

# Capital Area Career Center

## Table of Contents

### Capital Area Career Center

#### **SECTION 1 - CENTER ORGANIZATION**

1:10 CACC Legal Status

1:15 Membership

1:30 Mission

#### **SECTION 2 - CENTER BOARD**

2:10 CACC Governance

2:20 Powers and Duties of the Center Board; Indemnification

2:50 Term of Office

2:60 Board Member Removal from Office

2:80-E Exhibit - Board of Control and Executive Council Members, Code of Conduct

2:100 Conflict of Interest

2:105 Ethics and Gift Ban

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

2:125 Board Member Compensation; Expenses

2:125-E1 Exhibit - Board Member Expense Reimbursement Form

2:125-E2 Exhibit - Board Member Estimated Expense Approval Form

2:130 Board-Director Relationship

2:140 Communications To and From the Board

2:140-E Exhibit - Guidance for Board Member Communications, Including Email Use

2:150 Committees

2:160 Board Attorney

2:160-E Exhibit - Checklist for Selecting a Board Attorney

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

2:200 Types of Center Board Meetings

2:220 Center Board Meeting Procedure

2:220-E1 Exhibit - Board Treatment of Closed Meeting Verbatim Recordings and Minutes

2:220-E2 Exhibit - Motion to Adjourn to Closed Meeting

2:220-E3 Exhibit - Closed Meeting Minutes

2:220-E4 Exhibit - Open Meeting Minutes

2:220-E5 Exhibit - Semi-Annual Review of Closed Meeting Minutes

2:220-E6 Exhibit - Log of Closed Meeting Minutes

2:220-E7 Exhibit - Access to Closed Meeting Minutes and Verbatim Recordings

2:220-E8 Exhibit - Center Board Records Maintenance Requirements and FAQs

2:220-E9 Exhibit - Requirements for No Physical Presence of Quorum and Participation by Audio or Video During Disaster Declaration

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

2:240 Board Policy Development

2:240-E1 Exhibit - PRESS Issue Updates

2:240-E2 Exhibit - Developing Local Policy

2:250 Access to CACC Public Records

2:260 Uniform Grievance Procedure

2:265 Title IX Sexual Harassment Grievance Procedure

### **SECTION 3 - GENERAL CACC ADMINISTRATION**

3:10 Goals and Objectives

3:30 Chain of Command

3:30-E CACC/CASPN Organizational Chart

3:40 Director

3:40-E Exhibit - Checklist for the Director Employment Contract Negotiation Process

3:50 Administrative Personnel Other Than the Director

3:60 Administrative Responsibility of the Building Principal and Nurse Administrator

3:70 Succession of Authority

### **SECTION 4 - OPERATIONAL SERVICES**

4:10 Fiscal and Business Management

4:15 Identity Protection

4:30 Revenue and Investments

4:40 Incurring Debt

4:45 Insufficient Fund Checks and Debt Recovery

4:50 Payment Procedures

4:55 Use of Credit and Procurement Cards

4:60 Purchases and Contracts

4:60-AP4 Administrative Procedure - Federal Award Procurement Procedures

4:60-AP4, E1 Exhibit - Internal Procedures for Procurement Transactions

4:70 Resource Conservation

4:80 Accounting and Audits

4:82 Operational Services - Capital Assets

4:90 Activity Funds

4:100 Insurance Management

4:110 Transportation

4:150 Facility Management and Building Programs

4:160 Environmental Quality of Buildings and Grounds

4:170 Safety

4:175 Convicted Child Sex Offender; Screening; Notifications

4:180 Pandemic Preparedness; Management; and Recovery

## **SECTION 5 - PERSONNEL**

General Personnel

5:10 Equal Employment Opportunity and Minority Recruitment

5:20 Workplace Harassment Prohibited

5:30 Hiring Process and Criteria

5:35 Compliance with the Fair Labor Standards Act

5:40 Communicable and Chronic Infectious Disease

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

5:60 Expenses

5:60-E1 Exhibit - Employee Expense Reimbursement Form

5:60-E2 Exhibit - Employee Estimated Expense Approval Form

5:70 Religious Holidays

5:80 Court Duty

- 5:90 Abused and Neglected Child Reporting
- 5:100 Staff Development Program
- 5:120 Employee Ethics; Conduct; and Conflict of Interest
- 5:125 Personal Technology and Social Media; Usage and Conduct
- 5:130 Responsibilities Concerning Internal Information
- 5:140 Solicitations By or From Staff
- 5:150 Personnel Records
- 5:170 Copyright
- 5:180 Temporary Illness or Temporary Incapacity
- 5:185 Family and Medical Leave

#### Professional Personnel

- 5:190 Teacher Qualifications
- 5:200 Terms and Conditions of Employment and Dismissal
- 5:210 Resignations
- 5:220 Substitute Teachers
- 5:230 Maintaining Student Discipline
- 5:240 Suspension
- 5:250 Leaves of Absence
- 5:260 Student Teachers

#### Educational Support Personnel

- 5:270 Employment At-Will, Compensation, and Assignment
- 5:280 Duties and Qualifications
- 5:290 Employment Termination and Suspensions
- 5:300 Schedules and Employment Year
- 5:310 Compensatory Time-Off
- 5:320 Evaluation
- 5:330 Sick Days, Vacation, Holidays, and Leaves

### **SECTION 6 - INSTRUCTION**

- 6:10 Educational Philosophy and Objectives
- 6:15 CACC Accountability

6:20 Calendar and Day  
6:30 Organization of Instruction and Curriculum Development  
6:60 Curriculum Content  
6:70 Teaching About Religions  
6:80 Teaching About Controversial Issues  
6:100 Using Animals in the Educational Program  
6:120 Education of Children with Disabilities  
6:190 Extracurricular and Co-Curricular Activities  
6:210 Instructional Materials  
6:235 Access to Electronic Networks  
6:240 Field Trips  
6:250 Community Resource Persons and Volunteers  
6:255 Assemblies and Ceremonies  
6:260 Complaints About Curriculum, Instructional Materials, and Programs  
6:270 Guidance and Counseling Program  
6:280 Grading and Promotion  
6:290 Homework

## **SECTION 7 - STUDENTS**

7:10 Equal Educational Opportunities  
    7:10-E Exhibit - Equal Educational Opportunities Within CACC Community  
7:15 Student and Family Privacy Rights  
7:20 Harassment of Students Prohibited  
7:30 Student Assignment  
7:40 Nonpublic School Students, Including Parochial and Home-Schooled Students  
7:70 Attendance and Truancy  
7:80 Release Time for Religious Instruction/Observance  
7:90 Release During School Hours  
7:100 Health and Eye Examinations; Immunizations; and Exclusion of Students  
7:130 Student Rights and Responsibilities  
7:140 Search and Seizure

7:150 Agency and Police Interviews

7:160 Student Appearance

7:170 Vandalism

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

7:185 Teen Dating Violence Prohibited

7:190 Student Behavior

7:200 Suspension and Removal Procedures

7:210 Removal Procedures

7:230 Misconduct by Students with Disabilities

7:240 Conduct Code for Participants in Extracurricular Activities

7:250 Student Support Services

7:270 Administering Medicines to Students

7:275 Orders to Forgo Life-Sustaining Treatment

7:280 Communicable and Chronic Infectious Disease

7:285 Food Allergy Management Program

7:290 Suicide and Depression Awareness and Prevention

7:305 Student Athlete Concussions and Head Injuries

7:315 Restrictions on Publications; High Schools

7:325 Student Fundraising Activities

7:330 Student Use of Buildings - Equal Access

7:340 Student Records

7:342 CASPN Students

7:345 Use of Educational Technologies; Student Data Privacy and Security

## **SECTION 8 - COMMUNITY RELATIONS**

8:10 Connection with the Community

8:20 Community Use of CACC Facilities

8:25 Advertising and Distributing Materials Provided by Non-CACC Related Entities

8:30 Visitors to and Conduct on CACC Property

8:70 Accommodating Individuals with Disabilities

8:80 Gifts to CACC

8:95 Parental Involvement

8:100 Relations with Other Organizations and Agencies

8:110 Public Suggestions and Concerns

**Capital Area Career Center**

# Capital Area Career Center

## POLICY MANUAL

The online manual provides the district's board of education policies, regulations, and related documents in a fully searchable, easy-to-use format.

### Navigation

- Access the Table of Contents (TOC) using the main menu at top left.
- Search with confidence using the search box atop every page.
- Share or print from your mobile device using the document-specific menu at top right of each document.

### Questions?

If you have any questions or comments regarding this manual, please contact the local district office.

**Capital Area Career Center**



**SECTION 1 - CENTER ORGANIZATION**

**Capital Area Career Center**

## **1:10 CACC Legal Status**

The Illinois Constitution requires the State to provide for an efficient system of high quality public educational institutions and services in order to achieve the educational development of all persons to the limits of their capabilities.

The General Assembly has implemented this constitutional mandate in part through the creation of Area Centers. Capital Area Career Center, hereinafter referred to as CACC, is governed by such mandates.

The CACC Board of Control shall serve as the administrative and legal entity for the Center.

The Board of Control constitutes a body corporate that possesses all the usual powers of a corporation for public purposes, and in that name may sue and be sued, purchase, hold and sell personal property and real estate, and enter into such obligations as are authorized by law.

LEGAL REF.:Ill. Constitution, Art. X, Sec. 1.

105 ILCS 5/10-1 et seq.

23 Ill.Admin.Code Part 226.

CROSS REF.:2:10 (CACC Governance)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **1:15 Membership**

Membership in this Area Center shall be extended to all schools within a reasonable distance from the Area Center that meet the requirements of the Intergovernmental Cooperation Agreement Among Participating Districts For the Capital Area Career Center and all applicable laws and regulations, including those of the Board of control.

CROSS REF: Intergovernmental Cooperation Agreement Among Participating Districts For the Capital Area Career Center

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **1:30 Mission**

### Mission Statement

To provide innovative career and technical education to our local school districts and the communities that we serve.

### Vision Statement

To be the premier choice for career and technical education.

### Core Beliefs

Capital Area Career Center believes:

- Career and technical education is the first step toward workforce readiness.
- All students should have the opportunity to explore their own paths guided by experienced staff, business partners, and community organizations so they achieve their potential.
- It is important to demonstrate appropriate personal, interpersonal, and professional skills and behaviors.
- Our school engages students in skills-based, hands-on training utilizing today's technology.
- It is our responsibility to provide an inclusive environment for all students and staff.

### CASPN Mission Statement

In addition to the mission of the Capital Area Career Center, the mission of the Capital Area of Practical Nursing is "To provide quality educational opportunities for students to develop the knowledge, skills, and attitudes necessary to succeed and advance in the nursing profession, serving a culturally diverse community in a variety of healthcare settings".

CROSS REF: 6:10 (Educational Philosophy and Objectives)

Adopted: June 18, 2020

**Capital Area Career Center**

**SECTION 2 - CENTER BOARD**

**Capital Area Career Center**

## **2:10 CACC Governance**

CACC is governed by a Board of Control whose membership, responsibilities and authority shall be as described in the Intergovernmental Cooperation Agreement.

The Board's powers and duties include the authority to adopt, enforce, and monitor all policies for the management and governance of the CACC's programs and services.

In addition, there is an Executive Council whose membership, responsibilities, and authority shall be as described in Intergovernmental Cooperation Agreement.

The ultimate responsibility for fiscal and policy matters rests with the Board of Control based on recommendations from the Executive Council. The ultimate responsibility for personnel matters rests with the Executive Council.

Official action may only occur at a duly called and legally conducted meeting at which a quorum is physically present. Board members, as individuals, have no authority over CACC affairs, except as provided by law or as authorized by the Board.

### CASPN Governance

The Capital Area School of Practical Nursing program is operated under the administration of the Capital Area Career Center in cooperation with the Illinois Community College Board, and with the approval of the Illinois Department of Financial and Professional Regulation.

LEGAL REF.:5 ILCS 120/.

105 ILCS 5/10-20, 5/10-20.5, and 5/10-22.31.

CROSS REF.:1:10 (CACC Legal Status), Intergovernmental Cooperation Agreement Among Participating Districts For the Capital Area Career Center

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **2:20 Powers and Duties of the Center Board; Indemnification**

### Board of Control

The Board of Control shall, with the advice of the Executive Council, approve policies for the Area Center, and shall be responsible for employment of the Director.

The Board of Control shall, at its regular June meeting, receive the budget prepared by the Director and recommended by the Executive Council, and shall adopt a budget for publication, hearing and ratification.

The Board of Control fulfills its role:

1. in the area of education by ensuring high skill, high demand, quality programs of instruction and then initiating improvements beyond these minimums.
2. in the area of facilities by projecting Center needs, considering:
  - a. the financial resources of the Center;
  - b. the safety and welfare of the users of the buildings and grounds;
  - c. relations with the total community; and
  - d. then planning to meet those needs.

The major powers and duties of the Board of Control include, but are not limited to:

1. Formulating, adopting, and modifying Board of Control policies, at its sole discretion, subject only to mandatory collective bargaining agreements and state and federal law.
2. Employ a Director.
3. Directing, through policy, the Director, in his or her charge of the Center's administration.
4. Approving the annual budget and annual audit.
5. Entering into joint agreements with other Boards to establish cooperative career and technical educational programs or provide educational facilities.
6. Communicating the Center's activities and operations to the community and member schools and representing the needs and desires of the community and member schools in educational matters.

### Executive Council

The Executive Council shall:

1. Develop policies mandated by the Board of Control in the best interest of the Area Center.
2. Establish rules, regulations, and procedures for the operation of this program, none of which shall be contrary to the specific provisions of the Agreement and the policies of the Board of Control.
3. Provide in written form those rules, regulations and procedures which have been developed for the operation of the Area Center and the carrying out of this Agreement. Such rules, regulations, or procedures which are developed and/or amended shall be reported to the Board of Control.
4. Be responsible, upon receiving the advice of the Director, for the employment, retention and dismissal of all personnel.

The major powers and duties of the Executive Council include, but are not limited to:

1. Be responsible, upon receiving the advice of the Director, for the employment, retention, and dismissal of all personnel, including determining whether an employee has willfully or negligently

- failed to report an instance of suspected child abuse or neglect as required by 325 ILCS 5/, and establishing an equal employment opportunity policy that prohibits unlawful discrimination.
2. Entering contracts using the public bidding procedure when required.
  3. Approve Center expenditures on a monthly basis.
  4. Providing, constructing, controlling, supervising, and maintaining adequate physical facilities.
  5. Approving the curriculum, textbooks, and educational services.
  6. Evaluating the educational program and approving Center Improvement and Center Improvement Plans when they are required to be developed or revised.
  7. Establishing and supporting student behavior policies designed to maintain an environment conducive to learning, including hearing individual student suspension or expulsion cases brought before it.
  8. Establishing the Center year.
  9. Visiting Center facilities.
  10. Developing and recommending policies to the Board of Control.
  11. Complying with requirements in the Abused and Neglected Child Reporting Act (ANCRA). Specifically, each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in ANCRA, direct or cause the Board to direct the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse.

#### LEGAL REF.:

105 ILCS 5/10, 5/17-1, and 5/27-1.

115 ILCS 5/, III. Educational Labor Relations Act.

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

CROSS REF.: 1:10 (CACC Legal Status), 2:10 ( CACC Governance), 2:140 (Communications To and From the Board), 2:240 (Board Policy Development), 4:60 (Purchases and Contracts), 4:70 (Resource Conservation), 4:100 (Insurance Management), 4:110 (Transportation), 4:150 (Facility Management and Building Programs), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child Reporting), 6:10 (Educational Philosophy and Objectives), 6:15 (CACC Accountability), 6:20 (Calendar and Day), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:210 (Removal Procedures), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on CACC Property)

Adopted: January 16, 2020

**Capital Area Career Center**



## **2:50 Term of Office**

### Board of Control Term of Office

The term of office for a Board of Control member should generally be at least two years in duration to ensure continuity.

### Executive Council Term of Office

The term of office for members of the Executive Council shall be three (3) years. Terms of members shall be staggered so that continuity may be maintained. Members whose terms expire shall be retained or replaced by election at the regular June meeting of the Board of Control. Newly elected members of the Executive council will assume their duties at the next regular meeting of the Executive council.

#### LEGAL REF.:

10 ILCS 5/2A-1.1, 5/22-17, and 5/22-18.

105 ILCS 5/10-10, 5/10-16, and 5/10-16.5.

CROSS REF.:2:80-E (Board Member Code of Conduct), Intergovernmental Cooperation Agreement Among Participating Districts for the Capital Area Career Center

Adopted: October 17, 2019

**Capital Area Career Center**

## **2:60 Board Member Removal from Office**

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

LEGAL REF.:

105 ILCS 5/3-15.5.

Adopted: October 17, 2019

**Capital Area Career Center**

## **2:80-E Exhibit - Board of Control and Executive Council Members, Code of Conduct**

As a member of the CACC Board of Control or Executive Council, I will do my utmost to represent the public interest in education by adhering to the following standards and principles:

1. I will represent all school constituents honestly and equally and refuse to surrender my responsibilities to special interest or partisan political groups.
2. I will avoid any conflict of interest or the appearance of impropriety which could result from my position, and will not use my Board membership for personal gain or publicity.
3. I will recognize that a Board member has no legal authority as an individual and that decisions can be made only by a majority vote at a Board meeting.
4. I will take no private action that might compromise the Board or administration and will respect the confidentiality of privileged information.
5. I will abide by majority decisions of the Board, while retaining the right to seek changes in such decisions through ethical and constructive channels.
6. I will encourage and respect the free expression of opinion by my fellow Board members and will participate in Board discussions in an open, honest, and respectful manner, honoring differences of opinion or perspective.
7. I will prepare for, attend, and actively participate in CACC Board meetings.
8. I will be sufficiently informed about and prepared to act on the specific issues before the Board, and remain reasonably knowledgeable about local, State, national, and global education issues.
9. I will respectfully listen to those who communicate with the Board, seeking to understand their views, while recognizing my responsibility to represent the interests of the entire community.
10. I will strive for a positive working relationship with the Director, respecting the Director's authority to advise the Board, implement Board policy, and administer the Center.
11. I will model continuous learning and work to ensure good governance by taking advantage of Board member development opportunities, such as those sponsored by my State and national school board associations, and encourage my fellow Board members to do the same.
12. I will strive to keep my Board focused on its primary work of clarifying the Center purpose, direction, and goals, and monitoring Center performance.

DATED : October 17, 2019

**Capital Area Career Center**

## 2:100 Conflict of Interest

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

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

### Federal and State Grant Awards

No Board member shall participate in the selection, award, or administration of a contract supported by a federal award or State award governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) if he or she has a real or apparent conflict of interest. A conflict of interest arises when a Board member or any of the following individuals has a financial or other interest in the entity selected for the contract:

1. Any person that has a close personal relationship with a Board member that may compromise or impair the Board member's fairness and impartiality, including a member of the Board member's immediate family or household;
2. The Board member's business partner; or
3. An entity that employs or is about to employ the Board member or one of the individuals listed in one or two above.

### LEGAL REF.:

5 ILCS 420/4A-101.5, 420/4A-105, 420/4A-106.5, and 420/4A-107.

30 ILCS 708/, Grant Accountability and Transparency Act.

50 ILCS 105/3.

105 ILCS 5/10-9.

2 C.F.R. §200.318(c)(1).

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

Adopted: January 16, 2020

**Capital Area Career Center**

## 2:105 Ethics and Gift Ban

### Prohibited Political Activity

The following precepts govern political activities being conducted by CACC employees and Center Board members:

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

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

### Limitations on Receiving Gifts

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

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

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the Board member or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any: (a) contribution that is lawfully made under the Election Code, or (b) activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of

personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other Board members or employees, or their spouses or immediate family members.

8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are: (a) consumed on the premises from which they were purchased or prepared; or (b) catered. Catered means food or refreshments that are purchased ready to consume, which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of a Board member or employee), if the benefits have not been offered or enhanced because of the official position or employment of the Board member or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. Intra-governmental gift means any gift given to a Board member or employee from another Board member or employee, and inter-governmental gift means any gift given to a Board member or employee from an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

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

A Board member or employee, his or her spouse or an immediate family member living with the Board member or employee, does not violate this policy if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under 26 U.S.C. §501(c)(3).

### Enforcement

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

Written complaints alleging a violation of this policy shall be filed with the Director or Chairperson. As soon as possible after a complaint is filed, the Director shall appoint a 3-member Ethics Commission. If the Director is the subject of the complaint, the Chairperson shall perform this duty. Commission members may be any school resident, except that no person shall be appointed who is related, either by blood or by marriage, up to the degree of first cousin, to the person who is the subject of the complaint. If the Commission finds it more likely than not that the allegations in a complaint are true, it shall notify the State's Attorney and/or recommend disciplinary action for the employee.

### Definitions

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

*Political activity* means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.

2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. Surveying or gathering information from potential or actual voters in an election to determine probable vote outcome in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
6. Assisting at the polls on Election Day on behalf of any political organization or candidate for elective office or for or against any referendum question.
7. Soliciting votes on behalf of a candidate for elective office or a political organization or for or against any referendum question or helping in an effort to get voters to the polls.
8. Initiating for circulation, preparing, circulating, reviewing, or filing any petition on behalf of a candidate for elective office or for or against any referendum question.
9. Making contributions on behalf of any candidate for elective office in that capacity or in connection with a campaign for elective office.
10. Preparing or reviewing responses to candidate questionnaires.
11. Distributing, preparing for distribution, or mailing campaign literature, campaign signs, or other campaign material on behalf of any candidate for elective office or for or against any referendum question.
12. Campaigning for any elective office or for or against any referendum question.
13. Managing or working on a campaign for elective office or for or against any referendum question.
14. Serving as a delegate, alternate, or proxy to a political party convention.
15. Participating in any recount or challenge to the outcome of any election.

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

*Prohibited source* means any person or entity who:

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

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

of a Board member or employee.

### Complaints of Sexual Harassment Made Against Board Members by Elected Officials

Pursuant to the State Officials and Employees Ethics Act (5 ILCS 430/70-5), members of the Board and other elected officials are encouraged to promptly report claims of sexual harassment by a Board member. Every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available. If the official feels comfortable doing so, he or she should directly inform the individual that the individual's conduct or communication is offensive and must stop.

Board members and elected officials should report claims of sexual harassment against a member of the Board to the Board Chair or Director. If the report is made to the Director, the Director shall promptly notify the Chairperson, or if the Chairperson is the subject of the complaint, the Vice Chair. Reports of sexual harassment will be confidential to the greatest extent practicable.

When a complaint of sexual harassment is made against a member of the Board by another Board member or other elected official, the Director shall appoint a qualified outside investigator who is not a Center employee or Board member to conduct an independent review of the allegations. The investigator shall prepare a written report and submit it to the Board.

If a Board member has engaged in sexual harassment, the matter will be addressed in accordance with the authority of the Board.

The Director will post this policy on the Center website and/or make this policy available in the Center's administrative office.

#### LEGAL REF.:

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

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

CROSS REF.: 2:100 (Board Member Conflict of Interest), 2:260 (Uniform Grievance Procedure), 4:60 (Purchases and Contracts), 5:120 (Employee Ethics; Conduct; and Conflict of Interest)

Adopted: January 16, 2020

**Capital Area Career Center**



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

The Center Board officers are: Chairperson, Vice Chairperson, Secretary, and Treasurer. These officers are elected or appointed by the Board at its organizational meeting.

### Chairperson

The Board of Control elects a Chairperson from its members for a two-year term. The Executive Council elects a Chairperson for a one-year term. The duties of the Chairperson are to:

1. Preside at all meetings;
2. Focus the Board meeting agendas on appropriate content;
3. Make all Board committee appointments, unless specifically stated otherwise;
4. Attend and observe any Board committee meeting at his or her discretion;
5. Represent the Board on other boards or agencies;
6. Sign official CACC documents requiring the Chairperson's signature, including Board minutes;
7. Call special meetings of the Board;
8. Serve as the *head of the public body* for purposes of the Open Meetings Act and Freedom of Information Act;
9. Ensure that a quorum of the Board is physically present at all Board meetings; and
10. Serve as or appoint the Board's official spokesperson to the media.

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

The Vice Chairperson fills a vacancy in the office of the Chairperson.

### Vice Chairperson

The Board of Control elects a Vice Chairperson from its members for a two-year term. The Executive Council elects a Vice Chairperson for a one-year term. The Vice Chairperson performs the duties of the Chairperson if:

1. The office of Chairperson is vacant;
2. The Chairperson is absent; or
3. The Chairperson is unable to perform the office's duties.

A vacancy in the Office of Vice Chairperson is filled by a special Board election.

### Secretary

The Board of Control elects a Secretary for a two-year term. The Executive Council elects a Secretary for a one-year term. The Secretary may be, but is not required to be, a Board member. The duties of the Secretary are to:

1. Keep minutes for all Board meetings, and keep the verbatim record for all closed Board meetings;
2. Mail meeting notification and agenda to news media who have officially requested copies;
3. Keep records of the Board's official acts, and sign them, along with the Chairperson;
4. Arrange public inspection of the budget before adoption;
5. Publish required notices;
6. Sign official CACC documents requiring the Secretary's signature; and

7. Maintain Board policy and such other official documents as directed by the Board.

The Secretary may delegate some or all of these duties, except when State law prohibits the delegation. The Board appoints a Secretary pro tempore, who may or may not be a Board member, if the Secretary is absent from any meeting or refuses to perform the duties of the office. A permanent vacancy in the office of Secretary is filled by special Board election.

#### Recording Secretary

The Board may appoint a Recording Secretary who is a staff member. The Recording Secretary shall:

1. Assist the Secretary by taking the minutes for all open Board meetings;
2. Assemble Board meeting material and provide it, along with prior meeting minutes, to Board members before the next meeting; and
3. Perform the Secretary's duties, as assigned, except when State law prohibits the delegation.

In addition, the Recording Secretary or Director receives notification from Board members who desire to attend a Board meeting by video or audio means.

#### LEGAL REF.:

5 ILCS 120/7 and 420/4A-106.

105 ILCS 5/8-1, 5/8-2, 5/8-3, 5/8-6, 5/8-16, 5/8-17, 5/10-1, 5/10-5, 5/10-7, 5/10-8, 5/10-13, 5/10-13.1, 5/10-14, 5/10-16.5, and 5/17-1.

CROSS REF.: 2:150 (Committees), 2:220 (Center Board Meeting Procedure)

Adopted: January 16, 2020

**Capital Area Career Center**

## **2:125 Board Member Compensation; Expenses**

### Board Member Compensation Prohibited

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

### Roll Call Vote

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

### Regulation of CACC Expenses

The Board regulates the reimbursement of all travel, meal, and lodging expenses in CACC by resolution. When presenting the proposed budget and when necessary, the Director will recommend a maximum allowable reimbursement amount for expenses to be included in the resolution. The recommended amount should be based upon CACC's budget and other financial considerations.

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

### Exceeding the Maximum Allowable Reimbursement Amount(s)

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

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

### Advancements

The Board may advance to its members actual and necessary expenses to be incurred while attending:

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

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

shall be presented to the Board in its regular bill process.

### Reimbursements and Purchase Orders

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

### Credit and Procurement Cards

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

### Standardized Expense Form(s) Required

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

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

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

1. Registration. When possible, registration fees will be paid by CACC in advance.
2. Travel. The least expensive method of travel will be used, providing that no hardship will be caused to the Board member. Board members will be reimbursed for:
  - a. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. Fees for the first checked bag will be reimbursed. Copies of airline tickets and baggage receipts must be attached to the expense form.
  - b. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
  - c. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
  - d. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
  - e. Taxis, airport limousines, ride sharing or other local transportation costs.
3. Meals. Meals charged to CACC should represent mid-fare selections for the hotel/meeting facility or general area, consistent with the maximum allowable reimbursement amount set by the

Board. Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.

4. Lodging. Board members should request conference rate or mid-fare room accommodations. A single room rate will be reimbursed. Board members should pay personal expenses at checkout. If that is impossible, deductions for the charges should be made on the expense form.
5. Miscellaneous Expenses. Board members may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

#### Additional Requirements for Travel Expenses Charged to Federal and State Grants

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

#### LEGAL REF.:

105 ILCS 5/10-20 and 5/10-22.32.

30 ILCS 708/, Government Accountability and Transparency Act.

50 ILCS 150/, Local Government Travel Expense Control Act.

Local Government Travel Expense Control Act, 50 ILCS 150/.

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

Adopted: June 18, 2020

**Capital Area Career Center**

## 2:125-E1 Exhibit - Board Member Expense Reimbursement Form

Submit to the Superintendent, who will include this request in the monthly list of bills presented to the School Board. Please print and attach receipts for all expenditures. **Use of this form is required by 2:125-E3, Resolution to Regulate Expense Reimbursements. Please print.**

Name: \_\_\_\_\_ Title/Office: \_\_\_\_\_

Travel Destination: \_\_\_\_\_ Purpose: \_\_\_\_\_

Departure Date: \_\_\_\_\_ Return Date: \_\_\_\_\_

**Receipts attached** Request Date: \_\_\_\_\_

**Estimated expenses attached** (Completed 2:125-E2, Board Member Estimated Expense Approval Form)(pre-approval is required for federal and State grants).

**Approved expense advancement (voucher) attached, if applicable\*** (Completed 2:125-E2, Board Member Estimated Expense Approval Form.)

### Actual Expense Report

\* Board members will be reimbursed for actual and necessary expenses that exceed the amount advanced, but must refund any expense advancement that exceeds the actual and necessary expenses incurred. 105 ILCS 5/10-22.32. For federal and State grants, board members will be reimbursed for actual and necessary expenses that exceed estimated expenses as permitted by Board policy 2:125, *Board Member Compensation; Expenses*.

Auto Travel Allowance: \_\_\_\_\_ per mile

Date	Auto Mileage		Transp. Expenses	Lodging	Meals or Per Diem			Other		Daily Total
	Miles	Cost			Bkfst	Lunch	Dinner	Item	Cost	
<b>Subtotal</b>										
<b>Advances</b>									-	
<b>TOTAL</b> (a negative amount indicates refund due from Board member)									\$	

Submitting Board Member's Signature \_\_\_\_\_ Date \_\_\_\_\_

Superintendent Signature \_\_\_\_\_ Date \_\_\_\_\_

**School Board Action:**

**Approved**

**Denied**

**Approved in Part**

**Exceeds Maximum Allowable Amount**

**Grant Funding Source** (if applicable): \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

DATED : October 15, 2020

**Capital Area Career Center**





<b>Total</b>										<b>\$</b>

Submitting Board Member's Signature \_\_\_\_\_ Date

\_\_\_\_\_

Superintendent Signature \_\_\_\_\_ Date

\_\_\_\_\_

**School Board Action:**

**Approved**       **Denied**

**Approved in Part**    **Exceeds Maximum Allowable Amount**

**Grant Funding Source** (if applicable): \_\_\_\_\_

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATED : October 15, 2020

**Capital Area Career Center**

## **2:130 Board-Director Relationship**

The Board of Control employs the Director and holds him or her responsible for the operation of the Center in accordance with Board policies and State and federal law.

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

The Board considers the recommendations of the Director as the Center's Chief Executive Officer. The Board adopts policies necessary to provide general direction for the Center and to encourage achievement of Center goals. The Director develops plans, programs, and procedures needed to implement the policies and directs the Center's operations.

LEGAL REF.:105 ILCS 5/10-16.7 and 5/10-21.4.

CROSS REF.:3:40 (Director)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 2:140 Communications To and From the Board

The Center Board welcomes communications from staff members, parents/guardians, students, and community members. Individuals may submit questions or communications for the Center Board's consideration to the Director or may use the electronic link to the Center Board's email address(es) posted on CACC's website.

The Director or designee shall:

1. Ensure that the home page for CACC's website contains an active electronic link to the email address(es) for the Center Board, and
2. During the Board's regular meetings, report for the Board's consideration all questions or communications submitted through the active electronic link along with the status of CACC's response in the Board meeting packet.

If contacted individually, Board members will refer the person to the appropriate level of authority, except in unusual situations. Board members' questions or communications to staff or about programs will be channeled through the Director's office. Board members will not take individual action that might compromise the Board or CACC. There is no expectation of privacy for any communication sent to the Board or its members, whether sent by letter, email, or other means.

### Board Member Use of Electronic Communications

For purposes of this section, *electronic communications* includes, without limitation, electronic mail, electronic chat, instant messaging, texting, and any form of social networking. Electronic communications among a majority or more of a Board-quorum shall not be used for the purpose of discussing CACC business. Electronic communications among Board members shall be limited to: (1) disseminating information, and (2) messages not involving deliberation, debate, or decision-making. The following list contains examples of permissible electronic communications:

- Agenda item suggestions
- Reminders regarding meeting times, dates, and places
- Board meeting agendas or information concerning agenda items
- Individual emails to community members, subject to the other limitations in this policy

In accordance with the Open Meetings Act, individual Board members will not (a) reply to an email on behalf of the entire Board, or (b) engage in the discussion of CACC business through electronic communications with a majority of a Board-quorum.

### LEGAL REF.:

5 ILCS 120/, Open Meetings Act.

50 ILCS 205/20, Local Records Act.

CROSS REF.:2:220 (Center Board Meeting Procedure), 3:30 (Chain of Command), 8:110 (Public Suggestions and Concerns)

Adopted: October 17, 2019

## 2:140-E Exhibit - Guidance for Board Member Communications, Including Email Use

The Open Meetings Act (OMA) requires the Center Board to discuss CACC business only at a properly noticed Board meeting. 5 ILCS 120/. Other than during a Board meeting, a majority or more of a Board-quorum may not engage in contemporaneous interactive communication, whether in person or electronically, to discuss CACC business. This *Guidance* assumes a Board has seven members and covers issues arising from Board policy 2:140, *Communications To and From the Board*.

### Communications Between or Among Board Members and/or the Director Outside of a Properly Noticed Board Meeting

1. The Director or designee is permitted to email information to Board members. For example, the Director may email Board meeting agendas and supporting information to Board members. When responding to a single Board member's request, the Director should copy all other Board members and include a *do not reply/forward* alert to the group, such as: "**BOARD MEMBER ALERT: This email is in response to a request. Do not reply or forward to the group but only to the sender.**"
2. Board members are permitted to discuss any matter except CACC business with each other, whether in person or by telephone or email, regardless of the number of members participating in the discussion. For example, they may discuss league sports, work, or current events.
3. Board members are permitted to provide information to each other, whether in person or by telephone or email, that is non-deliberative and non-substantive. Examples of this type of communication include scheduling meetings and confirming receipt of information.
4. A Board member is not permitted to discuss CACC business with more than one other Board member at a time, whether in person or by telephone or email. Stated another way, a Board member may discuss CACC business in person or by telephone or email with only one other Board member at a time. However, a Board member should not facilitate interactive communication by discussing CACC business in a series of visits with, or telephone calls or emails to, Board members individually.
5. A Board member should include a *do not reply/forward* alert when emailing a message concerning CACC business to more than one other Board member. The following is an example of such an alert: "**BOARD MEMBER ALERT: This email is not for interactive discussion purposes. The recipient should not reply to it or forward it to any other individual.**"
6. Board members should not forward email received from another Board member.

### When Must the Electronic Communications Sent or Received by Individual Board Members Be Disclosed Pursuant to a Freedom of Information Act (FOIA) Request?

An electronic communication must be disclosed if it is a *public record* as defined by FOIA, unless a specific exemption applies. A public record is any recorded information "pertaining to the transaction of public business, regardless of physical form or characteristics, having been prepared by or for, or having been or being used by, received by, in the possession of, or under the control of any public body." 5 ILCS 140/2. Email sent or received by an individual Board member may be, depending on the content and circumstances, subject to disclosure as a *public record* (unless a FOIA exemption is applicable).

If a Board member uses a CACC-provided device or email address to discuss public business, the email is subject to disclosure under FOIA, barring an applicable exemption. If a Board member uses a private device and email address, the communication is subject to FOIA if it satisfies this test:

**First**, the communication pertains to the transaction of public business, and

**Second**, the communication was: (1) prepared by a public body, (2) prepared for a public body, (3) used by a public body, (4) received by a public body, (5) possessed by a public body, and/or (6) controlled by a public body.

This test is from the appellate court decision in City of Champaign v. Madigan, 992 N.E.2d 629 (Ill.App.4th, 2013).

The following *examples* describe FOIA's treatment of electronic communications:

1. If an electronic communication does not pertain to public business, it is not a public record and is not subject to a FOIA request.
2. An electronic communication pertaining to public business that is:
  - a. Sent and/or received by an individual Board member using a personal electronic device and personal email address while he or she is at home or work **would not be a public record**. Individual Board members, alone, cannot conduct CACC business. As stated earlier, emails among a majority or more of a Board-quorum violate the OMA and, thus, are subject to disclosure during proceedings to enforce OMA.
  - b. Sent and/or received by an individual Board member on a CACC-issued device or CACC-issued email address **will be a public record** and subject to FOIA. The electronic communication is under the control of CACC.
  - c. Received by an individual Board member on a personal electronic device and then forwarded by the Board member to a CACC-owned device or server **will be a public record** and subject to FOIA. The electronic communication is under the control of CACC.
  - d. Received by an individual Board member using a personal electronic device and personal email address, and then forwarded by the Board member to enough members to constitute a majority or more of a Board-quorum **will be a public record** and subject to FOIA. The electronic communication is in CACC's possession.
  - e. Either sent to or from a Board member's personal electronic device during a Board meeting **will be a public record** and subject to FOIA. The electronic communication is in CACC's possession because Board members were functioning collectively as a public body.

CACC's Freedom of Information Officer and/or Board Attorney will help determine when a specific communication must be disclosed pursuant to a FOIA request.

#### When Must Electronic Communications Be Retained?

Email that qualifies under FOIA as a *public record* will need to be stored pursuant to the Local Records Act (LRA), only if it is evidence of CACC's organization, function, policies, procedures, or activities or contains informational data appropriate for preservation. 50 ILCS 205/. An example is any email from a Board officer concerning a decision made in his or her capacity as an officer. If a Board member uses his or her personal email, he or she must copy this type of email to the appropriate CACC office where it will be stored. If made available, Board members should use their email accounts provided by CACC, and CACC will automatically store the official record messages. CACC will delete these official record messages as provided in an applicable, approved **retention schedule**. Of course, email pertaining to public business that is sent or received by a Board Member using a CACC-issued device or email address will be subject to FOIA, even if the email does not need to be retained under LRA.

**Important:** Do not destroy any email concerning a topic that is being litigated without obtaining the Board attorney's direction. In federal lawsuits, there is an automatic discovery of virtually all types of electronically created or stored data that might be relevant. Attorneys will generally notify their clients at the beginning of a legal proceeding not to destroy any electronic records that might be relevant. This is referred to as a *litigation hold*. For more discussion of a litigation hold, see 2:250-AP2, *Protocols for*

*Record Preservation and Development of Retention Schedules.* In addition, any person who knowingly with the intent to defraud any party destroys, removes, or conceals any public record commits a Class 4 felony. 50 ILCS 205/4.

DATED : October 17, 2019

**Capital Area Career Center**

## **2:150 Committees**

The Board of Control and Executive Council may establish committees to assist with governance, function, and, in some situations, to comply with State law requirements. These committees are known as Board or Executive committees and report either to the Board of Control or to the Executive Council. Committee members may include Board members, Executive Council Members, and non-Board members depending on the committee's purpose. The Board Chairperson and/or Executive Council Chairperson makes all committee appointments unless specifically stated otherwise. Board and Executive committee meetings shall comply with the Open Meetings Act. A Board or Executive Council committee may not take final action on behalf of the Board or Executive Council - it may only make recommendations to the Board and/or Executive Council.

### Special Executive Council or Board Committees

A special committee may be created for specific purposes or to investigate special issues. A special committee is automatically dissolved after presenting its final report to the Executive Council or Board of Control or at the Executive Council or Board's discretion.

Nothing in this policy limits the authority of the Director or designee to create and use committees that report to him or her or to other staff members.

LEGAL REF.:5 ILCS 120/.

105 ILCS 5/10-20.14 and 5/14-8.05.

CROSS REF.:2:110 (Qualifications, Term, and Duties of Board Officers), 2:200 (Types of Center Board Meetings), 2:240 (Board Policy Development), 7:190 (Student Behavior), 7:230 (Misconduct by Students with Disabilities)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **2:160 Board Attorney**

The Center Board may retain legal services with one or more attorneys or law firms to be the Board Attorney(s). The Board Attorney represents the Center Board in its capacity as the governing body for CACC. The Board Attorney serves on a retainer or other fee arrangement as determined in advance. The Board Attorney will provide services as described in the agreement for legal services or as memorialized by an engagement letter. CACC will only pay for legal services that are provided in accordance with the agreement for legal services, as memorialized by an engagement letter, or that are otherwise authorized by this policy or a majority of the Board.

The Director, his or her designee, and Chairperson, are each authorized to confer with and/or seek the legal advice of the Board Attorney. The Board may also authorize a specific Board member to confer with the Board Attorney on its behalf.

The Director may authorize the Board Attorney to represent CACC in any legal matter until the Board has an opportunity to be informed of and/or consider the matter. The Board retains the right to consult with or employ other attorneys and to terminate the service of any attorney.

### **LEGAL REF.:**

Rule 1.7 (Conflict of Interest: Current Clients) and Rule 1.13 (Organization as Client) of the Ill. Rules of Professional Conduct adopted by the Ill. Supreme Court.

CROSS REF.: 4:60 (Purchases and Contracts)

Adopted: June 18, 2020

**Capital Area Career Center**



## 2:160-E Exhibit - Checklist for Selecting a Board Attorney

The School Board selects and retains the Board Attorney(s). The Board may use this checklist for guidance when it selects and retains attorney(s) and/or law firms for legal services. This checklist is designed for the Board to use a request for proposal (RFP) process to seek outside attorneys/law firms. The Board may also select an attorney without using an RFP process and adapt this checklist. The Board may also adapt this checklist and use it for an application process, if the Board seeks an inhouse attorney. For more information, call the IASB Office of General Counsel; see its current phone numbers at [www.iasb.com/about-us/staff/#office-general-counsel](http://www.iasb.com/about-us/staff/#office-general-counsel).

### Determine what type of legal services the District needs.

1. Review Board policy 2:160, *Board Attorney*. **Note:** Critically analyze whether the District's legal needs are best served by in-house attorney(s) or outside attorney(s)/law firms. Many districts use a combination of these services. Many districts also use multiple attorney(s)/law firms for their specialties, e.g., different law firms for bond counsel, special education, or labor law. Some boards also approve a panel of attorneys and allow the administration to choose which attorney to use.
2. Consider the following factors to analyze the type(s) of legal services needed for the District including, but are not limited to:
  - District's size;
  - Any past and current experiences with legal matters;
  - Complexity of the District's legal needs;
  - Availability of expertise; and
  - Cost of outside fees compared to internal staff expenses for an in-house arrangement.

### Develop a list of qualifications necessary for providing quality legal services to the District.

1. Review policy 4:60, *Purchases and Contracts*. **Note:** While State law exempts hiring an attorney from bidding requirements (105 ILCS 10-20.21(a)), the Board may want to review its procurement processes and align procurement for legal services to its non-bidding-related standards for purchases, e.g., avoiding favoritism, staying within the District's budget, etc.
2. Develop the list of qualifications. The major qualifications include, but are not limited to:
  - Licensed to practice law in Illinois and in good standing with the Ill. Attorney Registration and Disciplinary Commission (ARDC) (see checklist item *Conduct a reference check and other background investigations*, below)
  - Member of the District's assigned United States district court and the Seventh Circuit Court of Appeals
  - Substantive knowledge and experience in the legal areas matching District's needs, e.g., bidding, civil rights, collective bargaining, education reform, employment law, Freedom of Information Act, Open Meetings Act, other records laws, special education, student rights, etc. **Note:** This list of knowledge and experience must be created by the District's identified needs and may change from time to time.
  - Experience in all aspects of contract, employment, and school law
  - Experience that meets the District's needs, including litigation experience in State and federal courts
  - Membership in professional associations, such as, the Ill. Council of School Attorneys (ICSA) and education law sections of bar associations, etc.
  - Demonstrated knowledge of and ability to apply professional responsibility rules

- Accessibility for the District's identified needs, e.g., evening Board meetings, phone calls, etc.
- Ability to declare that representation of the District will be to the exclusion of all other clients having potential conflicts with the District's interests
- When additional qualifications apply, list those qualifications for providing legal services. This may include specialties such as bond counsel, etc.

#### **Develop the RFP.**

1. Insert the list of qualifications that the Board developed.
2. Include the following information:
  - The deadline for responses to be submitted
  - The location (address or email) where responses should be sent
  - A statement that the Board is soliciting proposals from qualified lawyers and law firms to provide legal services to the School District
  - Significant information about the District (see policy 1:30, *School District Philosophy*, for the District's mission statement that is specific to the community's goals)
  - The scope of work, e.g., "The Board Attorney will provide legal advice concerning *[typical duties, specific duties, excluded duties]*."
  - Qualifications
  - Details about interviews and presentations
3. Specify what responders must include in their responses, such as the following:
  - Cover letter, complete name, address, and legal structure (if the responder is a law firm)
  - The individuals who prepared the response, including their titles
  - If different from above, the identity of and directory information for the individuals who have authority to answer questions regarding the submitted proposal
  - A proposed fee schedule, e.g., "Respondents may combine set fees and hourly fees. If hourly fees are proposed, please provide the minimum time increment for billing purposes. If a retainer agreement is proposed, please specifically describe options."
  - A summary of the responder's relevant experience representing public schools
  - A writing sample
  - An assurance that the responder meets the RFP's qualifications
  - References including current or past clients

#### **Announce the RFP.**

1. Title the announcement. **Note:** How and where the RFP is announced are at the Board's sole discretion. The Board may want to announce the RFP during an open meeting, post it on the District's website, mail or email it to local law firms, and/or place it in the local newspaper(s) or other legal publications. A directory of those lawyers belonging to the ICOSA is on the IASB website, [www.iasb.com](http://www.iasb.com). A printed copy is available upon request. Inclusion in the directory does not represent an IASB endorsement. Some attorneys who practice school law do not belong to ICOSA. Other online sources, such as the Ill. State Bar Association, also maintain directories of information about attorneys. The Board may want to title the announcement "The *[Insert District's name]* School Board Requests Proposals to Provide Legal Services."
2. Announce that the Board seeks an attorney or law firm to serve as its Board Attorney.
3. Inform the reader that the attorney or law firm selected will serve either *at will* or from the date of appointment to *[date]*. The length of the appointment is at the Board's discretion.

4. State the School District's philosophy or mission statement.
5. Insert the RFP location and contact information with the beginning date and time.
6. Tell prospective responders that completed RFPs must be returned by [*certain time and date*] to [*name and title of person receiving applications*].

**Receive and manage responses to the RFP.**

1. Review policy 2:110, *Qualifications, Term, and Duties of Board Officers*. The Board President is a logical officer to accept the applications, but this task may be delegated to the Secretary or Superintendent's secretary if the Board determines that it is more convenient. Who accepts applications is at the Board's sole discretion and should be decided by the Board prior to posting the RFP announcement.
2. The Board will discuss, at an open meeting, its process to review the applications and who will contact RFP responders for an interview.
3. The designated person will contact RFP responders for interviews.

**Develop interview questions if the Board interviews attorneys or law firms.**

1. Interview questions are at the Board's discretion.
2. A prospective attorney or law firm to fill the Board Attorney position may raise other specific issues that the Board will want to cover during an interview.
3. The following non-exhaustive list of interview questions may help the Board tailor its questions toward finding an attorney or law firm with an approach to the role of the Board Attorney that the Board desires:
  - What do you see as your role as Board Attorney?
  - How many other school districts do you currently represent?
  - What kind of legal services do you provide to your school clients? Please explain how your other experience is relevant to this position.
  - How many years of experience does your firm (or, the attorney) have? How long have you been practicing law? How long have you been representing school districts?
  - What methods will you use to ensure all members of the Board, which is your client, remain informed? See the discussion about the *III. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
  - How would you manage a situation in which the Board feels strongly about its position but you believe that position is not legally supportable? The *III. Rules of Professional Conduct*, at [www.illinoiscourts.gov/supremecourt/rules/art\\_viii/default\\_new.asp](http://www.illinoiscourts.gov/supremecourt/rules/art_viii/default_new.asp), require attorneys to represent the Board in its capacity as the governing body for the District. The responders should be discussing these rules, specifically Rule 1.7 (Conflict of Interest: Current Clients) and Rule 1.13 (Organization as Client), among others, in their answers to this question. See also, **PRESS** policy 2:160, *Board Attorney*.
  - How would you manage a situation in which the Board's interest may be or become adverse to one or more of its members? See the discussion about the *III. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
  - How would you manage a situation in which the Board and Superintendent are in conflict? How about a divided Board? See the discussion about the *III. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
  - If the Board did something that you had advised against, could you still defend the Board's action? See the discussion about the *III. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.

- Will you try to shape Board decisions or do you have a *whatever the Board decides philosophy*? See the discussion about the *Ill. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
- Do you give clients specific recommendations or do you advise them of the available options and let the client decide? See the discussion about the *Ill. Professional Rules of Conduct* in f/n 2 of policy 2:160, *Board Attorney*.
- Do you provide your school Board clients with any updating services gratis?
- How do you keep your Board clients apprised of litigation and other legal matters you are handling for them?
- Will you be handling this business personally, i.e., will you delegate to your associates or partners?
- Can anyone else in your firm handle our inquiries when you are unavailable?
- How do you keep current on school law?
- When do you tell your school clients to contact you regarding a matter with possible legal repercussions?
- Have you represented a school district in a matter involving the rights of disabled students? ...involving disabled employees? ... involving a student expulsion? ... involving a teacher dismissal? ... involving an employee's contract or dismissal? ... involving a building contract or bidding matter? ... Can you tell us about that case?
- How do you bill? How are you to be paid? Please explain your rates and/or fees. The subject of billing should cover whether the attorney or law firm prepares a budget for representation and its method for billing in detail, including the date and time, what work was performed, and who worked on the project, along with expenses.
- Did you bring a written agreement for legal services, engagement letter, or a retainer agreement? If yes, please review it for us now. If not, please explain the options for a written agreement for legal services, engagement letter, or a retainer agreement.

**Develop an interview protocol.** Interviews may occur in closed session pursuant to 5 ILCS 120/2(c)(1).

1. The Board President will lead the Board as it interviews responders to its RFP. See 105 ILCS 5/10-13 stating that the Board President presides at all meetings and policy 2:110, *Qualifications, Term, and Duties of Board Officers*.
2. The Board may also want to consider allowing an equal amount of time for each interview.
3. Discuss the following items with each responder during the interview:
  - Introduce Board members to the responder
  - Describe the Board's interview process, selection process, and ask the responder if he or she has questions about the Board's process for selecting its attorney
  - Describe the District's philosophy or mission statement
  - Describe the Board Attorney position by reviewing the RFP
  - Begin asking the interview questions (see *Develop interview questions*, above)
  - Ask the responder whether he or she has any questions for the Board
  - Thank the responder and inform him or her when the Board expects to make its decision and how the responder will be contacted regarding the Board's decision

**Conduct a reference check and other background investigation(s).**

1. The Board President may perform this check or direct the Superintendent to:

- Check the ARDC’s master roll of attorneys as “Authorized to Practice Law” (To do this, enter the attorney’s name into the ARDC’s registration and public disciplinary records database at: [www.iardc.org/lawyersearch.asp](http://www.iardc.org/lawyersearch.asp).)
  - Click on the attorney’s name to review whether any disciplinary actions are pending or resolved; current and prior actions will appear at the bottom of the screen
  - If disciplinary actions are listed, ask the attorney or law firm for more information
2. There are other online attorney review services available. These services may be overly subjective and/or the attorney may have control over the content in these services. Always check with the ARDC.
  3. Call references provided by the responder.

**Enter into a written agreement or engagement letter with the selected attorney or law firm.**

1. All *agreements for legal services* should be in writing. At minimum, the agreement should provide the fee arrangement and the scope of services. *Agreements for legal services* and individual billing statements from the Board Attorney are subject to disclosure pursuant to a Freedom of Information Act request (PAO 14-02).
2. Discuss the fee arrangements with the responder and decide:
  - Whether to enter into a fee arrangement and/or a retainer agreement (**Note:** Attorneys typically bill by a pre-determined percentage of the hour, e.g., in one-tenth of an hour increments. Many districts enter into a retainer agreement for legal services or an engagement letter that requires them to pay the attorney a pre-determined fee every month. In return, the attorney provides a pre-determined amount of legal services whenever the district needs him or her. Districts find this useful because (1) they can budget for legal expenses, (2) legal advice is available up to the pre-determined amount for lower fees, and (3) this arrangement often provides for an enhanced, long-term relationship with the attorney.)
  - The appropriate scope of services
3. Review the written contract or memorialized relationship (*agreement for legal services* or *engagement letter*) for these provisions:
  - Fee arrangement
  - Scope of services
  - Which attorneys will be providing legal services
  - A statement that the Board controls all legal decisions
  - A statement that the attorney and his or her law firm have no conflicts of interest or, if a conflict exists, that the Board understands the conflict and waives it
  - Board’s right to terminate the services of the attorney and law firm at any time for any reason
4. Approve the *agreement for legal services* or *engagement letter* during an open Board meeting.

**Announce the appointment to District staff and community.**

1. The contents of the announcement and length of time it is displayed are at the Board’s sole discretion.
2. The Board may want to consider announcing during an open meeting. See policy 8:10, *Connection with the Community*.
3. The Board may want to include the following information in its announcement:

- The Board appointed [attorney's name or law firm name] as the Board Attorney
- The appointment will begin on [date] for [length of time]
- The Board previously established qualifications for the Board Attorney in a careful and thoughtful manner, e.g., "[Attorney or lawfirm's name] meets these qualifications and has demonstrated the willingness to accept its duties and responsibilities. [Attorney or law firm's name] brings a clear understanding of the demands and expectations of the Board Attorney position along with a constructive attitude toward the challenge."

DATED : October 15, 2020

**Capital Area Career Center**

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

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

LEGAL REF.:

40 U.S.C. §541.

50 ILCS 510/, Local Government Professional Services Selection Act.

105 ILCS 5/10-20.21.

Shively v. Belleville Twp. High Sch. Dist. 201, 329 Ill.App.3d 1156 (5th Dist. 2002), *appeal denied*.

Adopted: October 18, 2018

**Capital Area Career Center**

## 2:200 Types of Center Board Meetings

### General

For all meetings of the Center Board and its committees, the Director or designee shall satisfy all notice and posting requirements contained herein as well as in the Open Meetings Act. This shall include mailing meeting notifications to news media that have officially requested them and to others as approved by the Board. Unless otherwise specified, all meetings are held in the Conference Room of CACC. Board policy 2:220, *Center Board Meeting Procedure*, governs meeting quorum requirements.

The Director and Business Manager is designated on behalf of the Board and each Board committee to receive the training on compliance with the Open Meetings Act that is required by Section 1.05(a) of that Act. The Director may identify other employees to receive the training. In addition, each Board member must complete a course of training on the Open Meetings Act as required by Section 1.05(b) or (c) of that Act.

### Regular Meetings

The Board announces the time and place for its regular meetings at the beginning of each fiscal year. The Director shall prepare and make available the calendar of regular Board meetings. The regular meeting calendar may be changed with 10 days' notice in accordance with State law.

A meeting agenda shall be posted at CACC's main office and the Board's meeting room, or other location where the meeting is to be held, at least 48 hours before the meeting.

### Executive Council Regular Meetings

The Executive Council will meet monthly to conduct the regular business of the center and to provide ongoing support and supervision of the Director. The duties and times for the following year's meetings will be determined and published at the annual organizational meeting after seating of new members and/or election of officers.

### Board of Control Regular Meetings

The Board of Control will schedule four regular annual meetings. Meetings shall be held on the third Thursday of the months of October, January, April, and June of each fiscal year at such time and location as designated by the Chairperson and specified in writing two weeks prior to the meeting by the Secretary of the Board. A special meeting may be called by the Chairperson or any two Board members. Each Board member must be notified at least five (5) days in advance of any special meeting. The action of any special meeting shall be limited to items in the notice.

### Closed Meetings

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

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees, specific individuals who serve as independent contractors in a park, recreational, or educational setting, or specific volunteers of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee, a specific individual who serves as an independent contractor in a park, recreational, or educational setting, or a volunteer of the public body or against legal counsel for the public body to determine its validity. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with [the Open Meetings Act]. 5 ILCS 120/2(c)(1), amended by P.A. 101-459.



2. Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).
3. The selection of a person to fill a public office, as defined in the Open Meetings Act, including a vacancy in a public office, when the public body is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when the public body is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
4. Evidence or testimony presented in open hearing, or in closed hearing where specifically authorized by law, to a quasi-adjudicative body, as defined in the Open Meetings Act, provided that the body prepares and makes available for public inspection a written decision setting forth its determinative reasoning. 5 ILCS 120/2(c)(4).
5. The purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
6. The setting of a price for sale or lease of property owned by the public body. 5ILCS 120/2(c)(6).
7. The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
8. Security procedures, CACC building safety and security, and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property. 5ILCS 120/2(c)(8).
9. Student disciplinary cases. 5 ILCS 120/2(c)(9).
10. The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
11. Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. 5 ILCS 120/2(c)(11).
12. Self-evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. 5 ILCS 120/2(c)(16).
13. Discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. 5 ILCS 120/2(c)(21).
14. Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29).

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

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

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

#### Reconvened or Rescheduled Meetings

A meeting may be rescheduled or reconvened. Public notice of a rescheduled or reconvened meeting shall be given in the same manner as that for a special meeting, except that no public notice is required when the original meeting is open to the public and: (1) is to be reconvened within 24 hours,

or (2) an announcement of the time and place of the reconvened meeting was made at the original meeting and there is no change in the agenda.

### Special Meetings

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

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

All matters discussed by the Board at any special meeting must be related to a subject on the meeting agenda.

### Emergency Meetings

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

### Posting on CACC Website

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

### LEGAL REF.:

5 ILCS 120/, Open Meetings Act.

5 ILCS 140/, Freedom of Information Act.

105 ILCS 5/10-6 and 5/10-16.

CROSS REF.: 2:110 (Qualifications Term, and Duties of Board Officers), 2:210 (Organizational Center Board Meetings), 2:220 (Center Board Meeting Procedure), 2:230 (Public Participation at Center Board Meetings and Petitions to the Board), 6:235 (Access to Electronic Networks), Intergovernmental Cooperation Agreement Among Participating Districts for the Capital Area Career Center

Adopted: January 16, 2020

**Capital Area Career Center**

## 2:220 Center Board Meeting Procedure

### Agenda

The Center Chairperson is responsible for focusing the Board meeting agendas on appropriate content. The Director shall prepare agendas in consultation with the Chairperson. The Chairperson shall designate a portion of the agenda as a consent agenda for those items that usually do not require extensive discussion before Board action. Upon the request of any Board member, an item will be withdrawn from the consent agenda and placed on the regular agenda for independent consideration.

Each Board meeting agenda shall contain the general subject matter of any item that will be the subject of final action at the meeting. Any Board member may submit suggested agenda items to the Chairperson for his or her consideration for an upcoming meeting. Community members may suggest inclusions for the agenda. Discussion items may be added to the agenda at the beginning of a regular meeting. The Board will take final action only on items contained in the posted agenda; items not on the agenda may still be discussed.

The Director shall provide a copy of the agenda, with adequate data and background information, to each Board member at least 48 hours before each meeting, except a meeting held in the event of an emergency. The meeting agenda shall be posted in accordance with Board policy 2:200, *Types of Center Board Meetings*.

The Chairperson shall determine the order of business at regular Board meetings. Upon consent of a majority of members present, the order of business at any meeting may be changed.

### Voting Method

Unless otherwise provided by law, when a vote is taken upon any measure before the Board, with a quorum being present, a majority of the votes cast shall determine its outcome. A vote of *abstain* or *present*, or a vote other than *yea* or *nay*, or a failure to vote, is counted for the purposes of determining whether a quorum is present. A vote of *abstain* or *present*, or a vote other than *yea* or *nay*, or a failure to vote, however, is not counted in determining whether a measure has been passed by the Board, unless otherwise stated in law. The sequence for casting votes is rotated.

On all questions involving the expenditure of money and on all questions involving the closing of a meeting to the public, a roll call vote shall be taken and entered in the Board's minutes. An individual Board member may request that a roll call vote be taken on any other matter; the Chairperson or other presiding officer may approve or deny the request but a denial is subject to being overturned by a majority vote of the members present.

Any Board member may include a written explanation of his or her vote in the CACC file containing individual Board member statements; the explanation will not be part of the minutes.

### Minutes

The Board Secretary shall keep written minutes of all Board meetings (whether open or closed), which shall be signed by the Chairperson and the Secretary. The minutes include:

1. The meeting's date, time, and place;
2. Board members recorded as either present or absent;
3. A summary of the discussion on all matters proposed, deliberated, or decided, and a record of any votes taken;
4. On all matters requiring a roll call vote, a record of who voted *yea* and *nay*;
5. If the meeting is adjourned to another date, the time and place of the adjourned meeting;

6. The vote of each member present when a vote is taken to hold a closed meeting or portion of a meeting, and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act (OMA) authorizing the closed meeting;
7. A record of all motions, including individuals making and seconding motions;
8. Upon request by a Board member, a record of how he or she voted on a particular motion; and
9. The type of meeting, including any notices and, if a reconvened meeting, the original meeting's date.

The minutes shall be submitted to the Board for approval or modification at its next regularly scheduled open meeting. Minutes for open meetings must be approved within 30 days after the meeting or at the second subsequent regular meeting, whichever is later.

At least semi-annually in an open meeting, the Board: (1) reviews minutes from all closed meetings that are currently unavailable for public release, and (2) decides which, if any, no longer require confidential treatment and are available for public inspection. The Board may meet in a prior closed session to review the minutes from closed meetings that are currently unavailable for public release.

The official minutes are in the custody of the Board Secretary. Open meeting minutes are available for inspection during regular office hours within 10 days after the Board's approval; they may be inspected in CACC's main office, in the presence of the Secretary, the Director or designee, or any Board member.

Minutes from closed meetings are likewise available, but only if the Board has released them for public inspection, except that Board members may access closed session minutes not yet released for public inspection (1) in CACC's administrative offices or their official storage location, and (2) in the presence of the Recording Secretary, the Director or designated administrator, or any Board member. The minutes, whether reviewed by members of the public or the Board, shall not be removed from CACC's administrative offices or their official storage location except by vote of the Board or by court order.

The Board's open meeting minutes shall be posted on the CACC website within 10 days after the Board approves them; the minutes will remain posted for at least 60 days.

#### Verbatim Record of Closed Meetings

The Director, or the Board Secretary when the Director is absent, shall audio record all closed meetings. If neither is present, the Chairperson or presiding officer shall assume this responsibility. After the closed meeting, the person making the audio recording shall label the recording with the date and store it in a secure location. The Director shall ensure that: (1) an audio recording device and all necessary accompanying items are available to the Board for every closed meeting, and (2) a secure location for storing closed meeting audio recordings is maintained close to the Board's regular meeting location.

After 18 months have passed since being made, the audio recording of a closed meeting is destroyed provided the Board approved: (1) its destruction, and (2) minutes of the particular closed meeting.

Individual Board members may access verbatim recordings in the presence of the Recording Secretary, the Director or designated administrator, or any Board member. Access to the verbatim recordings is available at CACC's administrative offices or the verbatim recording's official storage location. Requests shall be made to the Director or Chairperson. While a Board member is listening to a verbatim recording, it shall not be re-recorded or removed from CACC's main office or official storage location, except by vote of the Board or by court order.

Before making such requests, Board members should consider whether such requests are germane to their responsibilities and/or service to CACC. In the interest of encouraging free and open

expression by Board members during closed meetings, the recordings of closed meetings should not be used by Board members to confirm or dispute the accuracy of recollections.

### Quorum and Participation by Audio or Video Means

A quorum of the Board must be physically present at all Board meetings. A majority of the full membership of the Board constitutes a quorum.

Provided a quorum is physically present, a Board member may attend a meeting by video or audio conference if he or she is prevented from physically attending because of: (1) personal illness or disability, (2) employment or CACC business, or (3) a family or other emergency. If a member wishes to attend a meeting by video or audio means, he or she must notify the recording secretary or Director at least 24 hours before the meeting unless advance notice is impractical. The recording secretary or Director will inform the Chairperson and make appropriate arrangements. A Board member who attends a meeting by audio or video means, as provided in this policy, may participate in all aspects of the Board meeting including voting on any item.

### No Physical Presence of Quorum and Participation by Audio or Video; Disaster Declaration

The ability of the Center Board to meet in person with a quorum physically present at its meeting location may be affected by the Governor or the Director of the Ill. Dept. of Public Health issuing a disaster declaration related to a public health emergency. The Chairperson or, if the office is vacant or the Chairperson is absent or unable to perform the office's duties, the Vice Chairperson determines that an in-person meeting or a meeting conducted under the **Quorum and Participation by Audio or Video Means** subhead above, is not practical or prudent because of the disaster declaration. If neither the Chairperson nor Vice Chairperson are present or able to perform this determination, the Director shall serve as the duly authorized designee for purposes of making this determination.

The individual who makes this determination for the Board shall put it in writing, include it on the Board's published notice and agenda for the audio or video meeting and in the meeting minutes, and ensure that the Board meets every OMA requirement for the Board to meet by video or audio conference without the physical presence of a quorum.

### Rules of Order

Unless State law or Board-adopted rules apply, the Chairperson, as the presiding officer, will use Robert's Rules of Order, Newly Revised (11th Edition), as a guide when a question arises concerning procedure.

### Broadcasting and Recording Board Meetings

Any person may record or broadcast an open Board meeting. Special requests to facilitate recording or broadcasting an open Board meeting, such as seating, writing surfaces, lighting, and access to electrical power, should be directed to the Director at least 24 hours before the meeting.

Recording meetings shall not distract or disturb Board members, other meeting participants, or members of the public. The Chairperson may designate a location for recording equipment, may restrict the movements of individuals who are using recording equipment, or may take such other steps as are deemed necessary to preserve decorum and facilitate the meeting.

### LEGAL REF.:

5 ILCS 120/2a, 120/2.02, 120/2.05, 120/2.06, and 120/7.

105 ILCS 5/10-6, 5/10-7, 5/10-12, and 5/10-16.

CROSS REF.: 2:150 (Committees), 2:200 (Types of Center Board Meetings), 2:210 (Organizational

Center Board Meeting), 2:230 (Public Participation at Center Board Meetings and Petitions to the Board)

Adopted: October 15, 2020

### **Capital Area Career Center**

## 2:220-E1 Exhibit - Board Treatment of Closed Meeting Verbatim Recordings and Minutes

The following procedures govern the verbatim audio recordings and minutes of Center Board meetings that are closed to the public.

Actor	Action
<p><i>Before any Board meeting:</i></p> <p>Director or designee</p>	<p>Arranges to have an audio recording device with extra recording tapes and a back-up audio recording device in the Board meeting room during every Board meeting regardless of whether a closed meeting is scheduled.</p> <p>The Board may close a portion of a public meeting without prior notice; it cannot, however, have a closed meeting unless it can record the session.</p>
<p><i>Before a closed meeting:</i></p> <p>Chairperson or presiding officer</p>	<p>On the closed meeting date: (1) convenes an open meeting, (2) requests a motion to adjourn into closed meeting making sure the reason for the meeting is identified in the motion, (3) takes a roll call vote, (4) asks that the minutes record the vote of each member present and the reason for the closed meeting with a citation to the specific exception contained in the Open Meetings Act (OMA) authorizing the closed meeting (5 ILCS 120/2a), and (5) adjourns the open meeting.</p>
<p><i>Before a closed meeting:</i></p> <p>Director or Board Secretary</p>	<p>Immediately before a closed meeting, tests and activates the audio recording device.</p>
<p><i>During a closed meeting:</i></p> <p>Chairperson or presiding officer</p>	<p>Convenes the closed meeting stating:</p> <p>Seeing a quorum of the Board of Education gathered today, ___ date, at ___ o'clock, at ___ location, for the purpose of holding a closed meeting in order to confidentially discuss ___, I call the meeting to order. In order to record who is present, I request that each individual state his or her name and position with CACC.</p> <p>Limits discussion to the topics that were included in the motion to go into a closed meeting.</p> <p>The failure to immediately call a person out-of-order who strays from the purposes included in the motion may result in an appearance of acquiescence. This responsibility to call a person out-of-order falls on each Board member in the event of the Chairperson's failure.</p> <p>Once the closed meeting is finished, announces a return to an open meeting or adjournment, and states the time.</p>
	<p><b>For Verbatim Recordings:</b></p> <p>Takes possession of the audio recording of the closed meeting and labels it with identification information, specifically the date and items discussed.</p>

<p><i>After a closed meeting:</i></p> <p>Director, Recording Secretary, or Board Secretary</p>	<p>Adds the identification information contained on the audio recording's label to a cumulative list of closed meeting recordings.</p> <p>As soon as possible, puts the recording of the closed meeting in the previously identified secure location for storing recordings of closed meetings.</p> <p>Upon request of a Board member:</p> <ol style="list-style-type: none"> <li>1. Provides access to the verbatim recordings minutes at a reasonable time and place without disrupting CACC operations;</li> <li>2. Supervises the access to the closed session minutes or delegates it to one of the following individuals in CACC: <ol style="list-style-type: none"> <li>a. The Recording Secretary,</li> <li>b. The Director or designated administrator, or</li> <li>c. Any elected Board member; and</li> </ol> </li> <li>3. Logs the access to the recordings in 2:220-E7, <i>Access to Closed Meeting Minutes and Verbatim Recordings</i>.</li> </ol> <p><b>For Closed Meeting Minutes:</b></p> <p>Prepares written closed meeting minutes that include:</p> <ul style="list-style-type: none"> <li>• The date, time, and place of the closed meeting</li> <li>• The Board members present and absent</li> <li>• A summary of discussion on all matters proposed or discussed</li> <li>• The time the closed meeting was adjourned</li> </ul> <p>Upon request of a Board member:</p> <ol style="list-style-type: none"> <li>1. Provides access to the closed session minutes at a reasonable time and place without disrupting CACC operations;</li> <li>2. Supervises the access to the closed session minutes or delegates it to one of the following individuals in CACC: <ol style="list-style-type: none"> <li>a. The Recording Secretary,</li> <li>b. The Director or designated administrator, or</li> <li>c. Any elected Board member; and</li> </ol> </li> <li>3. Logs the access in 2:220-E7, <i>Access to Closed Meeting Minutes and Verbatim Recordings</i>.</li> </ol>
<p><i>After a closed meeting:</i></p> <p>Center Board</p>	<p>Approves the previous closed meeting minutes at the next open meeting.</p>
<p><i>In preparation</i></p>	<p>Prepares a recommendation concerning the continued need for confidential treatment of closed meeting minutes; includes this recommendation in the packet for the meeting in which the Board will conduct its semi-annual review.</p>



<p><i>for the semi-annual review.</i></p> <p>Director or designee</p>	<p>This step is in preparation of the Board's meeting to decide whether the need for confidential treatment of specific closed meeting minutes continues to exist.</p> <p>If the Board wants to discuss closed meeting minutes in closed session, places "review of unreleased closed meeting minutes" on a closed meeting agenda.</p> <p>Places "result of Board's review of unreleased closed meeting minutes" as an item on a subsequent open meeting agenda.</p>
<p><i>In preparation for the semi-annual review.</i></p> <p>Individual Board members</p>	<p>Before the meeting in which the Board will conduct its semi-annual review, examines the material supplied by the Director.</p> <p>Individual Board members should consider: (1) the Director's recommendation, (2) the recommendation of the Board Attorney, (3) other Board members' opinions, (4) the minutes themselves, and/or (5) whether the minutes would be exempted from public disclosure under the Illinois Freedom of Information Act.</p>
<p><i>During the semi-annual review.</i></p> <p>Center Board</p>	<p>The Board decides in open session whether: (1) the need for confidentiality still exists as to all or part of closed meeting minutes, or (2) the minutes or portions thereof no longer require confidential treatment and are available for public inspection.</p> <p>The Board may have an earlier meeting in closed session to discuss the continued need for confidential treatment.</p>
<p><i>After the semi-annual review.</i></p> <p>Director or designee</p>	<p>Re-labels and re-files closed meeting minutes as appropriate.</p>
<p><i>Monthly:</i></p> <p>Chairperson</p>	<p>Adds "destruction of closed meeting audio recording" as an agenda item to an upcoming open meeting.</p>
<p><i>Monthly:</i></p> <p>Center Board</p>	<p>Approves the destruction of particular closed meeting recording(s) that are at least 18 months old and for which approved minutes of the closed meeting already exist.</p>

LEGAL REF.:5 ILCS 120/1 et seq.

DATED: June 15, 2017

## 2:220-E2 Exhibit - Motion to Adjourn to Closed Meeting

### Motion to Adjourn to Closed Meeting

Date:	Time:
Location:	

A motion was made by \_\_\_\_\_, and seconded by \_\_\_\_\_, to adjourn to closed meeting to discuss:

- The appointment, employment, compensation, discipline, performance, or dismissal of specific employees, specific individuals who serve as independent contractors, or specific volunteers of the CACC or legal counsel for the CACC, including hearing testimony on a complaint lodged against an employee, a specific individual who serves as an independent contractor, or a volunteer of the CACC or against legal counsel for the CACC to determine its validity. However, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with this Act. 5 ILCS 120/2(c)(1), amended by P.A. 101-459.
- Collective negotiating matters between CACC and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees. 5 ILCS 120/2(c)(2).
- The selection of a person to fill a public office, including a vacancy in a public office, when CACC is given power to appoint under law or ordinance, or the discipline, performance or removal of the occupant of a public office, when CACC is given power to remove the occupant under law or ordinance. 5 ILCS 120/2(c)(3).
- Evidence or testimony presented in open hearing, or in closed hearing where authorized by law, to a quasi-adjudicative body, as defined in the Open Meetings Act, provided that the body prepares and makes available for public inspection a written decision with its determinative reasoning. 5 ILCS 120/2(c)(4).
- The purchase or lease of real property for the use of CACC, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 5 ILCS 120/2(c)(5).
- The setting of a price for sale or lease of property owned by CACC. 5ILCS 120/2(c)(6).
- The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
- Security procedures, CACC building safety and security, and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger to the safety of employees, students, staff, the public, or public property. 5 ILCS 120/2(c)(8).
- Student disciplinary cases. 5 ILCS 120/2(c)(9).
- The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
- Litigation, when an action against, affecting or on behalf of CACC has been filed and is pending before a court or administrative tribunal, or when CACC finds that an action is probable or imminent,

in which case the basis for the finding shall be recorded and entered into the closed meeting minutes. 5 ILCS 120/2(c)(11).

- The establishment of reserves or settlement of claims as provided in the Local Government and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of CACC or any intergovernmental risk management association or self insurance pool of which CACC is a member. 5 ILCS 120/2(c)(12).
- Self-evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which CACC is a member. 5 ILCS 120/2(c)(16).
- Discussion of minutes of meetings lawfully closed, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06. 5 ILCS 120/2(c)(21).
- Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29).

**Closed Meeting Roll Call:**

"Yeas"	"Nays"
--------	--------

**Motion:**  Carried  Failed

DATED : January 16, 2020

**Capital Area Career Center**

## 2:220-E3 Exhibit - Closed Meeting Minutes

### Closed Meeting Minutes

*Items in bold are required by 5 ILCS 120/2.06(a)(1)-(3). Non-bolded items align with best practices.*

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

**Time:** \_\_\_\_\_

**Location:**

Name of person(s) taking and recording the minutes: \_\_\_\_\_

Name of person presiding:

**Members in attendance:**

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.

**Members absent:**

- 1.
- 2.
- 3.

**Summary of the discussion on all matters (as specified in the vote to close the meeting):**

**Basis for the finding that litigation is probable or imminent, if applicable (5 ILCS 120/2(c)(11)):**

Time of adjournment or return to open meeting: \_\_\_\_\_

*The Center Board, during its semi-annual review of closed session minutes, has decided these minutes confidential treatment.*

**These minutes are available for public inspection as of:** \_\_\_\_\_ .

(Date)

DATED: January 18, 2018

**Capital Area Career Center**

## 2:220-E4 Exhibit - Open Meeting Minutes

### Meeting Minutes Protocol

1. Meeting minutes are the permanent record of the proceedings during a Center Board meeting. All Board action must be recorded in the minutes; thus, the minutes focus on Board action.
2. The minutes only include information provided at the meeting. Information may not be corrected or updated in the minutes unless it was discussed at the meeting.
3. Minutes include a summary of the Board's discussion on an agenda topic; the minutes do not state what is said verbatim. The minutes do not repeat the same point made by different individuals. If appropriate, the minutes include a brief background and an explanation of the circumstances surrounding an issue discussed. The minutes do not include the names of members making specific points during discussion. Requests from individual Board members to include their vote or an opinion are handled according to Board policy 2:220, *Center Board Meeting Procedure*.
4. The minutes include the topic of reports that are made to the Board including reports from the Director or a Board committee. Written reports are filed with the minutes but do not become part of the minutes.
5. The minutes note when a member is not present for the entire meeting due to late arrival and/or early departure.
6. Although items may be considered by the Board in a different order than appeared on the agenda, items in the minutes are generally recorded in the same order as they appeared on the agenda. When a meeting is reconvened on a different date, the minutes must describe what happened on each meeting date.
7. The minutes should be recorded in an objective but positive/constructive tone. Answers and explanations, rather than questions, are recorded. Writing style, including choice of words and sentence structure, is at the discretion of the individual recording the minutes.
8. The minutes include individuals' names who speak during the meeting's public participation segment as well as the topics they address. All written documents presented at a Board meeting are filed with the minutes but do not become part of the minutes.
9. The following template generally governs meeting minutes.

### Open Meeting Minutes

Date:	Time:
Location:	
Type of meeting: <input type="checkbox"/> Regular <input type="checkbox"/> Special <input type="checkbox"/> Reconvened or rescheduled <input type="checkbox"/> Emergency	
Name of person taking the minutes:	
Name of person presiding:	

<p>Members in attendance:</p> <ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> <li>4.</li> <li>5.</li> <li>6.</li> <li>7.</li> </ol>	<p>Members absent:</p> <ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol> <p>Members in attendance remotely:</p> <ol style="list-style-type: none"> <li>1.</li> <li>2.</li> <li>3.</li> </ol>
--	---

**Approval of Agenda**

<p>List any items removed from the consent agenda:</p>
<p>Motion made by:</p>
<p>Motion: <input type="checkbox"/> To approve</p>
<p><input type="checkbox"/> To add items as follows: <i>(No action may be taken on new agenda items.)</i></p>
<p>Motion seconded by: _____</p>
<p>Action: <input type="checkbox"/> Passed <input type="checkbox"/> Failed</p>

**Approval of Previous Meeting Minutes** *(Needed only if this item is not on the consent agenda.)*

<p>Minutes from the Board meeting held on:</p>
<p>Motion made by:</p>
<p>Motion: <input type="checkbox"/> To approve</p>

To approve subject to incorporation of the following amendment(s):

Motion seconded by: \_\_\_\_\_

Action:  Passed  Failed

**Approval of Items on Consent Agenda** *(This may include expense advancements, reimbursements, and/or purchase orders regulated by the Local Government Travel Expense Control Act (see Board policies 2:125, Board Member Compensation; Expenses, and 5:60, Expenses)*

Summary of discussion:

Motion to approve the consent agenda made by:

Motion seconded by: \_\_\_\_\_

Roll Call: *(Needed when consent agenda contains an item involving the expenditure of money.)*

"Yeas"

"Nays"

Action:  Passed  Failed

**Public Comments** *(Reproduce this section for each individual making a comment.)*

The following individual appeared and commented on the topic noted below: *(Include the title of any documents presented to the Board.)*

Name:

Topic:

**Remaining Agenda Items** *(Reproduce this section for each agenda item.)*

Agenda item:	
Summary of discussion:	
Motion made by:	
Motion to:	
Motion seconded by: _____	
Action: <input type="checkbox"/> Passed <input type="checkbox"/> Failed	
<i>(If a roll call vote occurred, record the vote of individual Board members.)</i>	
"Yeas"	"Nays"

**If Applicable, Approval of Motion to Adjourn to Closed Meeting** *(Insert 2:220-E2, Motion to Adjourn to Closed Meeting.)*

**Approval of Motion to Adjourn**

Motion to adjourn made by:
Motion seconded by: _____
Action: <input type="checkbox"/> Passed <input type="checkbox"/> Failed
Time of adjournment:

**Post-Meeting Action**

Date minutes approved:
------------------------



Date minutes were available for public inspection:

Date minutes were posted on CACC website:

DATED: June 15, 2017

**Capital Area Career Center**

## 2:220-E5 Exhibit - Semi-Annual Review of Closed Meeting Minutes

### Logging and Review Process

Step 1. The Board Secretary or Recording Secretary maintains a log of the closed meeting minutes that are unavailable for public inspection. The meeting minutes are logged according to the reason the Board held the closed meeting. 2:220-E6, *Log of Closed Meeting Minutes*.

Step 2. The Board meets in closed session to review the log of unreleased closed meeting minutes. The Board or Recording Secretary brings a copy of all unreleased closed meeting minutes and, if requested, allows Board members to review the actual minutes. The Board identifies which closed meeting minutes or portions thereof no longer need confidential treatment. Use *Report Following the Board's Semi-Annual Review of Closed Meeting Minutes*, below.

Step 3. At least semi-annually in an open meeting, the Board takes action to release for public inspection those minutes, or portions thereof, no longer needing confidential treatment. Use *Action to Accept*, below. Closed meeting minutes will not be released for public inspection if confidential treatment is needed to protect the public interest or the privacy of an individual, including: (1) student disciplinary cases or other matters relating to an individual student, and (2) personnel files and employees' and Board members' personal information.

Step 4. The Board or Recording Secretary: (1) updates the log of unreleased closed meeting minutes to remove any minutes that the Board made available for public inspection; (2) makes a notation on any applicable closed meeting minutes of the Board's action to release it or a portion of it for public inspection; (3) continues to log new closed meeting minutes that the Board has not released for public inspection (2:220-E6, *Log of Closed Meeting Minutes*), and (4) maintains logs for access to closed session minutes pursuant to 5 ILCS 120/2.06(e), amended by P.A. 99-515.

### Report Following the Board's Semi-Annual Review of Closed Meeting Minutes

The Center Board met on \_\_\_\_\_ in closed session to conduct its semi-annual review of closed meeting minutes that have not been released for public inspection.

The closed meeting minutes, or portions thereof, from the following dates no longer require confidential treatment: (*insert closed meeting dates*)


The need for confidentiality still exists as to all remaining closed meeting minutes to protect an individual's privacy or CACC's interests.

### Action to Accept the Board's Semi-Annual Review of Closed Meeting Minutes

Open meeting date:
Motion to approve the Board's semi-annual review of unreleased closed meeting minutes and to release for public inspection those minutes, or portions thereof, that the Board identified as no longer needing confidential treatment made by:
Motion seconded by:

Action:  Passed  Failed

DATED: June 15, 2017

**Capital Area Career Center**

## 2:220-E6 Exhibit - Log of Closed Meeting Minutes

The purpose of this log is to facilitate the Board's semi-annual review of closed meeting minutes. See 2:220-E5, *Semi-Annual Review of Closed Meeting Minutes*.

The Board Secretary or Recording Secretary shall maintain a list of closed meeting minutes, arranged according to the reason for the closed meeting, that have not been released for public inspection.

Closed Session Held to Discuss:	Dates of Closed Sessions		
Specific employee(s), specific independent contractors, specific volunteers, or CACC legal counsel; however, a meeting to consider an increase in compensation to a specific employee of a public body that is subject to the Local Government Wage Increase Transparency Act may not be closed and shall be open to the public and posted and held in accordance with [the Open Meetings Act]. 5 ILCS 120/2(c)(1), amended by P.A. 101-459.			
Collective negotiating matters or deliberations concerning salary schedules for one or more classes of employees.  5 ILCS 120/2(c)(2).			
Selection of a person to fill a vacancy on the Board. 5 ILCS 120/2(c)(3).			
Evidence or testimony presented in a hearing where authorized by law. 5 ILCS 120/2(c)(4).			
Purchase or lease of real property. 5 ILCS 120/2(c)(5).			
Setting of a price for sale or lease of CACC property. 5ILCS 120/2(c)(6).			
Sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).			
Security procedures and the use of personnel and equipment to respond to an actual, a threatened, or a reasonably potential danger. 5 ILCS 120/2(c)(8).			
Student disciplinary cases. 5 ILCS 120/2(c)(9). <i>Minutes of meetings held for this reason shall never be released to protect the individual student's privacy.</i>			

<p>Any matter involving an individual student. 5 ILCS 120/2(c)(10). <i>Minutes of meetings held for this reason shall never be released to protect the individual student's privacy.</i></p>	<table border="1"> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> </table>															
<p>Litigation, when an action against, affecting, or on behalf of CACC has been filed and is pending before a court or administrative tribunal, or when the Board finds that an action is probable or imminent. 5 ILCS 120/2(c)(11).</p>	<table border="1"> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> </table>															
<p>Establishment of reserves or settlement of claims as provided in the Local Government and Governmental Employees Tort Immunity Act or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of CACC or any intergovernmental risk management association or self insurance pool. 5 ILCS 120/2(c)(12).</p>	<table border="1"> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> </table>															
<p>Self-evaluation, practices and procedures or professional ethics, when meeting with an IASB representative. 5 ILCS 120/2(c)(16).</p>	<table border="1"> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> </table>															
<p>Minutes of meetings lawfully closed, whether for purposes of approval or semi-annual review. 5 ILCS 120/2(c)(21).</p>	<table border="1"> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> </table>															
<p>Meetings between internal or external auditors and governmental audit committees, finance committees, and their equivalents, when the discussion involves internal control weaknesses, identification of potential fraud risk areas, known or suspected frauds, and fraud interviews conducted in accordance with generally accepted auditing standards of the United States of America. 5 ILCS 120/2(c)(29).</p>	<table border="1"> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td></tr> </table>															

DATED : January 16, 2020

**Capital Area Career Center**

## 2:220-E7 Exhibit - Access to Closed Meeting Minutes and Verbatim Recordings

The Board must allow its duly elected officials or appointed officials filling a vacancy of an elected office access to closed session minutes and verbatim recordings (5 ILCS 120/2.06(e)), amended by P.A. 99-515. The following subheads implement the logistics of granting this access.

### Access to Closed Meeting Minutes

*Duplicate this section for each grant of access to closed meeting minutes.*

Date:		Time:		Storage Location:
Name of person(s) responsible for storing the closed meeting minutes:				
<input type="checkbox"/> <b>Access granted</b>				
Date access occurred:		Start time:		
Requesting Board member's name <i>(Please print)</i>				
In the presence of: <i>(Check appropriate box and insert name on line.)</i>				
<input type="checkbox"/> Recording Secretary				
<input type="checkbox"/> Director or designated administrator				
<input type="checkbox"/> Board member				

**For requesting Board member:** *(Read the following and sign below.)*

While the Open Meetings Act does not provide a cause of action against me or the Board for disclosing closed session discussions (Swanson v. Board of Police Commissioners, 555 N.E. 2d 35 (1990)), I acknowledge and understand that any disclosures by me of information in the closed session minutes not yet released to the public could subject me to a possible civil action alleging that I created harm to another, i.e., an intentional tort(s).

Requesting Board Member Signature \_\_\_\_\_ Date \_\_\_\_\_

### Verbatim Recording Access

*Duplicate this section for each grant of access to verbatim recordings.*

Date:		Time:		Storage Location:
-------	--	-------	--	-------------------

Name of person(s) responsible for storing the verbatim recording:				
<input type="checkbox"/> <b>Access granted</b>				
Date access occurred:		Start time:		End time:
Requesting Board member's name <i>(Please print)</i>				
In the presence of: <i>(Check appropriate box and insert name on line.)</i>				
<input type="checkbox"/> Recording Secretary				
<input type="checkbox"/> Director or designated administrator				
<input type="checkbox"/> Board member				
<input type="checkbox"/> <b>Access denied</b> <input type="checkbox"/> <b>Access unavailable.</b> Verbatim recording requested is older than 18 months and was destroyed pursuant to 5 ILCS 120/2.06(c).				

**For requesting Board member:** *(Read the following and sign below.)*

While the Open Meetings Act does not provide a cause of action against me or the Board for disclosing closed session discussions (Swanson v. Board of Police Commissioners, 555 N.E. 2d 35 (1990)), I acknowledge and understand that any disclosures by me of information in the verbatim recordings could subject me to a possible civil action alleging that I created harm to another, i.e., an intentional tort(s).

Requesting Board Member Signature \_\_\_\_\_ Date

\_\_\_\_\_

DATED: June 15, 2017

**Capital Area Career Center**

## 2:220-E8 Exhibit - Center Board Records Maintenance Requirements and FAQs

### Open Meetings Act

The Open Meetings Act (OMA) requires public bodies to "keep written minutes of all their meetings, whether open or closed, and a verbatim record of all their closed meetings in the form of an audio or video recording." 5 ILCS 120/2.06(a). Minutes must include, but are not limited to: (1) the date, time, and place of the meeting; (2) the members of the public body recorded as either present or absent and whether the members were physically present or present by means of video or audio conference; and (3) a summary of discussion on all matters proposed, deliberated, or decided, and record of any votes taken. Id.

The remainder of Section 2.06 addresses the approval of open meeting minutes, the treatment of verbatim recordings of closed meetings, the semi-annual review of closed meeting minutes, the confidential nature of closed meeting minutes, and the right of persons to address public officials under rules established and recorded by the public body. The requirements of Section 2.06, as well as OMA requirements pertaining to Board agendas, are included in policy 2:220, *Center Board Meeting Procedure*.

Exhibit 2:220-E3, *Closed Meeting Minutes*, provides a sample template for keeping closed meeting minutes that incorporates the requirements of Section 2.06 of OMA. It also includes an area to designate if the Board has determined, pursuant to Section 2.06(d), that the closed meeting minutes no longer need confidential treatment.

Exhibit 2:220-E4, *Open Meeting Minutes*, contains an open meeting minute's protocol that incorporates the requirements of Section 2.06 of OMA. It also provides a sample template for keeping open meeting minutes.

Exhibit 2:220-E5, *Semi-Annual Review of Closed Meeting Minutes*, contains a process for implementing the semi-annual review of closed meeting minutes, and exhibit 2:220-E6, *Log of Closed Meeting Minutes*, is designed to facilitate this semi-annual review.

### Local Records Act

The Local Records Act (LRA) provides that public records, including "any book, paper, map, photograph, digitized electronic material, or other official documentary material, regardless of physical form or characteristics, made, produced, executed or received by any agency or officer pursuant to law or in connections with the transaction of public business and preserved or appropriate for preservation by such agency or officer" must be preserved unless the State Local Records Commission has given permission to destroy those records. 50 ILCS 205/3 and 7. Board records, including agendas, meeting packets and meeting minutes, fall into this definition.

Public bodies located in Cook County must work with the Local Records Commission of Cook County to determine how long they must retain public records. Public bodies located outside of Cook County must work with the Downstate Local Records Commission to determine how long they must retain public records.

Policy 2:250, *Access to CACC Public Records*, contains a subhead entitled **Preserving Public Records** which provides as follows:

Public records, including email messages, shall be preserved and cataloged if: (1) they are evidence of CACC's organization, function, policies, procedures, or activities, (2) they contain informational data appropriate for preservation, (3) their retention is required by State or federal law, or (4) they are subject to a retention request by the Board Attorney (e.g., a litigation hold), CACC auditor, or other individual authorized by the Center Board or State or federal law to make such a request. Unless its



retention is required as described in items numbered 3 or 4 above, a public record, as defined by the Illinois Local Records Act, may be destroyed when authorized by the Local Records Commission.

See the sample policy, 2:200, *Center Board Meeting Procedure*, for all relevant footnotes. Also see administrative procedure 2:250-AP2, *Protocols for Record Preservation and Development of Retention Schedules*, for recommendations regarding CACC records retention protocols and links to web-based record management resources.

Open Meeting Minutes

Are you required to approve them?	Must they be semi-annually reviewed?	May you release them to the public?	May you destroy them?
<p>Yes, within 30 days or at the next subsequent meeting, whichever is later.</p> <p><i>A public body shall approve the minutes of its open meeting within 30 days after that meeting or at the public body's second subsequent regular meeting, whichever is later. 5 ILCS 120/2.06(b).</i></p>	<p>No.</p> <p>Unlike the closed meeting requirement, OMA does not contain semi-annual review requirements for open meeting minutes.</p>	<p>Yes, must within ten days after minutes are approved.</p> <p><i>The minutes of meetings open to the public shall be available for public inspection within 10 days after the approval of such minutes by the public body. Beginning July 1, 2006, at the time it complies with other requirements of this subsection, a public body that has a website that the full-time staff of the public body maintains shall post the minutes of a regular meeting of its governing body open to the public on the public body's website within 10 days after the approval of the minutes by the public body. Beginning July 1, 2006, any minutes of meetings open to the public posted on the public body's website shall remain posted on the website for at least 60 days after their initial posting. 5 ILCS 120/2.06(b).</i></p>	<p>No.</p> <p>There is no OMA provision permitting the destruction of open meeting minutes, and <b>they must be preserved unless the State Local Records Commission has given permission to destroy them.</b></p> <p>If a public body would like to destroy open meeting minutes, then it must comply with the LRA and work with its Local Records Commission. It is highly unlikely, however, that the Local Records Commission would approve of their destruction.</p>

Open Meeting Verbatim Recordings

Are you required to approve them?	Must they be semi-annually reviewed?	May you release them to the public?	May you destroy them?
<p>No.</p> <p>OMA does not require public bodies to approve verbatim recordings of open meetings.</p>	<p>No.</p> <p>Unlike the closed meeting requirement, OMA does not require public bodies to keep verbatim recordings of open meetings. OMA does not contain semi-annual review requirements for open meeting verbatim recordings.</p>	<p>Yes.</p> <p>Unlike the closed meeting requirement, OMA does not require public bodies to keep verbatim recordings of open meetings. If a public body makes verbatim recordings of open meetings, then such recordings are subject to public disclosure pursuant to the Freedom of Information Act (5 ILCS 140/).</p>	<p>Possibly.</p> <p>If a public body would like to destroy open meeting verbatim recordings, then it must comply with the LRA and work with its Local Records Commission.</p>

Closed Meeting Minutes

Are you required to approve them?	Must they be semi-annually reviewed?	May you release them to the public?	May you destroy them?
<p>Yes.</p> <p>OMA does not directly state public bodies are required to approve closed meeting minutes, nor does it set a time frame for such approval. However, OMA Section 2.06(d) requires public bodies to meet at least semi-annually to "review minutes of all closed meetings." 5 ILCS 120/2.06(d).</p> <p>Moreover, OMA Section</p>	<p>Yes.</p> <p><i>Each public body shall periodically, but not less than semi-annually, meet to review all</i></p>	<p>Yes, if prerequisites are met.</p> <p><i>Minutes of meetings closed to the public shall be</i></p>	<p>No.</p> <p>There is no OMA provision permitting the destruction of closed meeting minutes, and <b>they must be preserved unless the State Local Records Commission has given permission to destroy them.</b></p> <p>In addition, per OMA Section 2.06(f), as amended by P.A. 99-515:</p> <p><i>No minutes of meetings</i></p>

<p>2.06(c) specifically allows the destruction of closed meeting verbatim recordings only if certain conditions are met, one of which is that "the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section." 5 ILCS 120/2.06(c)(2). Both of these tasks would be difficult to achieve if closed meeting minutes were not first approved.</p> <p>One practice is to approve closed meeting minutes within the same time frame that open meeting minutes are approved - within 30 days of the meeting or at the next subsequent meeting, whichever is later.</p>	<p><i>existing minutes of all prior closed meetings (this includes records from all time that the board has been in existence). At such meetings a determination shall be made, and reported in an open session that (1) the need for confidentiality still exists as to all or part of those minutes or (2) that the minutes or portions thereof no longer require confidential treatment and are available for public inspection.</i> 5 ILCS 120/2.06(d).</p>	<p><i>available only after the public body determines that it is no longer necessary to protect the public interest or the privacy of an individual by keeping them confidential.</i> 5 ILCS 120/2.06(f).</p>	<p><i>closed to the public shall be removed from the public body's main office or official storage location, except by vote of the public body or by court order.</i> 5 ILCS 120/2.06(f).</p> <p>If a public body would like to destroy closed meeting minutes, then it must comply with the LRA and work with its Local Records Commission. It is highly unlikely, however, that the Local Records Commission would approve of their destruction.</p>
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Closed Meeting Verbatim Recordings

<b>Are you required to approve them?</b>	<b>Must they be semi-annually reviewed?</b>	<b>May you release them to the public?</b>	<b>May you destroy them?</b>
	No.	<p>Possibly but unlikely.</p> <p><i>Unless the public body has made a determination that the verbatim recording no longer requires confidential treatment or otherwise consents to disclosure, the verbatim record of a meeting</i></p>	<p>Yes, after 18 months if prerequisites are met.</p> <p><i>The verbatim record may be destroyed without notification to or the approval of a records commission or the State Archivist under the Local Records Act or the State Records Act no less than</i></p>

<p>No.</p> <p>OMA does not require approval of closed meeting verbatim recordings.</p>	<p>OMA does not require semi-annual review of closed meeting verbatim recordings.</p>	<p><i>closed to the public shall not be open for public inspection or subject to discovery in any administrative or judicial proceeding other than one brought to enforce this Act. 5 ILCS 120/2.06(e).</i></p> <p>But see <u>Kodish v. Oakbrook Terrace Fire Protection District</u> (235 F.R.D. 447 (N.D. IL. 2006)), where a federal District court ordered that closed meeting verbatim recordings be disclosed to the Plaintiff in discovery because his primary claim was brought under federal law.</p>	<p><i>18 months after the completion of the meeting recorded but only after: 1.) the public body approves the destruction of a particular recording; and 2.) the public body approves minutes of the closed meeting that meet the written minutes requirements of subsection (a) of this Section. 5 ILCS 120/2.06(c).</i></p> <p>In addition, per OMA Section 2.06(f), as amended by P.A. 99-515:</p> <p><i>No verbatim recordings shall be recorded or removed from the public body's main office or official storage location, except by vote of the public body or by court order. 5 ILCS 120/2.06(e).</i></p>
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DATED: June 15, 2017

**Capital Area Career Center**

## 2:220-E9 Exhibit - Requirements for No Physical Presence of Quorum and Participation by Audio or Video During Disaster Declaration

Use this exhibit to document the Board's and/or its committee(s)'s (5 ILCS 120/1.02) processes to comply with the requirements of the Open Meetings Act (OMA) when a board and/or its committee(s) must meet during a disaster declaration related to a public health emergency/concern and the meeting will have no physical presence of a quorum and participation by audio or video.

**Note:** If a Board committee uses this exhibit, replace Board President, Vice President, and Supt. with the appropriate committee leaders.

### Consult the Board Attorney for guidance.

#### Documentation of OMA Requirements for Board Members to Participate in a Meeting with No Physical Presence of Quorum

The Governor or the Director of the Ill. Dept. of Public Health has issued a disaster declaration related to a public health emergency because of a disaster as defined in 20 ILCS 3305/4, and all or part of the jurisdiction of the Board is covered by the disaster area. 5 ILCS 120/7(e)(1), amended by P.A. 101-640. **Note:** OMA uses “public health concerns,” but the Ill. Emergency Management Act (IEMA) uses “public health emergency;” this exhibit matches the IEMA term because it governs disaster declarations.

*Insert Disaster Declaration or Executive Order number [ \_\_\_\_\_ ] or attach to this document.*

The Board President or, if the office is vacant or the President is absent or unable to perform the office's duties, the Vice President, or if neither the President nor Vice President are present or able to perform this determination, the Superintendent (5 ILCS 120/7(e)(2), amended by P.A. 101-640, and 140/2(e)) signs below that the following three **Steps** were executed by:

**Step 1.** Determining whether the meeting is a bona fide emergency (5 ILCS 120/7(e)(7), amended by P.A. 101-640) (*check Yes or No, below*):

Yes; it is an emergency meeting, and I:

- A. Notified the Board members and the public, including any news medium which has filed an annual request for notice of meetings as soon as practicable, but in any event prior to the holding of such meeting pursuant to 5 ILCS 120/2.02(a) and 120/7(e)(7)(A), amended by P.A. 101-640;
- B. Stated the nature of the emergency at the beginning of the meeting; and
- C. Provided the Superintendent or Board Secretary the resources necessary during the meeting to keep a verbatim record of the meeting, **for both open and closed**, and managed it the same way that the Board complies with the verbatim recording requirements for closed meetings (see exhibit 2:220-E1, *Board Treatment of Closed Meeting Verbatim Recordings and Minutes*).  
**Note:** In this situation, a verbatim recording is not limited to closed meetings only.
- D. Move to Step 2, below.

No; it is a regular or special meeting, and I:

- A. Ensured that the Board provided 48 hours' notice of the meeting to all Board members, to any news medium on file in the District that have requested notice of meetings pursuant to 5 ILCS 120/2.02(a), and to members of the public by posting it on the District's website. 5 ILCS 120/7(e)(7), amended by P.A. 101-640. **Note:** 5 ILCS 120/7(e), amended by P.A. 101-640 does not have the “if any” exception for school boards that do not have websites. Consult the board attorney regarding alternate ways to communicate notice of a meeting when the district

does not have a website and a Disaster Declaration or Executive Order has been issued.

*Insert meeting date and time, and a link to the meeting notice or attach a copy of the notice to this document.*

B. Moves to Step 2, below.

**Step 2.** Determining whether it is practical, prudent, or feasible for any in-person attendance at the regular meeting location (5 ILCS 120/7(e)(2), amended by P.A. 101-640). (*check Yes or No, below*):

Yes; in-person attendance is practical, prudent, or feasible, and I:

- A. Ensured that at least one Board member, the Board Attorney, or the Superintendent was physically present at the regular meeting location (5 ILCS 120/7(e)(5), amended by P.A. 101-640), and
- B. Verified that members of the public who were present could hear all discussion and testimony and all votes of the members of the Board. 5 ILCS 120/7(e)(4), amended by P.A. 101-640.
- C. Move to Step 3, below.

No; in-person attendance is not practical, prudent, or feasible, and I:

- A. Made a written determination referring to the specific Executive Order or Disaster Declaration citing the public health concern/emergency that applies to the Board and the meeting. 5 ILCS 120/7(e)(1) and (2), amended by P.A. 101-640.
- B. Included the written determination made in letter A., above, on the Board's published notice and agenda for the alternative arrangements for the meeting. 5 ILCS 120/7(e)(7)(A)-(B), amended by P.A. 101-640.
- C. Offered the alternative arrangements to the public by offering a telephone number or a web-based link. 5 ILCS 120/7(e)(4), amended by P.A. 101-640.

*Insert a link to the meeting notice or attach a copy of the notice or refer to above if already attached to this document (see above).*

*Include this written determination on the Board/committee's published notice and agenda for the audio or video meeting, and in the meeting minutes.*

D. Move to Step 3, below.

**Step 3.** During the meeting, I:

Directed the Recording Secretary to, in addition to the requirements for open meetings under OMA, also keep verbatim record of the open meeting by recording it and making it open and available to the public under all provisions of OMA. 5 ILCS 120/7(e)(9), amended by P.A. 101-640. ***Sample text follows below in the subhead below Report to the Public Following the Board's Meeting with No Physical Presence of Quorum.***

Read my written determination referring to the specific Executive Order or Disaster Declaration citing the public health concern/emergency that applies to the Board and the meeting and directed the Recording Secretary to include it in the meeting minutes.

Ensured that any interested member of the public has access to contemporaneously hear all discussion, testimony, and roll call votes. 5 ILCS 120/7(e)(4), amended by P.A. 101-640.

Requested the Recording Secretary to enter into the appropriate minutes of the Board that each

Board member participating in the meeting, wherever their physical locations, announced:

1. Themselves present (5 ILCS 120/7(e)(3), amended by P.A. 101-640), and
2. A verification that they could hear one another and all discussion and testimony. Id.

See 2:220-E3, *Closed Meeting Minutes* and/or 2:220-E4, *Open Meeting Minutes*.

*Attach to this document copies or information about where these minutes may be found.*

Announced and considered each Board member participating in the meeting present at the meeting for purposes of determining a quorum and participating in all proceedings (5 ILCS 120/7(e) (8), amended by P.A. 101-640) and directed the Recording Secretary to reflect it in the minutes (best practice for transparency).

Conducted all votes by roll call, so each Board member’s vote on each issue could be identified and recorded (5 ILCS 120/7(e)(6), amended by P.A. 101-640), and ensured that the Recording Secretary entered all votes as **Roll Call Votes** (Use exhibit 2:220-E4, *Open Meeting Minutes* but ensure all votes are recorded as roll call votes pursuant to the example below):

“Yeas”	“Nays”
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**Motion:**  Carried     Failed

Executed or directed execution of the subhead below **Report to the Public Following the Board’s Meeting with No Physical Presence of Quorum.**

Report to the Public Following the Board’s Meeting with No Physical Presence of Quorum

*The text below may be used for the actual report.*

The School Board met on *[insert date]* with no physical presence of quorum to conduct its business.

The verbatim *[circle one]* audio | video recording of this meeting is available to the public under all provisions of OMA and will be destroyed pursuant to 5 ILCS 120/2.06(c) (no less than 18 months after the completion of the meeting recorded but only after: (1) the Board approves the destruction of the particular recording; and (2) the Board approves minutes of the meeting that meet the written minutes requirements of OMA). 5 ILCS 120/7(e)(9), amended by P.A. 101-640.

*Insert links to the verbatim recording of meeting here or attach to this document.*

**Note:** Consult the board attorney for guidance on the destruction of a verbatim recording of an open meeting without the physical presence of a quorum. While 5 ILCS 120/2.06(c) refers to the process for destroying closed session verbatim recordings, 5 ILCS 120/7(e)(9), amended by P.A. 101-640, applies that process for destroying closed session verbatim recordings to the destruction of the verbatim open session recordings that are required when a board determines it is necessary for it to meet without the physical presence of a quorum due to a public health emergency.

Completed By: \_\_\_\_\_

Title: \_\_\_\_\_

DATED : October 15, 2020

# Capital Area Career Center



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

For an overall minimum of 30 minutes during each regular and special open meeting, any person may comment to or ask questions of the Board (*public participation*), subject to the reasonable constraints established and recorded in this policy's guidelines below. During public participation, there will be a 20-minute minimum total length of time for any one subject. When public participation takes less time than these minimums, it shall end.

To preserve sufficient time for the Board to conduct its business, any person appearing before the Board is expected to follow these guidelines:

1. Address the Board only at the appropriate time as indicated on the agenda and when recognized by the Chairperson.
2. Identify oneself and be brief. Ordinarily, the time for any one person to address the Board during public participation shall be limited to five minutes. In unusual circumstances, and when an individual has made a request to speak for a longer period of time, the person may be allowed to speak for more than five minutes.
3. Observe, when necessary and appropriate, the:
  - a. Shortening of the time for each person to address the Board during public participation to conserve time and give the maximum number of people an opportunity to speak;
  - b. Expansion of the overall minimum of 30 minutes for public participation and/or the 20-minute minimum total length of time for any one subject; and/or
  - c. Determination of procedural matters regarding public participation not otherwise covered in Board policy.
4. Conduct oneself with respect and civility toward others and otherwise abide by Board policy 8:30, *Visitors to and Conduct on CACC Property*.

Petitions or written correspondence to the Board shall be presented to the Board in the next regular Board packet.

### LEGAL REF.:

5 ILCS 120/2.06, Open Meetings Act.

105 ILCS 5/10-6 and 5/10-16.

CROSS REF.:2:220 (Center Board Meeting Procedure), 8:10 (Connection with the Community), 8:30 (Visitors to and Conduct on CACC Property)

Adopted: October 17, 2019

**Capital Area Career Center**

## 2:240 Board Policy Development

The Center Board governs using written policies. Written policies ensure legal compliance, establish Board processes, articulate CACC ends, delegate authority, and define operating limits. Board policies also provide the basis for monitoring progress toward CACC ends.

### Policy Development

Anyone may propose new policies, changes to existing policies, or deletion of existing policies. Staff suggestions should be processed through the Director. Suggestions from all others should be made to the Chairperson or the Director.

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

### Policy Adoption and Dissemination

Policies or policy revisions will not be adopted at the Board meeting at which they are first introduced, except when: (1) appropriate for a consent agenda because no Board discussion is required, or (2) necessary or prudent in order to meet emergency or special conditions or to be legally compliant. Further Board consideration will be given at a subsequent meeting(s) and after opportunity for community input. The adoption of a policy will serve to supersede all previously adopted policies on the same topic.

The Board policies are available for public inspection in CACC's main office during regular office hours. Copy requests should be made pursuant to Board policy 2:250, *Access to CACC Public Records*. The Board policies are also available on CACC's Website.

### Board Policy Review and Monitoring

The Board will periodically review its policies for relevancy, monitor its policies for effectiveness, and consider whether any modifications are required. The Board may use an annual policy review and monitoring calendar.

### Director Implementation

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

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

### Suspension of Policies

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

### LEGAL REF.:

105 ILCS 5/10-20.5.

CROSS REF.:2:150 (Committees), 2:250 (Access to CACC Public Records), 3:40 (Director)

Adopted: October 17, 2019

## **Capital Area Career Center**

## 2:240-E1 Exhibit - PRESS Issue Updates

This procedure is for **PRESS** subscribers. For subscribers to **PRESS Plus**, IASB's full-maintenance policy update service, the update instructions that arrive with a paid **PRESS Plus** subscription provide further guidance.

Actor	Action
Director	<p>Manages the process for the Board to receive <b>PRESS</b> updates to policies.</p> <p>Manages the Board's compliance with the Open Meetings Act. Ensures that, as appropriate, the agendas for the Board Policy Committee and Center Board include discussion and list action to consider, adopt, or revise Board policies and Board exhibits.</p> <p>Manages the process for approving new or revised administrative procedures, administrative procedure exhibits, and changes to employee and student handbooks.</p> <p>Communicates all policy and administrative procedure revisions or adoptions, as appropriate, to staff members, parents, students, and community members.</p>
Director or Director's Secretary	<p>Updates CACC's <i>Roster</i> as follows:</p> <ol style="list-style-type: none"> <li>1. Go to <a href="http://www.iasb.com">www.iasb.com</a> and click on <b>MY ACCOUNT</b>.</li> <li>2. Log in using your email address and password: <ul style="list-style-type: none"> <li>• If you are signing in for the first time, your password is the 7-digit IASB ID number beginning with "2" that appears on all IASB mailing labels.</li> <li>• If you have already changed your password, use the unique password you created.</li> <li>• If you do not know your password, use the <b>forgot password</b> link.</li> </ul> </li> </ol>
Designated support staff	<p><b>To each member of the Policy Committee (or full Board):</b> Emails or otherwise distributes the following:</p> <ol style="list-style-type: none"> <li>1. <b>PRESS Online Information and Instructions</b> card;</li> <li>2. <b>PRESS Update Memo</b>;</li> <li>3. <b>PRESS</b> Tutorial video link at:  <a href="http://www.iasb.com/policy">www.iasb.com/policy</a>;</li> <li>4. Committee worksheets and</li> <li>5. Current CACC policy in relevant areas.</li> </ol> <p><b>To any other Board member or interested CACC official:</b> Emails or otherwise distributes numbers 1 through 5, above.</p> <p>As appropriate, includes new and revised policies in the Board meeting packets.</p> <p>After a policy is adopted or revised, updates CACC's policy manual master</p>

	<p>electronic file and adds or updates adoption dates.</p> <p>Archives old policy.</p> <p>Follows CACC process for updating paper and online manuals.</p> <p>Considers distributing <b>PRESS Update Memo</b> to Building Principals.</p>
Policy Committee (or Full Board)	<p>Considers each <b>PRESS</b> update. Reviews all footnote changes.</p> <p>Decides which changes require Center Board discussion and which are appropriate as consent agenda items.</p> <p>The following are appropriate for the consent agenda: changes to the Legal References and Cross References, and minor policy edits that do not require Board discussion.</p> <p>Requests review of recommended revisions by the Board Attorney, as appropriate.</p> <p>Presents recommendations regarding <b>PRESS</b> updates to the Board at a regularly scheduled meeting.</p>
Full Board	<p>Conducts a first reading of the policies that are recommended to be updated.</p> <p>During the next regular meeting, conducts a second reading.</p> <p>A second reading allows the Board to hear feedback from interested parties, including staff, parents, students, and community members; however, State law does not require two readings.</p> <p>After the second reading, consider and take action to approve the policies at a duly convened open meeting.</p>
Assistant Directors, Directors, Building Principals, and supervisory employees	<p>Reads <b>PRESS Update Memo (if applicable)</b>, adopted policies and follows the Director's process for updating administrative procedures, and changes to employee and student handbooks within their assigned building(s).</p>
Anyone	<p>For further clarification, view the online tutorial for <b>PRESS</b>, available at <a href="http://www.iasb.com/policy">www.iasb.com/policy</a>.</p>

DATED: June 15, 2017

**Capital Area Career Center**

## 2:240-E2 Exhibit - Developing Local Policy

Actor	Action
Anyone (Director, Center Board member, staff, parent, student, community member, or Board Attorney)	Brings a concern that may necessitate a new policy or a current policy's revision to the attention of the Center Board.
Director	<p>Confers with the Board Attorney as appropriate.</p> <p>Manages the Board's compliance with the Open Meetings Act. Ensures that, as appropriate, the agendas for the Board Policy Committee and Center Board include discussion and action to consider, adopt, or revise Board policies.</p> <p>Manages the process for approving new or revised administrative procedures, and revisions to employee and student handbooks.</p> <p>Communicates all policy and procedure revisions or adoptions as appropriate to staff members, parents, students, and community members.</p>
Policy Committee (or Full Board)	<p><b>First</b>, answers these questions to decide whether new policy language is needed:</p> <ol style="list-style-type: none"> <li>1. Does the IASB Policy Reference Manual provide guidance?</li> <li>2. Is the request something that should be covered in policy (i.e., Board work) or is it something that should be handled by the staff (i.e., staff work)?</li> <li>3. Is it already covered in policy? Checks for policies that cover similar or connected topics using tools such as search engines, Tables of Contents, cross references, and indexes.</li> </ol> <p><b>Second</b>, uses a 4-step process to draft new policy language:</p> <ol style="list-style-type: none"> <li>1. Frames the question and discusses the topic.</li> <li>2. Requests the Director to provide research, including appropriate data, and input from others, such as, those who may be affected by the policy and those who will implement the policy.</li> <li>3. Assesses existing policy and decides whether new or revised policy language is needed.</li> <li>4. Drafts or requests the Director or Board Attorney to draft language addressing the concern that aligns with the Board's mission, vision, goals, and objectives.</li> </ol> <p><b>Third</b>, decides whether the new language should be included in an existing policy or added as a new policy. Assigns any new policy an appropriate location and number.</p> <p>The <b>PRESS</b> coding system reserves policy numbers ending in a '0' and '5' for <b>PRESS</b> material. Locally-developed CACC policies</p>

	should use policy numbers ending in 2, 4, 6, or 8.
Full Board	<p>Conducts a first reading of the policy that is recommended for adoption or revision.</p> <p>During the next regular meeting, conducts a second reading.</p> <p>A second reading allows the Board to hear feedback from interested parties, including staff, parents, students, and community members; however, State law does not require two readings.</p> <p>After the second reading, consider and take action to approve the policies at a duly convened open meeting.</p>
Designated support staff	<p>After a policy is adopted or revised, updates CACC's policy manual master electronic file and adds adoption dates.</p> <p>Archives previous version of revised policy.</p> <p>Follows CACC process for updating paper and online manuals.</p>
Assistant Directors, Directors, Building Principals, and supervisory employees	<p>Reads <b>PRESS Update Memo</b> (if applicable) and adopted policies and follows the Director's process for updating administrative procedures, and changes to employee and student handbooks within their assigned building(s).</p>

DATED: June 15, 2017

**Capital Area Career Center**

## 2:250 Access to CACC Public Records

Full access to CACC's *public records* is available to any person as provided in the Illinois Freedom of Information Act (FOIA), this policy, and implementing procedures. The Director or designee shall: (1) provide the Board with sufficient information and data to permit the Board to monitor CACC's compliance with FOIA and this policy, and (2) report any FOIA requests during the Board's regular meetings along with the status of CACC's response.

### Freedom of Information Officer

The Director shall appoint an employee, who may be himself or herself, to serve as CACC's Freedom of Information Officer and assumes all the duties and powers of that office as provided in FOIA and this policy.

### Definition

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

### Requesting Records

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

### Responding to Requests

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

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

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

The time periods are extended for responding to requests for records made for a *commercial purpose*, requests by a *recurrent requester*, or *voluminous requests*, as those terms are defined in Section 2 of FOIA. The time periods for responding to those requests are governed by Sections 3.1, 3.2, and 3.6 of FOIA.

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



request.

## Fees

Persons making a request for copies of public records must pay any and all applicable fees. The Freedom of Information Officer shall establish a fee schedule that complies with FOIA and this policy and is subject to the Board's review. The fee schedule shall include copying fees and all other fees to the maximum extent they are permitted by FOIA, including without limitation, search and review fees for responding to a request for a *commercial purpose* and fees, costs, and personnel hours in connection with responding to a *voluminous request*.

Copying fees, except when fixed by statute, shall be reasonably calculated to reimburse CACC's actual cost for reproducing and certifying public records and for the use, by any person, of its equipment to copy records. In no case shall the copying fees exceed the maximum fees permitted by FOIA. If CACC's actual copying costs are equal to or greater than the maximum fees permitted by FOIA, the Freedom of Information Officer is authorized to use FOIA's maximum fees as CACC's fees. No copying fees shall be charged for: (1) the first 50 pages of black and white, letter or legal sized copies, or (2) electronic copies other than the actual cost of the recording medium, except if the response is to a *voluminous request*, as defined in FOIA.

A fee reduction is available if the request qualifies under Section 6 of FOIA. The Freedom of Information Officer shall set the amount of the reduction taking into consideration the amount of material requested and the cost of copying it.

## Provision of Copies and Access to Records

A public record that is the subject of an approved access request will be available for inspection or copying at CACC's administrative office during regular business hours, unless other arrangements are made by the Freedom of Information Officer.

Many public records are immediately available from CACC's website including, but not limited to, the process for requesting a public record. The Freedom of Information Officer shall direct a requester to CACC's website if a requested record is available there. If the requester is unable to reasonably access the record online, he or she may resubmit the request for the record, stating his or her inability to reasonably access the record online, and CACC shall make the requested record available for inspection and copying as otherwise provided in this policy.

## Preserving Public Records

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

LEGAL REF.:5 ILCS 140/, Illinois Freedom of Information Act.

105 ILCS 5/10-16 and 5/24A-7.1.

820 ILCS 40/11.

820 ILCS 130/5.

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

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 2:260 Uniform Grievance Procedure

A student, parent/guardian, employee, or community member should notify any CACC Complaint Manager if he or she believes that the Center Board, its employees, or its agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or Board policy, or have a complaint regarding any one of the following:

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

The Complaint Manager will first attempt to resolve complaints without resorting to this grievance procedure. If a formal complaint is filed under this policy, the Complaint Manager will address the complaint promptly and equitably. A student and/or parent/guardian filing a complaint under this policy may forego any informal suggestions and/or attempts to resolve it and may proceed directly to this grievance procedure. The Complaint Manager will not require a student or parent/guardian complaining of any form of harassment to attempt to resolve allegations directly with the accused (or the accused's parents/guardians); this includes mediation.

### Right to Pursue Other Remedies Not Impaired

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

### Deadlines

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

### Filing a Complaint

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

For any complaint alleging bullying and/or cyberbullying of students, the Complaint Manager shall process and review the complaint according to Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy. For any complaint alleging sexual harassment or other violation of Board policy 5:20, *Workplace Harassment Prohibited*, the Complaint Manager shall process and review the complaint according to that policy, in addition to any response required by this policy.

### Investigation Process

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The Complaint Manager shall ensure both parties have an equal opportunity to present evidence during an investigation. If the Complainant is a student under 18 years of age, the Complaint Manager will notify his or her parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law or this policy, (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

The identity of any student witnesses will not be disclosed except: (1) as required by law or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the parent/guardian of the student witness, or by the student if the student is 18 years of age or older.

The Director will keep the Board informed of all complaints.

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

### Decision and Appeal

Within five CACC business days after receiving the Complaint Manager's report, the Director shall mail his or her written decision to the Complainant and the accused by first class U.S. mail as well as to the Complaint Manager. All decisions shall be based upon the *preponderance of evidence* standard.

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

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

For complaints containing allegations involving the Director or Board member(s), within 30 school business days after receiving the Complaint Manager's or outside investigator's report, the Board shall mail its written decision to the Complainant and the accused by first class U.S. mail as well as to the Complaint Manager.

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

### Appointing a Nondiscrimination Coordinator and Complaint Managers

The Director shall appoint a Nondiscrimination Coordinator to manage CACC's efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others. The Nondiscrimination Coordinator also serves as CACC's Title IX Coordinator.

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

The Director shall insert into this policy and keep current the names, office addresses, email addresses, and telephone numbers of the Nondiscrimination Coordinator and the Complaint Managers.

#### **Nondiscrimination Coordinator:**

CACC Center Director – Jodi Ferriell  
2201 Toronto Road, Springfield, IL 62712  
jferriell@caccschool.org  
217-529-5431, ext. 175

#### **Complaint Managers:**

CACC Principal – Wes Aymer	CASPN Nurse Administrator – Dianne Hacker
2201 Toronto Road	2201 Toronto Road
waymer@caccschool.org	dhacker@caspn.edu
217-529-5431, ext. 145	217-525-1215, ext. 213

#### **LEGAL REF.:**

Age Discrimination in Employment Act, 29 U.S.C. §621 et seq.

Americans With Disabilities Act, 42 U.S.C. §12101 et seq.

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

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.

McKinney-Vento Homeless Assistance Act, 42 U.S.C. §11431 et seq.

Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.

Title VI of the Civil Rights Act, 42 U.S.C. §2000d et seq.

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

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

105 ILCS 5/2-3.8, 5/3-10, 5/10-20.7a, 5/10-20.60, 5/10-22.5, 5/22-19, 5/24-4, 5/27-1, 5/27-23.7, and 45/1-15. Illinois Genetic Information Privacy Act, 410 ILCS 513/.

Illinois Whistleblower Act, 740 ILCS 174/.

Illinois Human Rights Act, 775 ILCS 5/.

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

Equal Pay Act of 2003, 820 ILCS 112/.

Employee Credit Privacy Act, 820 ILCS 70/.

23 Ill.Admin.Code §§1.240 and 200.40.

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

Adopted: October 15, 2020

**Capital Area Career Center**

## 2:265 Title IX Sexual Harassment Grievance Procedure

Sexual harassment affects a student's ability to learn and an employee's ability to work. Providing an educational and workplace environment free from sexual harassment is an important District goal. The District does not discriminate on the basis of sex in any of its education programs or activities, and it complies with Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106) concerning everyone in the District's education programs and activities, including applicants for employment, students, parents/guardians, employees, and third parties.

### Title IX Sexual Harassment Prohibited

Sexual harassment as defined in Title IX (Title IX Sexual Harassment) is prohibited. Any person, including a District employee or agent, or student, engages in Title IX Sexual Harassment whenever that person engages in conduct on the basis of an individual's sex that satisfies one or more of the following:

1. A District employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct; or
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's educational program or activity; or
3. *Sexual assault* as defined in 20 U.S.C. §1092(f)(6)(A)(v), *dating violence* as defined in 34 U.S.C. §12291(a)(10), *domestic violence* as defined in 34 U.S.C. §12291(a)(8), or *stalking* as defined in 34 U.S.C. §12291(a)(30).

Examples of sexual harassment include, but are not limited to, touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, spreading rumors related to a person's alleged sexual activities, rape, sexual battery, sexual abuse, and sexual coercion.

### Definitions from 34 C.F.R. §106.30

*Complainant* means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

*Education program or activity* includes locations, events, or circumstances where the District has substantial control over both the *Respondent* and the context in which alleged sexual harassment occurs.

*Formal Title IX Sexual Harassment Complaint* means a document filed by a *Complainant* or signed by the Title IX Coordinator alleging sexual harassment against a *Respondent* and requesting that the District investigate the allegation.

*Respondent* means an individual who has been reported to be the perpetrator of the conduct that could constitute sexual harassment.

*Supportive measures* mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the *Complainant* or the *Respondent* before or after the filing of a *Formal Title IX Sexual Harassment Complaint* or where no *Formal Title IX Sexual Harassment Complaint* has been filed.

### Title IX Sexual Harassment Prevention and Response

The Director or designee will ensure that the District prevents and responds to allegations of Title IX Sexual Harassment as follows:

1. Ensures that the District's comprehensive health education program in Board policy 6:60, *Curriculum Content*, incorporates (a) age-appropriate sexual abuse and assault awareness and prevention programs in grades pre-K through 12, and (b) age-appropriate education about the warning signs, recognition, dangers, and prevention of teen dating violence in grades 7-12. This includes incorporating student social and emotional development into the District's educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*.
2. Incorporates education and training for school staff pursuant to policy 5:100, *Staff Development Program*, and as recommended by the Director, Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, or a Complaint Manager.
3. Notifies applicants for admissions or employment, students, parents/guardians, employees, and collective bargaining units of this policy and contact information for the Title IX Coordinator by, at a minimum, prominently displaying them on the District's website, if any, and in each handbook made available to such persons.

### Making a Report

A person who wishes to make a report under this Title IX Sexual Harassment grievance procedure may make a report to the Title IX Coordinator, Nondiscrimination Coordinator, Building Principal, a Complaint Manager, or any employee with whom the person is comfortable speaking. A person who wishes to make a report may choose to report to a person of the same gender.

School employees shall respond to incidents of sexual harassment by promptly making or forwarding the report to the Title IX Coordinator. An employee who fails to promptly make or forward a report may be disciplined, up to and including discharge.

The Director shall insert into this policy and keep current the name, office address, email address, and telephone number of the Title IX Coordinator.

### **Title IX Coordinator:**

CACC Center Director – Jodi Ferriell

2201 Toronto Road, Springfield, IL 62712

jferriell@caccschool.org

217-529-5431, ext. 175

### Processing and Reviewing a Report or Complaint

Upon receipt of a report, the Title IX Coordinator and/or designee will promptly contact the *Complainant* to: (1) discuss the availability of supportive measures, (2) consider the *Complainant's* wishes with respect to *supportive measures*, (3) inform the *Complainant* of the availability of *supportive measures* with or without the filing of a *Formal Title IX Sexual Harassment Complaint*, and (4) explain to the *Complainant* the process for filing a *Formal Title IX Sexual Harassment Complaint*.

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



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

### Formal Title IX Sexual Harassment Complaint Grievance Process

When a *Formal Title IX Sexual Harassment Complaint* is filed, the Title IX Coordinator will investigate it or appoint a qualified person to undertake the investigation.

The Director or designee shall implement procedures to ensure that all *Formal Title IX Sexual Harassment Complaints* are processed and reviewed according to a Title IX grievance process that fully complies with 34 C.F.R. §106.45. The District's grievance process shall, at a minimum:

1. Treat *Complainants* and *Respondents* equitably by providing remedies to a *Complainant* where the *Respondent* is determined to be responsible for sexual harassment, and by following a grievance process that complies with 34 C.F.R. §106.45 before the imposition of any disciplinary sanctions or other actions against a *Respondent*.
2. Require an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and provide that credibility determinations may not be based on a person's status as a *Complainant*, *Respondent*, or witness.
3. Require that any individual designated by the District as a Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate an informal resolution process:
  - a. Not have a conflict of interest or bias for or against complainants or respondents generally or an individual *Complainant* or *Respondent*.
  - b. Receive training on the definition of sexual harassment, the scope of the District's *education program or activity*, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.
4. Require that any individual designated by the District as an investigator receiving training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
5. Require that any individual designated by the District as a decision-maker receive training on issues of relevance of questions and evidence, including when questions and evidence about the *Complainant's* sexual predisposition or prior sexual behavior are not relevant.
6. Include a presumption that the *Respondent* is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.
7. Include reasonably prompt timeframes for conclusion of the grievance process.
8. Describe the range of possible disciplinary sanctions and remedies the District may implement following any determination of responsibility.
9. Base all decisions upon the *preponderance of evidence* standard.
10. Include the procedures and permissible bases for the *Complainant* and *Respondent* to appeal.
11. Describe the range of *supportive measures* available to *Complainants* and *Respondents*.
12. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

### Enforcement

Any District employee who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action up to and including discharge. Any

third party who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, e.g., vendor, parent, invitee, etc. Any District student who is determined, at the conclusion of the grievance process, to have engaged in sexual harassment will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with student behavior policies. Any person making a knowingly false accusation regarding sexual harassment will likewise be subject to disciplinary action.

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

#### Retaliation Prohibited

The District prohibits any form of retaliation against anyone who, in good faith, has made a report or complaint, assisted, or participated or refused to participate in any manner in a proceeding under this policy. Any person should report claims of retaliation using Board policy 2:260, *Uniform Grievance Procedure*.

Any person who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

#### LEGAL REF.:

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

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

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

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct, and Conflict of Interest), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior)

Adopted: October 15, 2020

**Capital Area Career Center**

**SECTION 3 - GENERAL CACC ADMINISTRATION**

**Capital Area Career Center**

### **3:10 Goals and Objectives**

The Director directs the administration in order to manage the Center and to facilitate the implementation of a quality educational program in alignment with Board policy 1:30, Center Philosophy. Specific goals and objectives are to:

1. Plan, organize, implement, and evaluate educational programs
2. Effectively and efficiently manage the Center's programs and building
3. Provide educational expertise
4. Develop and implement a staff development plan that leads to increased student achievement
5. Skillfully manage the Center's fiscal and business activities
6. Develop and maintain channels for communication between the school and community
7. Develop an administrative procedures manual implementing Board policy
8. Assist the Executive Council and Board of Control in updating Board Policy

LEGAL REF.:105 ILCS 5/10-16.7, 5/10-21.4, and 5/10-21.4a.

CROSS REF.:1:30 (CACC Mission), 2:20 (Powers and Duties of the Center Board; Indemnification), 2:130 (Board Director Relationship), 3:40 (Director), 3:50 (Administrative Personnel Other Than the Director), 3:60 (Administrative Responsibility of the Building Principal), 6:10 (Educational Philosophy and Objectives)

ADOPTED: June 15, 2017

**Capital Area Career Center**

### **3:30 Chain of Command**

The Director shall develop an organizational chart indicating the channels of authority and reporting relationships for CACC personnel. These channels should be followed, and no level should be bypassed except in unusual situations.

All personnel should refer matters requiring administrative action to the responsible administrator, and may appeal a decision to a higher administrative officer. Whenever possible, each employee should be responsible to only one immediate supervisor. When this is not possible, the division of responsibility must be clear.

CROSS REF.:2:140 (Communications To and From the Board), 3:70 (Succession of Authority), 8:110 (Public Suggestions and Concerns)

ADOPTED: June 15, 2017

**Capital Area Career Center**

**3:30-E CACC/CASPN Organizational Chart**

DATED: June 15, 2017

**Capital Area Career Center**

## 3:40 Director

### Duties and Authority

The Director is CACC's executive officer and is responsible for the administration and management of CACC in accordance with Center Board policies and directives, and State and federal law. CACC management duties include, without limitation, preparing, submitting, publishing, and posting reports and notifications as required by State and federal law. The Director is authorized to develop administrative procedures and take other action as needed to implement Board policy and otherwise fulfill his or her responsibilities. The Director may delegate to other CACC staff members the exercise of any powers and the discharge of any duties imposed upon the Director by Board policies or by Board vote. The delegation of power or duty, however, shall not relieve the Director of responsibility for the action that was delegated.

### Qualifications

The Director must be of good character and of unquestionable morals and integrity. The Director shall have the experience and the skills necessary to work effectively with the Board, CACC employees, students, and the community. The Director must have a valid administrative license issued by the State Certification Board.

### Evaluation

The Board will evaluate, at least annually, the Director's performance and effectiveness, using standards and objectives developed by the Director and Board that are consistent with the Board's policies and the Director's contract. A specific time should be designated for a formal evaluation session with all Board members present. The evaluation should include a discussion of professional strengths as well as performance areas needing improvement.

The Director shall annually present evidence of professional growth through attendance at educational conferences, in-service training, or similar continuing education pursuits.

### Compensation and Benefits

The Board and the Director shall enter into an employment agreement that conforms to Board policy and State law. This contract shall govern the employment relationship between the Board and the Director. The terms of the Director's employment agreement, when in conflict with this policy, will control.

LEGAL REF.:105 ILCS 5/10-16.7, 5/10-20.47, 5/10-21.4, 5/10-23.8, 5/21B-20, 5/21B-25, 5/24-11, and 5/24A-3.

23 Ill.Admin.Code §§1.310, 1.705, and 29.130.

CROSS REF:2:20 (Powers and Duties of the Center Board; Indemnification), 2:130 (Board-Director Relationship), 2:240 (Board Policy Development), 3:10 (Goals and Objectives)

ADOPTED: June 15, 2017

## 3:40-E Exhibit - Checklist for the Director Employment Contract Negotiation Process

The Center Board hires and employs the Director. The Director shall be in charge of the administration of the schools under the direction of the Board, through its policies. See 105 ILCS 5/10-21.4 and 105 ILCS 5/10-16.7. As an effective employer, the Board must develop and maintain a productive relationship with the Director. See IASB's *Foundational Principles of Effective Governance*, **Principle 3. The board employs a Superintendent**, at: [www.iasb.com/pdf/found\\_prin.pdf](http://www.iasb.com/pdf/found_prin.pdf).

The foundation for a productive employment relationship begins when the Board identifies the most qualified Director candidate (*successful Director candidate*) after an established interview process. The Board then extends an offer of employment to the successful Director candidate. The employment search process and resulting relationship should consist of mutual respect and a clear understanding of respective roles, responsibilities, and expectations. This relationship should begin with the Board's policy, a thoughtfully crafted employment contract and job description, and procedures for communications and ongoing assessment. See *Principles* at: [www.iasb.com/pdf/found\\_prin.pdf](http://www.iasb.com/pdf/found_prin.pdf).

Below, the *Checklist for the Director Employment Contract Negotiation Process (Checklist)* provides a column entitled **Director Contract Term Considerations for the Board**. It lists common Director employment contract terms and points of consideration for boards to prepare for during the contract formation process. Another column entitled **Explanation, Special Considerations, and Resources** provides extra information about these common Director employment contract terms.

The *Checklist* is intended to serve as a resource to educate and guide the Board through the employment contract negotiation process with its successful Director candidate. Board members who are educated about the content within the *Checklist* are crucial to successful negotiation processes. An educated contract formation and negotiation process, along with a well-written contract and job description for the Director, all set the foundation for mutual respect and a clear understanding of the Board and Director's respective roles, responsibilities, and expectations. **Important:** This *Checklist* is a resource for contract formation; it is not a list of *must have* items for a director's employment contract or a basis for a board to re-open contracts currently in effect.

Prior to providing the successful Director candidate an offer for employment and contract for review, consideration, and negotiation, consult the Board Attorney about the *Checklist* and the scope of the terms the Board wishes to offer the successful Director candidate. The Board and the successful Director candidate should expect and encourage the other to seek the advice of their respective attorneys during the employment contract formation process.

Many attorneys agree and best practices suggest that boards and successful Director candidates work with their own separate attorneys in an amicable and cooperative manner to complete the employment contract negotiation process.

**Board Attorney.** Prior to providing any successful Director candidate with an offer for employment and a contract for review, consideration, and negotiation, best practices suggest consulting the Board Attorney about the *Checklist*. **Note:** Boards should view a successful Director candidate retaining his or her own attorney as a best practice (as opposed to a warning sign). Each party is beginning the employment relationship in a cooperative manner to set an appropriate foundation to the future working relationship.

**Power and Duties of the Director**

Director Contract Term Considerations for	Explanation, Special Considerations, and Resources
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<b>the Board</b>	
Duties	<p>Does the Board enumerate the duties of the Director in the employment contract?</p> <ol style="list-style-type: none"> <li>1. Are the statutory duties of the Director listed?</li> <li>2. Has the Board incorporated policy references to the other duties related to the Director's employment?</li> </ol> <p>See 105 ILCS 5/10-21.4 and 105 ILCS 5/10-16.7.</p>
Full-time, Attention and Energy Clause	<p>How will the Board address outside activities of the Director?</p> <ol style="list-style-type: none"> <li>1. How will the Board define <i>outside activities</i>?</li> <li>2. Will the Board restrict the Director from engaging in outside activities during the term of the employment contract?</li> <li>3. Will the Board require approval/notification before the Director engages in outside activities?</li> </ol>

**Employment and Compensation**

<b>Director Contract Term Considerations for the Board</b>	<b>Explanation, Special Considerations, and Resources</b>
Duration of Contract	<p>A Director's employment contract may not exceed five years. If its duration is two to five years, the contract must reference goals and suspension of tenure.</p> <p>No performance-based contract shall be extended or rolled over prior to its scheduled expiration unless all the performance and improvement goals contained in the contract have been met. See 105 ILCS 5/10-23.8.</p> <p>If the duration is one year or less, then the contract need not reference goals or suspension of tenure.</p>
Salary	<p>Special Considerations for the Board may include:</p> <ol style="list-style-type: none"> <li>1. What is the estimated Board contribution to the Teachers' Retirement System (TRS) for any raises above six percent (40 ILCS 5/15-155(g), amended by P.A. 101-10) prior to retirement?</li> <li>2. What is the <i>cost shift</i> implication for the District if the Board offers or later agrees to a salary that is equal to or greater than the governor's statutory salary of \$177,412 (P.A. 100-23 now makes school districts responsible for paying the actuarial cost of the pension benefits earned on the portion of a TRS member's salary that exceeds \$177,412)?</li> <li>3. Do any administrative cost cap triggers exist (105 ILCS 5/17-1.5)?</li> </ol> <p>Items the Board may see the successful Director candidate request of it:</p> <ol style="list-style-type: none"> <li>1. A fixed salary for each year of the contract.</li> <li>2. A guaranteed minimum salary.</li> <li>3. Compensation increases.</li> </ol>
	<p>The Government Severance Pay Act (GSPA), 5 ILCS 415/10, added by P.A. 100-895, requires the following contract provisions:</p>

Severance Agreements	<ol style="list-style-type: none"> <li>1. A restriction to an amount not exceeding 20 weeks of compensation; and</li> <li>2. A prohibition for any severance if the Director is fired for <i>misconduct</i> by the Board. See the <i>Severance Pay</i> row under the <b>Changes to the Director's Employment Contract</b> subhead below for a definition of what misconduct means in the context of this law.</li> </ol>
Teachers Retirement System (TRS) & Teacher Health Insurance (THIS)	<p>How does the Board want to address:</p> <ol style="list-style-type: none"> <li>1. Pension contributions (TRS-THIS)?</li> <li>2. Inclusion of salary and other compensation in the payment of TRS and THIS? Or, will TRS and THIS be in addition to salary and other compensation?</li> <li>3. Unforeseen pension reform issues?</li> </ol>

**Conditions of Employment**

<b>Director Contract Term Considerations for the Board</b>	<b>Explanation, Special Considerations, and Resources</b>
Administrative License	Does the Board want to require the successful Director candidate to guarantee that as the future Director of the District, he or she has and will maintain the appropriate licensure throughout the employment contract?
Criminal Background Check Law	105 ILCS 5/10-21.9, amended by P.A. 101-531. See also <b>PRESS</b> sample policy 5:30, <i>Hiring Process and Criteria</i> and the subhead entitled <b>Fingerprint-based Criminal History Records Information Check</b> in administrative procedure 5:30-AP2, <i>Investigations</i> .
Other Background Check Laws	<p>Does the Board want to require additional background inquiries beyond the fingerprint-based criminal history records information check required by 105 ILCS 5/10-21.9, amended by P.A. 101-531, and discussed above? If yes, consult the Board Attorney and consider the following laws:</p> <p>15 U.S.C. § 1681 <i>et seq.</i>, Federal Fair Credit Reporting Act (FCRA), is a federal law that regulates the gathering and use of information about consumers by third party <i>consumer reporting agencies</i>, including credit information, criminal background, driving record, personal characteristics/reputation, etc. The law requires consumer reporting agencies to comply with certain procedural notice requirements when gathering information from a consumer.</p> <p>820 ILCS 75/, III. Job Opportunities for Qualified Applicants Act, prohibits employers from inquiring about an applicant's criminal history until the application has been determined qualified and notified that he/she has been selected for an interview (<i>a/k/a ban the box law</i>).</p> <p>820 ILCS 55/, III. Right to Privacy in the Workplace Act (RPWA), prohibits employers from:</p> <ol style="list-style-type: none"> <li>1. Requesting, coercing, or requiring any employee or prospective employee to provide a user name and password for any personal online account;</li> </ol>

	<p>2. Requesting, coercing, or requiring an employee or applicant to invite the employer to have access to that individual’s personal online account; and</p> <p>3. Taking an adverse employment action against an individual (including refusal to hire) based on that individual’s use of a lawful product off District property during nonworking hours, i.e., tobacco, cannabis, or alcohol. (<b>Note:</b> RPWA allows employers to regulate employees’ use of those lawful products that impair an employee’s ability to perform the employee’s assigned duties. See policy 5:50, <i>Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition</i>, and its f/ns).</p> <p>820 ILCS 70/, Ill. Employee Credit Privacy Act, prohibits employers from inquiring into an individual’s credit history or taking action against an employee based such history unless a satisfactory credit history is a <i>bona fide occupational requirement</i>, which is further defined in the statute. The job descriptions of Directors generally meet this standard because they: (1) describe a managerial position that involves direction of school districts; (2) include signatory power over more than \$100; and (3) involve having access to confidential and financial information. <b>Note:</b> Any one of these grounds alone is sufficient.</p>
Medical Examination	<p>105 ILCS 5/24-5 requires new employees to submit evidence of physical fitness to perform assigned duties and freedom from communicable diseases.</p> <p>The Americans with Disabilities Act allows medical inquiries of current employees only when they are job-related and consistent with business necessity or part of a voluntary employee wellness program. 42 U.S.C. §12112(d)(4). Districts may deny jobs to individuals with disabilities who pose a direct threat to the health or safety of others in the workplace, provided that a reasonable accommodation would not either eliminate the risk or reduce it to an acceptable level. 42 U.S.C. §12113; 29 C.F.R. Part 1630.2(r).</p> <p>See also <b>PRESS</b> sample policy 5:30, <i>Hiring Process and Criteria</i>, specifically f/ns 18 and 19.</p>
Tenure	<p>Suspension of Tenure</p> <p>With multi-year contracts and multi-year extensions, Directors waive their rights to tenure in a school district, but no previously acquired tenure may be lost.</p> <p>Continued Tenure</p> <p>Directors serving multiple one year contracts may still accrue service toward and acquire tenure.</p> <p>See 105 ILCS 5/10-23.8 and the <i>Duration of Contract</i> row in the <b>Employment and Compensation</b> checkbox, above.</p>

**Evaluations and Goals**

Director Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
	105 ILCS 5/10-23.8 requires each performance-based contract to include the

goals and indicators of student performance and academic improvement determined and used by the Board to measure the performance and effectiveness of the Director and other information as the Board may determine.

Regarding its goals and indicators, has the Board:

1. At minimum, addressed student performance and academic achievement (105 ILCS 5/10-23.8 states “and other information as the Board may determine”)?
2. Included them in the body of the employment contract? Or as an exhibit to it?
3. Set them to be:
  - a. Measurable and achievable, i.e., are they within the Director’s control?
  - b. Objective, subjective or a combination of both?
4. Set a timeline for achievement, and if so is it on an:
  - a. Annual basis?
  - b. Prior to completion of the employment contract?
5. Set them as procedural, substantive, or a combination of both?

Board Goals and Indicators of Student Performance and Academic Achievement for the Director

For more information about setting goals and indicators for Directors regarding student performance and academic achievement, see:

IASB’s *Field Services Catalog* at: [www.iasb.com/conference-training-and-events/training/training-resources/](http://www.iasb.com/conference-training-and-events/training/training-resources/)

Contact a Field Services Director regarding the following IASB workshops and/or offerings that may set the stage for boards to hold their Directors accountable for district performance, including academic achievement:

*Setting District Goals and Direction* (leads a board and Director to develop their own district-language for specific measurable, and attainable goals and indicators)

*The Superintendent Evaluation Process* (describes an effective method of holding the Director accountable)

*The Board and its Superintendent* (workshop assisting a board in developing an effective relationship with its Director).

Once the Board has developed its goals and indicators (as discussed immediately above), 105 ILCS 5/10-20, 5/10-23, and 5/10-23.8 require the Board to:

1. “Direct, through policy, its Director in his or her charge of the administration of the school district;” and
2. Evaluate the Director in his or her “administration of school board policies and his or her stewardship of the assets of the district.”

How will the Board evaluate the successful Director candidate upon its outlined goals and indicators?

Director Evaluation	<p>Does the Board state when it will evaluate the successful Director candidate upon the goals and indicators that it set? <b>Note:</b> Some districts do not consider the Director evaluation to be a <i>one-time event</i> and put an on-going process into place. Contrast other districts, which depending upon their preferences, generally find the best time of year to evaluate is in the winter or early springtime.</p> <p>Is the Board or the successful Director candidate responsible to trigger the components of the Director’s evaluation process?</p> <p>What evaluation instrument will be used? How will the evaluation be documented?</p> <p>Will an evaluation instrument be outlined by the Board in its employment contract with the successful Director candidate?</p> <p>Is the evaluation instrument the Board will use tied to its goals and indicators of student performance and academic improvement and other information as the Board may determine?</p> <p>For more information about best practices when planning for and evaluating the Director, see:</p> <p><i>The Superintendent Evaluation Process</i> at: <a href="http://www.iasb.com/training/Superintendent-evaluation-process.pdf">www.iasb.com/training/Superintendent-evaluation-process.pdf</a>;</p> <p><i>IASB’s Foundational Principles of Effective Governance, Principle 3. The board employs a Superintendent</i>, at: <a href="http://www.iasb.com/principles.cfm">www.iasb.com/principles.cfm</a>; stating “the board employs and evaluates one person — the Director — and holds that person accountable for district performance and compliance with written board policy”.</p>
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**Expenses and Benefits**

Director Contract Term Considerations for the Board	Explanation, Special Considerations, and Resources
Expenses	<p>How will the Board address expenses in its employment contract negotiations with the successful Director candidate?</p> <p>Business</p> <ol style="list-style-type: none"> <li>1. What standard will the Board use, e.g., reasonable, itemized, etc.?</li> <li>2. Will the Board designate the Board President or another individual to review and/or approve the Director’s expenses?</li> </ol> <p>Transportation</p> <p>Will the Board reimburse travel? If yes, what types of travel will the board reimburse? Some transportation topics that successful Director candidates request discussion about include:</p> <ol style="list-style-type: none"> <li>1. Vehicle insurance reimbursement(s)</li> </ol>

	<ol style="list-style-type: none"> <li>2. Vehicle repair reimbursement(s)</li> <li>3. A travel allowance only at either a set amount or the District's per mile rate</li> <li>4. A vehicle</li> <li>5. Out-of-district travel</li> </ol>
Insurance	<p>Will the Board address insurance in its employment contract negotiations with the successful Director candidate?</p> <p>Some items successful Director candidates request include:</p> <ol style="list-style-type: none"> <li>1. Insurance contributions as part of a Cafeteria Plan, or in the alternative, the Board paying the premiums.</li> <li>2. Specific insurance coverages from the Board, such as health, dental, vision, life, disability, etc.</li> </ol>
Vacation	<p>Will the Board address vacation days in its employment contract negotiations with the successful Director candidate? If yes, then:</p> <ol style="list-style-type: none"> <li>1. How many days?</li> <li>2. Will vacation days accumulate? And, if so, how?</li> <li>3. Will the Board designate itself, the Board President, or a Board officer to approve or receive notification from the Director prior to taking a vacation? If yes, describe the process.</li> <li>4. Will the Board address reimbursement for unused days?</li> </ol>
Sick Leave/Days	<p>Will the Board address sick days in its employment contract negotiations with the successful Director candidate? If yes, then:</p> <ol style="list-style-type: none"> <li>1. Will sick leave be limited to annual sick leave days in the District's teachers' contract?</li> <li>2. How will sick day accumulation be addressed?</li> <li>3. Will the Board designate itself, the Board President, or a Board officer to approve or receive notification from the Director prior to taking or upon returning from a sick day? If yes, describe the process.</li> </ol>
Professional Activities and Organizations   Memberships in Community Organizations	<p>Will the Board address memberships in professional activities/organizations and/or community organizations its employment contract negotiations with the successful Director candidate? If yes, then:</p> <ol style="list-style-type: none"> <li>1. How many organizations will the Board allow the Director to join?</li> <li>2. Which organizations will be allowed?</li> <li>3. What is the Board's limit for the cost of dues to professional organizations?</li> </ol>
	<p>Will the Board address any type of payment(s) upon the Director's retirement? If yes, then:</p> <ol style="list-style-type: none"> <li>1. Has the Board thoroughly examined and addressed: <ol style="list-style-type: none"> <li>a. Any consequences or other penalties to it?</li> <li>b. The impact of any prior salary increases?</li> <li>c. Potential pension reform issues?</li> </ol> </li> </ol>

Retirement	<p>2. Often, a successful Director candidate's attorney has interest in the following issues:</p> <ol style="list-style-type: none"> <li>a. Available post-retirement options available, e.g., payments for sick/vacation days, post-retirement insurance, longevity annuity payment, etc.</li> <li>b. Whether a potential retirement payment will be properly creditable for TRS purposes. <b>Note:</b> Ultimately, only TRS has the authority to determine creditability.</li> </ol>
Annuities and Other Deferred Compensation	<p>Will the Board address any type of annuities and other deferred compensation issues? If yes, then:</p> <ol style="list-style-type: none"> <li>1. Will it offer such compensation in addition to the Director's agreed-upon salary?</li> <li>2. Will it contribute creditable earnings for TRS purposes?</li> </ol>

**Changes to the Director's Employment Contract**

<b>Director Contract Term Considerations for the Board</b>	<b>Explanation, Special Considerations, and Resources</b>
Non-Renewal at End of Contract	<p>How will the Board and successful Director candidate agree to address orderly end to the employment contract when the Board chooses not to renew it?</p> <ol style="list-style-type: none"> <li>1. Will there be a non-renewal notification date? Do both parties' attorneys find it reasonable?</li> <li>2. Will the Board require the Director to remind it of the non-renewal date?</li> <li>3. Will there be any agreement to a clause for an automatic one-year renewal if the Board fails to provide end-of-contract non-renewal notification?</li> <li>4. Will the Board agree to language in the employment contract that would provide the Director with a hearing upon non-renewal?</li> </ol>
Renewal at End of Contract	<p>Will the Board agree to a procedure for renewing the employment contract at its end? If yes, then:</p> <ol style="list-style-type: none"> <li>1. What date would be the earliest that the Board could renew its employment contract with the Director?</li> <li>2. What criteria will the Board base its renewal upon? For example, some boards base renewal upon Directors achieving their stated goals and indicators of student performance and academic improvement and other information they required.</li> </ol>
Contract Extensions	<p>Will the Board agree to allow for an extension of its employment contract during its term? If yes, then:</p> <ol style="list-style-type: none"> <li>1. Will the Board agree to extend it during its term if the Board determines that the Director successfully met all of the Board's stated goals and indicators of student performance and academic improvement and other</li> </ol>

	<p>information it required?</p> <p>2. Will the Board agree to extend a one-year contract when the Director is not required to meet any goals?</p> <p>See 105 ILCS 5/10-23.8.</p>
Terminations	<p>If the successful Director candidate accepts employment with the Board and becomes the Director, how will the Board outline the grounds and procedures for terminating the Director's employment during the contract's term?</p> <ol style="list-style-type: none"> <li>1. Will the Board and the successful Director candidate agree to terminate it upon mutual agreement?</li> <li>2. Will the Board allow retirement to be an appropriate reason for terminating its employment contract with the Director? And if so, will the Board require reasonable notice from its Director?</li> <li>3. Could either the Board or Director terminate the employment contract without cause by providing notice to the other?</li> <li>4. Will the Board terminate the employment contract for permanent disability of the Director? <ol style="list-style-type: none"> <li>a. How will the Board define permanent disability in the contract?</li> <li>b. Will the Board require the Director to obtain a permanent disability determination through physician certification, and/or</li> <li>c. Will the Board consider duration of absence; e.g., 90-days or exhaustion of sick leave, whichever is greater?</li> </ol> <p>See <b>PRESS</b> sample policy 5:180, <i>Temporary Illness or Temporary Incapacity</i>.</p> </li> <li>5. What standard will the Board use to terminate the employment contract for cause? Items to consider include: <ol style="list-style-type: none"> <li>a. Any conduct detrimental/prejudicial to the District;*</li> <li>b. Just cause;</li> <li>c. Sufficient to dismiss a tenured teacher;</li> <li>d. Material breach of contract; or</li> <li>e. Not arbitrary and capricious.</li> </ol> <p>*50 ILCS 205/3c, amended by P.A. 100-1040, requires a school district to post on its website and make available to news media specific information about severance agreements that it enters into because an employee or contractor was found to have engaged in sexual harassment or sexual discrimination, as defined by the Ill. Human Rights Act or Title VII of the Civil Rights Act of 1964. See <b>Severance Pay</b> row directly below.</p> </li> <li>6. Will the Board agree to provisions for hearing and due process for the Director?</li> <li>7. How will the Board address death of its Director during the duration of the employment contract?</li> </ol>
	<p>Any renewal or renegotiation that adds a condition of severance pay must include the following provisions of GSPA, 5 ILCS 415/10(a)(1), added by P.A.</p>



Severance Pay	100-895:  1. A restriction to an amount not exceeding 20 weeks of compensation; and  2. A prohibition for any severance if the Director is fired for <i>misconduct</i> by the Board. This law defines misconduct to include sexual harassment and/or discrimination. But 50 ILCS 205/3c, amended by P.A. 100-1040, limits sexual harassment or discrimination to instances when an employee is “found to have engaged in sexual harassment or sexual discrimination, as defined by the Ill. Human Rights Act or Title VII of the Civil Rights Act of 1964.” For more discussion about these laws, see f/n 6 in policy 2:260, <i>Uniform Grievance Procedure</i> .
Liquidated Damages	Will the Board agree to liquidate damages with its Director if one or the other terminates the employment contract?  1. Have both the Board and the successful Director candidate discussed the practical consequences of a liquidated damages clause with their respective attorneys?  2. If the Board terminates the contract, has it discussed with the Board Attorney how it can avoid litigation with its former Director?
Amendments	How will the Board and Director agree to allow for amendments to the employment contract?

**What technical clauses need to be in the Director’s employment contract?**

<b>Director Contract Term Considerations for the Board</b>	<b>Explanation, Special Considerations, and Resources</b>
Technical clauses (common in contracts)	If the employment contract contains any of the following technical provisions, have the Board Attorney and Director’s attorney reviewed them?  1. Notice 2. Applicable law 3. Headings and numbers 4. Complete understanding, i.e., do the Board members and Director share the same understanding of the various provisions written in the employment contract? 5. Counterparts 6. Effect of Policy Amendments 7. Severability 8. Advice of Counsel

**Miscellaneous Issues**

<b>Director Contract Term Considerations for the Board</b>	<b>Explanation, Special Considerations, and Resources</b>
	Do all members of the Board understand the District’s obligations under the

<p>Board Obligations Under the Employment Contract</p>	<p>employment contract and what not complying with them will mean to the District?</p> <p>Specifically, are Board members aware of the Board's specific obligations regarding:</p> <ol style="list-style-type: none"> <li>1. The Director Evaluation</li> <li>2. Goal setting</li> <li>3. Required notifications/actions by each party prior to termination of the employment contract</li> </ol>
<p>Ongoing Monitoring of Each Party's Compliance with the Contract</p>	<p>Are the Board and Director actually complying with the terms of the employment contract? Has the Board Attorney explained how the Board should monitor compliance with the employment contract?</p>
<p>Legislative Issues</p>	<p>How might pending pension reform legislation or other trending legislation affect the employment contract?</p>

DATED : January 16, 2020

**Capital Area Career Center**

## **3:50 Administrative Personnel Other Than the Director**

### Duties and Authority

The Center Board establishes CACC administrative and supervisory positions in accordance with CACC's needs and State law. This policy applies to all administrators other than the Director, including without limitation, Building Principals. The general duties and authority of each administrative or supervisory position are approved by the Board, upon the Director's recommendation, and contained in the respective position's job description. In the event of a conflict, State law and/or the administrator's employment agreement shall control.

### Qualifications

All administrative personnel shall be appropriately licensed and shall meet all applicable requirements contained in State law and Illinois State Board of Education rules.

### Evaluation

The Director or designee shall evaluate all administrative personnel and make employment and salary recommendations to the Board.

Administrators shall annually present evidence to the Director of professional growth through attendance at educational conferences, additional schooling, in-service training, and Illinois Administrators' Academy courses, or through other means as approved by the Director.

### Administrative Work Year

The work year for administrators shall be the same as CACC's fiscal year, July 1 through June 30, unless otherwise stated in the employment agreement. In addition to legal holidays, administrators shall have vacation periods as approved by the Director. All administrators shall be available for work when their services are necessary.

### Compensation and Benefits

The Board and each administrator shall enter into an employment agreement that complies with Board policy and State law. The terms of an individual employment contract, when in conflict with this policy, will control.

The Board will consider the Director's recommendations when setting compensation for individual administrators. These recommendations should be presented to the Board no later than the March Board meeting or at such earlier time that will allow the Board to consider contract renewal and nonrenewal issues.

Unless stated otherwise in individual employment contracts, all benefits and leaves of absence available to teaching personnel are available to administrative personnel.

LEGAL REF:105 ILCS 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, 5/21B, and 5/24A.

23 Ill.Admin.Code §§1.310, 1.705, and 50.300; and Parts 25 and 29.

CROSS REF:3:60 (Administrative Responsibility of the Building Principal), 5:30 (Hiring Process and Criteria), 5:250 (Leaves of Absence)

ADOPTED: June 15, 2017

# Capital Area Career Center

## **3:60 Administrative Responsibility of the Building Principal and Nurse Administrator**

### Duties and Authority

The Executive Council, upon the recommendation of the Director, employs the Building Principal and the Nurse Administrator. The Building Principal is the instructional leader. The Building Principal shall perform all duties as described in State law as well as such other duties as specified in his or her employment agreement or as the Director may assign, that are consistent with the Building Principal's education and training. The Building Principal shall complete State law requirements to be a prequalified evaluator before conducting an evaluation of a teacher.

The Nurse Administrator is responsible for the day-to-day operation of the CASPN program, including evaluation of staff and curriculum development. The Nurse Administrator shall perform all duties specified in his or her employment agreement or as the Director may assign, that are consistent with the Nurse Administrator's education and training.

### Evaluation Plan

The Director or designee shall implement an evaluation plan for the Principal that complies with Section 24A-15 of School Code and relevant Illinois State Board of Education rules. The Director or designee shall also implement an evaluation plan for the Nurse Administrator. Using the plans, the Director or designee shall evaluate the Building Principal and Nurse Administrator. The Director or designee may conduct additional evaluations.

### Qualifications and Other Terms and Conditions of Employment

Qualifications and other terms and conditions of employment are found in Board policy 3:50, *Administrative Personnel Other Than the Director*.

#### LEGAL REF.:

10 ILCS 5/4-6.2.

105 ILCS 5/2-3.53a, 5/10-20.14, 5/10-21.4a, 5/10-23.8a, 5/10-23.8b, and 5/24A-15.

105 ILCS 127/.

23 Ill.Admin.Code Parts 35 and 50, Subpart D.

CROSS REF.:3:50 (Administrative Personnel Other Than the Director), 5:250 (Leaves of Absence)

Adopted: October 17, 2019

**Capital Area Career Center**

### **3:70 Succession of Authority**

If the Director, Building Principal, or other administrator is temporarily unavailable, the succession of authority and responsibility of the respective office shall follow a succession plan, developed by the Director and approved by the Executive Council.

If the Director, Building Principal, or other administrator is absent for an extraordinary length of time, the Executive Council President will call an Executive Council meeting for the Executive Council to appoint, if necessary, an interim administrator.

CROSS REF.: 3:30 (Chain of Command)

ADOPTED: January 18, 2018

**Capital Area Career Center**

**SECTION 4 - OPERATIONAL SERVICES**

**Capital Area Career Center**

## 4:10 Fiscal and Business Management

The Director is responsible for CACC's fiscal and business management. This responsibility includes annually preparing and presenting CACC's statement of affairs to the Center Board and publishing it before December 1 as required by State law.

The Director shall ensure the efficient and cost-effective operation of CACC's business management using computers, computer software, data management, communication systems, and electronic networks, including electronic mail, the Internet, and security systems. Each person using CACC's electronic network shall complete an *Authorization for Access to CACC's Electronic Network*.

### Budget Planning

CACC's fiscal year is from July 1 until June 30. The Director shall present to the Board, on or before the first regular meeting in April of each fiscal year, a tentative budget with appropriate explanation. This budget shall represent the culmination of an ongoing process of planning for the fiscal support needed for CACC's educational program. CACC's budget shall be entered upon the Illinois State Board of Education's *CACC Budget Form*. To the extent possible, the tentative budget shall be balanced as defined by the State Board of Education guidelines. The Director shall complete a tentative deficit reduction plan if one is required by the State Board of Education guidelines.

### Preliminary Adoption Procedures

After receiving the Director's proposed budget, the Board sets the date, place, and time for:

1. A public hearing on the proposed budget, and
2. The proposed budget to be available to the public for inspection.

The Board Secretary shall arrange to publish a notice in a local newspaper stating the date, place, and time of the proposed budget's availability for public inspection and the public hearing. The proposed budget shall be available for public inspection at least 30 days before the time of the budget hearing.

At the public hearing, the proposed budget shall be reviewed, and the public shall be invited to comment, question, or advise the Board.

### Final Adoption Procedures

The Director shall prepare a final recommendation of the operating budget based on Executive Council recommendations and submit said budget to the Board of Control members no later than two (2) weeks prior to their June meeting. The Board of Control shall adopt an operating budget for the forthcoming fiscal year.

The Board adopts the budget by roll call vote. The budget resolution shall be incorporated into the meeting's official minutes. Board members' names voting *yea* and *nay* shall be recorded in the minutes.

The Director or designee shall perform each of the following:

1. Post CACC's final annual budget, itemized by receipts and expenditures, on CACC's Internet website; notify parents/guardians that it is posted and provide the website's address.
2. File a certified copy of the budget resolution and an estimate of revenues by source anticipated to be received in the following fiscal year, certified by CACC's Chief Fiscal Officer, with the County Clerk within 30 days of the budget's adoption.
3. Submit the annual budget, and other financial information to the State Board of Education according to its requirements.



## Budget Amendments

The Board may amend the budget by the same procedure as provided for in the original adoption.

## Implementation

The Director or designee shall implement CACC's budget and provide the Board with a monthly financial report that includes all deficit fund balances. The amount budgeted as the expenditure in each fund is the maximum amount that may be expended for that category, except when a transfer of funds is authorized by the Board.

The Board shall act on all interfund loans, interfund transfers, transfers within funds, and transfers from the working cash fund or abatements of it, if one exists.

## LEGAL REF.:

35 ILCS 200/18-55 et seq.

105 ILCS 5/10-17, 5/10-22.33, 5/17-1, 5/17-1.2, 5/17-2A, 5/17-3.2, 5/17-11, 5/20-5, 5/20-8, and 5/20-10.

23 Ill.Admin.Code Part 100.

CROSS REF.: 4:40 (Incurring Debt), 6:235 (Access to Electronic Networks)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 4:15 Identity Protection

The collection, storage, use, and disclosure of social security numbers by CACC shall be consistent with State and federal laws. The goals for managing CACC's collection, storage, use, and disclosure of social security numbers are to:

1. Limit all activities involving social security numbers to those circumstances that are authorized by State or federal law.
2. Protect each social security number collected or maintained by CACC from unauthorized disclosure.

The Director is responsible for ensuring that CACC complies with the Identity Protection Act, 5 ILCS 179/. Compliance measures shall include each of the following:

1. All employees having access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers. Training should include instructions on the proper handling of information containing social security numbers from the time of collection through the destruction of the information.
2. Only employees who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.
3. Social security numbers requested from an individual shall be provided in a manner that makes the social security number easily redacted if the record is required to be released as part of a public records request.
4. When collecting a social security number or upon request by an individual, a statement of the purpose(s) for which CACC is collecting and using the social security number shall be provided. The stated reason for collection of the social security number must be relevant to the documented purpose.
5. All employees must be advised of this policy's existence, and a copy of the policy must be made available to each employee. The policy must also be made available to any member of the public, upon request.
6. If this policy is amended, employees will be advised of the existence of the amended policy and a copy of the amended policy will be made available to each employee.

No CACC employee shall collect, store, use, or disclose an individual's social security number unless specifically authorized by the Director. This policy shall not be interpreted as a guarantee of the confidentiality of social security numbers and/or other personal information. CACC will use best efforts to comply with this policy, but this policy should not be construed to convey any rights to protection of information not otherwise afforded by law.

### Treatment of Personally Identifiable Information Under Grant Awards

The Director ensures that the CACC takes reasonable measures to safeguard: (1) *protected personally identifiable information*, (2) other information that a federal awarding agency, pass-through agency or State awarding agency designates as sensitive, such as *personally identifiable information* (PII) and (3) information that the CACC considers to be sensitive consistent with applicable laws regarding privacy and confidentiality (collectively, *sensitive information*), when administering federal grant awards and State grant awards governed by the Grant Accountability and Transparency Act (30 ILCS 708/).

The Director shall establish procedures for the identification, handling, storage, access, disposal and overall confidentiality of sensitive information. The Director shall ensure that employees and contractors responsible for the administration of a federal or State award for the CACC receive regular training in the safeguarding of sensitive information. Employees mishandling sensitive information are subject to discipline, up to and including dismissal.

LEGAL REF.:

2 C.F.R. §200.303(e).

5 ILCS 179/, Identity Protection Act.

30 ILCS 708/, Grant Accountability and Transparency Act

50 ILCS 205/3, Local Records Act.

105 ILCS 10/, Illinois School Student Records Act.

CROSS REF: 2:250 (Access to CACC Public Records), 5:150 (Personnel Records), 7:340 (Student Records)

Adopted: January 16, 2020

**Capital Area Career Center**

## 4:30 Revenue and Investments

### Revenue

The Director or designee is responsible for making all claims for special State funds for specific programs, federal funds, and categorical grants.

### Investments

The Director shall either appoint a Treasurer or serve as one. The Treasurer shall invest money that is not required for current operations, in accordance with this policy and State law.

The Treasurer and Director shall use the standard of prudence when making investment decisions. They shall use the judgment and care, under circumstances then prevailing, that persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the safety of their capital as well as its probable income.

### Investment Objectives

The objectives for CACC's investment activities are:

1. Safety of Principal - Every investment is made with safety as the primary and over-riding concern. Each investment transaction shall ensure that capital loss, whether from credit or market risk, is avoided.
2. Liquidity - The investment portfolio shall provide sufficient liquidity to pay CACC obligations as they become due. In this regard, the maturity and marketability of investments shall be considered.
3. Rate of Return - The highest return on investments is sought, consistent with the preservation of principal and prudent investment principles.
4. Diversification - The investment portfolio is diversified as to materials and investments, as appropriate to the nature, purpose, and amount of the funds.

### Authorized Investments

The Treasurer may invest CACC funds in any investment as authorized in 30 ILCS 235/2, and Acts amended thereto.

Except as provided herein, investments may be made only in banks, savings banks, savings and loan associations, or credit unions that are insured by the Federal Deposit Insurance Corporation or other approved share insurer.

The Treasurer and Director shall regularly consider material, relevant, and decision-useful sustainability factors in evaluating investment decisions, within the bounds of financial and fiduciary prudence. Such factors include, but are not limited to: (1) corporate governance and leadership factors, (2) environmental factors, (3) social capital factors, (4) human capital factors, and (5) business model and innovation factors, as provided under the Ill. Sustainable Investing Act, 30 ILCS 238/.

### Selection of Depositories, Investment Managers, Dealers, and Brokers

The Treasurer shall establish a list of authorized depositories, investment managers, dealers and brokers based upon the creditworthiness, reputation, minimum capital requirements, qualifications under State law, as well as a long history of dealing with public fund entities. The Board will review and approve the list at least annually.

In order to be an authorized depository, each institution must submit copies of the last two sworn statements of resources and liabilities or reports of examination that the institution is required to

furnish to the appropriate State or federal agency. Each institution designated as a depository shall, while acting as such depository, furnish CACC with a copy of all statements of resources and liabilities or all reports of examination that it is required to furnish to the appropriate State or federal agency.

The above eligibility requirements of a bank to receive or hold public deposits do not apply to investments in an interest-bearing savings account, interest-bearing certificate of deposit, or interest-bearing time deposit if: (1) CACC initiates the investment at or through a bank located in Illinois, and (2) the invested public funds are at all times fully insured by an agency or instrumentality of the federal government.

CACC may consider a financial institution's record and current level of financial commitment to its local community when deciding whether to deposit funds in that financial institution. CACC may consider factors including:

1. For financial institutions subject to the federal Community Reinvestment Act of 1977, the current and historical ratings that the financial institution has received, to the extent that those ratings are publicly available, under the federal Community Reinvestment Act of 1977;
2. Any changes in ownership, management, policies, or practices of the financial institution that may affect the level of the financial institution's commitment to its community;
3. The financial impact that the withdrawal or denial of CACC deposits might have on the financial institution;
4. The financial impact to CACC as a result of withdrawing public funds or refusing to deposit additional public funds in the financial institution; and
5. Any additional burden on CACC's resources that might result from ceasing to maintain deposits of public funds at the financial institution under consideration.

### Collateral Requirements

All amounts deposited or invested with financial institutions in excess of any insurance limit shall be collateralized in accordance with the Public Funds Investment Act, 30 ILCS 235/. The Director or designee shall keep the Board informed of collateral agreements.

### Safekeeping and Custody Arrangements

The preferred method for safekeeping is to have securities registered in CACC's name and held by a third-party custodian. Safekeeping practices should qualify for the Governmental Accounting Standards Board Statement No. 3, Deposits with Financial Institutions, Investments (including Repurchase Agreements), and Reverse Repurchase Agreements, Category I, the highest recognized safekeeping procedures.

### Controls and Report

The Treasurer shall establish a system of internal controls and written operational procedures to prevent losses arising from fraud, employee error, misrepresentation by third parties, or imprudent employee action.

The Treasurer shall provide a quarterly investment report to the Board. The report will: (1) assess whether the investment portfolio is meeting CACC's investment objectives, (2) identify each security by class or type, book value, income earned, and market value, (3) identify those institutions providing investment services to CACC, and (4) include any other relevant information. The investment portfolio's performance shall be measured by appropriate and creditable industry standards for the investment type.

The Board will determine, after receiving the Director's recommendation, which fund is in most need of interest income and the Director shall execute a transfer. This provision does not apply when the use

of interest earned on a particular fund is restricted.

### Ethics and Conflicts of Interest

The Board and CACC officials will avoid any investment transaction or practice that in appearance or fact might impair public confidence. Board members are bound by the Board policy 2:100, *Conflict of Interest*. No CACC employee having influence on CACC's investment decisions shall:

1. Have any interest, directly or indirectly, in any investments in which CACC is authorized to invest,
2. Have any interest, directly or indirectly, in the sellers, sponsors, or managers of those investments, or
3. Receive, in any manner, compensation of any kind from any investments in that the agency is authorized to invest.

### LEGAL REF.:

30 ILCS 235/, Public Funds Investment Act.

30 ILCS 238/, III. Sustainable Investing Act.

105 ILCS 5/8-7, 5/10-22.44, 5/17-1, and 5/17-11.

CROSS REF.: 2:100 (Conflict of Interest), 4:10 (Fiscal and Business Management), 4:80 (Accounting and Audits)

Adopted: January 16, 2020

**Capital Area Career Center**

## 4:40 Incurring Debt

The Director shall provide early notice to the Executive Council and Board of Control of the Center's need to borrow money. The Director or designee shall prepare all documents and notices necessary for the Executive Council and Board of Control, at its discretion, to issue bonds, notes, and other evidence of indebtedness. The Director shall notify the State Board of Education before the Center issues any form of long-term or short-term debt that will result in outstanding debt that exceeds 75% of the debt limit specified in State law.

### LEGAL REF.:

Securities Act of 1933, 15 U.S.C. §77a et seq.

Securities Exchange Act of 1934, 15 U.S.C. §78a et seq.

17 C.F.R. §240.15c2-12.

Bond Authorization Act, 30 ILCS 305/2

Bond Issue Notification Act, 30 ILCS 352/

Local Government Debt Reform Act, 30 ILCS 350/.

Tax Anticipation Note Act, 50 ILCS 420/.

105 ILCS 5/17-16, 5/17-17, 5/18-18, and 5/19-1 et seq.

CROSS REF.: 4:10 (Fiscal and Business Management)

Adopted: October 18, 2018

**Capital Area Career Center**

## **4:45 Insufficient Fund Checks and Debt Recovery**

### Insufficient Fund Checks

The Director or designee is responsible for collecting up to the maximum fee authorized by State law for returned checks written to CACC that are not honored upon presentation to the respective bank or other depository institution for any reason. The Director is authorized to contact the Board Attorney whenever necessary to collect the returned check amount, fee, collection costs and expenses, and interest.

### Delinquent Debt Recovery

The Director is authorized to seek collection of delinquent debt owed to CACC to the fullest extent of the law.

LEGAL REF.:15 ILCS 405/10.05 and 10.05d.

810 ILCS 5/3-806.

ADOPTED: June 15, 2017

**Capital Area Career Center**



## 4:50 Payment Procedures

The Bookkeeper shall prepare a list of all due and payable bills, indicating vendor name and amount, and shall present it to the Executive Council in advance of the Council's first regular monthly meeting or, if necessary, a special meeting. These bills are reviewed by the Board, after which they may be approved for payment by Board order. Approval of all bills shall be given by a roll call vote and the votes shall be recorded in the minutes. The Bookkeeper shall pay the bills after receiving a Board order or pertinent portions of the Board minutes, even if the minutes are unapproved, provided the order or minutes are signed by the Chairperson and Secretary, or a majority of the Board.

The Business Manager and Bookkeeper are authorized, without further Board approval, to pay Social Security taxes, wages, pension contributions, utility bills, and other recurring bills. These disbursements shall be included in the listing of bills presented to the Board.

The Board authorizes the Director or designee to establish revolving funds and a petty cash fund system for CACC for the cafeteria, lunchroom, or similar purposes, provided such funds are maintained in accordance with Board policy 4:80, *Accounting and Audits*, and remain in the custody of an employee who is properly bonded according to State law.

### LEGAL REF.:

105 ILCS 5/8-16, 5/10-7, and 5/10-20.19.

23 Ill.Admin.Code §100.70.

CROSS REF.: 4:55 (Use of Credit and Procurement Cards), 4:60 (Purchases and Contracts), 4:80 (Accounting and Audits)

Adopted: June 18, 2020

**Capital Area Career Center**

## 4:55 Use of Credit and Procurement Cards

The Director and employees designated by the Director are authorized to use CACC credit and procurement cards to simplify the acquisition, receipt, and payment of purchases and travel expenses incurred on CACC's behalf. Credit and procurement cards shall only be used for those expenses that are for CACC's benefit and serve a valid and proper public purpose; they shall not be used for personal purchases. Cardholders are responsible for exercising due care and judgment and for acting in CACC's best interests.

The Director or designee shall manage the use of CACC credit and procurement cards by employees. It is the Board's responsibility, through the audit and approval process, to determine whether CACC credit and procurement card use by the Director is appropriate.

In addition to the other limitations contained in this and other Board policies, CACC credit and procurement cards are governed by the following restrictions:

1. Credit and/or procurement cards may only be used to pay certain job-related expenses or to make purchases on behalf of the Board or CACC or any student activity fund, or for purposes that would otherwise be addressed through a conventional revolving fund.
2. The Director or designee shall instruct the issuing bank to block the cards' use at unapproved merchants.
3. Each cardholder, other than the Director, may charge no more than \$500 in a single purchase and no more than \$1000 within a given month without prior authorization from the Director.
4. The Director or designee must approve the use of a CACC credit or procurement card whenever such use is by telephone, fax, and the Internet. Permission shall be withheld when the use violates any Board policy, is from a vendor whose reputation has not been verified, or would be more expensive than if another available payment method were used.
5. The consequences for unauthorized purchases include, but are not limited to, reimbursing CACC for the purchase amount, loss of cardholding privileges, and, if made by an employee, discipline up to and including discharge.
6. All cardholders must sign a statement affirming that they are familiar with this policy.
7. The Director shall implement a process whereby all purchases using a CACC credit or procurement card are reviewed and approved by someone other than the cardholder or someone under the cardholder's supervision.
8. Cardholders must submit the original, itemized receipt to document all purchases.
9. No individual may use a CACC credit or procurement card to make purchases in a manner contrary to State law, including, but not limited to, the bidding and other purchasing requirements in 105 ILCS 5/10-20.21, or any Board policy.
10. The Director or designee shall account for any financial or material reward or rebate offered by the company or institution issuing CACC credit or procurement card and shall ensure that it is used for CACC's benefit.

LEGAL REF.:105 ILCS 5/10-20.21.

23 Ill.Admin.Code §100.70(d).

CROSS REF.:4:50 (Payment Procedures), 4:60 (Purchases and Contracts), 4:80 (Accounting and Audits), 4:90 (Activity Funds), 5:60 (Expenses)

ADOPTED: June 15, 2017

# Capital Area Career Center

## 4:60 Purchases and Contracts

The Director shall manage CACC's purchases and contracts in accordance with State law, the standards set forth in this policy, and other applicable Center Board policies.

### Standards for Purchasing and Contracting

All purchases and contracts shall be entered into in accordance with State law. The Board Attorney shall be consulted as needed regarding the legal requirements for purchases or contracts. All contracts shall be approved or authorized by the Board.

All purchases and contracts should support a recognized CACC function or purpose as well as provide for good quality products and services at the lowest cost, with consideration for service, reliability, and delivery promptness, and in compliance with State law. No purchase or contract shall be made or entered into as a result of favoritism, extravagance, fraud, or corruption.

Adoption of the annual budget authorizes the Director or designee to purchase budgeted supplies, equipment, and services, provided that State law is followed. Purchases of items outside budget parameters require prior Board approval, except in an emergency.

When presenting a contract or purchase for Board approval, the Director or designee shall ensure that it complies with applicable State law, including but not limited to, those specified below:

1. Supplies, materials, or work involving an expenditure in excess of \$25,000 must comply with the State law bidding procedure, 105 ILCS 5/10-20.21, unless specifically exempted.
2. Construction, lease, or purchase of CACC buildings must comply with State law and Board policy 4:150, *Facility Management and Building Programs*.
3. Guaranteed energy savings must comply with 105 ILCS 5/19b-1 *et seq.*
4. Third party non-instructional services must comply with 105 ILCS 5/10-22.34c.
5. Goods and services that are intended to generate revenue and other remunerations for CACC in excess of \$1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, must comply with 105 ILCS 5/10-20.21(b-5). The Director or designee shall keep a record of: (1) each vendor, product, or service provided, (2) the actual net revenue and non-monetary remuneration from each contract or agreement, and (3) how the revenue was used and to whom the non-monetary remuneration was distributed. The Director or designee shall report this information to the Board by completing the necessary forms that must be attached to CACC's annual budget.
6. Any contract to purchase food with a bidder or offeror must comply with 105 ILCS 5/10-20.21(b-10).
7. The purchase of paper and paper products must comply with 105 ILCS 5/10-20.19c and Board policy 4:70, *Resource Conservation*.
8. Each contractor with CACC is bound by each of the following:
  - a. In accordance with 105 ILCS 5/10-21.9(f): (1) prohibit any of its employees who is or was found guilty of a criminal offense listed in 105 ILCS 5/10-21.9(c) and 5/21B-80(c) to have direct, daily contact at a CACC or CACC-related activity with one or more student(s); (2) prohibits any of the contractor's employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in 5/21B-80(b) (certain drug offenses) until seven years following the end of the employee's sentence for the criminal offense; and (3) require each of its employees who will have direct, daily contact with student(s) to cooperate during CACC's fingerprint-based criminal history records check on him or her.
  - b. In accordance with 105 ILCS 5/24-5: (1) concerning each new employee of a contractor

that provides services to students or in schools, provide the CACC with evidence of physical fitness to perform the duties assigned and freedom from communicable disease if the employee will have direct, daily contact with one or more student(s); and (2) require any new or existing employee who has and will have direct, daily contact with one or more student(s) to complete additional health examinations as required by the CACC and be subject to additional health examinations, including tuberculosis screening, as required by the Ill. Department of Public Health rules or order of a local health official.

The Director or designee shall: (1) execute the reporting and website posting mandates in State law concerning CACC contracts, and (2) monitor the discharge of contracts, contractors' performances, and the quality and value of services or products being provided.

LEGAL REF.:

105 ILCS 5/10-20.19c, 5/10-20.21, 5/10-21.9, 5/10-22.34c, 5/19b-1 et seq., and 5/24-5.

820 ILCS 130/.

CROSS REF.: 2:100 (Conflict of Interest), 4:70 (Resource Conservation), 4:150 (Facility Management and Building Programs), 4:175 (Convicted Child Sex Offender; Screening; Notifications)

Adopted: January 16, 2020

**Capital Area Career Center**

## 4:60-AP4 Administrative Procedure - Federal Award Procurement Procedures

In addition to the State legal requirements for purchases and contracts set forth in Board policy 4:60, *Purchases and Contracts*, and 4:60-AP1, *Purchases*, the following procedures apply to Center procurement under federal awards.

Consult the Board Attorney regarding the legal requirements presented by this administrative procedure as well as before a contract is presented to the Board.

### Code of Conduct

Board policies 2:100, *Board Member Conflict of Interest*, and 5:120, *Employee Ethics; Conduct; and Conflict of Interest*, contain standards of conduct covering conflicts of interest and governing the actions of board members and employees engaged in the selection, award, and administration of contracts.

### General Procurement Standards

- A. The Center shall avoid acquisition of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. **Note:** A conflict between this regulation's requirements and the Illinois Criminal Code of 2012 may exist. See 720 ILCS 5/33E-2(i-5) and 5/33E-18 (prohibits bid stringing; violation is a Class 4 felony) and 720 ILCS 5/33E-3 (prohibits bid rigging, a Class 3 felony).
- B. To foster greater economy and efficiency, the Center may enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.
- C. The Center may use federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.
- D. The Center may use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost. **Note:** A conflict between this regulation's requirements and the Illinois Criminal Code of 2012 may exist. See 720 ILCS 5/33E-2(i-5) and 5/33E-18 (defines and prohibits bid stringing, a Class 4 felony).
- E. The Center shall only award contracts to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. **Note:** State law requires award to the "lowest responsible bidder."
- F. The Center shall maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.
- G. The Center may use a time and materials type contract only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. **Note:** The Illinois Criminal Code of 2012 (720 ILCS 5/33E-9) requires approval of the Board or designee when a contract cost increases or decreases by \$10,000, a/k/a *change orders*. If a change order will exceed the original contract price by 10%, it must be rebid.
- H. The Center shall be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements.

## Competition

- A. All procurement transactions shall be conducted in a manner providing full and open competition consistent with the standards of State law (105 ILCS 10-20.21) and policy 4:60 and this section. To ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Situations considered to be restrictive of competition include, but are not limited to:
1. Placing unreasonable requirements on firms in order for them to qualify to do business;
  2. Requiring unnecessary experience and excessive bonding;
  3. Noncompetitive pricing practices between firms or between affiliated companies;
  4. Noncompetitive contracts to consultants that are on retainer contracts;
  5. Organizational conflicts of interest;
  6. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
  7. Any arbitrary action in the procurement process.
- B. The Center shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. **Note:** State law may also encourage or discourage these preferences. Discuss these with the Board Attorney. See also Doyle Plumbing and Heating Co. v. Bd. of Educ., Quincy Pub. Sch. Dist. No. 172, 291 Ill.App. 3d 221 (4th Dist. 1997); Cardinal Glass v. Bd. of Educ. of Mendota Comm. Consol. Sch. Dist. 289, 113 Ill.App. 3d 442 (3rd Dist. 1983). Nothing in this section preempts State licensing laws. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract. **Note:** The Board must also follow the Local Government and Professional Services Selection Act (50 ILCS 510/).
- C. Procurement Transactions. All solicitations will:
1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured.
    - a. Such description must not, in competitive procurements, contain features which unduly restrict competition.
    - b. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use.
    - c. Detailed product specifications should be avoided if at all possible.
    - d. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated.
  2. Identify all requirements which offerors must fulfill and all other factors to be used in evaluating bids and proposals.
- D. The Center shall ensure that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure

maximum open and free competition. **Note:** State laws may conflict with this provision. See 105 ILCS 5/10-20.21 and 50 ILCS 510/.

- E. The Center shall not preclude potential bidders from qualifying during the solicitation period.

### Methods of Procurement

The Center shall use one of the following methods of procurement:

- A. Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold. To the extent practicable, the Center shall distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the Board considers the price to be reasonable. **Note:** See 105 ILCS 5/10-20.21 and sample policy 4:60, *Purchases and Contracts*.
- B. Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
- C. Procurement by sealed bids (formal advertising). Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. **Note:** 105 ILCS 5/10-20.21 requires "lowest responsible bidder." The sealed bid method is the preferred method for procuring construction, if the conditions in 2 C.F.R. §200.320(c)(1) apply. If sealed bids are used, the requirements in 2 C.F.R. §200.320(c)(2) apply. **Note:** 105 ILCS 5/10-20.21 requires sealed bids.
- D. Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the requirements in 2 C.F.R. §200.320(d) apply. **Note:** 105 ILCS 5/10-20.21 requires sealed bids.
- E. Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the circumstances in §200.320(f) apply. **Note:** 50 ILCS 510/ may conflict with this regulation.

### Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms

The Center shall take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps shall include:

- A. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- B. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- C. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- D. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- E. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of



Commerce; and

- F. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (A) through (E) of this section.

#### Contract Cost and Price

- A. The Center shall perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-federal entity must make independent estimates before receiving bids or proposals.
- B. The Center shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.
- C. Costs or prices based on estimated costs for contracts under the federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the Center under Subpart E, Cost Principles, of 2 C.F.R. Part 200.
- D. The cost plus a percentage of cost and percentage of construction cost methods of contracting shall not be used.

#### Federal Awarding Agency or Pass-Through Entity Review

The Center shall make available, upon request of the federal awarding agency or pass-through entity (ISBE):

- A. Technical specifications on proposed procurements where the federal awarding agency or pass-through entity believes such review is needed to ensure that the item or service specified is the one being proposed for acquisition; and
- B. Procurement documents (such as requests for proposals or invitations for bids, or independent cost estimates) for pre-procurement review when one or more of the circumstances in §200.324(b) apply.

#### Bonding Requirements

- A. For construction or facility improvement contracts or sub contracts exceeding the Simplified Acquisition Threshold, the federal awarding agency or pass-through entity may accept the bonding policy and requirements of the Center provided that the federal awarding agency or pass-through entity has made a determination that the federal interest is adequately protected.
- B. If such a determination has not been made, the minimum requirements shall be as follows:
  - 1. A bid guarantee from each bidder equivalent to five percent of the bid price. The *bid guarantee* must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
  - 2. A performance bond on the part of the contractor for 100 percent of the contract price. A *performance bond* is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
  - 3. A payment bond on the part of the contractor for 100 percent of the contract price. A *payment bond* is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

Contract Provisions

The Center's contracts shall contain the applicable provisions described in Appendix II to 2 C.F.R. Part 200, *Contract Provisions for non-Federal Entity Contracts Under Federal Awards*.

DATED : July 1, 2018

**Capital Area Career Center**

## 4:60-AP4, E1 Exhibit - Internal Procedures for Procurement Transactions

Actor	Action
Staff Member	Identifies a procurement need and makes a written request to the appropriate department head and/or Building Principal.
Building Principal, appropriate department head or designee	Evaluates staff member's request by conducting a needs analysis, determining a funding source, and determining if request should be sent to the Business Manager and/or designee for further analysis. <b>Note:</b> The Principal's procurement role likely varies based upon each district and type of expense.
Business Manager and/or Designee	Upon request of the Building Principal, conducts further analysis of staff member's request in order to verify information and determine if funds are available. Provides Building Principal with results of further analysis.
Building Principal, appropriate department head or designee	Provides Director and/or designee with staff member's written procurement request, his/her analysis of the staff member's request, and, if applicable, any further analysis conducted by the Business Manager and/or designee.
Director and/or designee	<p>Reviews staff member's request and analyses of same; evaluates educational value of procurement requested. Director and/or designee may then:</p> <ul style="list-style-type: none"> <li>• Approve procurement request if below amount set by the Executive Council and/or State law (105 ILCS 5/10-20.21);</li> <li>• Deny procurement request; or</li> <li>• If procurement request amount exceeds the Director's authority, seek Executive Council permission for procurement. See Policy 4:60, <i>Purchases and Contracts</i>, for the amount designated by the Executive Council.</li> </ul> <p>When presenting a contract or purchase for Executive Council approval, the Director and/or designee shall ensure it complies with applicable State and federal law. See Policy 4:60, <i>Purchases and Contracts</i>.</p>
Executive Council	<p>Considers any procurement requests submitted by the Director and/or designee.</p> <p>Considers any contract requests submitted by the Director and/or designee.</p>
Director and/or designee	Identifies appropriate method of procurement and ensures appropriate method is followed.

DATED : July 1, 2018

# Capital Area Career Center

## **4:70 Resource Conservation**

The Director or designee shall manage a program of energy and resource conservation for CACC that includes:

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

LEGAL REF.:105 ILCS 5/10-20.19c.

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

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 4:80 Accounting and Audits

CACC's accounting and audit services shall comply with the *Requirements for Accounting, Budgeting, Financial Reporting, and Auditing*, as adopted by the Ill. State Board of Education, State and federal laws and regulations, and generally accepted accounting principles. Determination of liabilities and assets, prioritization of expenditures of governmental funds, and provisions for accounting disclosures shall be made in accordance with government accounting standards as directed by the auditor designated by the Board. The Director, in addition to other assigned financial responsibilities, shall report monthly on CACC's financial performance, both income and expense, in relation to the financial plan represented in the budget.

### Basis of Accounting

Basis of accounting refers to when revenues received and expenditures disbursed are recognized in the accounts and how they are reported on the financial statements.

The government-wide financial statements are reported using the economic resource measurement focus and the accrual basis of accounting, except for the agency fund type which has no measurement focus. Revenues are recorded when earned or available and expenses are recorded when a liability is incurred. Generally, CACC considers revenues to be available if they are collected within 45 days of the end of the fiscal year. Expenses are recorded as a liability regardless of the timing of the related cash flow.

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. CACC considers revenues to be available if they are collected within 45 days of the end of the current fiscal year. Expenditures generally are recorded when a liability is incurred, as under the accrual accounting. However, debt service principal expenditures are recorded only when payment is due. Additionally, at management's discretion, transactions less than \$1,000 will not be accrued for accounts receivables, accounts payables and prepaid expenses. The \$1,000 limit does not apply to accrued salaries/related employee benefits and grant revenue and related expenses.

### Annual Audit

At the close of each fiscal year, the Director shall arrange an audit of CACC funds, accounts, statements, and other financial matters. The audit shall be performed by an independent certified public accountant designated by the Board and be conducted in conformance with prescribed standards and legal requirements. A complete and detailed written audit report shall be provided to each Board member and to the Director. The Director shall annually, on or before October 15, submit an original and one copy of the audit to the Regional Superintendent of Schools.

### Annual Financial Report

The Director or designee shall annually prepare and submit the Annual Financial Report on a timely basis using the form adopted by the Illinois State Board of Education. The Director shall review and discuss the Annual Financial Report with the Board before it is submitted.

### Inventories

The Director or designee is responsible for establishing and maintaining accurate inventory records. The inventory record of supplies and equipment shall include a description of each item, quantity, location, purchase date, and cost or estimated replacement cost, unless the supplies and equipment are acquired by the CACC pursuant to a federal or State grant award, in which case the inventory record shall also include the information required by 2 C.F.R. 200.313, if applicable. The Director shall establish procedures for the management of property acquired by the CACC under grant awards that

comply with federal and State law.

### Capitalization Threshold

To be considered a capital asset for financial reporting purposes, a capital item must be at or above a capitalization threshold of \$1,000 and have an estimated useful life greater than one year.

### Disposition of CACC Property

The Director or designee shall notify the Board, as necessary, of the following so that the Board may consider its disposition: (1) CACC personal property (property other than buildings and land) that is no longer needed for school purposes, and (2) school site, building, or other real estate that is unnecessary, unsuitable, or inconvenient. Notwithstanding the above, the Director or designee may unilaterally dispose of personal property of a diminutive value. The Director shall establish procedures for the disposition of property acquired by CACC under grant awards that comply with federal and State law.

### Taxable Fringe Benefits

The Director or designee shall: (1) require that all use of CACC property or equipment by employees is for CACC's convenience and best interests unless it is a Board-approved fringe benefit, and (2) ensure compliance with the Internal Revenue Service regulations regarding when to report an employee's personal use of CACC property or equipment as taxable compensation.

### Controls for Revolving Funds and Petty Cash

Revolving funds and the petty cash system are established in Board policy 4:50, *Payment Procedures*. The Director shall: (1) designate a custodian for each revolving fund and petty cash fund, (2) obtain a bond for each fund custodian, and (3) maintain the funds in compliance with this policy, State law, and Illinois State Board of Education rules. A check for the petty cash fund may be drawn payable to the designated petty cash custodian. Each revolving fund shall be maintained in a bank that has been approved by the Board and established in an amount approved by the Director consistent with the annual budget. All expenditures from these bank accounts must be directly related to the purpose for which the account was established and supported with documentation, including signed invoices or receipts. All deposits into these bank accounts must be accompanied with a clear description of their intended purpose. The Director or designee shall include checks written to reimburse revolving funds on the Board's monthly listing of bills indicating the recipient and including an explanation.

### Control Requirements for Checks

The Board must approve all bank accounts opened or established in CACC's name or with CACC's Federal Employer Identification Number. All checks issued by CACC must be signed by two of the following: Director, Principal, or Nurse Administrator, except that checks from an account containing student activity funds and revolving accounts may be signed by the respective account custodian.

### Internal Controls

The Director is primarily responsible for establishing and implementing a system of internal controls for safeguarding CACC's financial condition; the Board, however, will oversee these safeguards. The control objectives are to ensure efficient business and financial practices, reliable financial reporting, and compliance with State law and Board policies, and to prevent losses from fraud, waste, and abuse, as well as employee error, misrepresentation by third parties, or other imprudent employee action.

The Director or designee shall annually audit CACC's financial and business operations for compliance with established internal controls and provide the results to the Board. The Board may

from time-to-time engage a third-party to audit internal controls in addition to the annual audit.

LEGAL REF.:

2 C.F.R. §200 et seq.

30 ILCS 708/, Grant Accountability and Transparency Act, implemented by 44 Ill.Admin.Code 7000 et seq.

105 ILCS 5/2-3.27, 5/2-3.28, 5/3-7, 5/3-15.1, 5/5-22, 5/10-21.4, 5/10-20.19, 5/10-22.8, and 5/17-1 et seq.

23 Ill.Admin.Code Part 100.

CROSS REF.: 4:10 (Fiscal and Business Management), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards), 4:90 (Activity Funds)

Adopted: June 18, 2020

**Capital Area Career Center**



## **4:82 Operational Services - Capital Assets**

### **Fiscal Management- Accounting And Reporting- Capital Assets**

This policy establishes the capital assets accounting and financial reporting guidelines to comply with the requirements of governmental accounting standards (GASB) statement no. 34 Basic Financial Statements - Managements Discussion and Analysis - for State and Local Governments.

#### **Capital Asset Definition**

Capital assets are defined as real or personal property that have a value equal to or greater than the capitalization threshold and have an estimated life of greater than one year. A capitalization threshold of \$1,000 for major movable equipment, site improvements and all other CACC-owned property is used to report capital assets. (*The capitalization threshold prior to July 1, 2017 was \$2,000.00*)

#### **Capitalization Method**

All capital assets are recorded as historical cost as of the date acquired or constructed, or, if donated, at their estimated fair value at the time of acquisition. Costs include the vendor's invoice (plus the value of any trade-in or allowance, if reflected on the invoice), plus installation cost (excluding in-house labor), modifications, attachments, accessories or apparatus necessary to make the asset usable and render it into service. Historical costs also include ancillary charges such as freight and transportation charges, site preparations cost, and professional fees.

#### **Capital Asset Depreciation**

Depreciation is computed using the straight-line method over the estimated service lives of the property and equipment. Depreciation shall begin in the month the asset is placed in service and include the full month's expense. The Center establishes the following estimated useful lives:

- Building and Building Improvements 20 - 40 years
- Site Improvements and Infrastructure 20 years
- Major movable equipment 5 - 15 years
- Computer Equipment 3 years

#### **Other Property Control Assets**

Detailed records are maintained in the Business Office for all items below the capitalization threshold amount that should be safeguarded from loss and for inventory control purposes.

Adopted: October 18, 2018

**Capital Area Career Center**

## 4:90 Activity Funds

The Center Board, upon the Director or designee's recommendation, establishes student activity funds to be managed by student organizations under the guidance and direction of a staff member for educational, recreational, or cultural purposes.

The Director or designee shall be responsible for supervising student activity funds in accordance with Board policy, 4:80, *Accounting and Audits*; State law; and the Illinois State Board of Education rules for student activity funds. The Bookkeeper shall serve as the fund's manager and be bonded in accordance with School Code.

Unless otherwise instructed by the Board, a student activity fund's balance will carry over to the next fiscal year. An account containing student activity funds that is inactive for 12 consecutive months shall be closed and its funds transferred to another student activity fund or authorized fund with a similar purpose.

### LEGAL REF.:

105 ILCS 5/8-2 and 5/10-20.19.

23 Ill.Admin.Code §§100.20 and 100.80.

CROSS REF.:4:80 (Accounting and Audits), 7:325 (Student Fundraising Activities)

Adopted: October 17, 2019

**Capital Area Career Center**

## 4:100 Insurance Management

The Director shall recommend and maintain all insurance programs that provide the broadest and most complete coverage available at the most economical cost, consistent with sound insurance principles.

The insurance program shall include each of the following:

1. Liability coverage to insure against any loss or liability of CACC and the listed individuals against civil rights damage claims and suits, constitutional rights damage claims and suits, and death and bodily injury and property damage claims and suits, including defense costs, when damages are sought for negligent or wrongful acts allegedly committed in the scope of employment or under the Board's direction or related to any mentoring services provided to CACC's certified staff members; Center Board members; employees; volunteer personnel authorized by 105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b; mentors of certified staff members authorized in 105 ILCS 5/21A-5 et seq. (new teacher), 105 ILCS 5/2-3.53a (new principal), and 2-3.53b (new Directors); and student teachers.
2. Comprehensive property insurance covering a broad range of causes of loss involving building and personal property. The coverage amount shall normally be for the replacement cost or the insurable value.
3. Workers' Compensation to protect individual employees against financial loss in case of a work-related injury, certain types of disease, or death incurred in an employee-related situation.
4. Staff Health Insurance shall be available to all Full-Time and Part-Time employees, in accordance with the current effective contract. The Executive Council and Board of Control reserves the right to choose the company with which this insurance will be placed.
5. Term life insurance shall be provided for all full-time and part-time employees as specified for in accordance with the current effective contract. The Executive Council and Board of Control reserves the right to choose the company with which this insurance will be placed.
6. Group Dental and Group Vision Coverage shall be available to all full-time and part-time employees. Employees are responsible for 100% of the annual premium payment. The Executive Council and Board of Control reserves the right to choose the company with which this/her insurance will be placed.

### LEGAL REF.:

Consolidated Omnibus Budget Reconciliation Act, Pub. L. 99-272, §10001, 100 Stat. 222, 4980B(f) of the I.R.S. Code, 42 U.S.C. §300bb-1 et seq.

105 ILCS 5/10-20.20, 5/10-22.3, 5/10-22.3a, 5/10-22.3b, 5/10-22.3f, 5/10-22.34, 5/10-22.34a, 5/10-22.34b, and 5/22-15.

215 ILCS 5/, Ill. Insurance Code.

750 ILCS 75/, Ill. Religious Freedom Protection and Civil Union Act.

820 ILCS 305/, Workers' Compensation Act.

Adopted: October 17, 2019

## **4:110 Transportation**

Transportation to and from CACC shall be the responsibility of the school of residence.

No CACC employee may transport students in CACC or private vehicles unless authorized by the administration.

All contracts for charter bus services must contain the clause prescribed by State law regarding criminal background checks for bus drivers.

### LEGAL REF.:

20 U.S.C. §6312(c)(5)(B), Elementary and Secondary Education Act.

42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.

105 ILCS 5/10-22.22 and 5/29-1 et seq.

105 ILCS 45/1-15 and /1-17.

625 ILCS 5/1-148.3a-5, 5/1-182, 5/11-1414.1, 5/12-813.1, 5/12-815, 5/12-816, 5/12-821, and 5/13-109.

23 Ill.Admin.Code §§1.510 and 226.750; Part 120.

92 Ill.Admin.Code Part 440.

CROSS REF.: 4:170 (Safety), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:280 (Duties and Qualifications)

Adopted: October 17, 2019

**Capital Area Career Center**

## 4:150 Facility Management and Building Programs

The Director shall manage CACC's facilities and grounds as well as facility construction and building programs in accordance with the law, the standards set forth in this policy, and other applicable Center Board policies. The Director or designee shall facilitate: (1) inspections of CACC by the Regional Director and State Fire Marshal or designee, (2) review of plans and specifications for future construction or alterations of a school if requested by the relevant municipality, county (if applicable), or fire protection district, and (3) compliance with the 10-year safety survey process required by the School Code.

### Standards for Managing Buildings and Grounds

All CACC buildings and grounds shall be adequately maintained in order to provide an appropriate, safe, and energy efficient physical environment for learning and teaching. The Director or designee shall provide the Board with periodic reports on maintenance data and projected maintenance needs that include cost analysis. Prior Board approval is needed for all renovations or permanent alterations to buildings or grounds when the total cost will exceed \$12,500, including the cost equivalent of staff time. This policy is not intended to discourage efforts to improve the appearance of buildings or grounds that are consistent with the designated use of those buildings and grounds.

### Standards for Green Cleaning

The Director or designee shall establish and supervise a green cleaning program that complies with the guidelines established by the Illinois Green Government Coordinating Council.

### Standards for Facility Construction and Building Programs

As appropriate, the Board will authorize a comprehensive study to determine the need for facility construction and expansion. On an annual basis, the Director or designee shall provide the Board with projected facility needs, enrollment trends, and other data impacting facility use. Board approval is needed for all new facility construction and expansion.

When making decisions pertaining to design and construction of CACC facilities, the Board will confer with members of the staff and community, the Ill.State Board of Education, and educational and architectural consultants, as it deems appropriate. The Board's facility goals are to:

1. Integrate facilities planning with other aspects of planning and goal-setting.
2. Base educational specifications for CACC buildings on identifiable student needs.
3. Design buildings for sufficient flexibility to permit new or modified programs.
4. Design buildings for maximum potential for community use.
5. Meet or exceed all safety requirements.
6. Meet requirements on the accessibility of CACC facilities to disabled persons as specified in State and federal law.
7. Provide for low maintenance costs, energy efficiency, and minimal environmental impact.

### LEGAL REF.:

42 U.S.C. §12101 et seq., Americans with Disabilities Act of 1990, implemented by 28 C.F.R. Parts 35 and 36.

20 ILCS 3130/, Green Buildings Act.

105 ILCS 5/2-3.12, 5/10-20.49, 5/10-22.36, 5/10-20.63 and 5/17-2.11.

105 ILCS 140/, Green Cleaning Schools Act.

105 ILCS 230/, School Construction Law.

410 ILCS 25/, Environmental Barriers Act.

410 ILCS 35/25, Equitable Restrooms Act.

820 ILCS 130/, Prevailing Wage Act.

23 Ill.Admin.Code Part 151, School Construction Program; Part 180, Health/Life Safety Code for Public Schools; and Part 2800, Green Cleaning for Elementary and Secondary Schools.

71 Ill.Admin.Code Part 400, Ill. Accessibility Code.

CROSS REF.: 2:150 (Committees), 2:170 (Procurement of Architectural, Engineering, and Land Surveying Services), 4:60 (Purchases and Contracts), 8:70 (Accommodating Individuals with Disabilities)

Adopted: January 16, 2020

**Capital Area Career Center**

## 4:160 Environmental Quality of Buildings and Grounds

The Director shall take all reasonable measures to protect: (1) the safety of CACC personnel, students, and visitors on CACC premises from risks associated with hazardous materials and (2) the environmental quality of CACC's buildings and grounds. The Director or designee shall maintain a registry of employees and parents/guardians of students requesting notification before the application of pesticide(s) and notify these people as required by the Structural Pest Control Act, 225 ILCD 235/, and the Lawn Care Products Application and Notice Act, 415 ILCS 65/.

The Director shall notify all employees who must be offered, according to State or federal law, CACC-paid hepatitis B vaccine and vaccination.

### LEGAL REF.:

29 C.F.R. §1910.1030, Occupational Exposure to Bloodborne Pathogens, as adopted by the Illinois Department of Labor, 56 Ill.Admin.Code §350.700(b).

29 C.F.R. §1910.1200, Occupational Safety and Health Administration Hazard Communication Standards, as adopted by 820 ILCS 255/1.5, Toxic Substances Disclosure to Employees Act.

20 ILCS 3130/, Green Buildings Act.

105 ILCS 5/10-20.17a; 5/10-20.48.

105 ILCS 135/, Toxic Art Supplies in Schools Act.

105 ILCS 140/, Green Cleaning School Act.

225 ILCS 235/, Structural Pest Control Act.

415 ILCS 65/, Lawn Care Products Application and Notice Act.

820 ILCS 255/, Toxic Substances Disclosure to Employees Act. (*inoperative*)

23 Ill.Admin.Code §1.330.

CROSS REF.:4:150 (Facility Management and Building Programs), 4:170 (Safety)

Adopted: October 17, 2019

**Capital Area Career Center**

## 4:170 Safety

### Safety and Security

All CACC operations, including the education program, shall be conducted in a manner that will promote the safety and security of everyone on CACC property or at a CACC event. The Director or designee shall develop, implement, and maintain a comprehensive safety and security plan that includes, without limitation:

1. An emergency operations and crisis response plan(s) addressing prevention, preparation, response, and recovery;
2. Provisions for a coordinated effort with local law enforcement and fire officials, emergency medical services personnel, and the Board Attorney;
3. A CACC safety drill plan;
4. A clear, rapid, factual, and coordinated system of internal and external communication.

In the event of an emergency that threatens the safety of any person or property, students and staff are encouraged to follow the best practices discussed for their building regarding the use of any available cellular telephones.

### CACC Safety Drill Plan

During every academic year, CACC shall conduct, at a minimum, each of the following in accordance with School Safety Drill Act (105 ILCS 128/):

1. Three CACC evacuation drills to address and prepare students and CACC personnel for fire incidents. One of these three drills shall require the participation of the local fire department or CACC.
2. One severe weather and shelter-in-place drill to address and prepare students and CACC personnel for possible tornado incidents.
3. One law enforcement drill to address a school shooting incident and to evaluate the preparedness of school personnel and students. This drill shall occur no later than 90 days after the first day of school of each year, and shall require the participation of all school personnel and students present at school at the time of the drill, except for those exempted by administrators or school support personnel.

### Annual Review

The Board or its designee will annually review the safety and security plans, protocols, and procedures, as well as compliance with the CACC safety drill plan. This annual review shall be in accordance with the School Safety Drill Act (105 ILCS 128/) and the Joint Rules of the Office of the State Fire Marshal and the Ill. State Board of Education (ISBE) (29 Ill.Admin.Code Part 1500).

### Automated External Defibrillator (AED)

The Director or designee shall implement a written plan for responding to medical emergencies. Act and shall file a copy of the plan with the Ill. Dept. of Public Health (IDPH). The plan shall provide for at least one automated external defibrillator (AED) to be available at every physical fitness facility on the premises according to State law requirements.

CACC shall have an AED on site as well as a trained AED user: (1) on staff during staffed business hours; and (2) available during activities or events sponsored and conducted or supervised by CACC. The Director or designee shall ensure that every AED on CACC's premises is properly tested and maintained in accordance with rules developed by the IDPH. This policy does not create an obligation to use an AED.



## Carbon Monoxide Alarms

The Director or designee shall implement a plan with CACC's local fire officials to:

1. Determine which areas to equip with approved *carbon monoxide alarms* or *carbon monoxide detectors*,
2. Locate the required carbon monoxide alarms or carbon monoxide detectors within 20 feet of a carbon monoxide emitting device, and
3. Incorporate carbon monoxide alarm or detector activation procedures. The Director or designee shall ensure that the procedures are annually reviewed.

## Lead Testing in Water

The Director or designee shall implement testing for lead in each source of drinking water in CACC buildings in accordance with the Ill. Plumbing License Law and guidance published by the IDPH. The Director or designee shall notify parent(s)/guardian(s) about the sampling results from their children's respective CACC buildings.

## Emergency Closing

The Director is authorized to close CACC in the event of hazardous weather or other emergency that threatens the safety of students, staff members, or CACC property.

### LEGAL REF.:

105 ILCS 5/10-20.2, 5/10-20.57, 5/18-12, and 5/18-12.5.105 ILCS 128/, School Safety Drill Act, implemented by 29 Ill.Admin.Code Part 1500.

210 ILCS 74/, Physical Fitness Facility Medical Emergency Preparedness Act.

225 ILCS 320/35.5, Ill. Plumbing License Law.

CROSS REF.: 4:110 (Transportation), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 4:180 (Pandemic Preparedness), 5:30 (Hiring Process and Criteria), 8:30 (Visitors to and Conduct on CACC Property), 8:100 (Relations with Other Organizations and Agencies)

Adopted: January 17, 2019

**Capital Area Career Center**

## **4:175 Convicted Child Sex Offender; Screening; Notifications**

### Persons Prohibited on CACC Property without Prior Permission

State law prohibits a child sex offender from being present on CACC property or loitering within 500 feet of CACC property when persons under the age of 18 are present, unless the offender meets either of the following two exceptions:

1. The offender is a parent/guardian of a student attending CACC and has notified the Building Principal of his or her presence at CACC for the purpose of: (i) attending a conference with CACC personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion; or
2. The offender received permission to be present from the Center Board, Director, or Director's designee. If permission is granted, the Director or Chairperson shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Director or designee shall supervise a child sex offender whenever the offender is in a child's vicinity. If a student is a sex offender, the Director or designee shall develop guidelines for managing his or her presence in CACC.

### Screening

The Director or designee shall perform fingerprint-based criminal history records information checks and/or screenings required by State law or Board policy for employees; student teachers; students doing field or clinical experience other than student teaching; contractors' employees who have direct, daily contact with one or more children; and resource persons and volunteers. He or she shall take appropriate action based on the result of any criminal background check and/or screen.

LEGAL REF.:20 ILCS 2635/, Uniform Conviction Information Act.

720 ILCS 5/11-9.3.

730 ILCS 152/, Sex Offender Community Notification Law.

730 ILCS 154/75-105, Murderer and Violent Offender Against Youth Community Notification Law.

CROSS REF.:5:30 (Hiring Process and Criteria), 5:260 (Student Teachers), 6:250 (Community Resource Persons and Volunteers), 8:30 (Visitors to and Conduct on CACC Property), 8:100 (Relations with Other Organizations and Agencies)

ADOPTED: June 15, 2017

## 4:180 Pandemic Preparedness; Management; and Recovery

The School Board recognizes that the District will play an essential role along with the local health department and emergency management agencies in protecting the public's health and safety during a pandemic.

A pandemic is a global outbreak of disease. Pandemics happen when a new virus emerges to infect individuals and, because there is little to no pre-existing immunity against the new virus, it spreads sustainably.

To prepare the School District community for a pandemic, the Superintendent or designee shall: (1) learn and understand how the roles that the federal, State, and local government function; (2) form a pandemic planning team consisting of appropriate District personnel and community members to identify priorities and oversee the development and implementation of a comprehensive pandemic school action plan; and (3) build awareness of the final plan among staff, students, and community.

### Emergency School Closing

In the case of a pandemic, the Governor may declare a disaster due to a public health emergency that may affect any decision for an emergency school closing. Decisions for an emergency school closing will be made by the Superintendent in consultation with and, if necessary, at the direction of the Governor, Ill. Dept. of Public Health, District's local health department, emergency management agencies, and/or Regional Office of Education.

During an emergency school closing, the Board President and the Superintendent may, to the extent the emergency situation allows, examine existing Board policies pursuant to Policy 2:240, *Board Policy Development*, and recommend to the Board for consideration any needed amendments or suspensions to address mandates that the District may not be able to accomplish or implement due to a pandemic.

### Board Meeting Procedure; No Physical Presence of Quorum and Participation by Audio or Video

A disaster declaration related to a public health emergency may affect the Board's ability to meet in person and generate a quorum of members who are physically present at the location of a meeting. Policy 2:220, *School Board Meeting Procedure*, governs Board meetings by video or audio conference without the physical presence of a quorum.

### Payment of Employee Salaries During Emergency School Closures

The Superintendent shall consult with the Board to determine the extent to which continued payment of salaries and benefits will be made to the District's employees, pursuant to Board policies 3:40, *Superintendent*, 3:50, *Administrative Personnel Other Than the Superintendent*, 5:35, *Compliance with the Fair Labor Standards Act*, 5:200, *Terms and Conditions of Employment and Dismissal*, and 5:270, *Employment At-Will, Compensation, and Assignment*, and consistent with: (1) applicable laws, regulations, federal or State or local emergency declarations, executive orders, and agency directives; (2) collective bargaining agreements and any bargaining obligations; and (3) the terms of any grant under which an employee is being paid.

### Suspension of In-Person Instruction; Remote and/or Blended Remote Learning Day Plan(s)

When the Governor declares a disaster due to a public health emergency pursuant to 20 ILCS 3305/7, and the State Superintendent of Education declares a requirement for the District to use *Remote Learning Days* or *Blended Remote Learning Days*, the Superintendent shall approve and present to the Board for adoption a Remote and/or Blended Remote Learning Day Plan (Plan) that:

1. Recommends to the Board for consideration any suspensions or amendments to curriculum-

related policies to reduce any Board-required graduation or other instructional requirements in excess of minimum curricular requirements specified in School Code that the District may not be able to provide due to the pandemic;

2. Implements the requirements of 105 ILCS 5/10-30; and
3. Ensures a plan for periodic review of and/or amendments to the Plan when needed and/or required by statute, regulation, or State guidance.

LEGAL REF.:

105 ILCS 5/10-16.7, 5/10-20.5, 5/10-20.56, and 5/10-30.

5 ILCS 120/2.01 and 120/7(e), Open Meetings Act.

20 ILCS 2305/2(b), Ill. Dept. of Public Health Act (Part 1).

20 ILCS 3305/, Ill. Emergency Management Agency Act.

115 ILCS 5/, Ill. Educational Labor Relations Act.

CROSS REF.: 1:20 (District Organization, Operations, and Cooperative Agreements), 2:20 (Powers and Duties of the School Board; Indemnification), 2:220 (School Board Meeting Procedure), 2:240 (Board Policy Development), 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 3:70 (Succession of Authority), 4:170 (Safety), 5:35 (Compliance with the Fair Labor Standards Act), 5:200 (Terms and Conditions of Employment and Dismissal), 5:270 (Employment At-Will, Compensation, and Assignment), 6:20 (School Year Calendar and Day), 6:60 (Curriculum Content), 6:300 (Graduation Requirements), 7:90 (Release During School Hours), 8:100 (Relations with Other Organizations and Agencies)

Adopted: October 15, 2020

**Capital Area Career Center**

**SECTION 5 - PERSONNEL**

**Capital Area Career Center**

## **General Personnel**

### **Capital Area Career Center**

## 5:10 Equal Employment Opportunity and Minority Recruitment

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

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

### Administrative Implementation

The Director shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating CACC's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Director or a Complaint Manager for the Uniform Grievance Procedure. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

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

### **Nondiscrimination Coordinator:**

CACC Center Director – Jodi Ferriell  
2201 Toronto Road, Springfield, IL 62712  
jferriell@caccschool.org  
217-529-5431, ext. 175

### **Complaint Managers:**

CACC Principal – Wes Aymer  
2201 Toronto Road  
waymer@caccschool.org  
217-529-5431, ext. 145

CASPN Nurse Administrator – Dianne Hacker  
2201 Toronto Road  
dhacker@caspn.edu  
217-525-1215, ext. 213

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

## Minority Recruitment

CACC 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 CACC to give preferential treatment or special rights based on a protected status without evidence of past discrimination.

### LEGAL REF.:

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

20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972; 4 C.F.R. Part 106.

29 U.S.C. §206(d), Equal Pay Act.

29 U.S.C. §621 et seq., Age Discrimination in Employment Act.

29 U.S.C. §701 et seq., Rehabilitation Act of 1973.

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

42 U.S.C. §1981 et seq., Civil Rights Act of 1991.

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

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

42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act of 1964.

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

42 U.S.C. §12111 et seq., Americans with Disabilities Act, Title I.

Ill. Constitution, Art. I, §§17, 18, and 19.

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

410 ILCS 130/40, Compassionate Use of Medical Cannabis Program Act.

410 ILCS 513/25, Genetic Information Privacy Act.

740 ILCS 174/, Ill. Whistleblower Act.

775 ILCS 5/1-103, 5/2-102, 103, and 5/6-101, Ill. Human Rights Act.

775 ILCS 35/5, Religious Freedom Restoration Act.

820 ILCS 55/10, Right to Privacy in the Workplace Act.

820 ILCS 70/, Employee Credit Privacy Act.

820 ILCS 75/, Job Opportunities for Qualified Applicants Act.

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

820 ILCS 180/30, Victims' Economic Security and Safety Act.

820 ILCS 260/, Nursing Mothers in the Workplace Act.



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

Adopted: October 15, 2020

**Capital Area Career Center**

## 5:20 Workplace Harassment Prohibited

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

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

### Sexual Harassment Prohibited

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

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

### Making a Report or Complaint

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

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

### Whom to Contact with a Report or Complaint

An employee should report claims of harassment, including making a confidential report, to any of the following: his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager. Employees may also report claims using Board policy 2:260, *Uniform Grievance Procedure*. If a claim is reported using Board policy 2:260, then the Complaint Manager shall process and claim according to that policy, in addition to any response

required by this policy.

### Investigation Process

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

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

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

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

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

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

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

### Enforcement

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

### Retaliation Prohibited

An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*), and depending upon the law governing the complaint, whistleblower protection may be available under the State Officials and Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and the Ill. Human Rights Act (775 ILCS 5/).

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

Employees who retaliate against others for reporting or complaining of violations of this policy or for

participating in the reporting or complaint process will be subject to disciplinary action, up to and including discharge.

### Recourse to State and Federal Fair Employment Practice Agencies

The CACC encourages all employees who have information regarding violations of this policy to report the information pursuant to this policy. The following government agencies are available to assist employees: the Ill. Dept. of Human Rights and the U. S. Equal Employment Opportunity Commission. The Director shall insert into this policy the names, office addresses, email addresses, and telephone numbers of CACC's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as the CACC's Title IX Coordinator.

#### **Nondiscrimination Coordinator:**

CACC Center Director – Jodi Ferriell  
2201 Toronto Road, Springfield, IL 62712  
jferriell@caccschool.org  
217-529-5431, ext. 175

#### **Complaint Managers:**

CACC Principal – Wes Aymer	CASPN Nurse Administrator – Dianne Hacker
2201 Toronto Road	2201 Toronto Road
waymer@caccschool.org	dhacker@caspn.edu
217-529-5431, ext. 145	217-525-1215, ext. 213

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

#### **LEGAL REF.:**

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

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

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

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

56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.

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

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

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

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

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

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

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

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

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

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

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

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

Adopted: October 15, 2020

**Capital Area Career Center**

## 5:30 Hiring Process and Criteria

CACC hires the most qualified personnel consistent with budget and staffing requirements and in compliance with Center Board policy on equal employment opportunity and minority recruitment. The Director is responsible for recruiting personnel and making hiring recommendations to the Board. If the Director's recommendation is rejected, the Director must submit another. The Director may select personnel on a short-term basis for a specific project or emergency condition before the Board's approval.

No individual will be employed who has been convicted of a criminal offense listed in 105 ILCS 5/21B-80(c).

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

### Job Descriptions

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

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

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

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

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

1. CACC uses an applicant's credit history or report from a consumer reporting agency only when a satisfactory credit history is an established bona fide occupational requirement of a particular position.
2. CACC does not screen applicants based on their current or prior wages or salary histories,

including benefits or other compensation, by requiring that the wage or salary history satisfy minimum or maximum criteria.

3. CACC does not request or require a wage or salary history as a condition of being considered for employment, being interviewed, continuing to be considered for an offer of employment, an offer of employment, or an offer of compensation.
4. CACC does not request or require an applicant to disclose wage or salary history as a condition of employment.
5. CACC does not ask an applicant or applicant's current or previous employers about wage or salary history, including benefits or other compensation.
6. CACC does not ask an applicant or applicant's previous employers about claim(s) made or benefit(s) received under the Workers' Compensation Act.
7. CACC does not request of an applicant or employee access in any manner to his or her personal online account, such as social networking websites, including a request for passwords to such accounts.
8. CACC provides equal employment opportunities to all persons. See policy 5:10, *Equal Employment Opportunity and Minority Recruitment*.

### Physical Examinations

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

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

### Orientation Program

**Please refer to the applicable collective bargaining agreement.**

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

### LEGAL REF.:

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

20 ILCS 2630/3.3, Criminal Identification Act.

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

820 ILCS 70/, Employee Credit Privacy Act.

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

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

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

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

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

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

CROSS REF.: 2:260 (Uniform Grievance Procedure), 3:50 (Administrative Personnel Other Than the Director), 4:60 (Purchases and Contracts), 3:50 (Administrative Personnel Other Than the Director), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:40 (Communicable and Chronic Infectious Disease), 5:90 (Abused and Neglected Child Reporting), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:220 (Substitute Teachers), 5:280 (Educational Support Personnel - Duties and Qualifications)

Adopted: January 16, 2020

**Capital Area Career Center**



## 5:35 Compliance with the Fair Labor Standards Act

### Job Classifications

The Director will ensure that all job positions are identified as either "exempt" or "non-exempt" according to State law and the 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 CACC employees will be 6:00 a.m. Monday until 5:59 p.m. Monday. Non-exempt employees will be compensated for all hours worked in a workweek including overtime. For non-exempt employees paid a salary, the salary is paid for a 40-hour workweek even if an employee is scheduled for less than 40 hours. "Overtime" is time worked in excess of 40 hours in a single workweek.

### Overtime

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 Director 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. Accurate and complete time sheets of actual hours worked during the workweek shall be signed by each employee and submitted to the business office. The business office will review work records of employees on a regular basis, make an assessment of overtime use, and provide the assessment to the Director. 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. Licensed employees may be suspended without pay in accordance with Board policy 5:240, *Suspension*. Non-licensed employees may be suspended without pay in accordance with Board policy 5:290, *Employment Termination and Suspensions*.

### Implementation

The Director or designee shall implement the 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.:

820 ILCS 105/4a.

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)

Adopted: October 17, 2019

# Capital Area Career Center

## 5:40 Communicable and Chronic Infectious Disease

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

An employee with a communicable or chronic infectious disease is encouraged to inform the Director immediately and grant consent to being monitored by CACC's Communicable and Chronic Infectious Disease Review Team. The Review Team, if used, provides information and recommendations to the Director 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., amended by the Americans with Disabilities Act Amendments Act (ADAAA), Pub. L. 110-325.

Rehabilitation Act of 1973, 29 U.S.C. §791; 34 C.F.R. §104.1 et seq.

Department of Public Health Act, 20 ILCS 2305/6.

105 ILCS 5/24-5.

Personnel Record Review Act, 820 ILCS 40/.

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)

Adopted: October 17, 2019

**Capital Area Career Center**

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

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

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

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

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

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

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

As a condition of employment, each employee shall:

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

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

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

1. Provide each employee with a copy of this policy.
2. Post notice of this policy in a place where other information for employees is posted.

3. Make available materials from local, State, and national anti-drug and alcohol-abuse organizations.
4. Enlist the aid of community and State agencies with drug and alcohol informational and rehabilitation programs to provide information to CACC 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 CACC may impose upon employees for violations of this policy.
6. Remind employees that policy 6:60, *Curriculum Content*, requires the District to educate students, depending upon their grade, about drug and substance abuse prevention and relationships between drugs, alcohol, and violence.

### E-Cigarette, Tobacco, and Cannabis Prohibition

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

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

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

*E-Cigarette* is short for electronic cigarette and includes, but is not limited to, any electronic nicotine delivery system (ENDS), electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device.

### CACC Action Upon Violation of Policy

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

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

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

### Disclaimer

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

### LEGAL REF.:

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. §8101 et seq.

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

30 ILCS 580/, Drug-Free Workplace Act.

105 ILCS 5/10-20.5b.

410 ILCS 82/, Smoke Free Illinois Act.

410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.

410 ILCS 705/1-1 et seq., Cannabis Regulation and Tax Act.

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

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

21 C.F.R. Parts 1100, 1140, and 1143.

23 Ill.Admin.Code §22.20.

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

Adopted: January 16, 2020

**Capital Area Career Center**

## 5:60 Expenses

**Please refer to the applicable collective bargaining agreement.**

The Board regulates the reimbursement of all travel, meal, and lodging expenses by resolution. Money shall not be advanced or reimbursed, or purchase orders issued for: (1) the expenses of any person except the employee, (2) anyone's personal expenses, or (3) entertainment expenses. Entertainment includes, but is not limited to, shows, amusements, theaters, circuses, sporting events, or any other place of public or private entertainment or amusement, unless the entertainment is ancillary to the purpose of the program or event. CACC is not responsible for losses due to an employee's own negligence, losses due to normal wear, or losses due to theft, unless the theft was a result of CACC's negligence. Employees must submit the appropriate itemized, signed, standardized form(s) to support any requests for expense advancements, reimbursements, or purchase orders that show the following:

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

### Advancements

The Director may advance expenses to teachers and other licensed employees for the anticipated actual and necessary expenses to be incurred while attending meetings that are related to their duties and will contribute to their professional development, provided they fall below the maximum allowed in the Board's expense regulations.

Expense advancement requests must be submitted to the Director or designee on CACC's standardized estimated expense approval form for employees. After spending expense advancements, employees must use CACC's standardized expense reimbursement form and submit to the Director: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts. Any portion of an expense advancement not used must be returned to CACC. Expense advancements and vouchers shall be presented to the Board in its regular bill process.

### Reimbursements and Purchase Orders

Expense reimbursements and purchase orders may be issued by the Director or designee to employees, along with other expenses necessary for the performance of their duties, provided the expenses fall below the maximum allowed in the Board's expense regulations.

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

### Use of Credit and Procurement Cards

Credit and procurement card usage is governed by policy 4:55, *Use of Credit and Procurement*

## Cards.

### Exceeding the Maximum Allowable Expense Amount(s)

All requests for expense advancements, reimbursements, and purchase orders exceeding the maximum allowed in the Board's expense regulations may only be approved when:

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

### Registration

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

### Travel

The least expensive method of travel will be used, provided that no hardship will be caused to the employee. Employees will be reimbursed for:

1. Air travel at the coach or economy class commercial airline rate. First class or business class air travel will be reimbursed only if emergency circumstances warrant. The emergency circumstances must be explained on the expense form and Board approval of the additional expense is required. Fees for the first checked bag will be reimbursed. Copies of airline tickets and baggage receipts must be attached to the expense form.
2. Rail or bus travel at actual cost. Rail or bus travel costs may not exceed the cost of coach airfare. Copies of tickets must be attached to the expense form to substantiate amounts.
3. Use of personal automobiles at the standard mileage rate approved by the Internal Revenue Service for income tax purposes. The reimbursement may not exceed the cost of coach airfare. Mileage for use of personal automobiles in trips to and from transportation terminals will also be reimbursed. Toll charges and parking costs will be reimbursed.
4. Automobile rental costs when the vehicle's use is warranted. The circumstances for such use must be explained on the expense form.
5. Taxis, airport limousines, ride sharing services, or other local transportation costs.

### Meals

Meals charged to CACC should represent mid-fare selections for the hotel/meeting facility or general area. Tips are included with meal charges. Expense forms must explain the meal charges incurred. Alcoholic beverages will not be reimbursed.

### Lodging

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

### Miscellaneous Expenses

Employees may seek reimbursement for other expenses incurred while attending a meeting sponsored by organizations described herein by fully describing the expenses on the expense form, attaching receipts.

### Additional Requirements for Travel Expenses Charged to Federal and State Grants

All grant-related travel expenses must be pre-approved by the Director or designee.



Expenses for travel, including expenses for transportation, lodging, meals, and related items incurred by employees and charged to a federal grant or State grant governed by the Grant Accountability and Transparency Act (30 ILCS 708/) must also meet the following requirements:

1. The participation of the employee is necessary to the award, and the costs are specifically related to the award.
2. Expenses must be permissible under the terms and conditions of the award.
3. Expenses must be reasonable and consistent with this policy.
4. The Board does not reimburse actual expenses or pay a per diem allowance unless the employee is on official *travel status* for more than 12 hours. However, employees remain eligible for mileage reimbursement (minus regular commuting mileage/costs) and other transportation expenses if on travel status less than 12 hours.
5. Expenses may be charged based on an actual cost basis or on a per diem basis in lieu of actual costs incurred; however, only one method may be applied per trip.
6. Commercial airfare costs in excess of the least expensive coach or economy class are prohibited except when such accommodations would: (1) require circuitous routing; (2) require travel during unreasonable hours; (3) excessively prolong travel; (4) result in additional costs that would offset transportation savings; or (5) offer accommodations not reasonably adequate for the traveler's medical needs. Qualifying circumstances must be explained on the expense form, and Board approval of the additional expense is required.
7. Per diem rates and actual reimbursement amounts for mileage, meals, and lodging may not exceed the rates established by the Governor's Travel Control Board or federal travel regulations, whichever is less. These limits do not apply when: (1) an employee stays in the lowest-priced room available at or near a hotel where a conference or seminar is located or in accommodations arranged by the conference/seminar organization, or (2) lodging at or below the established rate is unavailable. In those cases, the employee will be reimbursed for actual lodging expenses with prior approval, but in no case will the reimbursement exceed 300% of the applicable maximum per diem rate. If a conference fee includes a meal, the meal or per diem allowance will be reduced by the actual value of the meal or the applicable meal allowance, whichever is less.
8. Employees must use the least expensive compact car available when using a rental car for travel, unless an exception is approved. The Board does not reimburse employees for collision damage waiver or theft insurance.
9. The Board will reimburse travel expenses not chargeable to an award from other CACC funds consistent with this policy.

LEGAL REF.:

2 C.F.R. §200.474.

30 ILCS 708/130, Grant Accountability and Transparency Act.

50 ILCS 150/, Local Government Travel Expense Control Act.

105 ILCS 5/10-22.32.

820 ILCS 115/9.5, Ill. Wage Payment and Collection Act.

CROSS REF.: 2:125 (Board Member Compensation; Expenses), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards)

Adopted: June 18, 2020

# Capital Area Career Center

## 5:60-E1 Exhibit - Employee Expense Reimbursement Form

Submit to the Superintendent. Use of this form is required by 2:125-E3, Resolution to Regulate Expense Reimbursements. Please print and attach receipts for all expenditures.

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

Title/Office: \_\_\_\_\_

Destination: \_\_\_\_\_

Purpose: \_\_\_\_\_

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

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

Receipts attached

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

Estimated expenses attached (Completed 5:60-E2, Employee Estimated Expense Approval Form)(pre-approval is required for federal and state grants).

Approved expense advancement (voucher) attached, if applicable\* (Completed 5:60-E2, Employee Estimated Expense Approval Form.)

### Actual Expense Report

\*Employees will be reimbursed for actual and necessary expenses that exceed the amount advanced, but must refund any expense advancement that exceeds the actual and necessary expenses incurred. 105 ILCS 5/10-22.32. For federal and State grants, employees will be reimbursed for actual and necessary expenses that exceed estimated expenses as permitted by Board policy 5:60, Expenses.

Auto Travel Allowance: \_\_\_\_\_ per mile

Date	Auto Mileage		Transp. Expenses	Lodging	Meals or Per Diem			Other Item Cost	Daily Total
	Miles	Cost			Bkfst	Lunch   Dinner			
<b>Subtotal</b>									
<b>Advances</b>									
<b>TOTAL</b> (A negative amount indicates refund due from employee.)									\$

Superintendent or Designee:

Approved

Denied

(below maximum allowable amount)

Approved in Part

Grant Funding Source (if applicable): \_\_\_\_\_

\_\_\_\_\_  
Superintendent or Designee Signature

\_\_\_\_\_  
Date

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**School Board Action** (*exceeds maximum allowable amount*):  **Approved**  **Denied**

**Approved in Part**

**Grant Funding Source** (if applicable): \_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

DATED : October 15, 2020

**Capital Area Career Center**

## 5:60-E2 Exhibit - Employee Estimated Expense Approval Form

Submit to the Superintendent. Use of this form is required (1) by 2:125-E3, Resolution to Regulate Expense Reimbursements and (2) for pre-approval of expenses to be charged to a federal grant or State grant governed by the Grant Accountability and Transparency Act. Please print.

Name: \_\_\_\_\_ Title/Office: \_\_\_\_\_

Travel Destination: \_\_\_\_\_ Purpose: \_\_\_\_\_

**Estimated Expenses Approval Requested** (50 ILCS 150/20 or grant expenditure)

**Travel is grant-related\*** (specify grant): \_\_\_\_\_

**Purchase Order Requested** Purchase Order #: \_\_\_\_\_

**Expense Advancement Voucher Requested** (105 ILCS 5/10-22.32)

Voucher Amount: \_\_\_\_\_

<b>Estimated Expense Report</b>										
Departure date: _____					Return date: _____					
Auto Travel Allowance: _____ per mile										
* <b>Grant-related travel only:</b> Except for mileage and other transportation expenses, expense reimbursement/per diem is only allowed if on official travel status for 12 hours or more. If lodging at or below the applicable rate cannot be identified, please indicate below and attach at least three quotes for review.										
Date	Auto Mileage		Transp. Expenses	Lodging	Meals or Per Diem			Other		Daily Total
	Miles	Cost			Bkfst	Lunch	Dinner	Item	Cost	
<b>Total</b>										<b>\$</b>

Superintendent or Designee:

Approved       Denied

(below maximum allowable amount)

Approved in Part

Grant Funding Source (if applicable): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Superintendent or Designee Signature

Date

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**School Board Action** (*exceeds maximum allowable amount*):  **Approved**  **Denied**

**Approved in Part**

**Grant Funding Source** (if applicable): \_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

DATED : October 15, 2020

**Capital Area Career Center**

## **5:70 Religious Holidays**

**Please refer to the applicable collective bargaining agreement.**

**For employees not covered by a current applicable bargaining agreement:**

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

Employees may use earned vacation time, or personal leave to make up the absence, provided such time is consistent with CACC's operational needs. A per diem deduction may also be requested by the employee.

LEGAL REF.:Religious Freedom Restoration Act, 775 ILCS 35/15.

Illinois Human Rights Act, 775 ILCS 5/2-101 and 5/2-102.

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **5:80 Court Duty**

**Please refer to the applicable collective bargaining agreement.**

CACC 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 CACC-related matter pending in court.

CACC will deduct any fees that an employee receives for such duties, less mileage and meal expenses, from the employee's compensation, or make arrangements for the employee to endorse the fee check to CACC.

An employee should give at least five days' prior notice of pending court duty to CACC.

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

ADOPTED: June 15, 2017

**Capital Area Career Center**



## 5:90 Abused and Neglected Child Reporting

Any CACC employee who suspects or receives knowledge that a student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability, shall: (1) immediately report or cause a report to be made to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873)(within Illinois); 1-217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY), and (2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Any CACC employee who believes a student is in immediate danger of harm, shall first call 911. The employee shall also promptly notify the Director or Building Principal that a report has been made. The Director or Building Principal shall immediately coordinate any necessary notifications to the student's parent(s)/guardian(s) with DCFS, and/or local law enforcement. Negligent failure to report occurs when a CACC employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act (ANCRA) and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to DCFS.

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

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

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

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

All CACC employees shall:

1. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Director or designee shall ensure that the signed forms are retained.
2. Complete mandated reporter training as required by law within three months of initial employment and at least every three years after that date.

The Director will encourage all CACC educators to complete continuing professional development that addresses the traits and identifiers that may be evident in students who are victims of child sexual abuse, including recognizing and reporting child sexual abuse and providing appropriate follow-up and care for abused students as they return to the classroom setting.

### Alleged Incidents of Sexual Abuse: Investigations

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

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

DCFS and/or the appropriate law enforcement agency will inform CACC when its investigation is complete or has been suspended, as well as the outcome of its investigation. The existence of a DCFS and/or law enforcement investigation will not preclude CACC from conducting its own parallel investigation into the alleged incident of sexual abuse in accordance with policy 7:20, *Harassment of Students Prohibited*.

#### Special Director Responsibilities

The Director 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 CACC employee and was the subject of a report made by a CACC employee to DCFS.

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

#### Special Center Board Member Responsibilities

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

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

#### LEGAL REF.:

105 ILCS 5/10-21.9.

20 ILCS 1305/1-1 et seq., Department of Human Services Act.

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

720 ILCS 5/12C-50.1, Criminal Code of 2012.

CROSS REF.: 2:20 (Powers and Duties of the Center Board; Indemnification), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Terminations and Suspensions), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

Adopted: January 16, 2020

## 5:100 Staff Development Program

The Director or designee 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 licensed staff members shall be designed to effectuate CACC so that student learning objectives meet or exceed goals established by CACC and State.

The staff development program shall provide, at a minimum, at least once every two years, the in-service training of licensed CACC 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 CACC environment, and the use of psychotropic or psychostimulant medication for school-age children.

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

In addition, the staff development program shall include each of the following:

1. At least, once every two years, training of all CACC staff by a person with expertise on anaphylactic reactions and management.
2. At least every two years, an in-service to train CACC personnel, at a minimum, to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence.
3. Training that, at a minimum, provides CACC staff with a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS) and the availability of appropriate sources of counseling and referral.
4. Training for licensed CACC personnel and administrators who work with students in grades 9 through 12 to identify the warning signs of mental illness and suicidal behavior in youth along with appropriate intervention and referral techniques.
5. Abused and Neglected Child Reporting Act (ANCRA), School Code, and *Erin's Law* Training as follows:
  - a. Staff development for local CACC site personnel who work with students in grades kindergarten through 8, in the detection, reporting and prevention of child abuse and neglect (see policy 5:90, *Abused and Neglected Child Reporting*).
  - b. Within three months of employment, each staff member must complete mandated reporter training from a provider or agency with expertise in recognizing and reporting child abuse. Mandated reporter training must be completed again at least every three years (see policy 5:90, *Abused and Neglected Child Reporting*).
  - c. Informing educators about the recommendation in the *Erin's Law* Taskforce Report requesting them to attend continuing professional development programs that address the prevention and identification of child sexual abuse (see policy 5:90, *Abused and Neglected Child Reporting*).
6. Education for staff instructing students in grades 9 through 12, concerning teen dating violence as recommended by CACC's Nondiscrimination Coordinator, Building Principal, or Complaint Manager.
7. Ongoing professional development for teachers, administrators, school resource officers, and staff regarding the adverse consequences of CACC exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, the appropriate and available supportive services for the promotion of student attendance and engagement, and

developmentally appropriate disciplinary methods that promote positive and healthy school climates.

8. Every two years, CACC personnel who work with students must complete an in-person or online training program on the management of asthma, the prevention of asthma symptoms, and emergency response in the school setting.
9. Training for CACC personnel to develop cultural competency, including understanding and reducing implicit racial bias.
10. For CACC personnel who work with hazardous or toxic materials on a regular basis, training on the safe handling and use of such materials.
11. For nurses, administrators, guidance counselors, teachers, persons employed by a local health department and assigned to a school, and persons who contract with CACC to perform services in connection with a student's seizure action plan, training in the basics of seizure recognition, first aid, and appropriate emergency protocols.
12. For all CACC staff, annual sexual harassment prevention training.
13. Title IX requirements for training as follows (see policy 2:265, *Title IX Sexual Harassment Grievance Procedure*):
  - a. For all CACC staff, training on the definition of sexual harassment, the scope of CACC's education program or activity, all relevant CACC policies and procedures, and the necessity to promptly forward all reports of sexual harassment to the Title IX Coordinator.
  - b. For school personnel designated as Title IX coordinators, investigators, decision-makers, or informal resolution facilitators, training on the definition of sexual harassment, the scope of CACC's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially.
  - c. For school personnel designated as Title IX investigators, training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.
  - d. For school personnel designated as Title IX decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about a complainant's sexual predisposition or prior sexual behavior are not relevant.

The Director shall develop protocols for administering youth suicide awareness and prevention education to staff consistent with Board policy 7:290, *Suicide and Depression Awareness and Prevention*.

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

#### LEGAL REF.:

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

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

105 ILCS 5/2-3.62, 5/10-20.17a, 5/10-20.61, 5/10-22.6(c-5), 5/10-22.39, 5/10-23.12, 5/22-80(h), and 5/24-5.105 ILCS 25/1.15, Interscholastic Athletic Organization Act.

105 ILCS 150/25, Seizure Smart School Act.

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

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

745 ILCS 49/, Good Samaritan Act.

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

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

77 Ill.Admin.Code §527.800.

CROSS REF.: 2:265 (Title IX Sexual Harassment Grievance Procedure), 3:40 (Director), 3:50 (Administrative Personnel Other Than the Director), 4:160 (Environmental Quality of Buildings and Grounds), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Ethics and Conduct), 5:250 (Leaves of Absence), 6:15 (CACCC Accountability), 6:20 (Calendar and Day), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:270 (Administering Medicines to Students), 7:285 (Food Allergy Management Program), 7:290 (Suicide and Depression Awareness and Prevention), 7:305 (Student Athlete Concussions and Head Injuries)

Adopted: October 15, 2020

**Capital Area Career Center**

## 5:120 Employee Ethics; Conduct; and Conflict of Interest

### Professional and Appropriate Conduct

All CACC 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. In addition, the *Code of Ethics for Illinois Educators*, adopted by the Illinois State Board of Education, is incorporated by reference into this policy. Any employee who sexually harasses a student, willfully or negligently fails to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act (325 ILCS 5/), or otherwise violates an employee conduct standard will be subject to discipline up to and including dismissal.

### Statement of Economic Interests

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

1. Director;
2. Building Principal;
3. CASPN Nurse Administrator;
4. Any employee who, as CACC's agent, is responsible for negotiating one or more contracts, including collective bargaining agreement(s), in the amount of \$1,000 or greater;
5. Hearing officer;
6. Any employee having supervisory authority for 20 or more employees; and
7. Any employee in a position that requires an administrative or a chief CACC business official endorsement.

### Ethics and Gift Ban

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

### Prohibited Interests; Conflict of Interest; and Limitation of Authority

In accordance with Section 22-5 of School Code, "no school officer or teacher shall be interested in the sale, proceeds, or profits of any book, apparatus, or furniture used or to be used in any school with which such officer or teacher may be connected," except when the employee is the author or developer of instructional materials listed with the Illinois 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 CACC nor shall an employee act as an agent of any business in any transaction with CACC. This includes participation in the selection, award or administration of a contract supported by a federal award or State award governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) when the employee has a real or apparent conflict of interest. A conflict of interest arises when an employee or any of the following individuals has a financial or other interest in the entity selected for the contract:

1. Any person that has a close personal relationship with an employee that may compromise or impair the employee's fairness and impartiality, including a member of the employee's immediate family or household;
2. An employee's business partner; or
3. An entity that employs or is about to employ the employee or one of the individuals listed in one

or two above.

Employees shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or contracts. Situations in which the interest is not substantial or the gift is an unsolicited item of nominal value must comply with State law and Board policy 2:105, *Ethics and Gift Ban*.

#### Outside Employment

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.

Incorporated

by reference: 5:120-E (Code of Ethics for Illinois Educators)

#### LEGAL REF.:

U.S. Constitution, First Amendment.

2 C.F.R. §200.318(c)(1).

5 ILCS 420/4A-101, Ill. Governmental Ethics Act.

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

30 ILCS 708/, Grant Accountability and Transparency Act.

50 ILCS 135/, Local Governmental Employees Political Rights Act.

105 ILCS 5/10-22.39 and 5/22-5.

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

775 ILCS 5/5A-102, Ill. Human Rights Act.

23 Ill.Admin.Code Part 22, Code of Ethics for Illinois Educators.

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), 4:60 (Purchases and Contracts), 5:100 (Staff Development Program), 5:125 (Personal Technology and Social Media; Usage and Conduct)

Adopted: January 16, 2020

**Capital Area Career Center**

## 5:125 Personal Technology and Social Media; Usage and Conduct

### Definitions

**Includes** - Means "includes without limitation" or "includes, but is not limited to."

**Social media** - Media for social interaction, using highly accessible communication techniques through the use of web-based and mobile technologies to turn communication into interactive dialogue. This includes, but is not limited to, services such as *Facebook, LinkedIn, Twitter, Instagram, Snapchat, and YouTube*.

**Personal technology** - Any device that is not owned or leased by CACC or otherwise authorized for CACC use and: (1) transmits sounds, images, text, messages, videos, or electronic information, (2) electronically records, plays, or stores information, or (3) accesses the Internet, or private communication or information networks. This includes laptop computers (e.g., laptops, ultrabooks, and chromebooks), tablets (e.g., iPads®, Kindle®, Microsoft Surface®, and other Android® platform or Windows® devices), smartphones (e.g., iPhone®, BlackBerry®, Android® platform phones, and Windows Phone®), and other devices (e.g., iPod®).

### Usage and Conduct

All CACC employees who use personal technology and social media shall:

1. Adhere to the high standards for appropriate CACC relationships required by policy 5:120, *Employee Ethics; Conduct; and Conflict of Interest*, at all times, regardless of the ever-changing social media and personal technology platforms available. This includes CACC employees posting images or private information about themselves or others in a manner readily accessible to students and other employees that is inappropriate as defined by policy 5:20, *Workplace Harassment Prohibited*; 5:100, *Staff Development Program*; 5:120, *Employee Ethics; Conduct; and Conflict of Interest*; 6:235, *Access to Electronic Networks*; 7:20, *Harassment of Students Prohibited*; and the Ill. Code of Educator Ethics, 23 Ill.Admin.Code §22.20.
2. Choose a CACC-provided or supported method whenever possible to communicate with students and their parents/guardians.
3. Not interfere with or disrupt the educational or working environment, or the delivery of education or educational support services.
4. Comply with policy 5:130, *Responsibilities Concerning Internal Information*. This means that personal technology and social media may not be used to share, publish, or transmit information about or images of students and/or CACC employees without proper approval. For CACC employees, proper approval may include implied consent under the circumstances.
5. Refrain from using CACC's logos without permission and follow Board policy 5:170, *Copyright*, and all CACC copyright compliance procedures.
6. Use personal technology and social media for personal purposes only during non-work times or hours. Any duty-free use must occur during times and places that the use will not interfere with job duties or otherwise be disruptive to CACC environment or its operation.
7. Assume all risks associated with the use of personal technology and social media at CACC or CACC-sponsored activities, including students' viewing of inappropriate Internet materials through CACC employee's personal technology or social media. The Board expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its employees' personal technology and social media.
8. Be subject to remedial and any other appropriate disciplinary action for violations of this policy ranging from prohibiting the employee from possessing or using any personal technology or social media at CACC to dismissal and/or indemnification of CACC for any losses, costs, or



damages, including reasonable attorney fees, incurred by CACC relating to, or arising out of, any violation of this policy.

The Director shall:

1. Inform CACC employees about this policy during the in-service on educator ethics, teacher-student conduct, and CACC employee-student conduct required by Board policy 5:120, *Ethics and Conduct*.
2. Direct Building Principal and Nurse Administrator to annually:
  - a. Provide their staff with a copy of this policy.
  - b. Inform their staff about the importance of maintaining high standards in their school relationships.
  - c. Remind their building staff that those who violate this policy will be subject to remedial and any other appropriate disciplinary action up to and including dismissal.
3. Build awareness of this policy with students, parents, and the community.
4. Ensure that no one for CACC, or on its behalf, requests of an employee or applicant access in any manner to his or her social networking website or requests passwords to such sites.
5. Periodically review this policy and any procedures with CACC employee representatives and electronic network system administrator(s) and present proposed changes to the Board.

LEGAL REF.:105 ILCS 5/21B-75 and 5/21B-80.

Ill. Human Rights Act, 775 ILCS 5/5A-102.

Code of Ethics for Ill. Educators, 23 Ill.Admin.Code §22.20.

Garcetti v. Ceballos, 547 U.S. 410 (2006).

Pickering v. High CACC Dist. 205, 391 U.S. 563 (1968).

Mayer v. Monroe County Community CACC Corp., 474 F.3d 477 (7th Cir. 2007).

CROSS REF.:5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:130 (Responsibilities Concerning Internal Information), 5:150 (Personnel Records), 5:170 (Copyright), 5:200 (Terms and Conditions of Employment and Dismissal), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:340 (Student Records)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **5:130 Responsibilities Concerning Internal Information**

CACC 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 Center Board meeting. Internal information is any information, oral or recorded in electronic or paper format, maintained by CACC or used by CACC or its employees. The Director or designee shall manage procedures for safeguarding the integrity, security, and, as appropriate, confidentiality of internal information.

### **LEGAL REF.:**

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

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

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

Local Records Act, 50 ILCS 205/.

105 ILCS 10/.

Personnel Record Review Act, 820 ILCS 40/.

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

Adopted: October 17, 2019

**Capital Area Career Center**

## **5:140 Solicitations By or From Staff**

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

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 5:150 Personnel Records

**Please refer to the applicable collective bargaining agreement.**

**For employees not covered by a current applicable bargaining agreement:**

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

Access to personnel records is available as follows:

1. An employee will be given access to his or her personnel records according to State law and guidelines developed by the Director.
2. An employee's supervisor or other management employee who has an employment or business-related reason to inspect the record is authorized to have access.
3. Anyone having the respective employee's written consent may have access.
4. Access will be granted to anyone authorized by State or federal law to have access.
5. All other requests for access to personnel information are governed by Board policy 2:250, *Access to CACC Public Records*.

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

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

LEGAL REF.:

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

745 ILCS 46/10, Employment Record Disclosure Act.

820 ILCS 40/, Personal Record Review Act.

23 Ill.Admin.Code §1.660.

CROSS REF.: 2:250 (Access to CACC Public Records), 7:340 (Student Records)

Adopted: June 18, 2020

**Capital Area Career Center**

## 5:170 Copyright

### Works Made for Hire

The Director 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 Center Board policies. Whenever an employee is assigned to develop instructional materials and/or computer programs, or otherwise performs such work within the scope of his or her employment, it is assured CACC 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 CACC's copyright compliance procedures and to obey the copyright laws. CACC is not responsible for any violations of the copyright laws by its staff or students. A staff member should contact the Director or designee whenever the staff member is uncertain about whether using or copying material complies with CACC's procedures or is permissible under the law, or wants assistance on when and how to obtain proper authorization. No staff member shall, without first obtaining the permission of the Director or designee, install or download any program on a CACC-owned computer. At no time shall it be necessary for a CACC staff member to violate copyright laws in order to properly perform his or her duties.

### Copyright Infringement; Designation of Digital Millennium Copyright Act (DMCA) Agent

The employee listed below receives complaints about copyright infringement within the use of CACC's online services. The Director or designee will register this information with the federal Copyright Office as required by federal law.

#### **CACC DMCA Agent:**

Jodi Ferriell

Name

2201 Toronto Rd. Springfield, IL 62712

Address

jferriell@caccschool.org

Email

217-529-5431

Telephone

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)

ADOPTED: June 15, 2017

# Capital Area Career Center

## 5:180 Temporary Illness or Temporary Incapacity

A temporary illness or temporary incapacity is an illness or other capacity of ill-being that 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, CACC-paid insurance programs, etc.) will be deducted from CACC's compensation liability to the employee. The Center Board's intent is that in no case will the employee, who is temporarily disabled, receive more than 100 percent of his or her gross salary.

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

If illness, 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 may begin dismissal proceedings subject to State and federal law, including the Americans with Disabilities Act. The Director 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. This paragraph shall not be considered a limitation on the Board's authority to take any action concerning an employee that is authorized by State and federal law.

Any employee may be required to have an examination, at CACC's expense, by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, a licensed advanced practice registered nurse, or a licensed physician assistant if the examination is job-related and consistent with business necessity.

### LEGAL REF.:

42 U.S.C. §12101 et seq., Americans with Disabilities Act.

105 ILCS 5/10-22.4, 5/24-12, and 5/24-13.

Elder v. School Dist. No.127 1/2, 60 Ill.App.2d 56 (1st Dist. 1965).

School District No. 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987).

CROSS REF.:5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

Adopted: October 17, 2019

**Capital Area Career Center**

## 5:185 Family and Medical Leave

**Please refer to the applicable collective bargaining agreement.**

**For employees not covered by a current applicable bargaining agreement:**

### Leave Description

An eligible employee may use unpaid family and medical leave (FMLA leave), guaranteed by the federal Family and Medical Leave Act. The U.S. Department of Labor's rules (federal rules) implementing FMLA, as they may be amended from time to time, control FMLA leave.

An eligible employee may take FMLA leave for up to a combined total of 12 weeks each 12-month period, beginning September 1 and ending August 31 of the next year.

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 in the federal rules) 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, CACC will 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 military member on covered active duty or has been notified of an impending call or order to active duty, as provided by federal rules.
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, as provided by federal rules.

If spouses are employed by CACC, 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 federal rules.

### Eligibility

To be eligible for FMLA leave, both of the following provisions must describe the employee:



1. The employee is employed at a worksite where at least 50 employees are employed within 75 miles; and
2. The employee has been employed by CACC 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 CACC need not be consecutive. However, CACC 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 fulfillment of a covered service obligation under the employee's Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 U.S.C. 4301, et seq., or when a written agreement exists concerning CACC's intention to rehire the employee.

### Requesting Leave

If the need for the FMLA leave is foreseeable, an employee must provide the Director 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 CACC'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 Director 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 Director 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 complete and sufficient certificate signed 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 complete and sufficient certificate signed 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 complete and sufficient certificate signed 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) 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, and the dates of the covered military member's active duty service, and (b) a statement or description, signed by the employee, of appropriate facts regarding the qualifying exigency for which FMLA leave is requested.

CACC 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.

CACC 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, CACC may request recertification when the, (1) employee requests a leave extension, (2) circumstances described by the original certification change significantly, or (3) CACC 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 CACC within 15 calendar days after the request. CACC may request recertification every six months in connection with any absence by an employee needing an intermittent or reduced schedule leave for conditions with a duration in excess of six months.

Failure to furnish a complete and sufficient certification on forms provided by CACC 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. CACC's obligation to maintain health insurance coverage ceases if an employee's premium payment is more than 30 days late and CACC notifies the employee at least 15 days before coverage will cease.

### Changed Circumstances and Intent to Return

An employee must provide the Director or designee reasonable notice of changed circumstances (i.e., within two business days if the changed circumstances are foreseeable) that will alter the duration of the FMLA leave. The Director 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 eight 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 CACC may impose as provided in the FMLA or implementing regulations, and (2) CACC'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 Director 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: June 15, 2017

**Professional Personnel**

**Capital Area Career Center**

## 5:190 Teacher Qualifications

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

1. Each CACC teacher must:
  - a. Have a valid Illinois Professional Educator License (PEL) or Educator License with Stipulations (ELS) issued by the State Superintendent of Education with the required endorsements as provided in the School Code.
  - b. Have a minimum of 2,000 hours of documented work experience related to the teaching assignment.
  - c. Provide the Center Office with a complete transcript of credits earned in institutions of higher education.
  - d. On or before September 1 of each year, unless otherwise provided in an applicable collective bargaining agreement, provide the Center Office with a transcript of any credits earned since the date the last transcript was filed.
  - e. Notify the Center Director of any change in the teacher's transcript.
2. Each CASPN Instructor must:
  - a. Be currently licensed as a registered professional nurse in Illinois.
  - b. Have a bachelor's degree or higher with a major in nursing.
  - c. Have at least 2 years' experience in clinical nursing practice.
  - d. Provide the Center Office with a complete transcript of credits earned in institutions of higher education.
  - e. On or before September 1 of each year, unless otherwise provided in an applicable collective bargaining agreement, provide the Center Office with a transcript of any credits earned since the date the last transcript was filed.
  - f. Notify the Nurse Administrator of any change in the instructor's transcript.

The Center Director or designee shall monitor compliance with State and federal law requirements that teachers/instructors be appropriately licensed for their assignments.

LEGAL REF.:20 U.S.C. §6319

34 C.F.R §200.55, 56, 57, and 61.

105 ILCS 5/10-20.15, 5/21-11.4, 5/21B-20, and 5/24-23.

23 Ill.Admin.Code §1.610 et seq., §1.705 et seq., and Part 25.

CROSS REF.:Nurse Practice Act

ADOPTED: June 15, 2017

## 5:200 Terms and Conditions of Employment and Dismissal

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

### CACC Year and Day, Salary, Assignments and Transfers, Dismissal

Please refer to the applicable collective bargaining agreement.

### Duty-Free Lunch

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

### Nursing Mothers

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

### School Social Worker Services Outside of CACC Employment

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

### Evaluation

CACC's teacher evaluation system will be conducted under the plan developed pursuant to State law. CASPN's instructor evaluation system will be conducted under the plan developed by the Director and Nurse Administrator. Evaluations will be completed according to the following schedule based on years of CASPN teaching experience:

1-3 years – Once annually

4 or more years – Once every 2 years

On an annual basis, the Director will provide the Board with a written report which outlines the results of CACC's teacher evaluation system.

### LEGAL REF.:

105 ILCS 5/10-19, 5/10-19.05, 5/10-20.65, 5/14-1.09a, 5/22.4, 5/24-16.5, 5/24-2, 5/24-8, 5/24-9, 5/24-11, 5/24-12, 5/24-21, 5/24A-1 through 24A-20.

820 ILCS 260/1 et seq.

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

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

CROSS REF.: 5:290 (Employment Termination and Suspensions), 6:20 (Calendar and Day)

Adopted: January 16, 2020

# Capital Area Career Center

## **5:210 Resignations**

**Please refer to the applicable collective bargaining agreement.**

LEGAL REF.:105 ILCS 5/24-14.

Park Forest Heights CACC Dist. v. State Teacher Certification Bd., 842 N.E.2d 1230 (Ill.App.1st 2006).

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 5:220 Substitute Teachers

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

A substitute teacher must hold either a valid teaching or substitute license or short-term substitute license and may teach in the place of a licensed teacher who is under contract with the Board. There is no limit on the number of days that a substitute teacher may teach in CACC during the school year, except as follows:

1. A substitute teacher holding a substitute license may teach for any one licensed teacher under contract with CACC only for a period not to exceed 90 paid school days in any one school term.
2. A teacher holding a Professional Educator License or Educator License with Stipulations may teach for any one licensed teacher under contract with CACC only for a period not to exceed 120 paid school days.
3. A short-term substitute teacher holding a short-term substitute teaching license may teach for any one licensed teacher under contract with CACC only for a period not to exceed five consecutive school days.

The Illinois Teachers' Retirement System (TRS) limits a substitute teacher who is a TRS annuitant to substitute teaching for a period not to exceed 120 paid days or 600 paid hours in each school year, but not more than 100 paid days in the same classroom. Beginning July 1, 2021, a substitute teacher who is a TRS annuitant may substitute teach for a period not to exceed 100 paid days or 500 paid hours in any school year, unless the subject area is one where the Regional Superintendent has certified that a personnel shortage exists.

The Center Board establishes a daily rate of pay for substitute teachers. Substitute teachers receive only monetary compensation for time worked and no other benefits.

### Short-Term Substitute Teachers

A short-term substitute teacher must hold a valid short-term substitute teaching license and have completed CACC's short-term substitute teacher training program. Short-term substitutes may teach no more than five consecutive school days for each licensed teacher who is under contract with the Board.

### Emergency Situations

A substitute teacher may teach when no licensed teacher is under contract with the Board if CACC has an emergency situation as defined in State law. During an emergency situation, a substitute teacher is limited to 30 calendar days of employment per each vacant position. The Director shall notify the appropriate Regional Office of Education within five business days after the employment of a substitute teacher in an emergency situation.

### LEGAL REF.:

105 ILCS 5/10-20.68, 5/21B-20(2), 5/21B-20(3), and 5/21B-20(4).

23 Ill.Admin.Code §1.790 (Substitute Teacher) and §25.520 (Substitute Teaching License).

CROSS REF.: 5:30 (Hiring Process and Criteria)

Adopted: October 15, 2020



# Capital Area Career Center

## **5:230 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 Director shall ensure that all teachers, other certificated employees, and persons providing a student's related service(s): (1) maintain discipline in schools as required in School Code, and (2) follow the Center Board policies and administrative procedures on student conduct, behavior, and discipline.

When a student's behavior is unacceptable, the teacher should first discuss the matter with the student, if appropriate. If the unacceptable behavior continues, the teacher should consult with the Building Principal 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.

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, CACC 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 Behavior), 7:230 (Misconduct by Students with Disabilities)

ADOPTED: January 18, 2018

**Capital Area Career Center**

## 5:240 Suspension

### Suspension Without Pay

**Please refer to the applicable collective bargaining agreement.**

### Suspension With Pay

**Please refer to the applicable collective bargaining agreement.**

### Employees Under Investigation by Illinois Dept. of Children and Family Services (DCFS)

Upon receipt of a DCFS recommendation that CACC remove an employee from his or her position when he or she is the subject of a pending DCFS investigation that relates to his or her employment with CACC, the Board or Director or designee, in consultation with the Board Attorney, will determine whether to:

1. Let the employee remain in his or her position pending the outcome of the investigation; or
2. Remove the employee as recommended by DCFS, proceeding with:
  - a. A suspension with pay; or
  - b. A suspension without pay.

### Repayment of Compensation and Benefits

If a professional employee is suspended with pay, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution, and the employee is later dismissed as a result of his or her criminal conviction, the employee must repay to CACC all compensation and the value of all benefits received by him or her during the suspension. The Director will notify the employee of this requirement when the employee is suspended.

### LEGAL REF.:

5 ILCS 430/5-60(b).

105 ILCS 5/24-12.

325 ILCS 5/7.4(c-10).

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

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

Massie v. East St. Louis Sch. District No.189, 203 Ill.App.3d 965 (5th Dist. 1990).

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

ADOPTED: April 19, 2018

## 5:250 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 employment contract or benefit plan; in the event of a conflict, such provision is severable and the applicable bargaining agreement or individual agreement will control.

### Sick and Bereavement Leave, Personal Leave, Leave of Absence Without Pay, Leave for Service in the Military

**Please refer to the applicable collective bargaining agreement.**

The use of paid sick leave for adoption or placement for adoption is limited to 30 days unless a longer leave is provided in an applicable collective bargaining agreement. The Director may require that the employee provide evidence that the formal adoption process is underway.

### Child Bereavement Leave

State law allows a maximum of 10 unpaid work days for eligible employees (Family and Medical Leave Act of 1993, 20 U.S.C. §2601 *et seq.*) to take child bereavement leave. The purpose, requirements, scheduling, and all other terms of the leave are governed by the Child Bereavement Leave Act. Child bereavement leave allows for: (1) attendance by the bereaved staff member at the funeral or alternative to a funeral of his or her child, (2) making arrangements necessitated by the death of the staff member's child, or (3) grieving the death of the staff member's child, without any adverse employment action.

The leave must be completed within 60 days after the date on which the employee received notice of the death of his or her child. However, in the event of the death of more than one child in a 12-month period, an employee is entitled to up to a total of six weeks of bereavement leave during the 12-month period, subject to certain restrictions under State and federal law. Other existing forms of leave may be substituted for the leave provided in the Child Bereavement Leave Act. This policy does not create any right for an employee to take child bereavement leave that is inconsistent with the Child Bereavement Leave Act.

### Sabbatical Leave

Sabbatical leave may be granted in accordance with School Code.

### Leave to Serve as an Election Judge

Any staff member who was appointed to serve as an election judge under State law may, after giving at least 20-days' written notice to CACC, be absent without pay for the purpose of serving as an election judge. The staff member is not required to use any form of paid leave to serve as an election judge. No more than 10% of CACC's employees may be absent to serve as election judges on the same election day.

### Child-Rearing Leave

The Board shall grant a professional staff member's request for a non-paid, child-rearing leave, not to exceed the balance of the school year plus one additional school year (but in no event shall such leave exceed three semesters), provided the request complies with this policy. Nothing in this section shall prohibit a professional staff member from using paid sick days as provided in this policy.

A teacher should request, if possible, a child-rearing leave by notifying the Director in writing no later than 90 days before the requested leave's beginning date. The request should include the proposed leave dates. The leave shall end before a new school year begins or at the semester break.

Subject to the insurance carrier's approval, the teacher may maintain insurance benefits at his or her own expense during a child-rearing leave.

A professional staff member desiring to return before the leave's expiration will be assigned to an available vacancy for which the teacher is qualified, subject to scheduling efficiency and instruction continuity.

### General Assembly Leave

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

### Leave for Employment in Department of Defense

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

### School Visitation Leave

An eligible professional staff member is entitled to eight hours during any school year, no more than four hours of which may be taken on any given day, to attend school conferences, behavioral meetings, or academic meetings related to the teacher's child, if the conference or meeting 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 Director shall develop administrative procedures implementing this policy consistent with School Visitation Rights Act.

### Leaves for Victims of Domestic Violence, Sexual Violence, or Gender Violence

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic violence, sexual violence, or gender violence, or (2) has a family or household member who is a victim of such violence whose interests are not adverse to the employee as it relates to the domestic violence, sexual violence, or gender 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 Victims' Economic Security and Safety Act governs the purpose, requirements, scheduling, and continuity of benefits, and all other terms of the leave. Accordingly, if CACC 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 time permitted by, the federal Family and Medical Leave Act of 1993 (29 U.S.C. §2601 *et seq.*).

### Leaves to Serve as an Officer or Trustee of a Specific Organization

Upon request, the Board will grant: (1) an unpaid leave of absence to an elected officer of a State or national teacher organization that represents teachers in collective bargaining negotiations, (2) twenty 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 Chairperson of a State teacher association that is an exclusive bargaining agent in CACC, or his or her designee, to attend meetings, workshops, or seminars as described in 105 ILCS 5/24-6.2.

LEGAL REF.:

10 ILCS 5/13-2.5

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.

330 ILCS 61/, Service Member Employment and Reemployment Rights Act.

820 ILCS 154/, Child Bereavement Leave Act.

820 ILCS 147/, School Visitation Rights Act.

820 ILCS 180/, Victims' Economic Security and Safety Act.

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

Adopted: January 16, 2020

**Capital Area Career Center**

## 5:260 Student Teachers

The Director is authorized to accept students from university-approved teacher-training programs to do student teaching at CACC. No individual who has been convicted of a criminal offense that would subject him or her to license suspension or revocation pursuant to Section 5/21B-80 of School Code or who has been found to be the perpetrator of sexual or physical abuse of a minor under 18 years of age pursuant to proceedings under Article II of the Juvenile Court Act of 1987 is permitted to student teach.

Before permitting an individual to student teach or begin a required internship at CACC, the Director or designee shall ensure that:

1. CACC performed a *105 ILCS 5/10-21.9(g) Check* as described below; and
2. The individual furnished evidence of physical fitness to perform assigned duties and freedom from communicable disease pursuant to 105 ILCS 5/24-5.

A *105 ILCS 5/10-21.9(g) Check* shall include:

1. Fingerprint-based checks through (a) the Illinois State Police (ISP) for criminal history records information (CHRI) pursuant to the Uniform Conviction Information Act (20 ILCS 2635/1), and (b) the FBI national crime information databases pursuant to the Adam Walsh Child Protection and Safety Act (P.L. 109-248);
2. A check of the Illinois Sex Offender Registry (see the Sex Offender Community Notification Law (730 ILCS 152/101 et seq.); and
3. A check of the Illinois Murderer and Violent Offender Against Youth Registry (Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105).

The School Code requires each individual student teaching or beginning a required internship to provide CACC with written authorization for, and pay the costs of, his or her 105 ILCS 5/10-21.9(g) check (including any applicable vendor's fees). Upon receipt of this authorization and payment, the Director or designee will submit the student teacher's name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Department of State Police, to the Department of State Police. The Director or designee will provide each student teacher with a copy of his or her report.

### Assignment

The Director or designee shall be responsible for coordinating placements of all student teachers within CACC. Student teachers should be assigned to supervising teachers whose qualifications are acceptable to CACC and the students' respective colleges or universities.

### LEGAL REF.:

Adam Walsh Child Protection and Safety Act, P.L. 109-248.

Uniform Conviction Information Act, 20 ILCS 2635/1.

105 ILCS 5/10-21.9, 5/10-22.34, and 5/24-5.

CROSS REF.: 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:190 (Teacher Qualifications)

ADOPTED: June 15, 2017

# Capital Area Career Center



**Educational Support Personnel**

**Capital Area Career Center**

## **5:270 Employment At-Will, Compensation, and Assignment**

### Employment At-Will

Unless otherwise specifically provided, CACC employment is at-will, meaning that employment may be terminated by CACC or employee at any time for any reason, other than a reason prohibited by law, or no reason at all. Nothing in Center Board policy is intended or should be construed as altering the employment at-will relationship.

Exceptions to employment at-will may include employees who are employed annually, have an employment contract, or are otherwise granted a legitimate interest in continued employment. The Director is authorized to make exceptions to employing nonlicensed employees at-will but shall maintain a record of positions or employees who are not at-will.

### Compensation

**Please refer to the applicable collective bargaining agreement.**

**For employees not covered by a current applicable bargaining agreement:**

The Board 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 State or federal law, shall not work overtime without the prior authorization from the employee's immediate supervisor. Educational support personnel are paid twice a month.

### Assignment

The Director is authorized to make assignments and transfers of educational support personnel.

LEGAL REF.:105 ILCS 5/10-22.34 and 5/10-23.5.

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)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 5:280 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 Center Board policies as they may be changed from time to time at the Board's sole discretion.

### Paraprofessionals

Paraprofessionals provide supervised instructional support. Service as a paraprofessional requires an educator license with stipulations endorsed for a paraprofessional educator unless a specific exemption is authorized by the Illinois State Board of Education (ISBE).

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

### Noncertificated and Unlicensed Personnel Working with Students and Performing Non-Instructional Duties

Noncertificated and unlicensed 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 CACC-sponsored extracurricular activities;
2. As supervisors, chaperones, or sponsors for non-academic CACC 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.

### LEGAL REF.:

34 C.F.R. §200.58.

105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.

625 ILCS 5/6-104 and 5/6-106.1.

23 Ill.Admin.Code §§1.280, 1.630, and 25.510.

CROSS REF.: 4:110 (Transportation), 4:170 (Safety), 5:30 (Hiring Process and Criteria), 5:35 (Compliance with the Fair Labor Standards Act), 6:250 (Community Resource Persons and Volunteers)

Adopted: June 18, 2020

## **5:290 Employment Termination and Suspensions**

### Resignation and Retirement

**Please refer to the applicable collective bargaining agreement.**

**For employees not covered by a current applicable bargaining agreement:**

An employee is requested to provide two weeks' notice of a resignation. A resignation notice cannot be revoked once given. An employee planning to retire should notify his or her supervisor at least two months before the retirement date.

### Non-RIF Dismissal

**Please refer to the applicable collective bargaining agreement.**

**For employees not covered by a current applicable bargaining agreement:**

CACC may terminate an at-will employee at any time for any or no reason, but not for a reason prohibited by State or federal law.

Employees who are employed annually or have a contract, or who otherwise have a legitimate expectation of continued employment, may be dismissed: (1) at the end of the school year or at the end of their respective contract after being provided appropriate notice and after compliance with any applicable contractual provisions, or (2) mid-year or mid-contract provided appropriate due process procedures are provided.

The Director is responsible for making dismissal recommendations to the Board consistent with the Board's goal of having a highly qualified, high performing staff. This includes recommending a non-licensed employee for immediate dismissal for willful or negligent failure to report an instance of suspected child abuse or neglect as required by 325 ILCS 5/.

### Reduction in Force and Recall

The Board may, as necessary or prudent, decide 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, dismiss or reduce the hours of one or more educational support employees. When making decisions concerning reduction in force and recall, the Board will follow Sections 10-22.34c (outsourcing non-instructional services) and 10-23.5 (procedures) of School Code, to the extent they are applicable and not superseded by legislation or an applicable collective bargaining agreement.

### 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 next regular pay date following the last day of employment.

### Suspension

**Please refer to the applicable collective bargaining agreement.**

**For employees not covered by a current applicable bargaining agreement:**

Except as provided below, the Director 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 Director's judgment, the employee's presence is detrimental to CACC. A disciplinary suspension shall be with pay: (1) when the employee is exempt from the overtime provisions, 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. Upon receipt of a recommendation from the Ill. Dept. Children and Family Services (DCFS) that CACC remove an employee from his or her position when he or she is the subject of a pending DCFS investigation that relates to his or her employment with CACC, the Board or Director or designee, in consultation with the Board Attorney, will determine whether to:

1. Let the employee remain in his or her position pending the outcome of the investigation; or
2. Remove the employee as recommended, proceeding with:
  - a. A suspension with pay; or
  - b. A suspension without pay.

Any criminal conviction resulting from the investigation or allegations shall require the employee to repay to CACC all compensation and the value of all benefits received by the employee during the suspension. The Director 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.

325 ILCS 5/7.4(c-10).

820 ILCS 105/4a.

CROSS REF.: 5:90 (Abused and Neglected Child Reporting), 5:240 (Suspension), 5:270 (Employment At-Will, Compensation, and Assignment)

Adopted: January 16, 2020

**Capital Area Career Center**

## 5:300 Schedules and Employment Year

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

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

### Breaks

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

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

### Nursing Mothers

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

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

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

740 ILCS 137/, Right to Breastfeed Act.

820 ILCS 105/, Minimum Wage Law.

820 ILCS 260/, Nursing Mothers in the Workplace Act.

CROSS REF.: 5:35 (Compliance with the Fair Labor Standards Act)

ADOPTED: January 18, 2018

**Capital Area Career Center**

## 5:310 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. §201 et seq., and (2) are not represented by an exclusive bargaining representative.

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 240 hours, which represents compensation for 160 hours of overtime. An employee whose work regularly includes public safety, emergency response, or seasonal activities may accumulate a maximum of 480 hours of compensatory time, which represents compensation for 320 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 CACC's operations. The employee's supervisor must approve a request to use compensatory time-off.

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 Director 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: October 17, 2019

**Capital Area Career Center**

## **5:320 Evaluation**

The Director is responsible for designing and implementing a program for evaluating the job performance of each educational support staff member according to standards contained in Center Board policies as well as in compliance with State law and any applicable collective bargaining agreement. The standards for the evaluation program shall include, but not be limited to:

1. Each employee shall be evaluated annually, preferably before the annual salary review.
2. The direct supervisor shall provide input.
3. The employee's work quality, promptness, attendance, reliability, conduct, judgment, and cooperation shall be considered.
4. The employee shall receive a copy of the annual evaluation.
5. All evaluations shall comply with State and federal law and any applicable collective bargaining agreement.

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

ADOPTED: June 15, 2017

**Capital Area Career Center**



## 5:330 Sick Days, Vacation, Holidays, and Leaves

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

### Sick and Bereavement Leave

**Please refer to the applicable collective bargaining agreement.**

**For employees not covered by a current applicable bargaining agreement:**

Full or part-time educational support personnel who work at least 600 hours per year receive sick leave days per year comparable to the collective bargaining agreement. Part-time employees will receive sick leave pay equivalent to their regular workday. Unused sick leave shall accumulate to the maximum number of days that IMRF will recognize for retirement credit purposes.

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 Director and/or designee shall monitor the use of sick leave.

As a condition for paying sick leave after three days absence for personal illness or 30 days for birth or as the Board or Superintendent deem necessary in other cases, the Board or Director 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) a licensed advanced practice registered nurse, (4) a licensed physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (5) if the treatment is by prayer or spiritual means, a spiritual adviser or practitioner of the employee's faith. If the Board or Superintendent requires a certificate during a leave of less than three days for personal illness, the District shall pay the expenses incurred by the employee.

The use of paid sick leave for adoption or placement for adoption is limited to 30 days unless a longer leave is provided in an applicable collective bargaining agreement. The Director may require that the employee provide evidence that the formal adoption process is underway.

### Vacation

**Please refer to the applicable collective bargaining agreement.**

### Holidays

**Please refer to the applicable collective bargaining agreement.**

**For employees not covered by a current applicable bargaining agreement:**

Unless CACC has a waiver or modification of School Code pursuant to Section 2-3.25g or 24-2(b) allowing it to schedule school on a legal school holiday listed below, CACC employees will not be required to work on:

New Year's Day	Labor Day
Martin Luther King Jr.'s Birthday	Columbus Day
President's Day	Veteran's Day
Casimir Pulaski's Birthday	2020 Election Day
Memorial Day	Thanksgiving Day

Independence Day

Christmas Day

A holiday will not cause a deduction from an employee's time or compensation. CACC may require educational support personnel to work on a CACC holiday during an emergency or for the continued operation and maintenance of facilities or property.

#### Personal Leave

**Please refer to the applicable collective bargaining agreement.**

**For employees not covered by a current applicable bargaining agreement:**

Full-time educational support personnel may use two of their sick leave days as personal leave per year. The use of a personal day is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, a personal leave request should be submitted to the employee's direct supervisor three 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 five days of school year, unless the Director grants prior approval.
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 and/or institute training days.
6. Personal leave may not be used when the employee's absence would create an undue hardship.

#### Leave 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 Ill. Municipal Retirement Fund in accordance with 105 ILCS 5/24-6.3.

#### Other Leaves

**Please refer to the applicable collective bargaining agreement.**

**For employees not covered by a current applicable bargaining agreement:**

Educational support personnel receive the following leaves on the same terms and conditions granted professional personnel in Board policy 5:250, *Leaves of Absence*:

1. Leaves for Service in the Military and General Assembly.
2. School Visitation Leave.
3. Leaves for Victims of Domestic Violence, Sexual Violence, or Gender Violence.
4. Child Bereavement Leave.
5. Leave to serve as an election judge.

#### LEGAL REF.:

105 ILCS 5/10-20.7b, 5/24-2, and 5/24-6.

330 ILCS 61/, Service Member Employment and Reemployment Rights Act.

820 ILCS 147, School Visitation Rights Act.

820 ILCS 154/, Child Bereavement Leave Act.

820 ILCS 180/, Victims' Economic Security and Safety Act.

School Dist 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987); Elder v. Sch. Dist. No.127 1/2, 60 Ill.App.2d 56 (1st Dist. 1965).

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

Adopted: October 15, 2020

**Capital Area Career Center**

**SECTION 6 - INSTRUCTION**

**Capital Area Career Center**

## 6:10 Educational Philosophy and Objectives

The Center's educational program will seek to provide an opportunity for each child to develop to his or her maximum potential. The objectives for the educational program are:

1. Develop in each student a sense of pride in accomplishment
2. Develop in each student a sense of self-worth and security
3. Impart to each student the background skills and concepts necessary to function effectively in a changing world
4. Develop in each student an appreciation for individual differences in peoples and cultures
5. Develop in each student an understanding of the democratic process - the right and responsibilities of the student
6. Develop in each student the desire to live life in accordance with the ideas and ideals inherent in a free society
7. Develop in each student a sense of self-discipline
8. Cultivate in each student an appreciation of the arts
9. Develop in each student creative self expression
10. Develop in each student appreciation and respect for environment
11. Develop in each student intellectual curiosity
12. Develop in each student a positive attitude toward continuing independent education
13. Develop in each student the ability to do independent research
14. Develop in each student the ability to approach problems using the scientific method
15. Develop in each student an understanding of the past, its application to the present, and its effect on the future
16. Help each student develop personal moral standards with a view toward the responsibilities that must be assumed

### Goals for Learning

The administrative staff is responsible for apprising the Executive Council of the educational program's current and future status. The Director should prepare an annual report that includes:

1. A review and evaluation of the present curriculum;
2. A projection of curriculum and resource needs;
3. An evaluation of, and plan to eliminate, any sexual, cultural, ethnic, or religious bias that may be present in the curriculum or instructional materials and methods;
4. A plan for new or revised instructional program implementation; and
5. A review of present and future facility needs.

The role of the teaching staff is to maximize the learning potential of each individual student.

CROSS REF: 1:30 (CACC Mission), 3:10 (Goals and Objectives), 6:15 (CACC Accountability), 7:10 (Equal Educational Opportunities)

Adopted: October 18, 2018

## **6:15 CACC Accountability**

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

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

### CASPN Accountability

CASPN holds accreditations from NCA CASI/AdvancED and the Accreditation Commission for Education in Nursing (ACEN).

**Please refer to the applicable CASPN Student Handbook for the following policies:**

1. Program Outcomes
2. Student Learning Outcomes
3. Instructional Materials
4. Testing, Grading, Academic Standards
5. Program Completion
6. Articulation

### LEGAL REF.:

105 ILCS 5/2-3.25, 5/2-3.25a, 5/2-3.25b, 5/2-3.25c, 5/2-3.25d-5, 5/2-3.25e-5, 5/2-3.25f, 5/2-3.25f-5, 5/2-3.63, 5/2-3.64a-5, 5/2-3.153, 5/10-21.3a, and 5/27-1.

23 Ill.Admin.Code Part 1, Subpart A: Recognition Requirements.

CROSS REF.:7:10 (Equal Educational Opportunities)

Adopted: October 17, 2019

**Capital Area Career Center**

## 6:20 Calendar and Day

CACC follows, as closely as possible, the calendar of Springfield District 186.

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

### Commemorative Holidays

The teachers and students shall devote a portion of the school day on each commemorative holiday designated in the School Code to study and honor the commemorated person or occasion.

### School Day

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

### LEGAL REF.:

5 ILCS 490/2, 490/86, and 490/155.

105 ILCS 5/10-19, 5/10-19.05, 5/10-24.46, 5/27-18, 5/27-19, 5/27-20, 5/27-20.1, and 5/27-20.2.

23 Ill.Admin.Code §1.420(f).

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

CROSS REF.: 2:20 (Powers and Duties of the Center Board; Indemnification), 5:200 (Terms and Conditions of Employment and Dismissal), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

Adopted: January 16, 2020

**Capital Area Career Center**

## **6:30 Organization of Instruction and Curriculum Development**

### Organization of Instruction

The Director shall annually develop a plan for organizing instructional levels.

### Programs and Curriculum

The Director shall recommend a comprehensive curriculum that is aligned with:

1. The Center's educational philosophy and goals,
2. Student needs as identified by research, demographics, and student achievement and other data,
3. The knowledge, skills, and abilities required for students to become life-long learners,
4. The Illinois State Learning Standards, Career Clusters, CTE Standards, LMI, Dual Credit, and Certifications
5. The curriculum shall be based upon the stated program purpose, philosophy, and outcomes;
6. Levels of progression in relation to the stated program outcomes shall be established;
7. The curriculum shall be evaluated by faculty with student input, according to a stated plan;
8. The program shall be approved by the appropriate educational agency.

### CASPN Curriculum

1. Coordinated clinical and theoretical learning experiences shall be consistent with the program outcomes;
2. Curricular content shall reflect contemporary nursing practice encompassing major health needs of all age groups;
3. The entire curriculum shall be based on sound nursing, education, and instructional principles.

The Executive Council will adopt, upon recommendation of the Director, a curriculum that meets the above criteria.

### Experimental Educational Programs and Pilot Projects

The Director may recommend experimental educational programs and/or pilot projects for Executive Council/Board of Control consideration. Proposals must include goals, material needs, anticipated expenses, and an evaluation process. The Director shall submit to the Board of Control annual progress reports for programs that exceed one year in duration and a final evaluation with recommendation upon the program's completion.

### Development

The Director shall develop a curriculum review program to monitor the current curriculum and promptly suggest changes to make the curriculum more effective, to take advantage of improved teaching methods and materials, and to be responsive to social change, technological developments, student needs, and community expectations.

The Director shall report to the Executive Council as appropriate and to the Board of Control annually, the curriculum review program's efforts to:

1. Regularly evaluate the curriculum and instructional program.
2. Ensure the curriculum continues to meet the stated adoption criteria.
3. Include input from a cross-section of teachers, administrators, parents/guardians, students, and business advisory councils,



4. Coordinate with the process for evaluating the instructional program and materials.

Curriculum Guides and Course Outlines

The Director shall develop and provide subject area curriculum guides to appropriate staff members.

LEGAL REF.:

23 Ill.Admin.Code §1.420.

105 ILCS 5/10-20.8.

CROSS REF.: 6:120 (Education of Children with Disabilities), 6:62 (Physical Education), Nurse Practice Act

Adopted: October 18, 2018

**Capital Area Career Center**

## 6:60 Curriculum Content

The curriculum shall contain instruction on subjects required by State statute or regulation as follows:

1. Internet safety education is taught each school year.
2. In all grades, character education must be taught including respect, responsibility, fairness, caring, trustworthiness, and citizenship in order to raise students' honesty, kindness, justice, discipline, respect for others, and moral courage.
3. In all grades, character education must be taught including respect, responsibility, fairness, caring, trustworthiness, and citizenship in order to raise students' honesty, kindness, justice, discipline, respect for others, and moral courage. Instruction in all grades will include examples of behaviors that violate policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*.
4. Career/vocational education must include: (a) the importance of work, (b) the development of basic skills to enter the world of work and/or continue formal education, (c) good work habits and values, (d) the relationship between learning and work, and (e) if possible, a student work program that provides the student with work experience as an extension of the regular classroom. A career awareness and exploration program will be available. In grades 9-12, workplace preparation instruction will be offered, covering legal protections in the workplace, including protection against sexual harassment and racial and other forms of discrimination and protections for employees.
5. Curriculum for the practical nursing programs shall:
  - a. Include, at a minimum, basic concepts of anatomy, physiology, chemistry, microbiology, physics, communications, growth and development, interpersonal relationships, psychology, sociology, cultural diversity, pharmacology (pharmacology course standards are set forth in Section 1300.240), nutrition and diet therapy, and vocational, legal and ethical aspects of nursing;
  - b. Not preclude a flexible curriculum that would provide appropriate integration of the nursing subject areas;
  - c. Provide basic theoretical and clinical instruction in all areas of nursing practice in the promotion, prevention, restoration and maintenance of health in individuals and groups across the life span and in a variety of clinical settings;
  - d. Incorporate the nursing process as an integral part of the curriculum.

### LEGAL REF.:

Pub. L. No. 108-447, Section 111 of Division J, Consolidated Appropriations Act of 2005.

Pub. L. No. 110-385, Title II, 122 stat. 4096 (2008), Protecting Children in the 21st Century Act.

47 C.F.R. §54.520

5 ILCS 465/3 and 465/3a.

20 ILCS 2605/2605-480.

105 ILCS 5/2-3.80(e) and (f), 5/27-3, 5/27-3.5, 5/27-5, 5/27-6, 5/27-6.5, 5/27-7, 5/27-12, 5/27-12.1, 5/27-13.1, 5/27-13.2, 5/27-20.3, 5/27-20.4, 5/27-20.5, 5/27-20.7, 5/27-21, 5/27-22, 5/27-23.3, 5/27-23.4, 5/27-23.7, 5/27-23.8, 5/27-23.10, 5/27-23.11, 5/27-23.13 (final citation pending), 5/27-24.2, 435/, and 110/3.

625 ILCS 5/6-408.5.

23 Ill.Admin.Code §§1.420, 1.425, 1.430, and 1.440.

CROSS REF.: 6:20 (Calendar and Day), 6:70 (Teaching About Religions), 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior)

Adopted: January 16, 2020

**Capital Area Career Center**

## **6:70 Teaching About Religions**

CACC's curriculum may include the study of religions as they relate to geography, history, culture, and the development of various ethnic groups. The study of religions shall give neither preferential nor derogatory treatment to any single religion, religious belief, or to religion in general. The study of religions shall be treated as an academic subject with no emphasis on the advancement or practice of religion.

LEGAL REF.: School Dist. of Abington Twp v. Schempp, 374 U.S. 203 (1963).

Allegheny County v. ACLU Pittsburgh Chapter, 492 U.S. 573 (1989).

CROSS REF.: 6:20 (Calendar and Day), 6:60 (Curriculum Content), 6:255 (Assemblies and Ceremonies)

ADOPTED: January 18, 2018

**Capital Area Career Center**

## **6:80 Teaching About Controversial Issues**

The Director shall ensure that all CACC-sponsored presentations and discussions of controversial or sensitive topics in the instructional program, including those made by guest speakers, are:

- Age-appropriate. Proper decorum, considering the students' ages, should be followed.
- Consistent with the curriculum and serve an educational purpose.
- Informative and present a balanced view.
- Respectful of the rights and opinions of everyone. Emotional criticisms and hurtful sarcasm should be avoided.
- Not tolerant of profanity or slander.

CACC specifically reserves its right to stop any CACC-sponsored activity that it determines violates this policy, is harmful to CACC or the students, or violates State or federal law.

CROSS REF.: 6:255 (Assemblies and Ceremonies)

ADOPTED: January 18, 2018

**Capital Area Career Center**

## **6:100 Using Animals in the Educational Program**

Animals may be brought into CACC facilities for educational purposes according to procedures developed by the Director assuring: (a) the animal is appropriately housed, humanely cared for, and properly handled, and (b) students will not be exposed to a dangerous animal or an unhealthy environment.

### Animal Experiments

Experiments on living animals are prohibited; however, behavior studies that do not impair an animal's health or safety are permissible.

LEGAL REF.:105 ILCS 5/2-3.122, 5/27-14, and 112/.

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 6:120 Education of Children with Disabilities

The Home School shall provide necessary related services to all students with disabilities, required under the Individuals With Disabilities Education Act (IDEA) and implementing provisions of the School Code, Section 504 of the Rehabilitation Act of 1973, and the Americans With Disabilities Act. The term *children with disabilities*, as used in this policy, means children between ages 15 and 21 (inclusive) for whom it is determined, through definitions and procedures described in the Ill. State Board of Education (ISBE) *Special Education* rules, that special education services are needed.

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

The Center shall follow the IEP recommendations for each student enrolled with an IEP.

Capital Area Career Center shall work closely with the home schools to provide necessary accommodations.

### LEGAL REF.:

20 U.S.C. §1400 et seq., Individuals With Disabilities Education Improvement Act of 2004.

29 U.S.C. §794, Rehabilitation Act of 1973, Section 504.

42 U.S.C. §12101 et seq., Americans With Disabilities Act.

34 C.F.R. §300.

105 ILCS 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b.

23 Ill.Admin.Code Part 226.

CROSS REF.: 2:150 (Committees), 7:230 (Misconduct by Students with Disabilities)

Adopted: October 18, 2018

**Capital Area Career Center**

## **6:190 Extracurricular and Co-Curricular Activities**

The Director must approve an activity in order for it to be considered a CACC-sponsored extracurricular or co-curricular activity, using the following criteria:

1. The activity will contribute to the leadership abilities, social well-being, self-realization, good citizenship, or general growth of student-participants.
2. Fees assessed students are reasonable and do not exceed the actual cost of operation.
3. CACC has sufficient financial resources for the activity.
4. Requests from students.
5. The activity will be supervised by a CACC-approved sponsor.

Non-CACC sponsored student groups are governed by Center Board policy, 7:330, *Student Use of Buildings - Equal Access*.

LEGAL REF.:

105 ILCS 5/10-20.30 and 5/24-24.

CROSS REF.: 4:170 (Safety), 7:10 (Equal Educational Opportunities), 7:40 (Nonpublic School Students, Including Parochial and Home-Schooled Students), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:330 (Student Use of Buildings - Equal Access), 8:20 (Community Use of CACC Facilities)

Adopted: October 18, 2018

**Capital Area Career Center**



## 6:210 Instructional Materials

All CACC classrooms and learning centers should be equipped with an evenly-proportioned, wide assortment of instructional materials, including textbooks, workbooks, audio-visual materials, and electronic materials. These materials should provide quality learning experiences for students and:

1. Enrich and support the curriculum;
2. Stimulate growth in knowledge, literary appreciation, aesthetic values, and ethical standards;
3. Provide background information to enable students to make informed judgments and promote critical reading and thinking;
4. Depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American society; and
5. Contribute to a sense of the worth of all people regardless of sex, race, religion, nationality, ethnic origin, sexual orientation, disability, or any other differences that may exist.

The Director or designee shall annually provide a list or description of textbooks and instructional materials used at CACC to the Center Board. Anyone may inspect any textbook or instructional material.

Teachers are encouraged to use age-appropriate supplemental material only when it will enhance, or otherwise illustrate, the subjects being taught. No R-rated movie shall be shown to students unless prior approval is received from the Director or designee, and no movie rated NC-17 (no one 17 and under admitted) shall be shown under any circumstances. These restrictions apply to television programs and other media with equivalent ratings. The Director or designee shall give parents/guardians an opportunity to request that their child not participate in a class showing a movie, television program, or other media with an R or equivalent rating.

### Instructional Materials Selection and Adoption

The Director shall approve the selection of all textbooks and instructional materials according to the standards described in this policy. The School Code governs the adoption and purchase of textbooks and instructional materials.

LEGAL REF.: 105 ILCS 5/10-20.8 and 5/28-19.1.

CROSS REF.: 6:30 (Organization of Instruction and Curriculum Development), 6:80 (Teaching About Controversial Issues), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights), 8:110 (Public Suggestions and Concerns)

ADOPTED: January 18, 2018

**Capital Area Career Center**

## 6:235 Access to Electronic Networks

Electronic networks, including the Internet, are a part of CACC's instructional program and serve to promote educational excellence by facilitating resource sharing, innovation, and communication. The Director shall develop an implementation plan for this policy and appoint system administrator(s).

CACC is not responsible for any information that may be lost or damaged, or become unavailable when using the network, or for any information that is retrieved or transmitted via the Internet. Furthermore, CACC will not be responsible for any unauthorized charges or fees resulting from access to the Internet.

### Curriculum and Appropriate Online Behavior

The use of CACC's electronic networks shall: (1) be consistent with the curriculum adopted by CACC as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students, and (2) comply with the selection criteria for instructional materials and library resource center materials. As required by federal law and Board policy 6:60, *Curriculum Content*, students will be educated about appropriate online behavior, including but not limited to: (1) interacting with other individuals on social networking websites and in chat rooms, and (2) cyberbullying awareness and response. Staff members may, consistent with the Director's implementation plan, use the Internet throughout the curriculum.

CACC's electronic network is part of the curriculum and is not a public forum for general use.

### Acceptable Use

All use of CACC's electronic networks must be: (1) in support of education and/or research, and be in furtherance of the goals stated herein, or (2) for a legitimate CACC business purpose. Use is a privilege, not a right. Students and staff members have no expectation of privacy in any material that is stored, transmitted, or received via CACC's electronic networks or CACC computers. General rules for behavior and communications apply when using electronic networks. CACC's administrative procedure, *Acceptable Use of CACC's Electronic Networks*, contains the appropriate uses, ethics, and protocol. Electronic communications and downloaded material, including files deleted from a user's account but not erased, may be monitored or read by CACC officials.

### Internet Safety

Technology protection measures shall be used on each CACC computer with Internet access. They shall include a filtering device that protects against Internet access by both adults and minors to visual depictions that are: (1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by federal law and as determined by the Director or designee. The Director or designee shall enforce the use of such filtering devices. An administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose, provided the person receives prior permission from the Director or system administrator. The Director or designee shall include measures in this policy's implementation plan to address the following:

1. Ensure staff supervision of student access to online electronic networks,
2. Restrict student access to inappropriate matter as well as restricting access to harmful materials,
3. Ensure student and staff privacy, safety, and security when using electronic communications,
4. Restrict unauthorized access, including "hacking" and other unlawful activities, and
5. Restrict unauthorized disclosure, use, and dissemination of personal identification information, such as, names and addresses.

### Authorization for Electronic Network Access

Each staff member must sign the *Authorization for Access to CACC's Electronic Networks* as a condition for using CACC's electronic network. Each student and his or her parent(s)/guardian(s) must sign the *Authorization* before being granted unsupervised use.

All users of CACC's computers to access the Internet shall maintain the confidentiality of student records. Reasonable measures to protect against unreasonable access shall be taken before confidential student information is loaded onto the network.

The failure of any student or staff member to follow the terms of CACC's administrative procedure, *Acceptable Use of CACC's Electronic Networks*, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

LEGAL REF.: No Child Left Behind Act, 20 U.S.C. §6777.

Children's Internet Protection Act, 47 U.S.C. §254(h) and (l).

Enhancing Education Through Technology Act, 20 U.S.C §6751 et seq.

47 C.F.R. Part 54, Subpart F, Universal Service Support for CACCs and Libraries.

720 ILCS 5/26.5.

CROSS REF.: 5:100 (Staff Development Program), 5:170 (Copyright), 6:60 (Curriculum Content), 6:210 (Instructional Materials), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **6:240 Field Trips**

Field trips are permissible when the experiences are a part of CACC curriculum and/or contribute to CACC's educational objectives.

All field trips must have the Director or designee's prior approval, except that field trips beyond a 200-mile radius of CACC or extending overnight must have the prior approval of the Center Board. The Director or designee shall analyze the following factors to determine whether to approve a field trip: educational value, student safety, parent concerns, heightened security alerts, and liability concerns. On all field trips, a bus fee set by the Director or designee may be charged to help defray the transportation costs.

Parents/guardians of students: (1) shall be given the opportunity to consent to their child's participation in any field trip, and (2) are responsible for all entrance fees, food, lodging, or other costs. All non-participating students shall be provided an alternative experience. Any field trip may be cancelled without notice due to an unforeseen event or condition.

Privately arranged trips, including those led by CACC staff members, shall not be represented as or construed to be sponsored by CACC. CACC does not provide liability protection for privately arranged trips and is not responsible for any damages arising from them.

LEGAL REF.:

105 ILCS 5/29-3.1.

CROSS REF.: 4:140 (Waiver of Student Fees), 6:10 (Educational Philosophy and Objectives), 7:10 (Equal Educational Opportunities), 7:270 (Administering Medicines to Students)

Adopted: October 18, 2018

**Capital Area Career Center**

## 6:250 Community Resource Persons and Volunteers

The Center Board encourages the use of resource persons and volunteers to: (1) increase students' educational attainment; (2) provide enrichment experiences for students; (3) increase the effective utilization of staff time and skills; (4) give more individual attention to students; and (5) promote greater community involvement.

Resource persons and volunteers may be used:

1. For non-teaching duties not requiring instructional judgment or evaluation of students;
2. For supervising study halls, long distance teaching reception areas used incident to instructional programs transmitted by electronic media (such as computers, video, and audio), detention and discipline areas, and CACC-sponsored extracurricular activities;
3. To assist with academic programs under a certificated teacher's immediate supervision;
4. To assist in times of violence or other traumatic incidents within CACC by providing crisis intervention services to lessen the effects of emotional trauma on staff, students, and the community, provided the volunteer meets the qualifications established by the Ill. School Crisis Assistance Team Steering Committee;
5. As a guest lecturer or resource person under a certificated teacher's direction and with the administration's approval; or
6. As supervisors, chaperones, or sponsors for non-academic CACC activities.

The Director shall follow Board policy 4:175, *Convicted Child Sex Offender; Screening; Notifications*, to establish procedures for securing and screening resource persons and volunteers. A person who is a *sex offender*, as defined by the Sex Offender Registration Act, or a *violent offender against youth*, as defined in the Murderer and Violent Offender Against Youth Registration Act, is prohibited from being a resource person or volunteer.

### LEGAL REF.:

105 ILCS 5/10-22.34, 5/10-22.34a, and 5/10-22.34b.

720 ILCS 5/12C-50.1, Failure to Report Hazing.

730 ILCS 150/1 et seq., Sex Offender Registration Act.

730 ILCS 152/101 et seq., Sex Offender Community Notification Law.

730 ILCS 154/75 et seq., Murderer and Violent Offender Against Youth Community Notification Law.

730 ILCS 154/101 et seq., Murderer and Violent Offender Against Youth Registration Act.

CROSS REF.: 4:170 (Safety), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting), 5:280 (Duties and Qualifications), 8:30 (Visitors to and Conduct on CACC Property), 8:95 (Parental Involvement)

Adopted: October 18, 2018

## **6:255 Assemblies and Ceremonies**

Assemblies must be approved by the Director or designee and be consistent with CACC's educational objectives.

CACC shall not endorse or otherwise promote invocations, benedictions, and group prayers at any CACC assembly, ceremony, or other CACC-sponsored activity.

LEGAL REF.:Lee v. Weisman, 112 S.Ct. 2649 (1992).

Santa Fe Independent School District v. Doe, 120 S.Ct. 2266 (2000).

Jones v. Clear Creek Independent School District, 977 F.2d 963 (5th Cir., 1992), *reh'g denied*, 983 F.2d 234 (5th Cir., 1992) and *cert. denied*, 113 S.Ct. 2950 (1993).

CROSS REF.:6:70 (Teaching About Religion), 6:80 (Teaching About Controversial Issues)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **6:260 Complaints About Curriculum, Instructional Materials, and Programs**

Persons with suggestions or complaints about curriculum, instructional materials, and programs should complete a curriculum objection form and/or use the Uniform Grievance Procedure. A parent/guardian may request that his/her child be exempt from using a particular instructional material or program by completing a curriculum objection form.

CROSS REF.:2:260 (Uniform Grievance Procedure), 8:110 (Public Suggestions and Concerns)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **6:270 Guidance and Counseling Program**

CACC provides a guidance and counseling program for students. The Director or designee shall direct CACC's guidance and counseling program. CACC counseling services, as described by State law, may be performed by a qualified guidance specialist or any certificated staff member.

The guidance program will assist students to identify career options consistent with their abilities, interests, and personal values. Students shall be encouraged to seek the help of counselors to develop specific curriculum goals that conform to the student's career objectives. High school juniors and seniors will have the opportunity to receive career-oriented information. Representatives from colleges and universities, occupational training institutions and career-oriented recruiters, including the military, may be given access to CACC campus in order to provide students and parents/guardians with information.

LEGAL REF.:105 ILCS 5/10-22.24a and 5/10-22.24b.

23 Ill.Admin.Code §1.420(q).

CROSS REF.: 6:120 (Education of Children with Disabilities), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:250 (Student Support Services), 7:290 (Suicide and Depression Awareness and Prevention)

ADOPTED: June 15, 2017

**Capital Area Career Center**



## **6:280 Grading and Promotion**

The Director shall establish a system of grading and reporting academic achievement to students and their parents/guardians, which system of reporting may be modified to meet an individual student's needs as specified in his or her individualized education program. A student shall not be promoted solely based upon age or any other social reason, except as provided in the student's individualized education program. Every teacher shall maintain an evaluation record for each student in the teacher's classroom. A CACC administrator cannot change the final grade assigned by the teacher without notifying the teacher. Reasons for changing a student's final grade include:

- A miscalculation of test scores,
- A technical error in assigning a particular grade or score,
- The teacher agrees to allow the student to do extra work that may impact the grade,
- An inappropriate grading system used to determine the grade, or
- An inappropriate grade based on an appropriate grading system.

Should a grade change be made, the administrator making the change must sign the changed record.

LEGAL REF.:105 ILCS 5/10-20.9a, 5/10-21.8, and 5/27-27.

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **6:290 Homework**

Homework is part of CACC's instructional program and has the overarching goal of increasing student achievement. Homework may be assigned to further a student's educational development and is an application or adaptation of a classroom experience. The Director shall provide guidance to ensure that homework:

1. Is used to reinforce and apply previously covered concepts, principles, and skills;
2. Is not assigned for disciplinary purposes;
3. Serves as a communication link between CACC and parents/guardians;
4. Encourages independent thought, self-direction, and self-discipline; and
5. Is of appropriate frequency and length, and does not become excessive, according to the teacher's best professional judgment.

ADOPTED: June 15, 2017

**Capital Area Career Center**

**SECTION 7 - STUDENTS**

**Capital Area Career Center**

## 7:10 Equal Educational Opportunities

Equal educational and extracurricular opportunities shall be available for all students without regard to color, race, nationality, religion, sex, sexual orientation, ancestry, age, physical or mental disability, gender identity, status of being homeless, immigration status, order of protection status, actual or potential marital or parental status, including pregnancy. Further, CACC will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except that CACC remains viewpoint neutral when granting access to CACC facilities under Center Board policy 8:20, *Community Use of CACC Facilities*. Any student may file a discrimination grievance by using Board policy 2:260, *Uniform Grievance Procedure*.

### Sex Equity

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

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

### Administrative Implementation

The Director shall appoint a Nondiscrimination Coordinator, who also serves as CACC's Title IX Coordinator. The Director, Building Principal and Nurse Administrator shall use reasonable measures to inform staff members and students of this policy and related grievance procedures.

### LEGAL REF.:

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

29 U.S.C. §791 et seq., Rehabilitation Act of 1973.

42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.

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

Ill. Constitution, Art. I, §18.

105 ILCS 5/3.25b, 5/3.25d(b), 5/10-20.12, 5/10-20.60 (P.A.s 100-29 and 100-163, final citations pending), 5/10-22.5, and 5/27-1.

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

775 ILCS 35/5, Religious Freedom Restoration Act.

23 Ill.Admin.Code §1.240 and Part 200.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 7:20 (Harassment of Students Prohibited), 7:130 (Student Rights and Responsibilities), 7:160 (Student Appearance), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:250 (Student Support Services), 7:330 (Student Use of Buildings - Equal Access), 7:340 (Student Records), 8:20 (Community Use of CACC Facilities)

Adopted: October 15, 2020

# Capital Area Career Center

## 7:10-E Exhibit - Equal Educational Opportunities Within CACC Community

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

1. 2:260, *Uniform Grievance Procedure*, contains the process for an individual to seek resolution of a complaint. A student may use this policy to complain about bullying. CACC Complaint Manager shall address the complaint promptly and equitably.
2. 7:10, *Equal Educational Opportunities*, requires that equal educational and extracurricular opportunities be available to all students without regard to, among other protected statuses, sex, sexual orientation, and gender identity.
3. 7:20, *Harassment of Students Prohibited*, prohibits any person from harassing, intimidating, or bullying a student based on an actual or perceived characteristic that is identified in the policy including, among other protected statuses, sex, sexual orientation, and gender identity.
4. 7:130, *Student Rights and Responsibilities*, recognizes that all students are entitled to rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a CACC setting.
5. 7:160, *Student Appearance*, prohibits students from dressing or grooming in such a way as to disrupt the educational process, interfere with a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency.
6. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, contains the comprehensive structure for CACC's bullying prevention program.
7. 7:250, *Student Support Services*, directs the Director to develop protocols for responding to students' social, emotional, or mental health needs that impact learning.
8. 7:330, *Student Use of Buildings - Equal Access*, grants student-initiated groups or clubs the free use of CACC premises for their meetings, under specified conditions.
9. 7:340, *Student Records*, contains the comprehensive structure for managing CACC student records, keeping them confidential, and providing access as allowed or required.

DATED: June 15, 2017

**Capital Area Career Center**

## 7:15 Student and Family Privacy Rights

### Surveys

All surveys requesting personal information from students, as well as any other instrument used to collect personal information from students, must advance or relate to CACC's educational objectives as identified in Center Board policy 6:10, *Educational Philosophy and Objectives*, or assist students' career choices. This applies to all surveys, regardless of whether the student answering the questions can be identified and regardless of who created the survey.

### Surveys Created by a Third Party

Before a CACC official or staff member administers or distributes a survey or evaluation created by a third party to a student, the student's parent(s)/guardian(s) may inspect the survey or evaluation, upon their request and within a reasonable time of their request.

This section applies to every survey: (1) that is created by a person or entity other than a CACC official, staff member, or student, (2) regardless of whether the student answering the questions can be identified, and (3) regardless of the subject matter of the questions.

### Survey Requesting Personal Information

CACC officials and staff members shall not request, nor disclose, the identity of any student who completes any survey or evaluation (created by any person or entity, including CACC) containing one or more of the following items:

1. Political affiliations or beliefs of the student or the student's parent/guardian.
2. Mental or psychological problems of the student or the student's family.
3. Behavior or attitudes about sex.
4. Illegal, anti-social, self-incriminating, or demeaning behavior.
5. Critical appraisals of other individuals with whom students have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or the student's parent/guardian.
8. Income other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

The student's parent(s)/guardian(s) may:

1. Inspect the survey or evaluation upon, and within a reasonable time of, their request, and/or
2. Refuse to allow their child to participate in the activity described above. CACC shall not penalize any student whose parent(s)/guardian(s) exercised this option.

### Instructional Material

A student's parent(s)/guardian(s) may inspect, upon their request, any instructional material used as part of their child's educational curriculum within a reasonable time of their request.

The term "instructional material" means instructional content that is provided to a student, regardless of its format, printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments.

### Physical Exams or Screenings

No CACC official or staff member shall subject a student to a non-emergency, invasive physical examination or screening as a condition of CACC attendance. The term *invasive physical examination* means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

The above paragraph does not apply to any physical examination or screening that:

1. Is permitted or required by an applicable State law, including physical examinations or screenings that are permitted without parental notification.
2. Is administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. §1400 *et seq.*).
3. Is otherwise authorized by Board policy.

#### Selling or Marketing Students' Personal Information Is Prohibited

No CACC official or staff member shall market or sell personal information concerning students (or otherwise provide that information to others for that purpose). The term *personal information* means individually identifiable information including: (1) a student or parent's first and last name, (2) a home or other physical address (including street name and the name of the city or town), (3) a telephone number, (4) a Social Security identification number or (5) driver's license number or State identification card.

The above paragraph does not apply: (1) if the student's parent(s)/guardian(s) have consented; or (2) to the collection, disclosure or, use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following:

1. College or other postsecondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.
3. Curriculum and instructional materials used by elementary schools and secondary schools.
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
5. The sale by students of products or services to raise funds for CACC-related or education-related activities.
6. Student recognition programs.

Under no circumstances may a CACC official or staff member provide a student's *personal information* to a business organization or financial institution that issues credit or debit cards.

#### Notification of Rights and Procedures

The Director or designee shall notify students' parents/guardians of:

1. This policy as well as its availability upon request from the general administration office.
2. How to opt their child out of participation in activities as provided in this policy.
3. The approximate dates during school year when a survey requesting personal information, as described above, is scheduled or expected to be scheduled.
4. How to request access to any survey or other material described in this policy.

This notification shall be given parents/guardians at least annually, at the beginning of school year, and within a reasonable period after any substantive change in this policy.



The rights provided to parents/guardians in this policy transfer to the student when the student turns 18 years old, or is an emancipated minor.

LEGAL REF.:

20 U.S.C. §1232h, Protection of Pupil Rights Act.

325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.

105 ILCS 5/10-20.38.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 6:210 (Instructional Materials), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities)

ADOPTED: April 19, 2018

**Capital Area Career Center**

## 7:20 Harassment of Students Prohibited

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

### Sexual Harassment Prohibited

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

### Making a Report or Complaint

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

Reports under this policy will be considered a report under Board policy 2:260, *Uniform Grievance Procedure*, and/or Board policy 2:265, *Title IX Sexual Harassment Grievance Procedure*. The Nondiscrimination Coordinator and/or Complaint Manager shall process and review the report according to the appropriate grievance procedure.

The Director shall insert into this policy the names, office addresses, email addresses, and telephone numbers of CACC's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as CACC's Title IX Coordinator.

### **Nondiscrimination Coordinator:**

CACC Center Director – Jodi Ferriell  
2201 Toronto Road, Springfield, IL 62712  
jferriell@caccschool.org  
217-529-5431, ext. 175

### **Complaint Managers:**

CACC Principal – Wes Aymer  
2201 Toronto Road  
waymer@caccschool.org  
217-529-5431, ext. 145

CASPN Nurse Administrator – Dianne Hacker  
2201 Toronto Road  
dhacker@caspn.edu  
217-525-1215, ext. 213

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

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

### Investigation Process

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

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

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

For any other alleged student harassment that does not require action under policy 2:265, *Title IX Sexual Harassment Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policies 2:260, *Uniform Grievance Procedure*, and/or 7:190, *Student Behavior*, should be initiated, regardless of whether a written report or complaint is filed.

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

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

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

### Enforcement

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

## Retaliation Prohibited

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

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

### LEGAL REF.:

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

105 ILCS 5/10-20.12, 10-22.5, 5/27-1, and 5/27-23.7.

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

23 Ill.Admin.Code §1.240 and Part 200.

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

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

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

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

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:240 (Conduct Code for Participants in Extracurricular Activities)

Adopted: October 15, 2020

**Capital Area Career Center**

## **7:30 Student Assignment**

### Attendance - Assignment to Classes

Assignments of students to classes shall be the responsibility of the Principal.

Placement in classes shall be based upon consideration of the best interests of the individual student and also the effect on the instructional setting.

The Building Principal or designee shall be included in discussions regarding the placement of Special Education students in classes.

LEGAL REF.:105 ILCS 5/10-21.3, 5/10-21.3a, and 5/10-22.5.

CROSS REF.:4:170 (Safety), 6:30 (Organization of Instruction and Curriculum Development)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **7:40 Nonpublic School Students, Including Parochial and Home-Schooled Students**

### Part-Time Attendance

The Center accepts nonpublic school students, including parochial and home-schooled students, who live within the Center area for attendance in the Center's regular education program on a space-available basis. Requests to attend the Center must be submitted to the Building Principal of the school in the school attendance area where the student resides. All requests for attendance at the Center in the following school year must be submitted before May 1.

A student accepted by the home school district to attend the Center as a part-time student from the home school district must comply with all discipline and attendance requirements established by the home school. He or she may participate in any co-curricular activity associated with a Center class in which he or she is enrolled. The parent(s)/guardian(s) of a student accepted for partial enrollment must pay all home school fees.

### Extracurricular Activities, Including Interscholastic Competition

A nonpublic CACC student is eligible to participate in: (1) interscholastic competition, provided his or her participation adheres to the regulations established by any association in which the Center maintains a membership and (2) non-athletic extracurricular activities. A nonpublic student who participates in an extracurricular activity is subject to all policies, regulations, and rules that are applicable to other participants in the activity.

### LEGAL REF.:

105 ILCS 5/10-20.24 and 5/14-6.01.

CROSS REF.: 4:110 (Transportation), 6:190 (Extracurricular and Co-Curricular Activities), 7:30 (Student Assignment), 7:300 (Extracurricular Athletics)

Adopted: October 15, 2020

**Capital Area Career Center**

## 7:70 Attendance and Truancy

### Absenteeism and Truancy Program

The Director or designee shall manage an absenteeism and truancy program in accordance with the School Code and Center Board policy. The program shall include but not be limited to:

1. A protocol for excusing a student from attendance who is necessarily and lawfully employed. The Director or designee is authorized to determine when the student's absence is justified.
2. A protocol for excusing a student from attendance on a particular day(s) or at a particular time of day when his/her parent/guardian is an active duty member of the uniformed services and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat-support postings.
3. A process to identify and track students who are truants, chronic or habitual truants, or truant minors as defined in the School Code, Section 26-2a.
4. Methods for identifying the cause(s) of a student's unexcused absenteeism, including interviews with the student, his or her parent(s)/guardians(s), and staff members or other people who may have information.
5. The identification of supportive services that may be offered.
6. Reasonable efforts to provide ongoing professional development to teachers, administrators, Board members, school resource officers, and staff on the appropriate and available supportive services for the promotion of student attendance and engagement.
7. The criteria to determine whether a student's non-attendance is due to extraordinary circumstances shall include economic or medical necessity or family hardship and such other criteria that the Director believes qualifies.
8. A process for the temporary exclusion of a student 17 years of age or older for failing to meet minimum attendance standards according to provisions in State law. A parent/guardian has the right to appeal a decision to exclude a student.

#### LEGAL REF.:

105 ILCS 5/26-1 through 16.

705 ILCS 405/3-33.5, Juvenile Court Act of 1987.

23 Ill.Admin.Code §§1.242 and 1.290.

CROSS REF.: 5:100 (Staff Development Program), 7:10 (Equal Educational Opportunities), 7:80 (Release Time for Religious Instruction/Observance), 7:190 (Student Behavior), 7:340 (Student Records)

Adopted: January 17, 2019

**Capital Area Career Center**

## **7:80 Release Time for Religious Instruction/Observance**

A student shall be released from CACC, as an excused absence, to observe a religious holiday or for religious instruction. The student's parent/guardian must give written notice to the Building Principal at least five calendar days before the student's anticipated absence(s). This notice shall satisfy CACC's requirement for a written excuse when the student returns to CACC.

The Director shall develop and distribute to teachers appropriate procedures regarding student absences for religious reasons and include a list of religious holidays on which a student shall be excused from CACC attendance, how teachers are notified of a student's impending absence, and the State law requirement that teachers provide the student with an equivalent opportunity to make up any examination, study, or work requirement.

LEGAL REF.:Religious Freedom Restoration Act, 775 ILCS 35/.

105 ILCS 5/26-1 and 5/26-2b.

CROSS REF.:7:70 (Attendance and Truancy)

ADOPTED: June 15, 2017

**Capital Area Career Center**



## **7:90 Release During School Hours**

For safety and security reasons, a prior written or oral consent of a student's custodial parent/guardian is required before a student is released from school: (1) at any time other than the regular dismissal times or other times when a school is official closed officially closed, and/or (2) to any person other than a custodial parent/guardian.

### Early Dismissal Announcement

The Director shall make reasonable efforts to issue an announcement whenever it is necessary to dismiss school early due to inclement weather or other reason.

CROSS REF.: 4:170 (Safety)

Adopted: June 18, 2020

**Capital Area Career Center**

## **7:100 Health and Eye Examinations; Immunizations; and Exclusion of Students**

The students' resident/home district is responsible for ensuring that its students who are enrolled in CACC programs are in compliance with State law regarding health examinations and immunizations.

LEGAL REF.:105 ILCS 5/27-8.1.

410 ILCS 45/6.2.

77 Ill.Admin.Code Part 665.

CROSS REF.:7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:230 (Misconduct by Students with Disabilities)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 7:130 Student Rights and Responsibilities

All students are entitled to enjoy the rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a CACC setting. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate CACC policies or rules will be subject to disciplinary measures.

Students may, during the school day, during noninstructional time, voluntarily engage in individually or collectively initiated, non-disruptive prayer or religious-based meetings that, consistent with the Free Exercise and Establishment Clauses of the U.S. and Illinois Constitutions, are not sponsored, promoted, or endorsed in any manner by CACC or any CACC employee. *Noninstructional time* means time set aside by a school before actual classroom instruction begins or after actual classroom instruction ends.

### LEGAL REF.:

20 U.S.C. §7904.

105 ILCS 20/5.

Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

CROSS REF.: 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:190 (Student Behavior), 7:330 (Student Use of Buildings - Equal Access)

Adopted: June 18, 2020

**Capital Area Career Center**

## **7:140 Search and Seizure**

In order to maintain order and security at CACC, CACC authorities are authorized to conduct reasonable searches of CACC property and equipment, as well as of students and their personal effects. "CACC authorities" includes CACC liaison police officers.

### CACC Property and Equipment as well as Personal Effects Left There by Students

CACC authorities may inspect and search CACC property and equipment owned or controlled by CACC (such as, lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there. This paragraph applies to student vehicles parked on CACC property. In addition, Building Principals shall require each high school student, in return for the privilege of parking on CACC property, to consent in writing to CACC searches of his or her vehicle, and personal effects therein, without notice and without suspicion of wrongdoing.

The Director may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other CACC property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

### Students

CACC authorities may search a student and/or the student's personal effects in the student's possession (such as, purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or CACC's student conduct rules. The search itself must be conducted in a manner that is reasonably related to its objective and not excessively intrusive in light of the student's age and sex, and the nature of the infraction.

When feasible, the search should be conducted as follows:

1. Outside the view of others, including students,
2. In the presence of a CACC administrator or adult witness, and
3. By a certificated employee or liaison police officer of the same sex as the student.

Immediately following a search, a written report shall be made by CACC authority who conducted the search, and given to the Director.

### Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or CACC's policies or rules, such evidence may be seized and impounded by CACC authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

### Notification Regarding Student Accounts or Profiles on Social Networking Websites

The Director or designee shall notify students and their parents/guardians of each of the following in accordance with the Right to Privacy in the School Setting Act, 105 ILCS 75/:

1. CACC officials may not request or require a student or his or her parent/guardian to provide a password or other related account information to gain access to the student's account or profile on a social networking website.
2. CACC officials may conduct an investigation or require a student to cooperate in an investigation if there is specific information about activity on the student's account on a social

networking website that violates a CACC disciplinary rule or policy. In the course of an investigation, the student may be required to share the content that is reported in order to allow CACC officials to make a factual determination.

LEGAL REF.:105 ILCS 5/10-20.14, 5/10-22.6, and 5/10-22.10a.

Right to Privacy in the School Setting Act, 105 ILCS 75/.

Cornfield v. Consolidated High School Dist. No. 230, 991 F.2d 1316 (7th Cir., 1993).

People v. Dilworth, 661 N.E.2d 310 (Ill., 1996), *cert. denied*, 116 S.Ct. 1692 (1996).

People v. Pruitt, 662 N.E. 2d 540 (Ill.App.1, 1996), *app. denied*, 667 N.E. 2d 1061 (Ill.App.1, 1996).

T.L.O. v. New Jersey, 105 S.Ct. 733 (1985).

Vernonia School Dist. 47J v. Acton, 115 S.Ct. 2386 (1995).

Safford Unified School Dist. No. 1 v. Redding, 129 S. Ct. 2633 (2009).

CROSS REF.:7:130 (Student Rights and Responsibilities), 7:150 (Agency and Police Interviews), 7:190 (Student Behavior)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 7:150 Agency and Police Interviews

The Director shall develop procedures to manage requests by agency officials or police officers to interview students at school. Procedures will:

1. Recognize individual student rights and privacy,
2. Recognize the potential impact an interview may have on an individual student,
3. Minimize potential disruption,
4. Foster a cooperative relationship with public agencies and law enforcement, and
5. Comply with State law including, but not limited to, ensuring that before a law enforcement officer, school resource officer, or other school security person detains and questions on school grounds a student under 18 years of age who is suspected of committing a criminal act, the Director or designee will:
  - a. Notify or attempt to notify the student's parent/guardian and document the time and manner in writing;
  - b. Make reasonable efforts to ensure the student's parent/guardian is present during questioning or, if they are not present, ensure that school employees (including, but not limited to, a school social worker, psychologist, nurse, guidance counselor, or any other mental health professional) are present during the questioning; and
  - c. If practicable, make reasonable efforts to ensure a trained law enforcement officer to promote safe interactions and communications with the student is present during questioning.

### LEGAL REF.:

105 ILCS 5/10-20.64, 5/22-85 (final citation pending)

55 ILCS 80/, Children's Advocacy Center Act.

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

720 ILCS 5/31-1 et seq., Interference with Public Officers Act.

725 ILCS 120/, Rights of Crime Victims and Witnesses Act.

CROSS REF.: 5:90 (Abused and Neglected Child Reporting), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:190 (Student Behavior)

Adopted: January 16, 2020

**Capital Area Career Center**

## **7:160 Student Appearance**

A student's appearance, including dress and grooming, must not disrupt the educational process, interfere with the maintenance of a positive teaching/learning climate, or compromise reasonable standards of health, safety, and decency. Procedures for handling students who dress or groom inappropriately will be developed by the Director and included in the *Student Handbook(s)*.

LEGAL REF.:105 ILCS 5/10-22.25b.

Tinker v. Des Moines Independent School Dist., 89 S.Ct. 733 (1969).

CROSS REF.:7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **7:170 Vandalism**

The Center Board will seek restitution from students and their parents/guardians for vandalism or other student acts that cause damage to CACC property.

LEGAL REF.:

740 ILCS 115/.

CROSS REF.: 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior)

Adopted: January 16, 2020

**Capital Area Career Center**



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

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

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

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

### Definitions from 105 ILCS 5/27-23.7

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

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

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

*Restorative measures* means a continuum of CACC-based alternatives to exclusionary discipline,

such as suspensions and expulsions, that: (i) are adapted to the particular needs of CACC and community, (ii) contribute to maintaining CACC safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in CACC and society, (v) serve to build and restore relationships among students, families, schools, and communities, and (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in CACC.

*CACC personnel* means persons employed by, on contract with, or who volunteer at CACC, including without limitation administrators, teachers, guidance counselors, social workers, counselors, psychologists, nurses, cafeteria workers, custodians, bus drivers, resource officers, and security guards.

### Bullying Prevention and Response Plan

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

1. CACC uses the definition of *bullying* as provided in this policy.
2. Bullying is contrary to State law and the policy of CACC. However, nothing in CACC's bullying prevention and response plan is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 of Article I of the Illinois Constitution.
3. Students are encouraged to immediately report bullying. A report may be made orally or in writing to Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, a Complaint Manager, or any staff member with whom the student is comfortable speaking. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to CACC named officials or any staff member. CACC named officials and all staff members are available for help with a bully or to make a report about bullying. Anonymous reports are also accepted.

### **Nondiscrimination Coordinator:**

CACC Center Director – Jodi Ferriell

2201 Toronto Road, Springfield, IL 62712

jferriell@caccschool.org

217-529-5431, ext. 175

### **Complaint Manager:**

CACC Principal – Wes Aymer

2201 Toronto Road

waymer@caccschool.org

217-529-5431, ext. 145

4. Consistent with federal and State laws and rules governing student privacy rights, the Director or designee shall promptly inform the parent(s)/guardian(s) of every student involved in an alleged incident of bullying and discuss, as appropriate, the availability of social work services, counseling, other interventions, and restorative measures.

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

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

6. The Director or designee shall use interventions to address bullying, that may include, but are not limited to, social work services, restorative measures, social-emotional skill building, counseling, and community-based services.
7. A reprisal or retaliation against any person who reports an act of bullying **is prohibited**. A student's act of reprisal or retaliation will be treated as *bullying* for purposes of determining any consequences or other appropriate remedial actions.
8. A student will not be punished for reporting bullying or supplying information, even if CACC's investigation concludes that no bullying occurred. However, knowingly making a false accusation or providing knowingly false information will be treated as *bullying* for purposes of determining any consequences or other appropriate remedial actions.
9. CACC's bullying prevention and response plan must be based on the engagement of a range of CACC stakeholders, including students and parents/guardians.
10. The Director or designee shall post this policy on CACC's website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The policy must be distributed annually to parents/guardians, students, and CACC personnel (including new employees when hired), and must also be provided periodically throughout the school year to students and faculty.
11. The Director or designee shall assist the Board with its evaluation and assessment of this policy's outcomes and effectiveness. This process shall include, without limitation:
  - a. The frequency of victimization;
  - b. Student, staff, and family observations of safety at CACC;
  - c. Identification of areas of CACC where bullying occurs;
  - d. The types of bullying utilized; and
  - e. Bystander intervention or participation.

The evaluation process may use relevant data and information that CACC already collects for other purposes. The Director or designee must post the information developed as a result of the policy evaluation on CACC's website, or if a website is not available, the information must

be provided to CACC administrators, Board members, CACC personnel, parents/guardians, and students.

12. The Director or designee shall fully implement the Board policies, including without limitation, the following:
- a. 2:260, *Uniform Grievance Procedure*. A student may use this policy to complain about bullying.
  - b. 2:265, *Title IX Sexual Harassment Grievance Procedure*. Any person may use this policy to complain about sexual harassment in violation of Title IX of the Education Amendments of 1972.
  - c. 6:235, *Access to Electronic Networks*. This policy states that the use of CACC's electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use.
  - d. 7:20, *Harassment of Students Prohibited*. This policy prohibits *any* person from harassing, intimidating, or bullying a student based on an identified actual or perceived characteristic (the list of characteristics in 7:20 is the same as the list in this policy).
  - e. 7:185, *Teen Dating Violence Prohibited*. This policy prohibits teen dating violence on CACC property, at CACC sponsored activities, and in vehicles used for CACC-provided transportation.
  - f. 7:190, *Student Behavior*. This policy prohibits, and provides consequences for, hazing, bullying, or other aggressive behaviors, or urging other students to engage in such conduct.
  - g. 7:315, *Restrictions on Publications; High Schools*. This policy prohibits students from and provides consequences for: (1) accessing and/or distributing at school any written, printed, or electronic material, including material from the Internet, that will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities, and (2) creating and/or distributing written, printed, or electronic material, including photographic material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members.

LEGAL REF.:

405 ILCS 49/, Children's Mental Health Act.

105 ILCS 5/10-20.14, 5/24-24, and 5/27-23.7.

23 Ill.Admin.Code §1.240 and §1.280.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Sexual Harassment Grievance Procedure), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Food Allergy Management Program), 7:315 (Restrictions on Publications; High Schools)

Adopted: October 15, 2020

## 7:185 Teen Dating Violence Prohibited

Engaging in teen dating violence that takes place at CACC, on CACC property, at CACC-sponsored activities, or in vehicles used for CACC-provided transportation is prohibited. For purposes of this policy, the term *teen dating violence* occurs whenever a student who is 13 to 19 years of age uses or threatens to use physical, mental, or emotional abuse to control an individual in the dating relationship; or uses or threatens to use sexual violence in the dating relationship.

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

1. Fully implements and enforces each of the following Board policies:
  - a. 2:260, *Uniform Grievance Procedure*. This policy provides a method for any student, parent/guardian, employee, or community member to file a complaint if he or she believes that the School Board, its employees, or its agents have violated his or her rights under the State or federal Constitution, State or federal statute, Board policy, or various enumerated bases.
  - b. 2:265, *Title IX Sexual Harassment Grievance Procedure*. This policy prohibits any person from engaging in sexual harassment in violation of Title IX of the Education Amendments of 1972. Prohibited conduct includes but is not limited to sexual assault, dating violence, domestic violence, and stalking.
  - c. 7:20, *Harassment of Students Prohibited*. This policy prohibits any person from harassing, intimidating, or bullying a student based on the student's actual or perceived characteristics of sex; sexual orientation; gender identity; and gender-related identity or expression (this policy includes more protected statuses).
  - d. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. This policy prohibits students from engaging in bullying, intimidation, and harassment at CACC, CACC-related events and electronically. Prohibited conduct includes threats, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.
2. Encourages anyone with information about incidents of teen dating violence to report them to any of the following individuals:
  - a. Any CACC staff member. CACC staff shall respond to incidents of teen dating violence by following CACC's established procedures for the prevention, identification, investigation, and response to bullying and school violence.
  - b. The Nondiscrimination Coordinator, Building Principal, or a Complaint Manager identified in policy 7:20, *Harassment of Students Prohibited*.
3. Incorporates age-appropriate instruction in grades 9 through 12, in accordance with CACC's comprehensive health education program in Board policy 6:60, *Curriculum Content*. This includes incorporating student social and emotional development into CACC's educational program as required by State law.
4. Incorporates education for CACC staff, as recommended by the Nondiscrimination Coordinator, Building Principal, or a Complaint Manager.
5. Notifies students and parents/guardians of this policy.

Incorporated

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

LEGAL REF.:

105 ILCS 110/3.10.

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

Adopted: October 15, 2020

**Capital Area Career Center**

## 7:190 Student Behavior

### Prohibited Student Conduct

The administration of the Capital Area Career Center is authorized to discipline students for gross disobedience or misconduct, including but not limited to:

1. Using, possessing, distributing, purchasing, or selling tobacco materials.
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence of an alcoholic beverage are not permitted to attend CACC or CACC functions and are treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing, or selling:
  - a. Any illegal drug or controlled substance, or cannabis (including marijuana, hashish, and medical cannabis unless the student is authorized to be administered a medical cannabis infused product under *Ashley's Law*).
  - b. Any anabolic steroid unless it is being administered in accordance with a physician's or licensed practitioner's prescription.
  - c. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription.
  - d. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions. The use or possession of medical cannabis, even by a student for whom medical cannabis has been prescribed, is prohibited unless the student is authorized to be administered a medical cannabis infused product under *Ashley's Law*.
  - e. *Look-alike* or counterfeit drugs, including a substance not containing an illegal drug or controlled substance, but one: (a) that a student believes to be, or represents to be, an illegal drug or controlled substance; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug or controlled substance.
  - f. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances. Students who are under the influence of any prohibited substance are not permitted to attend CACC or CACC functions and are treated as though they had the prohibited substance, as applicable, in their possession.
4. Using, possessing, controlling, or transferring a *weapon* as that term is defined in the **Weapons** section of this policy, or in violating the **Weapons** section of this policy.
5. Using or possessing an electronic paging device. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules. Unless otherwise banned under this policy or by the Director, all electronic devices must be kept powered-off and out-of-sight during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (IEP); or (c) it is needed in an emergency that threatens the safety of students, staff, or other individuals.
6. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.
7. Disobeying rules of student conduct or directives from staff members or CACC officials.

Examples of disobeying staff directives include refusing a CACC staff member's request to stop, present CACC identification, or submit to a search.

8. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, and wrongfully obtaining test copies or scores.
9. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to another or any urging of other students to engage in such conduct. Prohibited conduct includes any use of violence, force, noise, coercion, threats, intimidation, fear, harassment, hazing, or other comparable conduct.
10. Causing or attempting to cause damage to, or stealing or attempting to steal, CACC property or another person's personal property.
11. Being absent without a recognized excuse; State law and Board policy regarding truancy control will be used with chronic and habitual truants.
12. Being involved with any public school fraternity, sorority, or secret society, by: (a) being a member; (b) promising to join; (c) pledging to become a member; or (d) soliciting any other person to join, promise to join, or be pledged to become a member.
13. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
14. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, and hazing.
15. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the educational environment, CACC operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or CACC property.

For purposes of this policy, the term *possession* includes having control, custody, or care, currently or in the past, of an object or substance, including situations in which the item is: (a) on the student's person; (b) contained in another item belonging to, or under the control of, the student, such as in the student's clothing, backpack, or automobile; (c) in a school's student locker, desk, or other CACC property; or (d) at any location on CACC property or at a CACC-sponsored event.

Efforts, including the use of early intervention and progressive discipline, shall be made to deter students, while at CACC or a CACC-related event, from engaging in aggressive behavior that may reasonably produce physical or physiological harm to someone else. The Director or designee shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident. The failure to provide such notification does not limit the Board's authority to impose discipline, including suspension or removal from CACC programs, for such behavior.

No disciplinary action shall be taken against any student that is based totally or in part on the refusal of the student's parent/guardian to administer or consent to the administration of psychotropic or psycho stimulant medication to the student. The grounds for disciplinary action, including those described more thoroughly later in this policy, apply whenever the student's conduct is reasonably related to the CACC program or CACC activities, including but not limited to:

1. On, or within sight of, CACC grounds before, during, or after school hours or at any time;
2. Off CACC grounds at a CACC-sponsored activity or event, or any activity or event that bears a reasonable relationship to the CACC program;
3. Traveling to or from CACC or a CACC activity, function, or event; or
4. Anywhere, if the conduct interferes with, disrupts, or adversely affects the educational environment, CACC operations, or an educational function, including but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or CACC property.



## Disciplinary Measures

Disciplinary measures may include:

1. Disciplinary conference.
2. Withholding of privileges.
3. Seizure of contraband.
4. Suspension from CACC programs and activities for up to 10 days, provided that appropriate procedures are followed. A suspended student is prohibited from being on CACC grounds.
5. Suspension of bus riding privileges, provided that appropriate procedures are followed. CACC will also enforce any suspension imposed by a student's home school district.
6. Removal from the CACC program, provided that appropriate procedures are followed.
7. Expulsion from the student's home school district. Expulsion procedures will be initiated and effectuated by the student's home school district. An expulsion from the student's home school district automatically results in an expulsion from the CACC program. An expelled student is prohibited from being on CACC grounds.
8. Notifying juvenile authorities or other law enforcement whenever the conduct involves illegal drugs (controlled substances), *look-alikes*, alcohol, or weapons.
9. Notifying parents/guardians.
10. Temporary removal from the classroom.
11. In-school suspension for a period not to exceed 5 school days. The Director or designee shall ensure that the student is properly supervised.
12. Reporting misconduct to the student's home school district.

## Corporal Punishment

Corporal punishment shall not be used. *Corporal punishment* is defined as slapping, paddling, or prolonged maintenance of students in physically painful positions, or intentional infliction of bodily harm. Corporal punishment does not include reasonable force as needed to maintain safety for students, staff, or other persons, or for the purpose of self-defense or defense of property.

## Weapons

A student who uses, possesses, controls, or transfers a weapon, or any other object that can reasonably be considered, or looks like, a weapon, shall be removed from the CACC program, and may be subject to expulsion from their home school district. The Director may modify the removal period and the Board may modify the Director's determination, on a case-by-case basis. A *weapon* means possession, use, control, or transfer of: (1) any gun, rifle, shotgun, a weapon as defined by Section 921 of Title 18, United States Code, firearm as defined in Section 1.1 of the Firearm Owners Identification Act, or use of a weapon as defined in Section 24-1 of the Criminal Code; (2) any other object if used or attempted to be used to cause bodily harm, including but not limited to, knives, brass knuckles, billy clubs; or (3) *look-alikes* of any weapon as defined above. Any item, such as a baseball bat, pipe, bottle, lock, stick, pencil, and pen, is considered to be a weapon if used or attempted to be used to cause bodily harm. The Director or designee may grant an exception to this policy, upon the prior request of an adult supervisor, for students in theatre, cooking, ROTC, martial arts, and similar programs, whether or not school-sponsored, provided the item is not equipped, nor intended, to do bodily harm.

## Required Notices

A CACC staff member shall immediately notify the office of the Director in the event that he or she: (1) observes any person in possession of a firearm on or around CACC grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision, (2)

observes or has reason to suspect that any person on CACC grounds is or was involved in a drug-related incident, or (3) observes a battery committed against any staff member. Upon receiving such a report, the Director or designee shall immediately notify the local law enforcement agency, Ill. Dept. of State Police (ISP), and any involved student's parent/guardian. *CACC grounds* includes modes of transportation to CACC activities and any public way within 1000 feet of CACC facilities, as well as CACC property itself.

### Delegation of Authority

Each teacher, and any other CACC personnel when students are under his or her charge, is authorized to impose any disciplinary measure, other than suspension, removal, corporal punishment or in-school suspension, that is appropriate and in accordance with the policies and rules on student discipline. Teachers, other certificated educational employees, and other persons providing a related service for or with respect to a student, may use reasonable force as needed to maintain safety for other students, CACC personnel, or other persons, or for the purpose of self-defense or defense of property. Teachers may temporarily remove students from a classroom for disruptive behavior. The Director and Principal are authorized to impose the same disciplinary measures as teachers and may suspend students guilty of gross disobedience or misconduct from the CACC program (including all CACC functions) and from riding the school bus, up to 10 consecutive school days, provided the appropriate procedures are followed.

### Student Handbook

The Director, with input from the parent-teacher advisory committee, shall prepare disciplinary rules implementing the Center's disciplinary policies. These disciplinary rules shall be presented annually to the Board for its review and approval. A student handbook, including the Center disciplinary policies and rules, shall be distributed to the students' parents/guardians within 15 days of the beginning of the school year or a student's enrollment.

### LEGAL REF.:

20 U.S.C. §6081, Pro-Children Act of 1994.

20 U.S.C. §7961 et seq., Gun Free Schools Act.

105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10, 5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/22-33, 5/24-24, 5/26-12, 5/27-23.7, 5/31-3, and 110/3.10.

410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program.

410 ILCS 647/, Powdered Caffeine Control and Education Act.

430 ILCS 66/, Firearm Concealed Carry Act.

23 Ill.Admin.Code §§ 1.280.

CROSS REF.: 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 7:70 (Attendance and Truancy), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:170 (Vandalism), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:200 (Suspension Procedures), 7:210 (Removal Procedures), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:270 (Administering Medicines to Students), 8:30 (Visitors to and Conduct on CACC Property)

Adopted: October 15, 2020

# Capital Area Career Center

## 7:200 Suspension and Removal Procedures

The following are suspension and removal procedures:

1. Before suspension or removal of a student from the CACC program, the student shall be provided oral or written notice of the charges. If the student denies the charges, the student shall be given an explanation of the evidence and an opportunity to present his or her version.
2. Prior notice and hearing, as stated above, is not required and the student can be immediately suspended or removed from the CACC program, when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the education process. In such cases, the necessary notice and hearing shall follow as soon as practicable.
3. Any suspension or removal from the CACC program shall be reported immediately to the student's parents/guardians. A written notice of the suspension or removal shall contain a statement of the reasons for the suspension or removal and a notice to the parents/guardians of their right to review the suspension or removal.
4. Upon written request of the parents/guardians, a hearing shall be conducted by the Executive Council or a hearing officer appointed by it to review the suspension or removal. At the hearing, the student's parents/guardians may appear and discuss the suspension or removal with the Board or its hearing officer and may be represented by counsel. After presentation of the evidence or receipt of the hearing officer's report, the Board shall decide the issue of guilt and take such action as it finds appropriate.

LEGAL REF.:105 ILCS 5/10-22.6.

Goss v. Lopez, 95 S.Ct. 729 (1975).

Sieck v. Oak Park River-Forest High CACC, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

CROSS REF.:5:100 (Staff Development Program), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **7:210 Removal Procedures**

The final authority for removal of a student receiving services from CACC lies with the Executive Council.

Upon written request of the parents/guardians, a hearing shall be conducted by the Executive Council or a hearing officer appointed by it to review the suspension or removal. At the hearing, the student's parents/guardians may appear and discuss the suspension or removal with the Board or its hearing officer and may be represented by counsel. After presentation of the evidence or receipt of the hearing officer's report, the Board shall decide the issue of guilt and take such action as it finds appropriate.

LEGAL REF.:34 CFR §300.530-300.536.

105 ILCS 5/10-22.6.

23 Ill.Admin.Code §226.400.

CROSS REF.:7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **7:230 Misconduct by Students with Disabilities**

### Behavioral Interventions

Behavioral interventions shall be used with students with disabilities to promote and strengthen desirable behaviors and reduce identified inappropriate behaviors.

### Discipline of Special Education Students

CACC shall comply with the Individuals With Disabilities Education Improvement Act of 2004 and the Illinois State Board of Education's *Special Education* rules when disciplining special education students. No special education student shall be removed from the CACC program if the student's particular act of gross disobedience or misconduct is a manifestation of his or her disability.

LEGAL REF.: Individuals With Disabilities Education Improvement Act of 2004, 20 U.S.C. §§1412, 1413, and 1415.

Gun-Free Schools Act, 20 U.S.C. §7151 et seq.

34 C.F.R. §§300.101, 300.530 - 300.536.

105 ILCS 5/10-22.6 and 5/14-8.05.

23 Ill.Admin.Code §226.400.

Honig v. Doe, 108 S.Ct. 592 (1988).

CROSS REF.: 2:150 (Committees), 6:120 (Education of Children with Disabilities), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:210 (Removal Procedures)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 7:240 Conduct Code for Participants in Extracurricular Activities

The Building Principal, using input from sponsors of extracurricular activities, shall develop a conduct code for all participants in extracurricular activities consistent with Center Board policy. The conduct code shall: (1) require participants in extracurricular activities to conduct themselves as good citizens and exemplars of CACC at all times, including after CACC, on days when CACC is not in session, and whether on or off CACC property; (2) emphasize that hazing and bullying activities are strictly prohibited; and (3) notify participants that failure to abide by it could result in removal from the activity. The conduct code shall be reviewed by the Building Principal periodically at his or her discretion and presented to the Board.

Participants in extracurricular activities must abide by the conduct code for the activity and Board policy 7:190, *Student Behavior*. All sponsors of extracurricular activities shall annually review the conduct code with participants and provide participants with a copy.

LEGAL REF.: Board of Education of Independent School Dist. No. 92 v. Earls, 122 S.Ct. 2559 (2002).

Clements v. Board of Education of Decatur, 478 N.E.2d 1209 (Ill.App.4, 1985).

Kevin Jordan v. O'Fallon THSD 203, 706 N.E.2d 137 (Ill.App.5, 1999).

Todd v. Rush County Schools, 133 F.3d 984 (7th Cir., 1998).

Veronia School Dist. 475 v. Acton, 515 U.S. 646 (1995).

105 ILCS 5/24-24, 5/27-23.3, and 25/2.

CROSS REF.: 5:280 (Duties and Qualifications), 6:190 (Extracurricular and Co-Curricular Activities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **7:250 Student Support Services**

The Director or designee shall develop protocols for responding to students with social, emotional, or mental health needs that impact learning ability. CACC, however, assumes no liability for preventing, identifying, or treating such needs.

This policy shall be implemented in a manner consistent with State and federal laws, including the Individuals with Disabilities Education Act, 42 U.S.C. §12101 et seq.

### **LEGAL REF.:**

Children's Mental Health Act of 2003, 405 ILCS 49/.

Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/.

105 ILCS 5/10-20.58.

CROSS REF.:6:65 (Student Social and Emotional Development), 6:270 (Guidance and Counseling Program), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:280 (Communicable and Chronic Infectious Diseases), 7:340 (Student Records)

Adopted: January 17, 2019

**Capital Area Career Center**



## 7:270 Administering Medicines to Students

Students should not take medication during CACC hours or during CACC-related activities unless it is necessary for a student's health and well-being. When a student's licensed health care provider and parent/guardian believe that it is necessary for the student to take a medication during CACC hours or CACC-related activities, the parent/guardian must request that CACC dispense the medication to the child and otherwise follow CACC's procedures on dispensing medication.

No CACC employee shall administer to any student, or supervise a student's self-administration of, any prescription or non-prescription medication until a completed and signed *CACC Medication Authorization Form (SMA Form)* is submitted by the student's parent/guardian. No student shall possess or consume any prescription or non-prescription medication on CACC grounds or at a CACC-related function other than as provided for in this policy and its implementing procedures.

Nothing in this policy shall prohibit any CACC employee from providing emergency assistance to students, including administering medication.

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

### Self-Administration of Medication

A student may possess and self-administer an epinephrine injector, e.g., EpiPen®, and/or asthma medication prescribed for use at the student's discretion, provided the student's parent/guardian has completed and signed an *SMA Form*. The Director or designee will ensure an Emergency Action Plan is developed for each self-administering student.

A student may self-administer medication required under a *qualifying plan*, provided the student's parent/guardian has completed and signed an *SMA Form*. A qualifying plan means: (1) an asthma action plan, (2) an Individual Health Care Action Plan, (3) an Ill. Food Allergy Emergency Action Plan and Treatment Authorization Form, (4) a plan pursuant to Section 504 of the federal Rehabilitation Act of 1973, or (5) a plan pursuant to the federal Individuals with Disabilities Education Act.

CACC shall incur no liability, except for willful and wanton conduct, as a result of any injury arising from a student's self-administration of medication, including asthma medication or epinephrine injectors, or medication required under a qualifying plan. A student's parent/guardian must indemnify and hold harmless CACC and its employees and agents, against any claims, except a claim based on willful and wanton conduct, arising out of a student's self-administration of an epinephrine injector, asthma medication, and/or a medication required under a qualifying plan.

### Administration of Medical Cannabis

The Compassionate Use of Medical Cannabis Program Act allows a *medical cannabis infused product* to be administered to a student by one or more of the following individuals:

1. A parent/guardian of a student who is a minor who registers with the Ill. Dept. of Public Health (IDPH) as a *designated caregiver* to administer medical cannabis to their child. A designated caregiver may also be another individual other than the student's parent/guardian. Any designated caregiver must be at least 21 years old and is allowed to administer a *medical cannabis infused product* to a child who is a student on the premises of his or her school or on his or her school bus if:
  - a. Both the student and the designated caregiver possess valid registry identification cards issued by IDPH;
  - b. Copies of the registry identification cards are provided to the District;

- c. That student's parent/guardian completed, signed, and submitted a *School Medication Authorization Form - Medical Cannabis*; and
  - d. After administering the product to the student, the designated caregiver immediately removes it from school premises or the school bus.
2. A properly trained school nurse or administrator, who shall be allowed to administer the *medical cannabis infused product* to the student on the premises of the child's school, at a school-sponsored activity, or before/after normal school activities, including while the student is in before-school or after-school care on school-operated property or while being transported on a school bus.
  3. The student him or herself when the self-administration takes place under the direct supervision of a school nurse or administrator.

*Medical cannabis infused product* (product) includes oils, ointments, foods, and other products that contain usable cannabis but are not smoked or vaped. Smoking and/or vaping medical cannabis is prohibited.

The product may not be administered in a manner that, in the opinion of the CACC or school, would create a disruption to the educational environment or cause exposure of the product to other students. A CACC employee shall not be required to administer the product.

Discipline of a student for being administered a product by a designated caregiver, or by a school nurse or administrator, or who self-administers a product under the direct supervision of a school nurse or administrator pursuant to this policy is prohibited. CACC may not deny a student attendance at a school solely because he or she requires administration of the product during school hours.

#### Void Policy

The **Administration of Medical Cannabis** section of the policy is void and CACC reserves the right not to implement it if CACC is in danger of losing federal funding.

#### Administration of Undesignated Medication

Upon any administration of an undesignated medication permitted by State law, the Director or designee(s) must ensure all notifications required by State law and administrative procedures occur.

#### Undesignated Medication Disclaimers

Upon implementation of this policy, the protections from liability and hold harmless provisions applicable under State law apply.

No one, including without limitation, parents/guardians of students, should rely on CACC for the availability of undesignated medication. This policy does not guarantee the availability of undesignated medications. Students and their parents/guardians should consult their own physician regarding these medication(s).

#### LEGAL REF.:

105 ILCS 5/10-20.14b, 5/10-22.21b, 5/22-30, and 5/22-33.

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

410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act, and scheduled to be repealed on July 1, 2020.

720 ILCS 550/, Cannabis Control Act.

23 Ill.Admin.Code §1.540.

CROSS REF.: 7:285 (Food Allergy Management)

Adopted: January 16, 2020

**Capital Area Career Center**

## 7:275 Orders to Forgo Life-Sustaining Treatment

Written orders from parent(s)/guardian(s) to forgo life-sustaining treatment for their child must be signed by the student's physician and given to the Director. This policy shall be interpreted in accordance with the Illinois Health Care Surrogate Act. 755 ILCS 40/.

Whenever an order to forgo life-sustaining treatment is received, the Director shall convene a multi-disciplinary team that includes:

1. The student, when appropriate;
2. The student's parent(s)/guardian(s);
3. Other medical professionals, e.g., licensed physician, physician's assistant, or nurse practitioner;
4. Local first responders for the building in which the student is assigned to attend school;
5. The school nurse;
6. Clergy, if requested by the student or his or her parent(s)/guardians(s);
7. Other individuals to provide support to the student or his or her parent(s)/guardian(s); and
8. School personnel designated by the Director.

The team shall determine guidelines to be used by CACC staff members in the event the child suffers a life-threatening episode at CACC or a CACC event.

CACC personnel shall convey orders to forgo life-sustaining treatment to the appropriate emergency or healthcare provider.

### LEGAL REF.:

Health Care Surrogate Act, 755 ILCS 40/.

Cruzan v. Director, Missouri Dept. of Health, 497 U.S. 261 (1990).

In re C.A., a minor, 236 Ill.App.3d 594 (1st Dist. 1992).

ADOPTED: April 19, 2018

**Capital Area Career Center**

## **7:280 Communicable and Chronic Infectious Disease**

A student with or carrying a communicable and/or chronic infectious disease has all rights, privileges, and services provided by law and the Center Board's policies. The Director will develop procedures to safeguard these rights while managing health and safety concerns.

LEGAL REF.:105 ILCS 5/10-21.11.

410 ILCS 315/2a.

23 Ill.Admin.Code §§ 1.610 and 226.300.

77 Ill.Admin.Code Part 690.

Individuals With Disabilities Education Act, 20 U.S.C. §1400 et seq.

Rehabilitation Act, Section 504, 29 U.S.C. §794(a).

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 7:285 Food Allergy Management Program

School attendance may increase a student's risk of exposure to allergens that could trigger a food-allergic reaction. A food allergy is an adverse reaction to a food protein mediated by the immune system which immediately reacts causing the release of histamine and other inflammatory chemicals and mediators. While it is not possible for CACC to completely eliminate the risks of exposure to allergens when a student is at CACC, a Food Allergy Management Program using a cooperative effort among students' families, staff members, and students helps CACC reduce these risks and provide accommodations and proper treatment for allergic reactions.

The Director or designee shall develop and implement a Food Allergy Management Program that:

1. Fully implements the following goals established in School Code: (a) identifying students with food allergies, (b) preventing exposure to known allergens, (c) responding to allergic reactions with prompt recognition of symptoms and treatment, and (d) educating and training all staff about management of students with food allergies, including administration of medication with an auto-injector, and providing an in-service training program for staff who work with students that is conducted by a person with expertise in anaphylactic reactions and management.
2. Follows and references the applicable best practices specific to CACC's needs in the joint State Board of Education and Ill. Dept. of Public Health publication *Guidelines for Managing Life-Threatening Food Allergies in Schools*, available at:

[www.isbe.net/Documents/food\\_allergy\\_guidelines.pdf](http://www.isbe.net/Documents/food_allergy_guidelines.pdf).

3. Complies with State and federal law and is in alignment with Board policies.

LEGAL REF.:105 ILCS 5/2-3.149 and 5/10-22.39.

*Guidelines for Managing Life-Threatening Food Allergies in Schools (Guidelines)*, jointly published by the State Board of Education and Ill. Dept. of Public Health.

CROSS REF.:4:110 (Transportation), 4:170 (Safety), 5:100 (Staff Development Program), 6:120 (Education of Children with Disabilities), 6:240 (Field Trips), 7:250 (Student Support Services), 7:270 (Administering Medicines to Students), 8:100 (Relations with Other Organizations and Agencies)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 7:290 Suicide and Depression Awareness and Prevention

Youth suicide impacts the safety of school environment. It also affects school community, diminishing the ability of surviving students to learn and the school's ability to educate. Suicide and depression awareness and prevention are important Board goals.

### Suicide and Depression Awareness and Prevention Program

The Director or designee shall develop, implement, and maintain a suicide and depression awareness and prevention program (Program) that advances the Board's goals of increasing awareness and prevention of depression and suicide. This program must be consistent with the requirements of Ann Marie's Law listed below; each listed requirement, 1-6, corresponds with the list of required policy components in School Code Section 5/2-3.166(c)(2)-(7). The Program shall include:

1. Protocols for administering youth suicide awareness and prevention education to students and staff.
  - a. For students, implementation will incorporate Board policy 6:60, *Curriculum Content*, which implements 105 ILCS 5.2-3.139 and 105 ILCS 5/27-7 (requiring education for students to develop a sound mind and a healthy body).
  - b. For staff, implementation will incorporate Board policy 5:100, *Staff Development Program*, and teacher's institutes under 105 ILCS 5/3-14.8 (requiring coverage of the warning signs of suicidal behavior).
2. Procedures for methods of suicide prevention with the goal of early identification and referral of students possibly at risk of suicide. Implementation will incorporate:
  - a. The training required by 105 ILCS 5/10-22.39 for licensed CACC personnel and administrators who work with students to identify the warning signs of suicidal behavior in youth along with appropriate intervention and referral techniques, including methods of prevention, procedures for early identification, and referral of students at risk of suicide; and
  - b. Ill. State Board of Education (ISBE)-recommended guidelines and educational materials for staff training and professional development, along with ISBE-recommended resources for students containing age-appropriate educational materials on youth suicide and awareness, if available pursuant to *Ann Marie's Law* on ISBE's website.
3. Methods of intervention, including procedures that address an emotional or mental health safety plan for use during the school day and at CACC-sponsored events for a student identified as being at increased risk of suicide. Implementation will incorporate paragraph number 2, above, along with:
  - a. Board policy 6:270, *Guidance and Counseling Program*, implementing guidance and counseling program(s) for students, and 105 ILCS 5/10-22.24a and 22.24b, which allow a qualified guidance specialist or any licensed staff member to provide CACC counseling services.
  - b. Board policy 7:250, *Student Support Services*, implementing the Children's Mental Health Act of 2003, 405 ILCS 49/ (requiring protocols for responding to students with social, emotional, or mental health issues that impact learning ability); and
  - c. State and/or federal resources that address emotional or mental health safety plans for students who are at a potentially increased risk for suicide, if available on the ISBE's website pursuant to *Ann Marie's Law*.
4. Methods of responding to a student or staff suicide or suicide attempt. Implementation of this requirement shall incorporate building-level Student Support Committee(s) established through

Board policy 7:250, *Student Support Services*.

5. Reporting procedures. Implementation of this requirement shall incorporate Board policy 6:270, *Guidance and Counseling Program*, and Board policy 7:250, *Student Support Services*, in addition to other State and/or federal resources that address reporting procedures.
6. A process to incorporate ISBE-recommended resources on youth suicide awareness and prevention programs, including current contact information for such programs in CACC's Suicide and Depression Awareness and Prevention Program.

### Monitoring

The Board will review and update this policy pursuant to Ann Marie's Law and Board policy 2:240, *Board Policy Development*.

### Information to Staff, Parents/Guardians, and Students

The Director shall inform each CACC employee about this policy and ensure its posting on CACC's website. The Director or designee shall provide a copy of this policy to the parent or legal guardian of each student enrolled in CACC.

### Implementation

This policy shall be implemented in a manner consistent with State and federal laws, including the Children's Mental Health Act of 2003, 405 ILCS 49/, Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/, and the Individuals with Disabilities Education Act, 42 U.S.C. §12101 et seq.

CACC, the Center Board, and its staff are protected from liability by the Local Governmental and Governmental Employees Tort Immunity Act. Services provided pursuant to this policy: (1) do not replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in suicide prevention, assessments and counseling services, (2) are strictly limited to the available resources within CACC, (3) do not extend beyond the school day and/or CACC-sponsored events, and (4) cannot guarantee or ensure the safety of a student or the student body.

### LEGAL REF.:

105 ILCS 5/2-3.166, 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b.

745 ILCS 10/.

CROSS REF.: 2:240 (Board Policy Development), 5:100 (Staff Development Program), 6:60 (Curriculum Content), 6:120 (Education of Children with Disabilities), 6:270 (Guidance and Counseling Program), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:250 (Student Support Services)

Adopted: January 17, 2019

**Capital Area Career Center**



## 7:305 Student Athlete Concussions and Head Injuries

The Director or designee shall develop and implement a program to manage concussions and head injuries suffered by students. The program shall:

1. Fully implement the Youth Sports Concussion Safety Act, that provides, without limitation, each of the following:
  - a. The Board must appoint or approve members of a Concussion Oversight Team for CACC.
  - b. The Concussion Oversight Team shall establish, based on peer-reviewed scientific evidence consistent with guidelines from the Centers for Disease Control and Prevention, a return-to-learn protocol governing a student's return to the classroom following a force of impact believed to have caused a concussion. The Director or designee shall supervise the person responsible for compliance with the return-to-learn protocol.
  - c. A student who was removed from interscholastic athletic practice or competition shall be allowed to return only after all statutory prerequisites are completed, including without limitation, the return-to-play and return-to-learn protocols developed by the Concussion Oversight Team. An athletic team coach or assistant coach may not authorize a student's return-to-play or return-to-learn.
2. Include a requirement for staff members to notify the parent/guardian of a student who exhibits symptoms consistent with that of a concussion.
3. Include a requirement for staff members to distribute the Ill. Dept. of Public Health concussion brochure to any student or the parent/guardian of a student who may have sustained a concussion, regardless of whether or not the concussion occurred while the student was participating in an interscholastic athletic activity, if available.

### LEGAL REF.:

105 ILCS 5/22-80.

105 ILCS 25/1.15.

CROSS REF.:4:170 (Safety)

Adopted: January 17, 2019

**Capital Area Career Center**

## 7:315 Restrictions on Publications; High Schools

### Definitions

*CACC official* means a Building Principal or designee.

*CACC-sponsored media* means any material that is prepared, substantially written, published, or broadcast by a student journalist, distributed or generally made available to members of the student body, and prepared under the direction of a student media advisor. It does not include media intended for distribution or transmission solely in the classroom in which the media is produced.

*Student journalist* means a public high CACC student who gathers, compiles, writes, edits, photographs, records, or prepares information for dissemination in CACC-sponsored media.

*Student media adviser* means an individual employed, appointed, or designated by CACC to supervise or provide instruction relating to CACC-sponsored media.

### CACC-Sponsored Media

CACC-sponsored publications, productions, and websites are governed by the Speech Rights of Student Journalists Act and the Center Board policies. Student journalists may not use CACC-sponsored media that:

1. Is libelous, slanderous, or obscene;
2. Constitutes an unwarranted invasion of privacy;
3. Violates federal or State law, including the Constitutional rights of third parties; or
4. Incites students to:
  - a. Commit an unlawful act;
  - b. Violate any of CACC's policies, including but not limited to (1) its educational mission in policies 1:30, *CACC Mission* and 6:10, *Educational Philosophy and Objectives*, and (2) speech that is socially inappropriate or inappropriate due to the maturity of the students pursuant to policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; or
  - c. Materially and substantially disrupt the orderly operation of CACC.

All CACC-sponsored media shall comply with the ethics and rules of responsible journalism. Text that fits into numbers one (1) through four (4) above will not be tolerated and CACC officials and student media advisers may edit or delete such media material.

The author's name will accompany personal opinions and editorial statements. An opportunity for the expression of differing opinions from those published/produced will be provided within the same media.

No expression made by students in the exercise of freedom of speech or freedom of the press under this policy shall be deemed to be an expression of CACC or an expression of Board policy.

### Non-CACC Sponsored Publications Accessed or Distributed On Campus

For purposes of this section and the following section, a *publication* includes, without limitation: (1) written or electronic print material, (2) audio-visual material on any medium including electromagnetic media (e.g., images, MP3 files, flash memory, etc.), or combinations of these whether off-line (e.g., a printed book, CD-ROM, etc.) or online (e.g., any website, social networking site, database for information retrieval, etc.), or (3) information or material on electronic devices (e.g., data or voice messages delivered by cell phones, tablets, and other hand-held devices).

Creating, distributing, and/or accessing non-CACC sponsored publications shall occur at a time and place and in a manner that will not cause disruption, be coercive, or result in the perception that the distribution or the publication is endorsed by CACC.

Students are prohibited from creating, distributing, and/or accessing at CACC any publication that:

1. Will cause a material and substantial disruption of the proper and orderly operation and discipline of CACC or CACC activities;
2. Violates the rights of others, including but not limited to material that is libelous, slanderous or obscene, or invades the privacy of others, or infringes on a copyright;
3. Is socially inappropriate or inappropriate due to maturity level of the students, including but not limited to material that is obscene, pornographic, or pervasively lewd and vulgar, contains indecent and vulgar language, or *sexting* as defined by Center Board policy and Student Handbooks;
4. Is reasonably viewed as promoting illegal drug use;
5. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for CACC purposes. However, material from outside sources or the citation to such sources may be allowed, as long as the material to be distributed or accessed is primarily prepared by students; or
6. Incites students to violate any Board policies.

Accessing or distributing *on-campus* includes accessing or distributing on CACC property or at CACC-related activities. A student engages in gross disobedience and misconduct and may be disciplined for: (1) accessing or distributing forbidden material, or (2) for writing, creating, or publishing such material intending for it to be accessed or distributed at CACC.

#### Non-CACC Sponsored Publications Accessed or Distributed Off-Campus

A student engages in gross disobedience and misconduct and may be disciplined for creating and/or distributing a publication that: (1) causes a substantial disruption or a foreseeable risk of a substantial disruption to CACC operations, or (2) interferes with the rights of other students or staff members.

#### Bullying and Cyberbullying

The Director or designee shall treat behavior that is *bullying* and/or *cyberbullying* according to Board policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy.

LEGAL REF.:105 ILCS 5/27-23.7

Speech Rights of Student Journalists Act, 105 ILCS 80/.

Hazelwood v. Kuhlmeier, 108 S.Ct. 562 (1988).

Hedges v. Wauconda Community Unit School Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

Tinker v. Des Moines Indep. Cmty. Sch. Dist., 89 S.Ct. 733 (1969)

Morse v. Frederick, 551 U.S. 393 (2007).

CROSS REF.:1:30 (CACC Mission), 6:10 (Educational Philosophy and Objectives), 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:25 (Advertising and Distributing Materials in CACC Provided by Non-CACC Related Entities)

ADOPTED: June 15, 2017

## Capital Area Career Center

## 7:325 Student Fundraising Activities

No individual or organization is allowed to ask students to participate in fundraising activities while the students are on CACC grounds during CACC hours or during any CACC activity. Exceptions are:

1. CACC-sponsored student organizations; and
2. Parent organizations and booster clubs that are recognized pursuant to policy 8:90, *Parent Organizations and Booster Clubs*.

The Director or designee shall manage student fundraising activities in alignment with the following directives:

1. Fundraising efforts shall not conflict with instructional activities or programs.
2. Participation in fundraising efforts must be voluntary.
3. Student safety must be paramount.
4. For CACC-sponsored student organizations, a CACC staff member must supervise the fundraising activities and the student activity funds treasurer must safeguard the financial accounts.
5. The fundraising efforts must be to support the organization's purposes and/or activities, the general welfare, a charitable cause, or the educational experiences of students generally.
6. The funds shall be used to the maximum extent possible for the designated purpose.
7. Any fundraising efforts that solicit donor messages for incorporation into CACC property (e.g., tiles or bricks) or placement upon CACC property (e.g., posters or placards) must:
  - a. Develop viewpoint neutral guidelines for the creation of messages;
  - b. Inform potential donors that all messages are subject to review and approval, and that messages that do not meet the established guidelines must be resubmitted or the donation will be returned; and
  - c. Place a disclaimer on all fundraising information and near the completed donor messages that all messages are "solely the expression of the individual donors and not an endorsement by CACC of any message's content."

LEGAL REF.:

105 ILCS 5/10-20.19(3).

23 Ill.Admin.Code Part 305, School Food Service.

CROSS REF.: 4:90 (Activity Funds), 8:80 (Gifts to CACC)

Adopted: June 18, 2020

**Capital Area Career Center**

## 7:330 Student Use of Buildings - Equal Access

Student groups or clubs that are not CACC sponsored are granted free use of CACC premises for a meeting or series of meetings under the following conditions:

1. The meeting is held during those non-instructional times identified by the Director or designee for non-curricular student groups, clubs, or organizations to meet. *Non-instructional time* means time set aside by CACC before actual classroom instruction begins or after actual classroom instruction ends. *Non-curricular student groups* are those student groups, clubs, or organizations that do not directly relate to the curriculum.
2. All non-curriculum related student groups that are not CACC sponsored receive substantially the same treatment.
3. The meeting is student-initiated, meaning that the request is made by a student.
4. Attendance at the meeting is voluntary.
5. CACC will not sponsor the meeting.
6. CACC employees are present at religious meetings only in a non-participatory capacity.
7. The meeting and/or any activities during the meeting do not materially or substantially interfere with the orderly conduct of educational activities.
8. Non-CACC persons do not direct, conduct, control, or regularly attend the meetings.
9. CACC retains its authority to maintain order and discipline.
10. A CACC staff member or other responsible adult is present in a supervisory capacity.
11. The Director or designee approves the meeting or series of meetings.

The Director or designee shall develop administrative procedures to implement this policy.

### LEGAL REF.:

20 U.S.C. §4071 et seq., Equal Access Act.

Bd. of Ed. of Westside Community Sch. Dist. v. Mergens, 496 U.S. 226 (1990).

Gernetzke v. Kenosha Unified Sch. Dist. No. 1, 274 F.3d 464 (7th Cir. 2001), *cert. denied*, 535 U.S. 1017.

CROSS REF.: 7:10 (Equal Education Opportunities), 8:20 (Community Use of School Facilities)

Adopted: October 18, 2018

**Capital Area Career Center**

## 7:340 Student Records

School student records are confidential. Information from them shall not be released other than as provided by law. A school student record is any writing or other recorded information concerning a student and by which a student may be identified individually that is maintained by CACC or at its direction by a CACC employee, regardless of how or where the information is stored, except as provided in State or federal law as summarized below:

1. Records kept in a staff member's sole possession.
2. Records maintained by law enforcement officers working at CACC.
3. Video and other electronic recordings (including without limitation, electronic recordings made on CACC buses) that are created in part for law enforcement, security, or safety reasons or purposes. The content of these recordings may become part of a school student record to the extent CACC officials create, use, and maintain this content, or it becomes available to them by law enforcement officials, for disciplinary or special education purposes regarding a particular student.
4. Any information, either written or oral, received from law enforcement officials concerning a student less than the age of 17 years who has been arrested or taken into custody.

State and federal law grants students and parents/guardians certain rights, including the right to inspect, copy, and challenge school student records. The information contained in school student records shall be kept current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. CACC may release directory information as permitted by law, but a parent/guardian shall have the right to opt-out of the release of directory information regarding his or her child. However, the District will comply with an *ex parte* court order requiring it to permit the U.S. Attorney General or designee to have access to a student's school records without notice to, or the consent of, the student's parent/guardian. Upon request, the District discloses school student records without parent consent to the official records custodian of another school in which a student has enrolled or intends to enroll, as well as to any other person as specifically required or permitted by State or federal law.

The Director shall fully implement this policy and designate an *official records custodian* for each school who shall maintain and protect the confidentiality of school student records, inform staff members of this policy, and inform students and their parents/guardians of their rights regarding school student records.

### LEGAL REF.:

Chicago Tribune Co. v. Chicago Bd. of Ed., 332 Ill.App.3d 60 (1st Dist. 2002).

Owasso I.S.D. No. I-011 v. Falvo, 534 U.S. 426 (2002).

Family Educational Rights and Privacy Act, 20 U.S.C. §1232g implemented by 34 C.F.R. Part 99.105  
ILCS 5/10-20.21b, 5/20.37, 5/20.40, and 5/14-1.01 et seq.

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

105 ILCS 85/, Student Online Personal Protection Act.

325 ILCS 17/ Children's Privacy Protection and Parental Empowerment Act.

50 ILCS 205/7.

750 ILCS 5/602.11.

23 Ill.Admin.Code Parts 226 and 375.

CROSS REF.: 5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal Information), 7:15 (Student and Family Privacy Rights), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

Adopted: October 15, 2020

**Capital Area Career Center**



## **7:342 CASPN Students**

**Please refer to the applicable CASPN Student Handbook for the following policies:**

1. Admission
2. Tuition, Fees and Financial Aide
3. Attendance
4. Dress Code
5. Discipline
6. Grievance Procedures
7. Student Council
8. FERPA

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 7:345 Use of Educational Technologies; Student Data Privacy and Security

Educational technologies used in the District shall further the objectives of the District's educational program, as set forth in Board policy 6:10, *Educational Philosophy and Objectives*, align with the curriculum criteria in policy 6:40, *Curriculum Development*, and/or support efficient District operations. The Director shall ensure that the use of educational technologies in the District meets the above criteria.

The District and/or vendors under its control may need to collect and maintain data that personally identifies students in order to use certain educational technologies for the benefit of student learning or District operations.

Federal and State law govern the protection of student data, including school student records and/or *covered information*. The sale, rental, lease, or trading of any school student records or covered information by the District is prohibited. Protecting such information is important for legal compliance, District operations, and maintaining the trust of District stakeholders, including parents, students and staff.

### Definitions

*Covered information* means personally identifiable information (PII) or information linked to PII in any media or format that is not publicly available and is any of the following: (1) created by or provided to an operator by a student or the student's parent/guardian in the course of the student's or parent/guardian's use of the operator's site, service or application; (2) created by or provided to an operator by an employee or agent of the District; or (3) gathered by an operator through the operation of its site, service, or application.

*Operators* are entities (such as educational technology vendors) that operate Internet websites, online services, online applications, or mobile applications that are designed, marketed, and primarily used for K-12 school purposes.

*Breach* means the unauthorized acquisition of computerized data that compromises the security, confidentiality or integrity of covered information maintained by an operator or the District.

### Operator Contracts

The Director or designee designates which District employees are authorized to enter into written agreements with operators for those contracts that do not require separate Board approval. Contracts between the Board and operators shall be entered into in accordance with State law and Board policy 4:60, *Purchases and Contracts*, and shall include any specific provisions required by State law.

### Security Standards

The Director or designee shall ensure the District implements and maintains reasonable security procedures and practices that otherwise meet or exceed industry standards designed to protect covered information from unauthorized access, destruction, use, modification, or disclosure. In the event the District receives notice from an operator of a breach or has determined a breach has occurred, the Director or designee shall also ensure that the District provides any breach notifications required by State law.

### LEGAL REF.:

20 U.S.C. §1232g, Family and Educational Rights and Privacy Act, implemented by 34 C.F.R. Part 99.

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

105 ILCS 85/, Student Online Personal Protection Act.

CROSS REF.: 4:15 (Identity Protection), 4:60 (Purchases and Contracts), 6:235 (Access to Electronic Networks), 7:340 (Student Records)

Adopted: October 15, 2020

**Capital Area Career Center**

**SECTION 8 - COMMUNITY RELATIONS**

**Capital Area Career Center**

## **8:10 Connection with the Community**

### Public Relations

The Executive Council/Board of Control Chairperson is the official spokesperson for the Center Board. The Director is the Center's chief spokesperson. The Director or designee shall plan and implement a Center public relations program to keep the community informed and build support through open and authentic communications. The public relations program shall include, without limitation, media relations; internal communications; communications to the community; communications to students and parents/guardians; emergency communications in coordination with the Center Safety Coordinator; the Center website and social media platforms; and other efforts to reach all audiences using suitable mediums.

CROSS REF.: 2:110 (Qualifications, Term, and Duties of Board Officers)

Adopted: June 18, 2020

**Capital Area Career Center**

## 8:20 Community Use of CACC Facilities

CACC facilities are available to community organizations during non-school hours when such use does not: (1) interfere with any CACC function or affect the safety of students or employees, or (2) affect the property or liability of CACC. The use of CACC facilities for CACC purposes has precedence over all other uses. CACC reserves the right to cancel previously scheduled use of facilities by community organizations and other groups. The use of CACC facilities requires the prior approval of the Director or designee and is subject to applicable procedures.

Persons on CACC premises must abide by CACC's conduct rules at all times.

Student groups, CACC-related organizations, government agencies, and non-profit organizations are granted the use of CACC facilities at no costs during regularly staffed hours. Fees and costs shall apply during non-regularly staffed hours and to other organizations granted use of facilities at any time. A fee schedule and other terms of use shall be prepared by the Director and be subject to annual approval by the Center Board.

LEGAL REF.: Boy Scouts of America Equal Access Act, 20 U.S.C. §7905.

10 ILCS 5/19-2.2.

105 ILCS 5/10-20.40, 5/10-22.10, and 5/29-3.5.

Good News Club v. Milford Central School, 121 S.Ct. 2093 (2001).

Lamb's Chapel v. Center Moriches Union Free School District, 113 S.Ct. 2141 (1993).

Rosenberger v. Rector and Visitors of Univ. of Va., 515 U.S. 819 (1995).

CROSS REF.: 7:330 (Student Use of Building - Equal Access), 8:25 (Advertising and Distributing Materials Provided by Non-CACC Related Entities), 8:30 (Visitors to and Conduct on CACC Property)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **8:25 Advertising and Distributing Materials Provided by Non-CACC Related Entities**

No material or literature shall be posted or distributed to students by non-CACC related organizations or individuals.

### LEGAL REF.:

Lamb's Chapel v. Center Moriches Union Free Sch. Dist., 508 U.S. 384 (1993).

Berger v. Rensselaer Central Sch. Corp., 982 F.2d 1160 (7th Cir. 1993), *cert. denied*, 113 S.Ct. 2344 (1993).

Sherman v. Community Consolidated Sch. Dist. 21, 8 F.3d 1160 (7th Cir. 1993), *cert. denied*, 8 F.3d 1160 (1994).

Hedges v. Wauconda Community Unit Sch. Dist. No. 118, 9 F.3d 1295 (7th Cir. 1993).

Victory Through Jesus Sports Ministry v. Lee's Summit R-7 Sch. Dist., 640 F.3d 329 (8th Cir. 2011), *cert. denied*, 565 U.S. 1036 (2011).

DiLoreto v. Downey Unified Sch. Dist., 196 F.3d 958 (9th Cir. 1999).

CROSS REF.: 7:325 (Student Fundraising Activities), 7:330 (Student Use of Buildings - Equal Access)

Adopted: October 18, 2018

**Capital Area Career Center**

## 8:30 Visitors to and Conduct on CACC Property

The following definitions apply to this policy:

**CACC property** - CACC and school buildings, grounds, and parking areas; vehicles used for school purposes; and any location used for a Center Board meeting, school athletic event, or other school-sponsored or school-sanctioned events or activities.

**Visitor** - Any person other than an enrolled student or CACC employee.

All visitors to CACC property are required to report to the security desk and receive permission to remain on CACC property. All visitors must sign a visitors' log, show identification, and wear a visitor's badge. When leaving CACC, visitors must return their badge. On those occasions when large groups of parents/guardians, friends, and/or community members are invited onto CACC property or when community members are attending Board meetings, visitors are not required to sign in but must follow CACC officials' instructions. Persons on CACC property without permission will be directed to leave and may be subject to criminal prosecution.

Except as provided in the next paragraph, any person wishing to confer with a staff member should contact that staff member to make an appointment. Conferences with teachers are held, to the extent possible, outside school hours or during the teacher's conference/preparation period.

Except as provided in the next paragraph, any person wishing to confer with a staff member should contact that staff member by telephone or email to make an appointment. Conferences with teachers are held, to the extent possible, outside CACC hours or during the teacher's conference/preparation period.

CACC expects mutual respect, civility, and orderly conduct among all people on CACC property or at a CACC event. No person on CACC property or at a CACC event (including visitors, students, and employees) shall perform any of the following acts:

1. Strike, injure, threaten, harass, or intimidate a staff member, Board member, or any other person.
2. Behave in an unsportsmanlike manner, or use vulgar or obscene language.
3. Unless specifically permitted by State law, possess a weapon, any object that can reasonably be considered a weapon or looks like a weapon, or any dangerous device.
4. Damage or threaten to damage another's property.
5. Damage or deface CACC property.
6. Violate any Illinois law, or town or county ordinance.
7. Smoke or otherwise use tobacco products.
8. Distribute, consume, use, possess, or be impaired by or under the influence of an alcoholic beverage, cannabis, other lawful product, or illegal drug.
9. Be present when the person's alcoholic beverage, cannabis, other lawful product, or illegal drug consumption is detectable, regardless of when and/or where the use occurred.
10. Use or possess medical cannabis, unless he or she has complied with policy 7:270, *Administering Medicines to Students*, implementing *Ashley's Law*.
11. Impede, delay, disrupt, or otherwise interfere with any CACC activity or function (including using cellular phones in a disruptive manner).
12. Enter upon any portion of CACC premises at any time for purposes other than those that are lawful and authorized by the Board.
13. Operate a motor vehicle: (a) in a risky manner, (b) in excess of 20 miles per hour, or (c) in violation of an authorized CACC employee's directive.



14. Engage in any risky behavior, including roller-blading, roller-skating, or skateboarding.
15. Violate other CACC policies or regulations, or a directive from an authorized security officer or CACC employee.
16. Engage in any conduct that interferes with, disrupts, or adversely affects CACC or a CACC function.

#### Convicted Child Sex Offender

State law prohibits a child sex offender from being present on CACC property or loitering within 500 feet of CACC property when persons under the age of 18 are present, unless the offender is:

1. A parent/guardian of a student attending CACC and has notified the Building Principal of his or her presence at CACC for the purpose of: (i) attending a conference at CACC with CACC personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion; or
2. Has permission to be present from the Board, Director, or Director's designee. If permission is granted, the Director or Chairperson shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Director, or designee who is a certified employee, shall supervise a child sex offender whenever the offender is in a child's vicinity.

#### Exclusive Bargaining Representative Agent

**Please refer to the applicable collective bargaining agreement.**

**For employees whose collective bargaining agreement does not address this subject:**

Upon notifying the Director's office, authorized agents of an exclusive bargaining representative will be provided reasonable access to employees in the bargaining unit they represent in accordance with State law. Such access shall be conducted in a manner that will not impede the normal operations of CACC.

#### Enforcement

Any staff member may request identification from any person on CACC property; refusal to provide such information is a criminal act. The Building Principal or designee shall seek the immediate removal of any person who refuses to provide requested identification.

Any person who engages in conduct prohibited by this policy may be ejected from CACC property. The person is also subject to being denied admission to CACC events or meetings for up to one calendar year.

#### Procedures to Deny Future Admission to CACC Events or Meetings

Before any person may be denied admission to CACC events or meetings as provided in this policy, the person has a right to a hearing before the Board. The Director may refuse the person admission pending such hearing. The Director or designee must provide the person with a hearing notice, delivered or sent by certified mail with return receipt requested, at least ten days before the Board hearing date. The hearing notice must contain:

1. The date, time, and place of the Board hearing;
2. A description of the prohibited conduct;

3. The proposed time period that admission to CACC events will be denied; and
4. Instructions on how to waive a hearing.

LEGAL REF.:

Nuding v. Cerro Gordo Community Unit School Dist., 313 Ill. App.3d 344 (4th Dist. 2000).

20 U.S.C. §7181 et seq., Pro-Children Act of 1994.

105 ILCS 5/10-20.5b, 5/22-33, 5/24-25, and 5/27-23.7(a).

115 ILCS 5/3(c), Ill. Educational Labor Relations Act.

410 ILCS 130/, Compassionate Use of Medical Cannabis Program Act.

430 ILCS 66/, Firearm Concealed Carry Act.

410 ILCS 705/, Cannabis Tax and Regulation Act.

720 ILCS 5/11-9.3.

CROSS REF.: 4:170 (Safety), 5:50 (Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:190 (Student Behavior), 7:270 (Administering Medicines to Students), 8:20 (Community Use of CACC Facilities)

Adopted: June 18, 2020

**Capital Area Career Center**

## 8:70 Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all CACC-sponsored services, programs, or activities and will not be subject to illegal discrimination. When appropriate, CACC may provide to persons with disabilities aids, benefits, or services that are separate or different from, but as effective as, those provided to others.

CACC will provide auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

Each service, program, or activity operated in existing facilities shall be readily accessible to, and useable by, individuals with disabilities. New construction and alterations to facilities existing before January 26, 1992, will be accessible when viewed in their entirety.

The Director or designee is designated the Title II Coordinator and shall:

1. Oversee CACC's compliance efforts, recommend necessary modifications to the Center Board, and maintain CACC's final Title II self-evaluation document, update it to the extent necessary, and keep it available for public inspection for at least 3 years after its completion date.
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Director or Building Principal if they have a disability that will require special assistance or services and, if so, what services are required. This notification should occur as far in advance as possible of CACC-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Director or designated Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure.

LEGAL REF.: Americans with Disabilities Act, 42 U.S.C. §§12101 et seq. and 12131et seq.; 28 C.F.R. Part 35.

Rehabilitation Act of 1973 §104, 29 U.S.C. §794 (2006).

105 ILCS 5/10-20.51.

410 ILCS 25/, Environmental Barriers Act.

71 Ill.Admin.Code Part 400, Illinois Accessibility Code.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 4:150 (Facility Management and Expansion Programs)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## 8:80 Gifts to CACC

The Center Board appreciates gifts from any education foundation, other entities, or individuals. All gifts must adhere to each of the following:

1. Be accepted by the Board or, if less than \$500.00 in value, the Director or designee. Individuals should obtain a pre-acceptance commitment before identifying CACC, or CACC program or activity as a beneficiary in any fundraising attempt, including without limitation, any Internet fundraising attempt.
2. Be given without a stated purpose or with a purpose deemed by the party with authority to accept the gift to be compatible with the Board's educational objectives and policies.
3. Be consistent with CACC's mandate to provide equal educational and extracurricular opportunities to all students in CACC as provided in Board policy 7:10, *Equal Educational Opportunities*. State and federal laws require CACC to provide equal treatment for members of both sexes to educational programming, extracurricular activities, and athletics. This includes the distribution of athletic benefits and opportunities.
4. Be viewpoint neutral. The Director or designee shall manage a process for the review and approval of donations involving the incorporation of messages into or placing messages upon CACC property.
5. Comply with all laws applicable to CACC including, without limitation, the Americans with Disabilities Act, the Prevailing Wage Act, the Health/Life Safety Code for Public Schools, and all applicable procurement and bidding requirements.

CACC will provide equal treatment to all individuals and entities seeking to donate money or a gift. Upon acceptance, all gifts become CACC's property. The acceptance of a gift is not an endorsement by the Board or CACC of any product, service, activity, or program. The method of recognition is determined by the party accepting the gift.

### LEGAL REF.:

20 U.S.C. §1681 et seq., Title IX of the Education Amendments implemented by 34 C.F.R. Part 106.

105 ILCS 5/16-1.

23 Ill.Admin.Code §200.40.

CROSS REF.: 4:60 (Purchases and Contracts), 4:150 (Facility Management and Building Programs), 6:10 (Educational Philosophy and Objectives), 6:210 (Instructional Materials), 7:10 (Equal Educational Opportunities)

Adopted: June 18, 2020

**Capital Area Career Center**

## **8:95 Parental Involvement**

In order to assure collaborative relationships between students' families and CACC, and to enable parents/guardians to become active partners in their children's education, the Director shall:

1. Keep parents/guardians thoroughly informed about their child's school and education.
2. Encourage parents/guardians to be involved in their child's school and education.
3. Establish effective two-way communication between parents/guardians and CACC.
4. Seek input from parents/guardians on significant CACC-related issues.
5. Inform parents/guardians on how they can assist their children's learning.

The Director shall periodically report to the Center Board on the implementation of this policy.

CROSS REF.:6:250 (Community Resource Persons and Volunteers), 8:10 (Connection with the Community)

Adopted: October 17, 2019

**Capital Area Career Center**

## **8:100 Relations with Other Organizations and Agencies**

CACC shall cooperate with other organizations and agencies, including but not limited to:

- County Health Department
- Law enforcement agencies
- Fire authorities
- Planning authorities
- Zoning authorities
- Illinois Emergency Management Agency (IEMA), local organizations for civil defense, and other appropriate disaster relief organizations concerned with civil defense
- Other schools

CROSS REF.:4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 7:150 (Agency and Police Interviews)

ADOPTED: June 15, 2017

**Capital Area Career Center**

## **8:110 Public Suggestions and Concerns**

The Center Board is interested in receiving suggestions and concerns from members of the community. Any individual may make a suggestion or express a concern by contacting any CACC office. Community members who e-mail CACC or any CACC employee or board member are expected to abide by the standards in Board policy 6:235, *Access to Electronic Networks*, and should, to the extent possible, limit their communications to relevant individuals. All suggestions and/or concerns will be referred to the appropriate level staff member or CACC administrator who is most able to respond in a timely manner. Each concern or suggestion shall be considered on its merit.

An individual who is not satisfied may file a grievance under Board policy 2:260, *Uniform Grievance Procedure*. The Board encourages, but does not require, individuals to follow the channels of authority prior to filing a grievance. Neither this policy nor the *Uniform Grievance Procedure* create an independent right to a hearing before the Board.

### LEGAL REF.:

115 ILCS 5/14(c-5), Ill. Educational Labor Relations Act.

CROSS REF.: 2:140 (Communications To and From the Board), 2:230 (Public Participation at Center Board Meetings and Petitions to the Board), 2:260 (Uniform Grievance Procedure), 3:30 (Chain of Command), 6:235 (Access to Electronic Networks), 6:260 (Complaints About Curriculum, Instructional Materials and Programs), 8:10 (Connection with the Community)

Adopted: June 18, 2020

**Capital Area Career Center**

