Within 15 calendar days after the Superintendent or designee makes a request for certification for a FMLA leave, an employee must provide one of the following:

1. When the leave is to care for the employee's covered family member with a serious health condition, the employee must provide a certificate completed by the family member's health care provider.
2. When the leave is due to the employee's own serious health condition, the employee must provide a certificate completed by the employee's health care provider.
3. When the leave is to care for a covered servicemember with a serious illness or injury, the employee must provide a certificate completed by an authorized health care provider for the covered servicemember.
4. When the leave is because of a qualified exigency, the employee must provide a copy of the covered military member's active duty orders or other documentation issued by the military

indicating that the military member is on active duty or call to active duty status in support of a contingency operation, and the dates of the covered military member's active duty service.

The District may require an employee to obtain a second and third opinion at its expense when it has reason to doubt the validity of a medical certification.

The District may require recertification at reasonable intervals, but not more often than once every 30 days. Regardless of the length of time since the last request, the District may request recertification when the, (1) employee requests a leave extension, (2) circumstances described by the original certification change significantly, or (3) District receives information that casts doubt upon the continuing validity of the original certification. Recertification is at the employee's expense and must be provided to the District within 15 calendar days after the request. The District may request recertification every 6 months in connection with any absence by an employee needing an intermittent or reduced schedule leave for conditions with a duration in excess of 6 months.

Failure to furnish a complete and sufficient certification on forms provided by the District may result in a denial of the leave request.

#### Continuation of Health Benefits

During FMLA leave, employees are entitled to continuation of health benefits that would have been provided if they were working. Any share of health plan premiums being paid by the employee before taking the leave, must continue to be paid by the employee during the FMLA leave. A District's obligation to maintain health insurance coverage ceases if an employee's premium payment is more than 30 days late and the District notifies the employee at least 15 days before coverage will cease.

#### Changed Circumstances and Intent to Return

An employee must provide the Superintendent or designee reasonable notice of changed circumstances (i.e., within 2 business days if the changed circumstances are foreseeable) that will alter the duration of the FMLA leave. The Superintendent or designee, taking into consideration all of the relevant facts and circumstances related to an individual's leave situation, may ask an employee who has been on FMLA leave for 8 consecutive weeks whether he or she intends to return to work.

#### Return to Work

If returning from FMLA leave occasioned by the employee's own serious health condition, the employee is required to obtain and present certification from the employee's health care provider that he or she is able to resume work.

An employee returning from FMLA leave will be given an equivalent position to his or her position before the leave, subject to: (1) permissible limitations the District may impose as provided in the FMLA or implementing regulations, and (2) the District's reassignment policies and practices.

Classroom teachers may be required to wait to return to work until the next semester in certain situations as provided by the FMLA regulations.

#### Implementation

The Superintendent or designee shall ensure that: (1) all required notices and responses to leave requests are provided to employees in accordance with the FMLA; and (2) this policy is implemented in

accordance with the FMLA. In the event of a conflict between the policy and the FMLA or its regulations, the latter shall control. The terms used in this policy shall be defined as in the FMLA regulations.

LEGAL REF.: Family and Medical Leave Act, 29 U.S.C. §2601 et seq., 29 C.F.R. Part 825.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:250 (Leaves of Absence), 5:310 (Compensatory Time-Off), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

ADOPTED: April 23, 2009

## **Professional Personnel**

### **Teacher Qualifications**

A teacher, as the term is used in this policy, refers to a District employee who is required to be certified under State law. The following qualifications apply:

1. Each teacher must:
  - a. Have a valid Illinois certificate that legally qualifies the teacher for the duties for which the teacher is employed.
  - b. Provide the District Office with a complete transcript of credits earned in institutions of higher education and, annually by July 1, provide the District Office with a transcript of any credits earned since the date the last transcript was filed.
  - c. Notify the Superintendent of any change in the teacher's transcript.
2. All teachers with primary responsibility for instructing students in the core academic subject areas (science, the arts, reading or language arts, English, history, civics and government, economics, geography, foreign language, and mathematics) must be *highly qualified* for those assignments as determined by State and federal law.

The Superintendent or designee shall:

1. Monitor compliance with State and federal law requirements that teachers be appropriately certified and *highly qualified* for their assignments;
2. Through incentives for voluntary transfers, professional development, recruiting programs, or other effective strategies, ensure that minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers; and
3. Ensure parents/guardians of students in schools receiving Title I funds are notified: (a) of their right to request their students' classroom teachers' professional qualifications, and (b) whenever their child is assigned to, or has been taught for 4 or more consecutive weeks by, a teacher who is not *highly qualified*.

LEGAL REF.: 20 U.S.C. §6319.  
34 C.F.R §200.55, 56, 57, and 61.  
105 ILCS 5/10-20.15, 5/21-1, 5/21-10, 5/21-11.4, and 5/24-23.  
23 Ill.Admin.Code Part 25.

CROSS REF.: 6:170 (Title I Programs)

ADOPTED: August 28, 2008

## **Professional Personnel**

### **Terms and Conditions of Employment and Dismissal**

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

#### **Duty-Free Lunch**

Teachers employed for at least 4 hours per day shall receive a duty-free lunch equivalent to the student lunch period, or 30 minutes, whichever is longer.

#### **Holidays**

Teachers shall not be required to work on legal school holidays based on current guidelines of ILCS 5/242-2.

#### **School Year and Day**

Teachers shall work according to the school calendar adopted by the Board of Education, which shall have a minimum of 176 student attendance days and a minimum of 182 teacher work days, including teacher institute days.

Teachers are required to work the school day adopted by the Board of Education. The District accommodates employees who are nursing mothers according to provisions in the Nursing Mothers in the Workplace Act.

#### **Salary**

Teachers shall be paid according to the salary schedule adopted by the Board of Education, but in no case less than the minimum salary provided by The School Code. Teachers shall be paid at least monthly on a 10 or 12 monthly basis.

#### **Assignments and Transfers**

The Superintendent or designee is authorized to make teaching, study hall, extra class duty, and extracurricular assignments. In order of priority, assignments shall be made based on the District's needs and best interests, employee qualifications, and employee desires.

#### **Dismissal**

The District will follow State law when dismissing a teacher.

#### **Evaluation**

The District's teacher evaluation system will be conducted under the plan filed with the Illinois State Board of Education.

On an annual basis, the Superintendent shall provide the Board of Education with a written report which outlines the compliance and remediation of the District's teacher evaluation system.

LEGAL REF.: 105 ILCS 5/10-19, 5/18-8, 5/24-2, 5/24-8, 5/24-9, 5/24-21, 5/24A-4, and 5/24A-5.

Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487(1985).

CROSS REF.: 5:290(Employment Termination and Suspensions)

ADOPTED: April 28, 2005

## **Professional Personnel**

### **Resignations**

Tenured teachers may resign at any time with consent of the Board of Education or by written notice sent to the Secretary of the Board of Education at least 30 days before the intended date of resignation. However, no teacher may resign during the school term in order to accept another teaching position without the consent of the Board of Education.

LEGAL REF.: 105 ILCS 5/24-14.  
Park Forest Heights School Dist. V. State Teacher Certification Bd.,  
842 N.E.2d 1230 (Ill.App.1 2006)

CROSS REF.: 3:50 (administrative personnel)

## **Professional Personnel**

### **Substitute Teachers**

The Superintendent may employ substitute teachers as necessary to replace teachers who are temporarily absent.

A substitute teacher must hold a valid teaching or substitute certificate. Substitute teachers with a substitute certificate may teach only when an appropriate, fully-certificated teacher is unavailable.

A substitute teacher may teach only for a period not to exceed 90 paid school days or 450 paid school hours in any one school district in any one school term. A teacher holding an early childhood, elementary, high school, or special certificate may substitute teach for a period not to exceed 120 paid school days or 600 paid school hours in any one school district or in any one school term. TRA annuitants may return to full-time TRS-covered employment without loss of their pensions where the regional superintendent certifies that a personnel shortage exists in their subject area.

The Board of Education annually establishes a daily rate of pay for substitute teachers. No fringe benefits are provided to substitutes.

LEGAL REF.: 105 ILCS 5/21-9.  
23 Ill. Admin. Code § 1.790.

ADOPTED: November 19, 2009

## **Professional Personnel**

### **Maintaining Student Discipline**

Maintaining an orderly learning environment is an essential part of each teacher's instructional responsibilities. A teacher's ability to foster appropriate student behavior is an important factor in the teacher's educational effectiveness. The Superintendent shall ensure that teachers, other certificated employees, and persons providing a student's related service: (1) maintain discipline in the schools as required in The School Code, and follow the Board of Education policies and administrative procedures on student conduct and discipline.

When a student's behavior is unacceptable, the teacher shall first discuss the matter with the student. If the unacceptable behavior continues, the teacher shall consult with the Building Principal or designee and/or discuss the problem with the parent(s)/guardian(s). A teacher may remove any student from the learning setting whose behavior interferes with the lessons or participation of fellow students. A student's removal must be in accordance with Board policy and administrative procedures, and be consistent with the Code of Conduct.

Teachers shall not use disciplinary methods that may be damaging to students, such as ridicule, sarcasm, or excessive temper displays. Corporal punishment (including slapping, paddling or prolonged maintenance of a student in physically painful positions, and intentional infliction of bodily harm) may not be used. Teachers may use reasonable force as needed to keep students, school personnel, and others safe, or for self-defense or defense of property.

LEGAL REF.: 105 ILCS 5/24-24.  
23 Ill. Admin. Code §1.280.

CROSS REF.: 2:150 (Committees), 7:190(Student Discipline), 7:230 (Misconduct by Students with Disabilities), District 95 Code of Conduct

## **Professional Personnel**

### **Suspension**

#### **Suspension Without Pay**

The Board of Education may suspend without pay (1) a professional employee pending a dismissal hearing, or (2) a teacher as a disciplinary measure for up to 10 employment days for misconduct that is detrimental to the School District. Administrative staff members may be suspended without pay as a disciplinary measure in accordance with State and federal regulations.

Misconduct that is detrimental to the School District includes:

- Insubordination, including any failure to follow an oral or written directive from a supervisor
- Violation of Board policy or Administrative Procedure
- Conduct that disrupts or may disrupt the educational program or process
- Conduct that violates any State or federal law that relates to the employee's duties
- Other sufficient causes

At the request of the professional employee within 5 calendar days of receipt of a pre-suspension notification, the Board or Board-appointed hearing examiner will conduct a pre-suspension hearing. The Board or its designee shall notify the professional employee of the alleged charges and the date and time of the hearing. At the pre-suspension hearing, the professional employee or his/her representative may present evidence.

#### **Suspension With Pay**

The Board of Education or Superintendent or designee may suspend a professional employee with pay (1) during an investigation into allegations of disobedience or misconduct whenever the employee's continued presence in his or her position would not be in the School District's best interests, (2) as a disciplinary measure for misconduct that is detrimental to the School District as defined above, or (3) pending a Board hearing to suspend a teacher without pay.

The Superintendent shall meet with the employee to present the allegations, and give the employee an opportunity to refute the charges. The employee will be told the dates and times the suspension will begin and end.

Any criminal conviction resulting from the investigation or allegations shall require the employee to repay to the District all compensation and the value of all benefits received by the employee during the suspension. The Superintendent will notify the employee of this requirement when the employee is suspended.

LEGAL REF.: 5 ILCS 430 et seq., 105 ILCS 5/24-12.

Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487, (1985)

Barszcz v. Community College District No. 504, 400 F.Supp. 675 (N.D. Ill. (1975)

Massie v. East St. Louis School District. No. 198, 561 N.E.2<sup>nd</sup> 246 (Ill. App.5, 1990).

CROSS REF.: 5:290 (Educational Support Personnel – Employment Termination and Suspensions)

ADOPTED: March 26, 2009

## **Professional Personnel**

### **Leaves of Absence**

Each of the provisions in this policy applies to all professional personnel to the extent that it does not conflict with an applicable collective bargaining agreement or individual contract; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

### **Sick and Bereavement Leave**

Sick leave is defined in State law as personal illness, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, or placement for adoption.

As a condition of paying sick leave after 3 days absence for personal illness or 30 days for birth or as the Board or Superintendent deem necessary in other cases, the Board or designee may require that the staff member provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all its branches, (2) a chiropractic physician licensed under the Medical Practice Act, (3) an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, (4) a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations, or (5) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board requires a certificate during a leave of less than 3 days for personal illness, the District shall pay the expenses incurred by the employee.

The use of sick leave for adoption or placement for adoption is limited to 30 days with additional time available as outlined in the collective bargaining agreement. The Superintendent may require that the employee provide evidence that the formal adoption process is underway.

### **Leaves for Service in the Military**

Leaves for service in the U. S. Armed Services, as well as any re-employment rights shall be granted in accordance with State and federal law. A professional staff member hired to replace one in military service does not acquire tenure.

### **General Assembly**

Leaves for service in the General Assembly, as well as any re-employment rights shall be granted in accordance with State and federal law. A professional staff member hired to replace one in military service does not acquire tenure.

### **Leave for Employment in Department of Defense**

The Board of Education may grant teachers a leave of absence to accept employment in a Department of Defense overseas school.

### School Visitation Leave

A full-time professional staff member is entitled to 8 hours during any school year, no more than 4 hours of which may be taken on any given day, to attend school conferences or classroom activities related to the employee's child, if the conference or activity cannot be scheduled during non-work hours. Professional staff members must first use all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the professional staff member, except sick and disability leave.

The Superintendent shall develop administrative procedures implementing this policy consistent with the School Visitation Rights Act.

### Leaves for Victims of Domestic or Sexual Violence

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic or sexual violence, or (2) has a family or household member who is a victim of domestic or sexual violence who interests are not adverse to the employee as it relates to the domestic or sexual violence.

The unpaid leave allows the employee to seek medical help, legal assistance, counseling, safety planning, and other assistance without suffering adverse employment action.

The Victim' Economic Security and Safety Act, governs the purpose, requirements, scheduling, and continuity of benefits, and all other terms of the leave. Accordingly, if the District employs at least 50 employees, an employee is entitled to a total of 12 work weeks of unpaid leave during any 12-month period. Neither the law nor this policy creates a right for an employee to take unpaid leave that exceeds the unpaid leave time allowed under, or is in addition to the unpaid leave permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C § 2601, et seq.)

### Other Leaves

Upon request, the Board of Education will grant: (1) an unpaid leave of absence to a teacher who is elected to serve as an officer of a State or national teacher organization that represents teachers in collective bargaining negotiations, (2) 20 days of paid leave of absence per year to a trustee of the Teachers' Retirement System in accordance with 105 ILCS 5/24-6.3, and (3) a paid leave of absence for the local association president of a State teacher association that is an exclusive bargaining agent in the District, or his or her designee, to attend meeting, workshops, or seminars as described in 105 ILCS 5/24-6.2.

LEGAL REF.: 20 ILCS 1805/30. 1 et seq.,  
105 ILCS 5/24-6, 5/24-6.1, 5/24-6.2, 5/24-6.3, 5/24-13, and 5/24-13.1, 820 ILCS  
147/1. et seq5., 820 ILCS 147/15.  
820 ILCS 147/1 et seq.  
820 ILCS 147/15.  
Victims' Economic Security and Safety Act, P.A. 93-591.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical  
Leave), 5:330 (Sick Days, Vacation, Holidays, and Leaves

ADOPTED: November 19, 2009

## **Professional Personnel**

### **Student Teachers**

The District may provide opportunities to students in approved teacher training programs from colleges and universities to do student teaching in the District. The Superintendent or designee shall be responsible for screening qualifications and for their orientation, assignment and training program.

Student teachers will be assigned to supervising teachers whose qualifications are acceptable to the student's college or university and District administrator. Potential student teachers must provide evidence of criminal background checks and absence of Tuberculosis as outlined in the acceptance agreement between the district and university approved teacher training programs.

LEGAL REF.: 105 ILCS 5/10-22.34.

ADOPTED: April 28, 2005

## **Educational Support Personnel**

### **Employment At-Will, Compensation, and Assignment**

#### Employment At-Will

Unless otherwise specifically provided, District employment is at-will, meaning that employment may be terminated by the District or employee at any time for any reason or no reason at all. A dismissal for reduction in force requires 30 days written notice before the employee is removed or dismissed. For the purposes of reduction in force, educational support personnel are granted seniority and recall rights within their respective categories of position. Nothing in Board of Education policy is intended or should be construed as altering the employment at-will relationship.

#### Compensation

The Board of Education will determine salary and wages for educational support personnel. Increments are dependent on evidence of continuing satisfactory performance. An employee covered by the overtime provisions in the Fair Labor Standards Act, 29 U.S.C. § 201 et seq., works overtime whenever the employee works more than 40 hours during a single workweek. Overtime will not be allowed without prior authorization from the employee's immediate supervisor. Educational support personnel are paid twice monthly.

#### Assignment

The Superintendent or designee is authorized to make assignments and transfers of educational support personnel.

LEGAL REF.: 105 ILCS 5/10-22.34 and 5/10-23.5.  
Duldulao v. St. Mary of Nazareth Hospital, 483 N.E. 2d 956 (Ill. App. 1 Dist. 1985).  
Kaiser v. Dixon, 468 N.E. 2d 822 (Ill. App. 2d Dist. 1984).

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:35 (Compliance with the Fair Labor Standards Act), 5:290 (Educational Support Personnel - Employment Termination and Suspensions), 5:310 (Educational Support Personnel - Compensatory Time-Off)

## **Educational Support Personnel**

### **Duties and Qualifications**

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

### **Paraprofessionals and Teacher Aides**

"Paraprofessionals" and "teacher aides" are noncertificated personnel with instructional duties; the terms are synonymous. Service as a paraprofessional or teacher aide requires a "statement of approval" issued by the Illinois State Board of Education (ISBE). A paraprofessional or teacher aide in a targeted assistance program that is paid with federal funds under Title I, Part A, or in a school-wide program that is supported with such funds, shall hold a "statement of approval," issued by the ISBE, for this purpose.

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

### **Noncertificated Personnel Working with Students Performing Non-Instructional Duties**

Noncertificated personnel performing non-instructional duties may be used:

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

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

### **Coaches and Athletic Trainers**

Athletic coaches and trainers shall have the qualifications required by any association in which the School District maintains a membership. The coach for an extracurricular athletic activity sponsored or sanctioned by the Illinois High School Association (IHSA) at or above the ninth grade level must have completed the IHSA's educational program and competency testing on preventing abuse of performance enhancing substances. Regardless of whether the athletic activity is governed by an association, the Superintendent or designee shall ensure that each athletic coach: (1) is knowledgeable regarding coaching principles, (2) has first aid training, and (3) is a trained Automatic Defibrillator user according to rules adopted by the Illinois Department of Public Health. Anyone performing athletic training services shall be licensed under the Illinois Athletic Trainers Practice Act, be an

athletic trainer aide performing care activities under the on-site supervision of a licensed athletic trainer, or otherwise be qualified to perform athletic trainer activities under State law.

#### Bus Drivers

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

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

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

## **Educational Support Personnel**

### **Drug and Alcohol Testing For School Bus and Commercial Vehicle Drivers**

The District shall adhere to federal law and regulations requiring a drug and alcohol testing program for school bus and commercial vehicle drivers.

This program shall comply with the requirements of the Code of Federal Regulations, Title 49 § 382 et seq. The Superintendent or designee shall adopt and enact regulations consistent with the federal regulations, defining the circumstances and procedures for the testing.

LEGAL REF.:       49 U.S.C. § 2717, Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991).  
                      49 C.F.R. Parts 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs), 382 (Controlled Substance and Alcohol Use and Testing), and 395 (Hours of Service of Drivers).

CROSS REF.:       4:110 (Transportation), 5:30 (Hiring Process and Criteria), 5:280 (Duties and Qualifications)

## **Educational Support Personnel**

### **Employment Termination and Suspensions**

#### **Resignation and Retirement**

An employee is requested to provide 2 weeks' notice of a resignation. In most cases, resigning employees are permitted to work to their effective resignation date. A resignation notice cannot be revoked once given. An employee planning to retire should notify his or her supervisor at least 2 months before the retirement date.

#### **Non-RIF Dismissal**

The District may terminate an at-will employee at any time, subject to State and federal law. The Superintendent or supervisor may recommend an employee's discharge subject to the Board of Education's approval. The Superintendent is responsible for making dismissal recommendations to the Board of Education consistent with the Board's goal of having a highly qualified, high performing staff.

#### **Reduction in Force and Recall**

This section is applicable whenever the Board decides to decrease the number of educational support personnel or to discontinue some particular type of educational support service and, as a result of that action, an educational support employee is removed, dismissed, or his or her hours are reduced.

The Board shall use a seniority list to determine the order of dismissal or removal. The seniority list, categorized by positions, shows the length of continuing service of each full-time educational support employee. The employee with the shorter length of continuing service within the respective category of position shall be dismissed first.

Except as provided below, written notice will be given the employee by certified mail, return receipt requested, at least 30 days before the employee is removed or dismissed, or his or her hours are reduced, together with a statement of honorable dismissal and the reason therefore if applicable. The prior written notice will be extended to at least 90 days if the lay-off is due to the District entering into a contract with a third party for non-instructional services. The prior written notice will be shortened to at least 5 days before an employee's hours are reduced as a result of an unforeseen reduction in the student population.

Any vacancies for the following school term or within one calendar year from the beginning of the following school term, shall be offered to the employees so removed or dismissed from that category or any other category of position provided they are qualified to hold such positions.

#### **Final Paycheck**

A terminating employee's final paycheck will be adjusted for any unused, earned vacation credit. Employees are paid for all earned vacation. Terminating employees will receive their final pay on the next regular payday following the date of termination, except that an employee dismissed due to a reduction in force shall receive his or her final paycheck on or before the third business day following the last day of employment.

Suspension

Except as provided below, the Superintendent or designee is authorized to suspend an employee without pay as a disciplinary measure, during an investigation into allegations of misconduct, or pending a dismissal hearing whenever, in the Superintendent's judgment, the employee's presence is detrimental to the District. A disciplinary suspension shall be with pay (1) when the employee is exempt from the overtime provisions of the federal wage and hour laws, or (2) until an employee with an employment contract for a definite term is provided a notice and hearing according to the suspension policy for professional employees.

Any criminal conviction resulting from the investigation or allegations shall require the employee to repay the District all compensation and the value of all benefits received by the employee during the suspension. The Superintendent will notify the employee of this requirement when the employee is suspended.

LEGAL REF.: 5 ILCS 430 et seq, 105 ILCS 5/10- 22.34c and 5/10 23.5.

CROSS REF.: 5:240 (Professional Personnel - Suspensions), 5:270 (Educational Support Personnel – Employment At-Will, Compensation and Assignment)

## **Educational Support Personnel**

### **Schedules and Employment Year**

#### Work Day

The standard work-day is eight and one-half (8 ½) hours, which includes an unpaid duty-free lunch. Specific work hours vary with responsibilities and must be authorized by the supervising administrator. An alternate work schedule may be offered during the Summer, Winter, and Spring recess periods.

#### Work Year (see individual job descriptions)

The standard work week shall be Monday through Friday.

Employees whose work year is 12 months, work from July 1 through the following June 30th.

- A. Employees whose work year is 11 months do not work 4 weeks during the month of July.
- B. Employees whose work year is 10 months have a work year that generally coincides with the dates of student attendance in the school calendar.

#### School Year Employees

School year employees work the school calendar year unless otherwise specified. Classroom aides work a schedule subject to building needs as determined by the Building Principal.

#### Hourly Employees

Work as needed and approved by immediate supervisor.

#### Lunch and Break Periods

Each day, employees scheduled to work (7) seven or more hours, shall have a minimum duty-free lunch break equivalent to 30 minutes (unpaid) and 2 breaks of 15 minutes each. One break per day may be used to extend the lunch period. Times shall be mutually agreed upon by employee and supervisor. Elimination of 15-minute break(s) or the lunch break, or both, does not entitle an employee to leave early. For employees working less than 7 hours per day, the amount of time used for breaks will be reduced proportionately with a 15-minute break for each 4 hours of work.

The District accommodates employees who are nursing mothers according to provisions in the Nursing Mothers in the Workplace Act. P.A. 92-0068.

LEGAL REF.: Fair Labor Standards Act, 29 U.S.C §207 et seq.

P.A. 90-0068 (Nursing Mothers in the Workplace Act)

105 ILCS 5/10-20.14a, 5/10-22.34, and 5/10-23.5.

## **Educational Support Personnel**

### **Compensatory Time-Off**

This policy governs the use of compensatory time-off by employees who: (1) are covered by the overtime provisions of the Fair Labor Standards Act, 29 U.S.C., and (2) are not represented by an exclusive bargaining representative.

With prior authorization from the employee's immediate supervisor, employees may be given 1-1/2 hours of compensatory time-off in lieu of cash payment for each hour of overtime worked. Other than as provided below, at no time may an employee's accumulated compensatory time-off exceed 60 hours, which represents compensation for 40 hours of overtime. If an employee accrues the maximum number of compensatory time-off hours, the employee: (1) is paid for any additional overtime hours worked, at the rate of one and one-half times the employee's regular hourly rate of pay, and (2) does not accumulate compensatory time-off until the employee uses an equal amount of accrued time-off.

An employee who has accrued compensatory time-off shall be permitted to use such time in at least half-day components provided such requests do not unduly disrupt the District's operations. The employee's supervisor must approve a request to use compensatory time-off. Employees may accrue compensatory time from September 1<sup>st</sup> through August 31<sup>st</sup> of each year to be used by the following-October 15<sup>th</sup>. Compensatory time not used by-October 15<sup>th</sup> of the following year will be paid out to the employee on the-November 15<sup>th</sup> payroll.

Upon termination of employment, an employee will be paid for unused compensatory time at the higher of:

1. The average regular rate received by such employee during the last three years of employment; or
2. The final regular rate received by such employee.

Compensatory time-off is time during which the employee is not working and is, therefore, not counted as "hours worked" for purposes of overtime compensation.

### **Implementation**

The Superintendent or designee shall implement this policy in accordance with the FLSA. In the event of a conflict between the policy and the FLSA, the latter shall control.

LEGAL REF.: Fair Labor Standards Act, 29 U.S.C. § 201 et seq.; 29 C.F.R. Part 553.

CROSS REF.: 5:35 (Compliance with the Fair Labor Standards Act), 5:185 (Family and Medical Leave), 5:270 (Employment At-Will, Compensation and Assignment)

ADOPTED: February 25, 2010

## **Educational Support Personnel**

### **Evaluation**

The Superintendent is responsible for designing and implementing a program for evaluating the job performance of each educational support staff member according to standards contained in Board policies as well as in compliance with State law.

The standards for the evaluation program shall include, but not be limited to:

1. Each employee shall be evaluated annually, before the annual salary review.
2. The direct supervisor shall provide input.
3. The employees work quality, promptness, attendance, reliability, conduct, judgment, and cooperation shall be considered.
4. The employee shall receive a copy of the annual evaluation and be given an opportunity to discuss it. The original shall be filed with the Superintendent.
5. All evaluation shall comply with State and federal law.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:150 (Personnel Records)

ADOPTED: November 16, 2006

## **Educational Support Personnel**

Educational Support Personnel are grouped into several categories. The Superintendent will annually define the classifications of employees and their corresponding benefits.

### **Sick Days, Vacation, Holidays, and Leaves**

#### Sick Days

Sick leave is defined in State law as personal illness, quarantine at home, serious illness or death in the immediate family or household, or birth, adoption, or placement for adoption. The Superintendent and/or designee shall monitor the use of sick leave.

As a condition of paying sick leave after 3 days absence for personal illness or 30 days for birth or as the Board or Superintendent deem necessary in other cases, the Board or designee may require that the staff member provide a certificate from: (1) a physician licensed in Illinois to practice medicine and surgery in all its branches, (2) a chiropractic physician licensed under the Medical Practice Act, (3) an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, (4) a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations, or (5) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board requires a certificate during a leave of less than 3 days for personal illness, the District shall pay the expenses incurred by the employee.

The use of sick leave for adoption or placement for adoption is limited to 30 days with additional time available as outlined in the collective bargaining agreement. The Superintendent may require that the employee provide evidence that the formal adoption process is underway.

#### Employees with a 12 month work year working 600 hours or more per year:

A minimum of twelve days are granted per year, except that newly employed 12 month ESP employees are granted sick leave on the basis of 1 day per month until June 30<sup>th</sup> after satisfying a 30-day waiting period. Sick leave shall be allowed to accumulate to 240 days.

#### Employees with an 11 month work year working 600 hours or more per year:

Eleven days are granted per year, except that newly employed 11 month employees are granted sick leave on the basis of 1 day per month until June 30<sup>th</sup> after satisfying a 30-day waiting period. Sick leave shall be allowed to accumulate to 240 days.

#### Employees with a 10 month work year working 600 hours or more per year:

Ten days are granted per year, except that newly employed 10 month employees are granted sick leave on the basis of 1 day per month until June 30<sup>th</sup> after satisfying a 30 day waiting period. Sick leave shall be allowed to accumulate to 240 days.

ADOPTED: November 19, 2009

### Vacation

Only twelve-month employees shall be eligible for paid vacation days.

Eligible employees are granted vacation with pay and are expected to arrange their vacations with approval from the immediate supervisor. A vacation day is considered to be an 8 hour work day.

Vacation time may be used in half day increments. The number of vacation days granted to an employee is a function of the employee's length of service for a fiscal year (July 1 through June 30) and not on the employee's anniversary date.

Newly Hired Employees are allowed vacation time on a prorated basis for the number of months worked through June 30<sup>th</sup> after satisfying a ninety (90) day waiting period. The proration is based on a maximum of ten (10) days allowed and will be rounded to the nearest half day. For example, an employee that works five months prior to June 30<sup>th</sup> is eligible for 5/12ths of the total allotment of 10 (10) days for a prorated amount of 4 days until June 30<sup>th</sup>.

On July 1<sup>st</sup>, employees with five (5) years or less of service will be granted ten (10) days of vacation for use that fiscal year.

Six (6) years of service through Ten (10) years of service: Employees with six (6) through ten (10) years of service on July 1<sup>st</sup> will be granted ten (10) days vacation plus one (1) day of vacation for each full year of employment after the sixth year based upon the fiscal year for use that fiscal year.

Eleven (11) years through Fifteen (15) years of service: Employees with eleven (11) through fifteen (15) years of service on July 1<sup>st</sup> will be granted fifteen (15) days vacation plus one (1) day of vacation for each full year of employment after the tenth year based upon the fiscal year for use that fiscal year.

Employees receive time in a "lump sum". With the exception of first year employees, all time granted on July 1<sup>st</sup> is earned and available for use for the fiscal year.

Vacation days awarded but not used may be carried over for use by the following January 15<sup>th</sup> after the fiscal year. Any carried over time not used by January 15<sup>th</sup> of the year following the end of the fiscal year will be lost.

If an employee leaves the district and is eligible for vacation days, payment will be made for unused vacation time if proper written notice termination is provided. If an employee resigns while on vacation, however, the termination date is considered to be the last day worked.

### Holidays

The District provides paid holidays for full time 10, 11 and 12 month employees. Approved holidays are those that fall during the employee's scheduled work year and are district observed and approved holidays. The number of days may vary from year to year based on the school calendar, date of the holiday, and set observed dates of the holiday.

The following is a representation of school holidays customarily taken in a given year.

ADOPTED: November 19, 2009

Sample Approved Holidays for 12-month staff:

New Year's Day	Columbus Day
President's Day	Veteran's Day (when observed)
Good Friday (non-attendance day)	Thanksgiving Day
Memorial Day	Day After Thanksgiving
July 4th	Martin Luther King's Birthday
Labor Day	Christmas Day

Sample Approved Holidays for 10 and 11-month staff:

President's Day	Columbus Day
Good Friday (non-attendance day)	Veteran's Day (when observed)
Memorial Day	Thanksgiving Day
Labor Day	Martin Luther King's Birthday

The Board of Education may be required at times to shut down school buildings. Enforced periods of shutdown are days without pay. On days when schools are closed for emergency weather conditions, staff will be paid only if they work or otherwise designated by the Superintendent.

Personal Leave

Full-time educational support personnel will be provided two personal leave days per year. The use of personal day(s) is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, a personal leave request should be submitted to the Building Principal 3 days before the requested date.
2. No personal leave day may be used immediately before or immediately after a holiday, or during the first and/or last 5 days of the school year, unless prior approval is granted by the Superintendent.
3. Personal leave may not be used in increments of less than one-half day.
4. Personal leave is subject to any necessary replacement's availability.
5. Personal leave may not be used on an in-service training day.
6. Personal leave may not be used when the employee's absence would create an undue hardship.
7. Unused personal leave days will be added to the accumulated sick leave total. Personal leave days do not carry over and may not be accumulated as additional personal leave days.

ADOPTED: November 19, 2009

Leaves to Serve as a Trustee of the Illinois Municipal Retirement Fund

Upon request, the Board will grant 20 days of paid leave of absence per year to a trustee of the Illinois Municipal Retirement Fund in accordance with 105 ILCS 5/24-6.3.

Leaves For Service in the Military and General Assembly

Educational support personnel receive the military and General Assembly leaves.

Bereavement Leave

Educational support personnel receive the bereavement leave on the same terms and conditions granted professional staff.

School Visitation Leave

Educational support personnel receive school visitation leave.

Leaves for Victims of Domestic or Sexual Violence

Educational support personnel receive a leave for victims of domestic or sexual violence.

LEGAL REF.: 20 ILCS 1805/30.1 et.seq.  
105 ILCS 5/10-20.7b, 5/24-2, and 5/24-6.  
820 ILCS 147.

CROSS REF.: 5:180 (Temporary Illness or Temporary Incapacity), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence)

ADOPTED: November 19, 2009