

Mid Valley Special Education Cooperative - (MVSEC)

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Mid-Valley Special Education Cooperative

Mid Valley Special Education Cooperative - (MVSEC)

Mid-Valley Special Education Cooperative

SECTION 1 - SPECIAL EDUCATION COOPERATIVE ORGANIZATION

Mid-Valley Special Education Cooperative

1:10 Cooperative 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 through the creation of joint agreements of various types for the purpose of providing special education services to children with disabilities. The Mid-Valley Special Education Joint Agreement, hereinafter referred to as the Mid-Valley Special Education Cooperative (MVSEC) or the "Cooperative", is governed by such mandates.

Special education programs and/or services shall be developed in accordance with the requirements of the Individuals with Disabilities Education Act, Article 14 of the School Code of Illinois, and their respective implementing procedures.

In accordance with 105 ILCS 5/10-22.31 and the Cooperative's Articles of Agreement, there shall be an Advisory Board comprised of the Superintendents of the member districts. The Advisory Board shall have such authority as provided under the law and the Articles of Agreement, and shall, where required, make recommendations to and advise the governing board of the Administrative District.

The Advisory Board 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.

Administrative District

St. Charles CUSD 303 shall serve as the fiscal and legal agent for the Cooperative. Additionally, the services provided by the Administrative District to the Cooperative, and the costs thereof, shall be set forth in writing annually as agreed upon by the Advisory Board and the Administrative District by the March meeting of the Board.

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 (Cooperative Governance)

ADOPTED:April 4, 2012

Mid-Valley Special Education Cooperative

1:15 Membership

The terms and conditions of membership are contained in the "Articles of Joint Agreement."

The individual districts participating in the Cooperative are:

- *Batavia USD 101*
- *Central CUSD 301*
- *Kaneland CUSD 302*
- *St. Charles CUSD 303*
- *Geneva CUSD 304*

ADOPTED: April 4, 2012

Mid-Valley Special Education Cooperative

1:30 The Mid-Valley Mission

In collaboration with our colleagues to serve the children and families of Batavia, Kaneland, Central, St. Charles and Geneva Community Unit School Districts, and to:

- Provide service and support to member districts;
- Embrace the diversity of all students;
- Empower students to become independent, contributing members of their communities; and
- Foster and inspire life-long learning.

Our Vision

Create positive, collaborative learning communities to facilitate the advancement of academic, social-emotional, vocational and independent living skills for our students by providing excellent, research-based instruction and therapies that meet individual student needs, and provide high-quality technical assistance and support to our colleagues in our member districts.

CROSS REF:2:10 (Cooperative Governance)

ADOPTED:April 4, 2012

Mid-Valley Special Education Cooperative

SECTION 2 - COOPERATIVE BOARD

Mid-Valley Special Education Cooperative

2:10 Cooperative Governance

The Cooperative is governed by an Advisory Board whose membership, responsibilities and authority shall be as described in "The Articles of Joint Agreement".

The Board's powers and duties include the authority to adopt, enforce, and monitor all policies for the management and governance of the Cooperative's programs and services. Final action on contracts, budget, finance, payments and personnel rests with the Board of Education of the fiscal and legal agent, St. Charles CUSD 303.

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 Cooperative affairs, except as provided by law or as authorized by the Board.

In addition, there is an Administrative Liaison group, which shall consist of a representative from each of the Member Districts who serves in the capacity of Coordinator of Special Education Services or Director of Pupil Personnel Services or similar position. The Administrative Liaison group shall be an advisory body to the Executive Director and shall not control either the Executive Director or the Advisory Board. The Executive Director shall meet monthly with the Liaison group to seek advice and counsel relating to the daily administration and management of MVSEC and the needs of Member Districts.

LEGAL REF.:5 ILCS 120/1.

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

CROSS REF.:1:10 (Cooperative Legal Status)

ADOPTED:February 1, 2012

Mid-Valley Special Education Cooperative

2:100 Board Member Conflict of Interest

No Advisory Board member shall: (1) have a beneficial interest directly or indirectly in any contract, work, or business of the Cooperative 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 Cooperative. 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 Cooperative's main office is located by May 1.

LEGAL REF.:5 ILCS 420/4A-101, 420/4A-105, 420/4A-106, and 420/4A-107.

50 ILCS 105/3.

105 ILCS 5/10-9.

2 C.F.R. §200.318(c)(1).

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

ADOPTED:May 31, 2017

Mid-Valley Special Education Cooperative

2:105 Ethics and Gift Ban

Prohibited Political Activity

The following precepts govern political activities being conducted by Cooperative employees and Advisory 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 Cooperative property or resources in connection with any political activity.
3. At no time shall any Board member or employee intentionally require any other Board member or employee to perform any political activity: (a) as part of that Board member's or employee's duties, (b) as a condition of employment, or (c) during any compensated time off, such as, holidays, vacation, or personal time off.
4. No Board member or employee shall be required at any time to participate in any political activity in consideration for that Board member or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise; nor shall any Board member or employee be awarded additional compensation or any benefit in consideration for his or her participation in any political activity.

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

Limitations on Receiving Gifts

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

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

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

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

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

Enforcement

The Board Chairperson and Executive Director shall seek guidance from the Board attorney concerning compliance with and enforcement of this policy and State ethics laws.

Written complaints alleging a violation of this policy shall be filed with the Executive Director or Board Chairperson. If attempts to correct any misunderstanding or problem do not resolve the matter, the Executive Director or Board Chairperson shall, after consulting with the Board attorney, either place the alleged violation on a Board meeting agenda for the Board's disposition or refer the complainant to

Board policy 2:260, *Uniform Grievance Procedure*. A Board member who is related, either by blood or by marriage, up to the degree of first cousin, to the person who is the subject of the complaint, shall not participate in any decision-making capacity for the Board. If the Board finds it more likely than not that the allegations in a complaint are true, it shall notify the State's Attorney and/or consider disciplinary action for the employee.

Definitions

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

Political activity means:

1. Preparing for, organizing, or participating in any political meeting, political rally, political demonstration, or other political event.
2. Soliciting contributions, including but not limited to the purchase of, selling, distributing, or receiving payment for tickets for any political fundraiser, political meeting, or other political event.
3. Soliciting, planning the solicitation of, or preparing any document or report regarding anything of value intended as a campaign contribution.
4. Planning, conducting, or participating in a public opinion poll in connection with a campaign for elective office or on behalf of a political organization for political purposes or for or against any referendum question.
5. 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 the Cooperative and any other time when the employee is executing his or her official duties, regardless of location.

Prohibited source means any person or entity who:

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

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

LEGAL REF.:

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

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

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

Adopted: December 5, 2018

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

The Superintendent from St. Charles CUSD 303 shall serve as the Chairperson of the Advisory Committee. The Chairperson is responsible for conducting the Advisory Board meetings and approving the agenda for such meetings.

In addition to the Chairperson, there shall be a Vice-Chairperson, a Treasurer and a Secretary of the Advisory Board. The Secretary shall be responsible for keeping and disseminating meeting minutes to Advisory Board members. These remaining officers of the Advisory Board shall be determined by majority vote of the Superintendent on an annual basis.

ADOPTED:February 1, 2012

Mid-Valley Special Education Cooperative

2:125 Board Member Compensation; Expenses

Board Member Compensation Prohibited

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

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 Cooperative Expenses

The Board regulates the reimbursement of all travel, meal, and lodging expenses in the Cooperative by resolution. When presenting the proposed budget and when necessary, the Executive Director will recommend a maximum allowable reimbursement amount for expenses to be included in the resolution. The recommended amount should be based upon the Cooperative'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 Director of Schools;
2. County or regional meetings and the annual meeting sponsored by any school board association complying with Article 23 of the School Code; and
3. Meetings sponsored by a national organization in the field of public school education.

Expense advancement requests must be submitted to the Executive 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 Executive 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 the Cooperative any portion of an expense advancement not used within 60 days. 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 described in policy 2:120, *Board Member Development* and other professional development opportunities that are encouraged by the 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.

Standardized Expense Form(s) Required

All requests for expense advancement, reimbursement, and/or purchase orders in the Cooperative 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 the Cooperative 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 or the least expensive mode of transportation taking into account the time, distance, safety, and efficiency of such transportation. Copies of airline tickets 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, or other local transportation costs.
3. Meals. Meals charged to the School Cooperative will be reimbursed for meal costs up to \$75 per day, 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.

LEGAL REF.:105 ILCS 5/10-20 and 5/10-22.32.

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

CROSS REF.:2:100 (Board Member Conflict of Interest), 2:120 (Board Member Development), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards), 5:60 (Expenses)

ADOPTED:February 1, 2017

Mid-Valley Special Education Cooperative

2:130 Board-Executive Director Relationship

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

The Board-Executive 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 Executive Director.

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

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

CROSS REF.:3:40 (Executive Director)

ADOPTED:February 1, 2012

Mid-Valley Special Education Cooperative

2:140 Communications To and From the Advisory Board

The Advisory Board welcomes communications from staff members, parents, students, and community members. Individuals may submit questions or communications for the Board's consideration to the Executive Director or may use the electronic link to the Board's email address(es) that is posted on the Cooperative's website. In accordance with the Open Meetings Act and the Oath of Office taken by Board members, individual Board members will not (a) reply to an email on behalf of the entire Board, or (b) engage in the discussion of Cooperative business with a majority of a Board-quorum.

The Executive Director or designee shall:

1. Ensure that the home page for the Cooperative's website contains an active electronic link to the email address(es) for the School Board, and
2. Provide the Board, such as in the Board meeting packet, with all emails that are received and any feedback regarding them.

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 Cooperative. 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 Cooperative 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

LEGAL REF.:5 ILCS 120/.

50 ILCS 205/20.

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

ADOPTED:February 4, 2015

Mid-Valley Special Education Cooperative

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

The Advisory Board is authorized to discuss Cooperative business only at a properly noticed Board meeting (Open Meetings Act, 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 Cooperative business.

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

1. The Executive Director or designee is permitted to email information to Board members. For example, the Executive Director may email Board meeting agendas and supporting information to Board members. When responding to a single Board member's request, the Executive 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 Cooperative 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 Cooperative 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 Cooperative 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 Cooperative 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 Cooperative 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 Cooperative-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 school Cooperative business. As stated earlier, emails among a majority or more of a Board-quorum violate the Open Meetings Act and, thus, are subject to disclosure during proceedings to enforce the Open Meetings Act.
 - b. Sent and/or received by an individual Board member on a Cooperative-issued device or Cooperative-issued email address **will be a public record** and subject to FOIA. The electronic communication is under the control of the Cooperative.
 - c. Received by an individual Board member on a personal electronic device and then forwarded by the Board member to a Cooperative-owned device or server **will be a public record** and subject to FOIA. The electronic communication is under the control of the Cooperative.
 - 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 the Cooperative'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 the Cooperative's possession because Board members were functioning collectively as a public body.

The Cooperative'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, only if it is evidence of the Cooperative's organization, function, policies, procedures, or activities or contains informational data appropriate for preservation (Local Records Act, 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 Cooperative office where it will be stored. If made available, Board members should use their email accounts provided by the Cooperative and the Cooperative will automatically store the official record messages. The Cooperative 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 Cooperative-issued device or email address will be subject to FOIA, even if the email does not need to be retained under the Local Records Act.

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. 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, amended by P.A. 98-1063.

DATED:February 4, 2015

Mid-Valley Special Education Cooperative

2:150 Committees

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

Special 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 Board or at the Board's discretion.

Standing Board Committees

A standing committee is created for an indefinite term although its members will fluctuate. Standing committees are:

1. Parent-Teacher Advisory Committee. This committee assists in the development of student behavior policy and procedure, and provides information and recommendations to the Board. Its members are parents/guardians and teachers, and may include persons whose expertise or experience is needed. The committee reviews such issues as administering medication in the schools, reciprocal reporting between the Cooperative and local law enforcement agencies regarding criminal offenses committed by students, student discipline, disruptive classroom behavior, school bus safety procedures, and the dissemination of student conduct information.
2. Behavioral Interventions Committee. This committee develops and monitors procedures for using behavioral interventions in accordance with Board policy 7:230, *Misconduct by Students with Disabilities*, and provides information and recommendations to the Board. At the Board Chairperson's discretion, the Parent-Teacher Advisory Committee shall perform the duties assigned to the Behavioral Interventions Committee.

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

Please also refer to the following current Agreement:

Professional Agreement between Mid-Valley Special Education Cooperative Executive Advisory Board and Mid-Valley Special Education Association-IEA/NEA.

LEGAL REF.:5 ILCS 120.

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

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

ADOPTED:February 3, 2016

Mid-Valley Special Education Cooperative

2:160 Board Attorney

The Advisory Board may enter into agreements for legal services with one or more attorneys or law firms to be the Board Attorney(s). The Board Attorney represents the Board in its capacity as the governing body for the Cooperative. The Board Attorney shall not represent another client if the representation involves a concurrent conflict of interest, unless permitted by the Ill. Rules of Professional Conduct adopted by the Ill. Supreme Court. The Board Attorney serves on a retainer or other fee arrangement as determined in advance.

The attorney will:

1. Serve as counselor to the Board and attend Board meetings when requested by the Executive Director or Board Chairperson;
1. Represent the Cooperative in any legal matter as requested by the Board;
2. Provide written opinions on legal questions as requested by the Executive Director or Board Chairperson;
3. Approve, prepare, or supervise the preparation of legal documents and instruments and perform such other legal duties as the Board may request; and
4. Be available for telephone consultation.

The Board will only pay for legal services that are provided in accordance with the agreement for legal services or are otherwise authorized by this policy or by a majority of the Board.

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

The Executive Director may authorize the Board Attorney to represent the Cooperative in any legal matter until the Board has an opportunity to 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:November 4, 2015

Mid-Valley Special Education Cooperative

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

The Advisory Board selects architects, engineers, and land surveyors to provide professional services to the Cooperative 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: November 7, 2018

Mid-Valley Special Education Cooperative

2:200 Types of Advisory Board Meetings

General

For all meetings of the Advisory Board and its committees, the Executive 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 Cooperative's main office. Board policy 2:220, *Board Meeting Procedure*, governs meeting quorum requirements.

The Executive Director is designated on behalf of the Board to receive the training on compliance with the Open Meetings Act that is required by Section 1.05(a) of that Act. The Executive Director may identify other employees to receive the training.

Regular Meetings

The Board announces the time and place for its regular meetings at the beginning of each fiscal year. The Executive 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 the Cooperative'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.

Closed Meetings

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

1. The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee 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. 99-646.
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-judicative 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. 5 ILCS 120/2(c)(6).
7. The sale or purchase of securities, investments, or investment contracts. 5 ILCS 120/2(c)(7).
8. Security procedures, school 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), amended by P.A. 99-235, eff. 1-1-16.
9. Student disciplinary cases. 5 ILCS 120/2(c)(9).
10. The placement of individual students in special education programs and other matters relating to individual students. 5 ILCS 120/2(c)(10).
11. Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting. 5 ILCS 120/2(c)(11).
12. The establishment of reserves or settlement of claims as provided in the Local Governmental and Governmental Employees Tort Immunity Act, if otherwise the disposition of a claim or potential claim might be prejudiced, or the review or discussion of claims, loss or risk management information, records, data, advice or communications from or with respect to any insurer of the public body or any intergovernmental risk management association or self insurance pool of which the public body is a member. 5 ILCS 120/2(c)(12).
13. Self evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. 5 ILCS 120/2(c)(16).
14. Discussion of minutes of meetings lawfully closed under 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).
15. 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 3 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 3 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 the Cooperative'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 the Cooperative Website

In addition to the other notices specified in this policy, the Executive Director or designee shall post the following on the Cooperative's 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 Meeting Act.

5 ILCS 140/, Freedom of Information Act.

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

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

ADOPTED:February 1, 2017

Mid-Valley Special Education Cooperative

2:220 Board Meeting Procedure

Agenda

The Advisory Board Chairperson is responsible for focusing the Board meeting agendas on appropriate content. The Executive 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 discussion or explanation 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. Items submitted by Board members to the Executive Director or the Chairperson shall be placed on the agenda for an upcoming 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 Executive 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 Advisory Board Meetings*.

The Board 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.

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 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 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 Board's meeting minutes must be submitted to the Board Treasurer at such times as the Treasurer may require.

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 the Cooperative's main office, in the presence of the Secretary, the Executive 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 the Cooperative's administrative offices or their official storage location, and (2) in the presence of the Recording Secretary, the Executive 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 the Cooperative'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 Cooperative 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 Executive Director, or the Board Secretary when the Executive 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 Executive 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 Executive Director or designated administrator, or any appointed Board member. Access to the verbatim recordings is available at the Cooperative's administrative offices or the verbatim recording's official storage location. Requests shall be made to the Executive Director or Board President. While a Board member is listening to a verbatim recording, it shall not be re-recorded or removed from the Cooperative's main office or official storage location, except by vote of the Board or by court order.

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 Cooperative 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 Executive Director at least 24 hours before the meeting unless advance notice is impractical. The recording secretary or Executive 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.

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 (10th 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 Executive 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, and 120/2.06.

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

CROSS REF.:2:200 (Types of Advisory Board Meetings), 2:230 (Public Participation at Board Meetings and Petitions to the Board)

ADOPTED:February 1, 2017

Mid-Valley Special Education Cooperative

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

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

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

1. Address the Board only at the appropriate time as indicated on the agenda and when recognized by the Board Chairperson.
2. Identify oneself and be brief. Ordinarily, comments shall be limited to 3 minutes. In unusual circumstances, and when an individual has made a request in advance to speak for a longer period of time, the individual may be allowed to speak for more than 3 minutes.
3. Observe the Board Chairperson's decision to shorten public comment to conserve time and give the maximum number of individuals an opportunity to speak.
4. Observe the Board Chairperson's decision to determine procedural matters regarding public participation not otherwise defined in Board policy.
5. Conduct oneself with respect and civility toward others and otherwise abide by Board policy, 8:30, *Visitors to and Conduct on School Property*.

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

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

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

ADOPTED:February 1, 2012

Mid-Valley Special Education Cooperative

2:240 Board Policy Development

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

Policy Development

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

The Executive 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 Executive 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 the Cooperative's main office during regular office hours or on the web site after Board approval. Copy requests should be made pursuant to Board policy 2:250, *Access to Cooperative Public Records*.

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.

Executive Director Implementation

The Board will support any reasonable interpretation of Board policy made by the Executive 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 Executive 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 Cooperative Public Records), 3:40 (Executive Director)

ADOPTED:February 1, 2012

2:250 Access to Cooperative Public Records

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

Freedom of Information Officer

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

Definition

The Cooperative'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 the School Cooperative.

Requesting Records

A request for inspection and/or copies of public records must be made in writing and may be submitted by personal delivery, mail, telefax, or email directed to the Cooperative'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 Cooperative employees to immediately forward any request for inspection and copying of a public record to the Cooperative'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 the Cooperative'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 the Cooperative'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 the Cooperative'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. After 50 pages, \$.15 per page may be charged to the requester.

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 the Cooperative's administrative office during regular business hours, unless other arrangements are made by the Freedom of Information Officer.

Many public records are immediately available from the Cooperative's website including, but not limited to, the process for requesting a public record. The Freedom of Information Officer shall direct a requester to the Cooperative'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 the Cooperative 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 the Cooperative'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), Cooperative auditor, or other individual authorized by the School Board or State or federal law to make such a request. Unless its retention is required as described in items numbered 3 or 4 above, a public record, as defined by the Illinois Local Records Act, may be destroyed when authorized by the Local Records Commission.

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

105 ILCS 5/10-16 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:November 4, 2015

Mid-Valley Special Education Cooperative

2:260 Uniform Grievance Procedure

A student, parent/guardian, employee, or community member should notify any Cooperative Complaint Manager if he or she believes that the Advisory 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
2. Title IX of the Education Amendments of 1972
3. Section 504 of the Rehabilitation Act of 1973
4. Individuals with Disabilities Education Act, 20 U.S.C. § 1400 *et seq.*
5. Title VI of the Civil Rights Act, 42 U.S.C. §2000d *et seq.*
6. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), 42 U.S.C. §2000e *et seq.*
7. Sexual harassment (Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972)
8. Breastfeeding accommodations for students, 105 ILCS 5/10-20.60 (P.A. 100-29, final citation pending)
9. Bullying, 105 ILCS 5/27-23.7
10. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children
11. Curriculum, instructional materials, and/or programs
12. Victims' Economic Security and Safety Act, 820 ILCS 180
13. Illinois Equal Pay Act of 2003, 820 ILCS 112
14. Provision of services to homeless students
15. Illinois Whistleblower Act, 740 ILCS 174/
16. Misuse of genetic information (Illinois Genetic Information Privacy Act (GIPA), 410 ILCS 513/ and Titles I and II of the Genetic Information Nondiscrimination Act (GINA), 42 U.S.C. §2000ff *et seq.*
17. 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 the 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 hereunder 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, the Cooperative 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, *school business days* means days on which the Cooperative'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 Cooperative 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 bullying and cyber-bullying, 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.

Investigation

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 Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this policy about the status of the investigation. Within 30 school business days of the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Executive Director. The Complaint Manager may request an extension of time. If a complaint of sexual harassment contains allegations involving the Executive Director, the written report shall be filed with the Board, which will make a decision in accordance with the following section of this policy. The Executive Director will keep the Board informed of all complaints.

Decision and Appeal

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

Within 10 school business days after receiving the Executive 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 Executive Director's decision or direct the Executive Director to gather additional information. Within five school business days of the Board's decision, the Executive Director shall inform the Complainant and the accused and parent if applicable, the child's parent or guardian if under the age of 18, of the Board's action

This policy shall not be construed to create an independent right to a hearing before the Executive 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 Executive Director shall appoint a Nondiscrimination Coordinator to manage the Cooperative'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 the District's Title IX Coordinator.

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

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

Nondiscrimination Coordinator:

Name:

Nancy Sporer

Address:

1304 Ronzheimer Ave., St. Charles, IL

60174

Email:

nancy.sporer@d303org

Telephone:

331-228-4928

Complaint Managers:

Name:

Nancy Sporer

Address:

1304 Ronzheimer Ave., St. Charles, IL

60174

Email:

nancy.sporer@d303.org

Telephone:

331-228-4928

Name:

Timothy Stoudt

Address:

1304 Ronzheimer Ave., St. Charles, IL

60174

Email:

Timothy.Stoudt@d303.org

Telephone:

331-228-6034

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.

105 ILCS 5/2-3.8, 5/3-10, 5/10-20.7a, 5/10-20.60 (P.A. 100-29, final citation pending), 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.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 6:120 (Education of Children with Disabilities), 6:140 (Education of Homeless Children), 6:170 (Title I Programs), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities), 8:110 (Public Suggestions and Complaints)

ADOPTED: January 31, 2018

Mid-Valley Special Education Cooperative

SECTION 3 - GENERAL ADMINISTRATION

Mid-Valley Special Education Cooperative

3:30 Chain of Command

The Executive Director shall develop an organizational chart indicating the channels of authority and reporting relationships for Cooperative 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.:1:20 (Cooperative Organization), 2:140 (Communications To and From the Advisory Board), 3:70 (Succession of Authority), 8:110 (Public Suggestions and Complaints)

ADOPTED:February 1, 2012

Mid-Valley Special Education Cooperative

3:40 Executive Director

Duties and Authority

The Executive Director is the Cooperative's executive officer and is responsible for the administration and management of the Cooperative in accordance with Advisory Board policies and directives, and State and federal law. Cooperative management duties include, without limitation, preparing, submitting, publishing, and posting reports and notifications as required by State and federal law. The Executive 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 Executive Director may delegate to other Cooperative staff members the exercise of any powers and the discharge of any duties imposed upon the Executive Director by Board policies or by Board vote. The delegation of power or duty, however, shall not relieve the Executive Director of responsibility for the action that was delegated.

Qualifications

The Executive Director must be of good character and of unquestionable morals and integrity. The Executive Director shall have the experience and the skills necessary to work effectively with the Board, Cooperative employees, students, and the community. The Executive Director shall have a valid administrative license and be a State-approved Director of Special Education and possess such other qualifications as specified in the position's job description.

Evaluation

The Board will evaluate, at least annually, the Executive Director's performance and effectiveness, using standards and objectives developed by the Executive Director and Board that are consistent with the Board's policies and the Executive 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 Executive 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 Executive 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 Executive Director. The terms of the Executive 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:2:130 (Board-Executive Director Relationship), 2:240 (Board Policy Development)

ADOPTED:November 4, 2015

3:50 Administrative Personnel Other Than the Executive Director

Duties and Authority

The Advisory Board establishes Cooperative administrative and supervisory positions in accordance with the Cooperative's needs and State law. The general duties and authority of each administrative or supervisory position are approved by the Board, upon the Executive 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 Executive Director or designee shall evaluate all administrative personnel and make employment and salary recommendations to the Board.

Administrators shall annually present evidence to the Executive 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 Executive Director.

Administrative Work Year

The work year for 12-month administrators shall be the same as the Cooperative's fiscal year, July 1 through June 30, unless otherwise stated in the employment agreement. In addition to legal holidays, 12-month administrators shall have vacation periods as approved by the Executive Director. Administrators who work less than a 12-month contract shall work a specific number of days with paid holidays, as specified in their contracts. 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 Executive 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 earlier. The Board will be presented with administrative contract renewal and nonrenewal issues in February or earlier.

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:November 4, 2015

Mid-Valley Special Education Cooperative

3:60 Administrative Responsibility of the Building Principal

Duties and Authority

The Advisory Board, upon the recommendation of the Executive Director, employs a Building Principal as the chief administrator and instructional leader of the Mades-Johnstone Center, and may employ Assistant Principals. The primary responsibility of a Building Principal is the improvement of instruction. The Building Principal shall perform all duties as described in the School Code as well as such other duties as specified in his or her employment agreement or as agreed upon by the Building Principal and Executive Director.

Each Building Principal and Assistant Principal shall complete State law requirements to be a prequalified evaluator before conducting an evaluation of a teacher or assistant principal.

Evaluation Plan

The Executive Director or designee shall implement an evaluation plan for Principals and Assistant Principals that complies with Section 24A-15 of the School Code and relevant Illinois State Board of Education rules. Using that plan, the Executive Director or designee shall evaluate each Building Principal and Assistant Principal. The Executive 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 Executive 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 Executive Director), 5:250 (Leave of Absence)

ADOPTED:November 4, 2015

Mid-Valley Special Education Cooperative

3:62 Staff Supervision

Cooperative personnel are supervised by the Executive Director, Assistant Directors, or Program Coordinators, or their respective designees. The Cooperative and its administrative staff are responsible for the supervision of the Special Education program housed in its or member districts' educational facilities. The Member Districts and their administrative staff are responsible for the general day-to-day operation and supervision of those programs housed in their facilities.

The Cooperative is responsible for providing technical assistance and consultation to Member Districts, their administrators, and teachers regarding special education programs and services, including, planning and conducting in-service activities and classroom visitations when appropriate and/or requested.

ADOPTED:February 1, 2012

Mid-Valley Special Education Cooperative

3:70 Succession of Authority

If the Executive 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 Executive Director and submitted to the Advisory Board.

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

ADOPTED:May 31, 2017

Mid-Valley Special Education Cooperative

SECTION 4 - OPERATIONAL SERVICES

Mid-Valley Special Education Cooperative

4:10 Fiscal and Business Management

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

The Executive Director shall ensure the efficient and cost-effective operation of the Cooperative'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 the Cooperative's electronic network shall complete an *Authorization for Access to the District's Electronic Network*.

Budget Planning

The Cooperative's fiscal year is from July 1 until June 30. The Executive Director shall present to the Administrative Agent Board, no later than the first regular meeting in August, a tentative budget with appropriate explanation. This budget shall represent the culmination of an ongoing process of planning for the fiscal support needed for the Cooperative's educational program. The Cooperative's budget shall be entered upon the Illinois State Board of Education's *Joint Agreement Budget Form*.

Preliminary Adoption Procedures

After receiving the Executive Director's proposed budget, the Administrative Agent 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 Administrative Agent 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 Administrative Agent Board adopts a budget before the end of the first quarter of each fiscal year, September 30, or by such alternative procedure as State law may define.

The Administrative Agent 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 Executive Director or designee shall perform each of the following:

1. Post the Cooperative's final annual budget, itemized by receipts and expenditures, on the Cooperative'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 the Cooperative's Director of Business and Human Resources, 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 Administrative Agent Board may amend the budget by the same procedure as provided for in the original adoption.

Implementation

The Executive Director or designee shall implement the Cooperative's budget and provide the Advisory and Administrative Agent Boards 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 Advisory and Administrative Agent Boards.

The Advisory and Administrative Agent Boards shall act on all interfund loans, interfund transfers, transfers within funds, and transfers from the working cash fund 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, and 5/20-8.

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

ADOPTED:February 1, 2012

4:15 Identity Protection

The collection, storage, use, and disclosure of social security numbers by the Cooperative shall be consistent with State and federal laws. The goals for managing the Cooperative'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 the Cooperative from unauthorized disclosure.

The Executive Director or designee is responsible for ensuring that the Cooperative 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 the Cooperative 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 Cooperative employee shall collect, store, use, or disclose an individual's social security number unless specifically authorized by the Executive Director.

LEGAL REF.:

5 ILCS 179/, Identity Protection Act.

50 ILCS 205/3, Local Records Act.

105 ILCS 10/, Illinois School Student Records Act.

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

Adopted: March 7, 2018

Mid-Valley Special Education Cooperative

4:30 Revenue and Investments

Revenue

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

Investments

The Executive Director shall appoint the Director of Business and Human Resources as the Chief Fiscal Officer. The Chief Fiscal Officer shall invest money that is not required for current operations, in accordance with this policy and State law.

The Chief Fiscal Officer and Executive 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 the Cooperative'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 Cooperative 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 Chief Fiscal Officer may invest any Cooperative funds in any investment as authorized in 30 ILCS 235/2, and Acts amendatory 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.

Selection of Depositories, Investment Managers, Dealers, and Brokers

The Chief Fiscal Officer 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 Advisory and Administrative Agent Boards will review and approve the list at least annually.

In order to be an authorized depository, each institution must submit copies of the last 2 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 the Cooperative 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) the Cooperative 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.

The Cooperative 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. The Cooperative 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 Cooperative deposits might have on the financial institution;
4. The financial impact to the Cooperative as a result of withdrawing public funds or refusing to deposit additional public funds in the financial institution; and
5. Any additional burden on the Cooperative'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 Executive Director or designee shall keep the Advisory and Administrative Agent Boards informed of collateral agreements.

Safekeeping and Custody Arrangements

The preferred method for safekeeping is to have securities registered in the Cooperative'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 Chief Fiscal Officer 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 Chief Fiscal Officer shall provide a quarterly investment report to the Advisory and Administrative Agent Boards. The report will: (1) assess whether the investment portfolio is meeting the Cooperative'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 the Cooperative, 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 Advisory and Administrative Agent Boards will determine, after receiving the Executive Director's recommendation, which fund is in most need of interest income and the Executive 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 Advisory and Administrative Agent Boards and Cooperative 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, *Board Member Conflict of Interest*. No Cooperative employee having influence on the Cooperative's investment decisions shall:

1. Have any interest, directly or indirectly, in any investments in which the Cooperative 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/.

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

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

ADOPTED:February 1, 2012

Mid-Valley Special Education Cooperative

4:40 Incurring Debt

The Executive Director shall provide early notice to the Advisory Board and the Administrative Agent Boards of the Cooperative's need to borrow money. The Executive Director should accompany any recommendation to borrow money with a statement describing the need for a loan and a plan for accomplishing the loan which includes the preparation of all necessary documents.

LEGAL REF.:30 ILCS 305/2.

105 ILCS 5/10-22.31, 5/18-20.

ADOPTED:February 1, 2012

Mid-Valley Special Education Cooperative

4:45 Insufficient Fund Checks and Debt Recovery

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

Delinquent Debt Recovery

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

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

810 ILCS 5/3-806.

ADOPTED:February 4, 2015

Mid-Valley Special Education Cooperative

4:50 Payment Procedures

The Director of Business and Human Resources shall prepare a list of all due and payable bills, indicating vendor name and amount, and shall present it to the Advisory Board in advance of the Board's regular monthly meeting or, if necessary, a special meeting. These bills are reviewed by the Advisory Board, after which they must be approved for payment by Administrative Agent Board order. Approval of all bills shall be given by a roll call vote and the votes shall be recorded in the minutes. The Cooperative shall pay the bills after appropriate Administrative Agent Board action.

The Treasurer is 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 Advisory and Administrative Agent Boards.

The Administrative Agent Board authorizes the Executive Director or designee to establish revolving funds and a petty cash fund system for school cafeterias, lunchrooms, athletics, 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:November 4, 2015

Mid-Valley Special Education Cooperative

4:55 Use of Credit and Procurement Cards

The Executive Director and employees designated by the Executive Director are authorized to use Cooperative credit and procurement cards to simplify the acquisition, receipt, and payment of purchases and travel expenses incurred on the Cooperative's behalf. Credit and procurement cards shall only be used for those expenses that are for the Cooperative'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 the Cooperative's best interests.

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

In addition to the other limitations contained in this and other Board policies, Cooperative 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 Cooperative or any student activity fund, or for purposes that would otherwise be addressed through a conventional revolving fund.
2. The Executive Director or designee shall instruct the issuing bank to block the cards' use at unapproved merchants.
3. Each cardholder may charge no more than the monthly limit established and reviewed annually by the Advisory Board, without prior authorization from the Executive Director.
4. The Executive Director or designee must approve the use of a Cooperative 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 the Cooperative 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 Executive Director shall implement a process whereby all purchases using a Cooperative 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 Cooperative 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 Executive Director or designee shall account for any financial or material reward or rebate offered by the company or institution issuing the Cooperative credit or procurement card and shall ensure that it is used for the Cooperative'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:February 1, 2012

Mid-Valley Special Education Cooperative

4:60 Purchases and Contracts

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

Standards for Purchasing and Contracting

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

All purchases and contracts should support a recognized Cooperative 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 Executive Director or designee to purchase budgeted supplies, equipment, and services, provided that State law is followed. Purchases of items outside budget parameters require prior Advisory and Administrative Agent Boards approval, except in an emergency.

When presenting a contract or purchase for Board approval, the Executive 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 school 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 the Cooperative 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. The Executive 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 Executive Director or designee shall report this information to the Advisory and Administrative Agent Boards by completing the necessary forms that must be attached to the Cooperative'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 the Cooperative 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 Cooperative school or school-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 the Cooperative's fingerprint-based criminal history records check on him or her.
 - b. In accordance with 105 ILCS 5/24-5: (1) concerning each employee who begins providing services in the Cooperative after June 16, 2014, provide the Cooperative 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 Cooperative and be subject to additional health examinations, including tuberculosis screening for pre-school staff only, as required by the Illinois Department of Public Health rules or order of a local health official.

The Executive Director or designee shall ensure that the Administrative Agent shall: (1) execute the reporting and website posting mandates in State law concerning Cooperative contracts, and (2) monitor the discharge of contracts, contractors' performances, and the quality and value of services or products being provided, as may be required by law.

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 (Board Member Conflict of Interest), 4:70 (Resource Conservation), 4:150 (Facility Management and Building Programs), 4:175 (Convicted Child Sex Offender; Screening; Notifications)

ADOPTED:February 1, 2017

4:60-E Exhibit - Notice to Contractors

[On MVSEC letterhead]

Notice to contractor:

You are receiving this notice because you may or will be performing "public works" for Mid-Valley Special Education Cooperative as that term is defined in Section 2 of the Illinois Prevailing Wage Act (820 ILCS 130).

This notice applies to the "public works" described as:_____.

The Prevailing Wage Act requires contractors and subcontractors to pay laborers, workers, and mechanics performing services on public works projects no less than the "prevailing rate of wages" (hourly cash wages plus fringe benefits) in the county where the work is performed. For information regarding current prevailing wage rates, please see the Illinois Department of Labor's website at:

www.state.il.us/agency/idol/rates/rates.HTM

All contractors and subcontractors rendering services for the "public works" must comply with all requirements of the Prevailing Wage Act, including, but not limited to, all wage, notice, and recordkeeping duties.

The above paragraph was or will be included in the project specifications and the contract. 820 ILCS 130/4(a-1). If the work is awarded without a public bid, contract, or project specification, the notice was or will be included in the purchase order related to the work or in a separate document, such as this notification. 820 ILCS 130/4(a-2).

ADOPTED:February 1, 2012

Mid-Valley Special Education Cooperative

4:70 Resource Conservation

The Executive Director or designee shall manage a program of energy and resource conservation for the Cooperative 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 the 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 the Cooperative'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 the Cooperative'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 the Cooperative.
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:February 1, 2012

Mid-Valley Special Education Cooperative

4:80 Accounting and Audits

The Cooperative'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 (ISBE), 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 Executive Director or designee, in addition to other assigned financial responsibilities, shall report monthly on the Cooperative's financial performance, both income and expense, in relation to the financial plan represented in the budget.

Annual Audit

At the close of each fiscal year, the Executive Director shall arrange an audit of the Cooperative funds, accounts, statements, and other financial matters. The audit shall be performed by an independent certified public accountant designated by the Advisory and Administrative Agent Boards 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 Executive Director. The Executive Director or designee 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 Executive Director or designee shall annually prepare and submit the Annual Financial Report on a timely basis using the form adopted by the ISBE. The Executive Director or designee shall review and discuss the Annual Financial Report with the Advisory Board before it is submitted.

Inventories

The Executive Director or designee is responsible for establishing and maintaining accurate inventory records.

Disposition of Cooperative Property

The Executive Director or designee shall notify the Advisory and Administrative Agent Boards, as necessary, of the following so that the Board may consider its disposition: (1) Cooperative 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 Executive Director or designee may unilaterally dispose of personal property of a diminutive value.

Taxable Fringe Benefits

The Executive Director or designee shall: (1) require that all use of Cooperative property or equipment by employees is for the Cooperative'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 Cooperative 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 Executive Director or designee 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 ISBE rules. A check for the petty cash fund may be drawn payable to the designated petty cash custodian. 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 Executive Director or designee shall include checks written to reimburse revolving funds on the Advisory or Administrative Agent Board's monthly listing of bills indicating the recipient and including an explanation.

Control Requirements for Checks

The Advisory or Administrative Agent Board must approve all bank accounts opened or established in the Cooperative's or a Cooperative school's name or with the Cooperative's Federal Employer Identification Number. All checks issued by the Cooperative must be signed by either the Treasurer or Board Chairperson, except that checks from an account containing student activity funds and revolving accounts may be signed by the respective account custodian.

Internal Controls

The Executive Director is primarily responsible for establishing and implementing a system of internal controls for safeguarding the Cooperative'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 Executive Director or designee shall annually audit the Cooperative's financial and business operations for compliance with established internal controls and provide the results to the Advisory or Administrative Agent Board. The Advisory 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.Adm.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 III.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: November 7, 2018

Mid-Valley Special Education Cooperative

4:90 Activity Funds

The Advisory Board, upon the Executive 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 Executive 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 Board will appoint a treasurer for each fund to serve as the fund's sole custodian and be bonded in accordance with the School Code. The treasurer shall have all of the responsibilities specific to the treasurer listed in the Illinois State Board of Education rules for school activity funds, including the authority to make loans between activity funds.

Unless otherwise instructed by the Advisory Board or Administrative Agent, 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:November 5, 2014

Mid-Valley Special Education Cooperative

4:100 Insurance Management

The Executive 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:

1. Liability coverage to insure against any loss or liability of the Cooperative 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 Advisory Board's direction or related to any mentoring services provided to the Cooperative's certified staff members; Advisory 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 superintendents); 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. Employee insurance programs.

LEGAL REF.: Consolidated Omnibus Budget Reconciliation Act, P. L. 99-272, ¶ 1001, 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, and 5/10-22.34b.

215 ILCS 5/.

750 ILCS 75/.

820 ILCS 305/.

ADOPTED: January 9, 2013

Mid-Valley Special Education Cooperative

4:110 Transportation

Mid-Valley Special Education Cooperative shall arrange transportation of Member Districts' pupils attending MVSEC programs and allocate costs to Member Districts accordingly.

School employees may transport students in school vehicles only when authorized by the administration. No employees may transport students in private vehicles.

Every vehicle regularly used for the transportation of students must pass safety inspections in accordance with State law and Illinois Department of Transportation regulations. The strobe light on a school bus may be illuminated any time a bus is bearing one or more students. The Executive Director shall implement procedures in accordance with State law including, without limitation, legal requirements concerning accepting comment calls about school bus driving, pre-trip and post-trip inspections, restriction on the use of cell phones, and provisions of emergency medical information for student having special needs or medical conditions.

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

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

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

625 ILCS 5/.

CROSS REF.: 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 6:140 (Education of Homeless Children)

ADOPTED: January 31, 2018

Mid-Valley Special Education Cooperative

4:112 Cooperative Vehicle Use

The cooperative owns and operates vans. Drivers of cooperative vehicles are expected to follow clearly outlined cooperative procedures for both using and operating those vehicles. All vehicles are to be used to conduct cooperative business only.

The following procedures should be followed for employees operating cooperative-owned vehicles:

- All operators must possess a valid driver's license.
- Vehicles must be operated in a safe and efficient manner.
- Employees are strictly prohibited from operating a cooperative vehicle while under the influence of alcohol or illegal drugs.
- Drivers must report any damage to a vehicle as soon as it is identified.
- Drivers must respond appropriately in the event of an accident.
- Drivers are responsible for the cleanliness of the vehicle.
- All drivers must wear seatbelts and obey traffic laws.
- The cooperative prohibits the transport of any cargo unrelated to school business.
- The personal use of a cooperative-owned vehicle is strictly prohibited at any time.

Employees who fail to follow the cooperative vehicle use policy or vehicle use procedures may be subject to disciplinary action which may include suspension and/or termination.

ADOPTED: January 29, 2014

Mid-Valley Special Education Cooperative

4:140 Waiver of Student Fees

The Executive Director will recommend to the Advisory Board a schedule of fees, if any, to be charged students for the use of textbooks, consumable materials, extracurricular activities, and other school student fees. Students must also pay for the loss of or damage to school books or other school-owned materials.

Fees for textbooks, other instructional materials, and driver education are waived for students who meet the eligibility criteria for a fee waiver as described in this policy.

Eligibility Criteria

A student shall be eligible for a fee waiver when the student currently lives in a household that meets the same income guidelines, with the same limits based on household size, that are used for the federal free meals program.

The Executive Director or designee will give additional consideration where one or more of the following factors are present:

- Illness in the family;
- Unusual expenses such as fire, flood, storm damage, etc.;
- Unemployment;
- Emergency situations;
- When one or more of the parents/guardians are involved in a work stoppage.

LEGAL REF.:

105 ILCS 5/10-20.13, 5/10-22.25, 5/27-24.2, and 5/28-19.2.

23 Ill.Admin.Code §1.245 [may contain unenforceable provisions].

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:220 (Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct)

Adopted: November 7, 2018

Mid-Valley Special Education Cooperative

4:150 Facility Management and Building Programs

The Executive Director shall manage the Cooperative'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 Board policies. The Executive Director or designee shall facilitate: (1) inspections of schools by the Regional Superintendent and State Fire Marshal or designee, and (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.

Standards for Managing Buildings and Grounds

All Cooperative buildings and grounds shall be adequately maintained in order to provide an appropriate, safe, and energy efficient physical environment for learning and teaching. The Executive Director or designee shall provide the Advisory Board with periodic reports on maintenance data and projected maintenance needs that include cost analysis. 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

For Cooperative-owned facilities, the Executive 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 Advisory Board will authorize a comprehensive study to determine the need for facility construction and expansion. On an annual basis, the Executive Director or designee shall provide the Advisory Board with projected facility needs, enrollment trends, and other data impacting facility use. Advisory and Administrative Agent Board approval is needed for all new facility construction and expansion.

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

1. Integrate facilities planning with other aspects of planning and goal-setting.
2. Base educational specifications for school 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 school 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, 5/10-20.60 (P.A. 100-163, final citation pending), and 5/17-2.11.

105 ILCS 140/, Green Cleaning Schools Act.

105 ILCS 230/, School Construction Law.

410 ILCS 25/, Environmental Barriers 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 31, 2018

4:160 Environmental Quality of Buildings and Grounds

The Executive Director shall take all reasonable measures to protect: (1) the safety of Cooperative personnel, students, and visitors on Cooperative premises from risks associated with hazardous materials and (2) the environmental quality of the Cooperative's buildings and grounds. Before pesticides are used on Cooperative premises, the Executive Director or designee shall notify employees and parents/guardians of students as required by the Structural Pest Control Act, 225 ILCS 235/, and the Lawn Care Products Application and Notice Act, 415 ILCS 65/.

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 §350.300(c).

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; 135/; and 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, Toxic Materials Training.

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

ADOPTED:November 5, 2014

Mid-Valley Special Education Cooperative

4:170 Safety

Safety and Security

All MVSEC operations, including the education program, shall be conducted in a manner that will promote the safety and security of everyone on Cooperative property or at a Cooperative event. The Executive 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 for each school;
2. Provisions for a coordinated effort with local law enforcement and fire officials, emergency medical services personnel, and the Board Attorney;
3. A school safety drill plan;
4. Instruction in safe bus riding practices; responding to emergencies while on school-owned vans; and
5. 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.

School Safety Drill Plan

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

1. Three school evacuation drills to address and prepare students and school personnel for fire incidents. One of these three drills shall require the participation of the local fire department or Cooperative.
2. One bus evacuation drill.
3. One severe weather and shelter-in-place drill to address and prepare students and school personnel for possible tornado incidents.
4. One law enforcement drill to address a school shooting incident.

Annual Review

The Board or its designee will annually review each school building's emergency operations and crisis response plan(s), protocols, and procedures, as well as each building's compliance with the school 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 Illinois State Board of Education (29 Ill.Admin.Code Part 1500).

Carbon Monoxide Alarms

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

1. Determine which school buildings 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 into each school building that requires a carbon monoxide alarm or detector. The Director or designee shall ensure each school building annually reviews these procedures.

Lead Testing in Water

The Director or designee shall implement testing for lead in each source of drinking water in school buildings in accordance with the Illinois 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 school buildings.

Emergency Closing

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

LEGAL REF.:

105 ILCS 5/10-20.2, 5/10-20.56, 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 School Property), 8:100 (Relations with Other Organizations and Agencies)

Adopted: March 7, 2018

4:175 Convicted Child Sex Offender; Screening; Notifications

Persons Prohibited on School Property without Prior Permission

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school 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 the school and has notified the Program Administrator of his or her presence at the school for the purpose of: (i) attending a conference with school 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 Governing Board, Executive Director, or Executive Director's designee. If permission is granted, the Executive Director or Board President shall provide the details of the offender's upcoming visit to the Program Administrator.

In all cases, the Executive 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 Executive Director or designee shall develop guidelines for managing his or her presence in school.

Screening

The Executive 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.

Notification to Parents/Guardians

The Executive Director shall develop procedures for the distribution and use of information from law enforcement officials under the Sex Offender Community Notification Law and the Murderer and Violent Offender Against Youth Community Notification Law. The Executive Director or designee shall serve as the Cooperative contact person for purposes of these laws. The Executive Director and Program Administrator shall manage a process for schools to notify the parents/guardians during school registration that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law. This notification must occur during school registration and at other times as the Executive Director or Program Administrator determines advisable.

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 School Property), 8:100 (Relations with Other Organizations and Agencies)

ADOPTED:February 1, 2017

Mid-Valley Special Education Cooperative

4:180 Pandemic Preparedness

The Advisory Board recognizes that the Cooperative will play an essential role along with the local health department and emergency management agencies in protecting the public's health and safety if an influenza pandemic occurs. Pandemic influenza is a worldwide outbreak of a virus for which there is little or no natural immunity and no vaccine; it spreads quickly to people who have not been previously exposed to the new virus.

To prepare the Cooperative community for a pandemic, the Executive Director or designee shall: (1) learn and understand the roles that the federal, State, and local government would play in an epidemic; (2) form a pandemic planning team consisting of appropriate Cooperative personnel and community members to identify priorities and oversee the development and implementation of a comprehensive pandemic influenza 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, any decision for an emergency school closing will be made by the Executive Director in consultation with and, if necessary, at the direction of the Cooperative's local health department, emergency management agencies, and Regional Office of Education.

LEGAL REF.:105 ILCS 5/10-16.7 and 5/10-20.5.

Ill. Dept. of Public Health Act (Part 1), 20 ILCS 2305/2(b).

Ill. Emergency Management Agency Act, 20 ILCS 3305.

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

CROSS REF.:1:20 (District Organization, Operations, and Cooperative Agreements), 2:20 (Powers and Duties of the School Board), 4:170 (Safety), 7:90 (Release During School Hours), 8:100 (Relations with Other Organizations and Agencies)

ADOPTED:June 7, 2012

Mid-Valley Special Education Cooperative

SECTION 5 - PERSONNEL

Mid-Valley Special Education Cooperative

General Personnel

Mid-Valley Special Education Cooperative

5:10 Equal Employment Opportunity and Minority Recruitment

The MVSEC 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 or sexual violence, genetic information, physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation, 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 Pilot 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 Executive Director shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the Cooperative's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Executive Director or a Complaint Manager for the Uniform Grievance Procedure. The Executive Director shall insert into this policy the names, addresses, and telephone numbers of the Cooperative's current Nondiscrimination Coordinator and Complaint Managers.

Nondiscrimination Coordinator:

Nancy Sporer

Name

1304 Ronzheimer Ave., St. Charles, IL 60174

Address

nancy.sporer@d303org

Email

331-228-4928

Telephone

Complaint Managers:

Nancy Sporer

Name

1304 Ronzheimer Ave., St. Charles, IL 60174

Address

nancy.sporer@d303.org

Email

331-228-4928

Telephone

Timothy Stoudt

Name

1304 Ronzheimer Ave., St. Charles, IL 60174

Address

Timothy.Stoudt@d303.org

Email

331-228-6034

Telephone

The Executive Director shall also use reasonable measures to inform staff members and applicants that the Cooperative is an equal opportunity employer, such as, by posting required notices and including this policy in the appropriate handbooks.

Minority Recruitment

The Cooperative will attempt to recruit and hire minority employees. The implementation of this policy may include advertising openings in minority publications, participating in minority job fairs, and recruiting at colleges and universities with significant minority enrollments. This policy, however, does not require or permit the Cooperative 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, implemented by 34 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. §791 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, implemented by 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.

III. 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 Pilot Program Act.

410 ILCS 513/25, Genetic Information Protection Act.

740 ILCS 174/, III. Whistleblower Act.

775 ILCS 5/1-103, 5/2-102, 103, and 5/6-101, III. 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/, III. 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), 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; Tobacco 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:February 1, 2017

Mid-Valley Special Education Cooperative

5:20 Workplace Harassment Prohibited

The Cooperative expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. Cooperative employees shall not engage in harassment or abusive conduct on the basis of an individual's race, religion, national origin, sex, sexual orientation, age, citizenship status, disability, or 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 policy 7:20, *Harassment of Students Prohibited*.

Sexual Harassment Prohibited

The Cooperative shall provide a workplace environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law.

Cooperative 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 or physical 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 Complaint; Enforcement

A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, up to and including discharge. 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 bona fide complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*).

Aggrieved persons, who 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.

Employees should report claims of harassment to the Nondiscrimination Coordinator and/or use the Board policy 2:260, *Uniform Grievance Procedure*. Employees may choose to report to a person of the employee's same sex. There are no express time limits for initiating complaints and grievances under this policy; however, every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

Whom to Contact with a Report or Complaint

The Executive Director shall insert into this policy the names, addresses, and telephone numbers of the Cooperative's current Nondiscrimination Coordinator and Complaint Managers.

Nondiscrimination Coordinator:

Name:

Nancy Sporer

Address:

1304 Ronzheimer Ave., St. Charles, IL
60174

Email:

nancy.sporer@d303org

Telephone:

331-228-4928

Complaint Managers:

Name:

Nancy Sporer

Address:

1304 Ronzheimer Ave., St. Charles, IL
60174

Email:

nancy.sporer@d303.org

Telephone:

331-228-4928

Name:

Timothy Stoudt

Address:

1304 Ronzheimer Ave., St. Charles, IL
60174

Email:

Timothy.Stoudt@d303.org

Telephone:

331-228-6034

The Executive Director shall also use reasonable measures to inform staff members and applicants of this policy, which shall include

reprinting this policy in the appropriate handbooks.

LEGAL REF.: Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq., implemented by 29 C.F.R. §1604.11.

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

Ill. Human Rights Act, 775 ILCS 5/2-101(E), 5/2-102(D), 5/2-102(E-5), 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).

Oncala v. Sundown 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), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:125 (Personal Technology and Social Media; Usage and Conduct), 7:20 (Harassment of Students Prohibited)

ADOPTED: January 31, 2018

Mid-Valley Special Education Cooperative

5:20-E Resolution to Prohibit Sexual Harassment

WHEREAS, Section 10-20 of the School Code (105 ILCS 5/10-20) grants school boards other powers that are not inconsistent with their duties;

WHEREAS, Section 1-5 of the State Officials and Employees Ethics Act (5 ILCS 430/1-5) includes school districts within the definition of a *governmental entity*;

WHEREAS, Section 5-65 of the State Officials and Employees Ethics Act (5 ILCS 430/5-65, added by P.A. 100-554) provides that all persons have a right to work in an environment free from sexual harassment;

WHEREAS, Section 70-5 of the State Officials and Employees Ethics Act (5 ILCS 430/70-5, amended by P.A. 100-554) requires governmental entities to adopt an ordinance or resolution establishing a policy to prohibit sexual harassment which, at a minimum, includes: (1) a prohibition on sexual harassment; (2) details on how an individual can report an allegation of sexual harassment, including options for making a confidential report to a supervisor, ethics officer, Inspector General, or the Ill. Dept. of Human Rights; (3) a prohibition on retaliation for reporting sexual harassment allegations, including availability of whistleblower protections under the Act, the Whistleblower Act (740 ILCS 174/), and the Ill. Human Rights Act (775 ILCS 5/); and (4) the consequences: (a) of a violation of the prohibition on sexual harassment; and (b) for knowingly making a false report;

THEREFORE, BE IT RESOLVED, by the Board of Education of Mid-Valley Special Education Cooperative, Kane County, Illinois, as follows:

Section 1: The Board adopts Board policy 5:20, *Workplace Harassment Prohibited*, attached as Exhibit A, which contains the following: (1) a prohibition on sexual harassment; (2) detail regarding how an individual can report an allegation of sexual harassment, including options for making a confidential report to an immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, a Complaint Manager, or the Ill. Dept. of Human Rights; (3) a prohibition on retaliation for reporting sexual harassment allegations and a statement regarding the availability of whistleblower protections under the State Officials and Employees Ethics Act, the Whistleblower Act, and the Ill. Human Rights Act; and (4) the consequences: (a) of a violation of the prohibition on sexual harassment; and (b) for knowingly making a false report.

Section 2: Any prior versions of Board policy 5:20, *Workplace Harassment Prohibited*, adopted by the Board are superseded by this Resolution.

Adopted this 7th day of November, 2018.

Attested by: Board President

Attested by: Board Secretary

Mid-Valley Special Education Cooperative

5:30 Hiring Process and Criteria

The Cooperative hires the most qualified personnel consistent with budget and staffing requirements and in compliance with the Advisory Board policy on equal employment opportunity and minority recruitment. The Executive Director or designee is responsible for recruiting personnel and making hiring recommendations to the Board. If the Executive Director's recommendation is rejected, the Executive Director must submit another. No individual will be employed who has been convicted of a criminal offense listed in Section 5/21B-80(c) of the School Code.

All applicants must complete a Cooperative or Kane County application in order to be considered for employment.

Job Descriptions

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

The Executive Director shall develop and maintain a current comprehensive job description for each position or job category with input from bargaining units as indicated in their contracts.

Investigations

The Executive 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 executive director candidate who has been offered employment by the Board, the Board Chairperson shall ensure that these checks are completed. The Executive Director or designee, or if the applicant is a successful executive director candidate, then the Board Chairperson shall notify an applicant if the applicant is identified in either database. The School Code requires the Board Chairperson to keep a conviction record confidential and share it only with the Executive Director, Regional Superintendent, State Superintendent, State Educator Preparation and Licensure Board, any other person necessary to the hiring decision, or for purposes of clarifying the information, the Ill. Dept. of State Police and/or Statewide Sex Offender Database. 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 an Immigration and Naturalization Service Form as required by federal law.

The Cooperative 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 Section 5/ 21B-80 of the School Code or who falsifies, or omits facts from, his or her employment application or other employment documents.

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

1. The Cooperative uses an applicant's credit history or report from a consumer reporting agency only when a satisfactory credit history is an established bona fide occupational requirement of a particular position.
2. The Cooperative does not ask an applicant or applicant's previous employers about claim(s) made or benefit(s) received under the Workers' Compensation Act.
3. The Cooperative 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.
4. The Cooperative 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. Staff members who work in pre-school settings must furnish evidence of tuberculin test. 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, or an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervising physician to perform health examinations. The employee must have the physical examination performed no more than 90 days before submitting evidence of it to the Cooperative.

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

Orientation Program/Training

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

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

LEGAL REF.:

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), *affd 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 Executive Director), 4:60 (Purchases and Contracts), 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 (Substitutes), 5:280 (Educational Support Personnel - Duties and Qualifications)

Adopted: January 9, 2019

Mid-Valley Special Education Cooperative

5:35 Compliance with the Fair Labor Standards Act

Job Classifications

The Executive 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 licensed or non-licensed. "Exempt" and "non-exempt" employee categories may include licensed and non-licensed 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 Cooperative employees will be 12:00 a.m. Sunday until 11:59 p.m. Saturday. Non-exempt employees will be compensated for all hours worked in a workweek including overtime. 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 for hourly employees.

Overtime

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

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 Executive 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. 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 Executive 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, *Professional Personnel - Suspension*. Non-licensed employees may be suspended without pay in accordance with Board policy 5:290, *Educational Support Personnel - Employment Termination and Suspensions*.

Implementation

The Executive 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:November 2, 2016

Mid-Valley Special Education Cooperative

5:40 Communicable and Chronic Infectious Disease

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

An employee with a communicable or chronic infectious disease is encouraged to inform the Executive Director or designee immediately. The Executive Director or designee 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.:5:30 (Hiring Process and Criteria), 5:180 (Temporary Illness or Temporary Incapacity)

ADOPTED:November 4, 2015

Mid-Valley Special Education Cooperative

5:50 Drug- and Alcohol-Free Workplace; Tobacco Prohibition

All Cooperative workplaces are drug- and alcohol-free workplaces. All employees are prohibited from engaging in any of the following activities while on Cooperative or member district premises or while performing work for the Cooperative or member district:

1. Unlawful manufacture, dispensing, distribution, possession, or use of an illegal or controlled substance, or being under the influence of any illegal substance or any detectible use of any illegal substance regardless of when or where the use occurred.
2. Distribution, consumption, use, possession, or being under the influence of an alcoholic beverage; being present on Cooperative premises or while performing work for the Cooperative when alcohol consumption is detectible, regardless of when and/or where the use occurred.
3. Possession or use of medical cannabis.

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.

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 the Cooperative or member district premises or while performing work for the Cooperative or member district, no later than 5 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 Executive 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 Cooperative employees.
5. Establish a drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace,
 - b. Available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs, and
 - c. The penalties that the Cooperative may impose upon employees for violations of this policy.

Tobacco and Electronic Smoking Devices 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 tobacco products applies both (1) when an employee is on school property, and (2) while an employee is performing work for the Cooperative at a school event regardless of the event's location. *Tobacco* shall have the meaning provided in section 10-20.5b of the School Code.

Cooperative Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. Alternatively, the Cooperative 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 Cooperative 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 Executive Director shall notify the appropriate State or federal agency from which the Cooperative or member district receives contract or grant monies of the employee's conviction within 10 days after receiving notice of the conviction.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. §12114.

Compassionate Use of Medical Cannabis Pilot Program, 410 ILCS 130/.

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.

Drug-Free Workplace Act, 30 ILCS 580/.

105 ILCS 5/10-20.5b.

CROSS REF.:8:30 (Visitors to and Conduct on School Property)

ADOPTED:November 4, 2015

Mid-Valley Special Education Cooperative

5:60 Expenses

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. The Cooperative 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 the Cooperative'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 Executive 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 Executive Director or designee on the Cooperative's standardized estimated expense approval form for employees. After spending expense advancements, employees must use the Cooperative's standardized expense reimbursement form and submit to the Executive 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 the Cooperative within 60 days. 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 Executive 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 the Cooperative'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 the Cooperative's standardized expense reimbursement form for employees. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

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 the Cooperative 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. Copies of airline tickets 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, or other local transportation costs.

Meals

Meals charged to the Cooperative 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.

Professional Growth

Please refer to the applicable collective bargaining agreement.

Continuing Education

Please refer to the applicable collective bargaining agreement.

Mileage Reimbursement

Please refer to the applicable collective bargaining agreement.

LEGAL REF.:

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

105 ILCS 5/10-22.32.

820 ILCS 115/9.5, III. 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: January 9, 2019

Mid-Valley Special Education Cooperative

5:70 Religious Holidays

The Executive Director shall grant an employee's request for time off to observe a religious holiday if the employee gives prior notice.

Employees may use earned vacation time, or personal leave to make up the absence, provided such time is consistent with the Cooperative's operational needs. A per diem deduction may also be requested by the employee, or when no other leave days are available.

Please refer to the applicable collective bargaining agreement.

LEGAL REF.:Religious Freedom Restoration Act, 775 ILCS 35/15.

Illinois Human Rights Act, 775 ILCS 5/2-101 and 5/2-102.

ADOPTED:November 2, 2016

Mid-Valley Special Education Cooperative

5:80 Court Duty

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

Any employee called for jury duty, subpoenaed in court, or before legislative bodies as a witness, shall be paid his/her full compensation for such time with no loss of any leaves, seniority, or loss of any other benefits. As a condition of this benefit, the employee shall turn over any fees received for such service.

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

ADOPTED:November 2, 2016

Mid-Valley Special Education Cooperative

5:90 Abused and Neglected Child Reporting

Any Cooperative employee who suspects or receives knowledge that a student may be an abused or neglected child or, for a student aged 18 through 22, an abused or neglected individual with a disability, shall: (1) immediately report or cause a report to be made to the Illinois 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 Cooperative employee who believes a student is in immediate danger of harm, shall first call 911.

The report shall include, if known:

1. The name and address of the child, parent/guardian names, or other persons having custody;
2. The child's age;
3. The child's condition, including any evidence of previous injuries or disabilities; and
4. Any other information that the reporter believes may be helpful to DCFS for its investigation.

The employee shall also promptly notify the Superintendent or Building Principal that a report has been made.

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

Any Cooperative employee who observes any act of hazing that does bodily harm to a student must report that act to the Building Principal, Executive 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 Superintendent or Building Principal. Hazing is defined as any intentional, knowing, or reckless act directed to or required of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students.

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

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

All Cooperative employees shall:

1. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Superintendent or designee shall ensure that the signed forms are retained.
2. Complete mandated reporter training as required by law within one year of initial employment and at least every five years after that date.

The Executive Director will encourage all Cooperative 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 abuse and providing appropriate follow-up and care for abused students as they return to the classroom setting.

Special Executive Director Responsibilities

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

The Executive 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 the Cooperative as a result of an act that made a child an abused or neglected child. The Superintendent must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the license holder.

Special 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 the Act, direct or cause the Board to direct the Executive Director or other equivalent school administrator to comply with the Act's requirements concerning the reporting of child abuse.

LEGAL REF.: 105 ILCS 5/10-21.9.

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 School Board), 5:20 (Workplace Harassment Prohibited), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:150 (Personnel Records), 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 31, 2018

Mid-Valley Special Education Cooperative

5:100 Staff Development Program

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

The Executive 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 the Cooperative and School Improvement Plans so that student learning objectives meet or exceed goals established by the Cooperative and State.

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

The staff development program shall provide, at a minimum, once every two years, the in-service training of all Cooperative staff on educator ethics, teacher-student conduct, and school 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 Cooperative staff by a person with expertise on anaphylactic reactions and management.
2. At least every two years, an in-service to train school 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 Cooperative 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 school personnel and administrators who work with students in grades kindergarten 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 school 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 one year 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 five 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 7 through 12, concerning teen dating violence as recommended by the Cooperative's Nondiscrimination Coordinator, Building Principal, Coordinator, or Complaint Manager.
7. Ongoing professional development for teachers, administrators, school resource officers, and staff regarding the adverse consequences of school 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. All high school coaching personnel, including the head and assistant coaches, and athletic directors must obtain online concussion certification by completing online concussion awareness training in accordance with 105 ILCS 25/1.15. Coaching personnel and athletic directors hired on or after 8-19-2014 must be certified before their position's start date.
9. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: coaches and assistant coaches (whether volunteer or employee) of an interscholastic athletic activity; nurses, licensed and/or non-licensed healthcare professionals serving on the Concussion Oversight Team; athletic trainers; game officials of an interscholastic athletic activity; and physicians serving on the Concussion Oversight Team.
10. Every two years, school 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.
11. Training for school personnel to develop cultural competency, including understanding and reducing implicit racial bias.
12. For school personnel who work with hazardous or toxic materials on a regular basis, training on the safe handling and use of such materials.

The Executive 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 required 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. Physical fitness facilities' staff must be trained in cardiopulmonary resuscitation and use of an automated external defibrillator.

LEGAL REF.:

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

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 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.

23 Ill.Admin.Code §§ 22.20, 226.800, and Part 525.

77 Ill.Admin.Code §527.800.

CROSS REF.: 3:40 (Executive Director), 3:50 (Administrative Personnel Other Than the Executive Director), 4:160 (Environmental Quality of Buildings and Grounds), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year 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: January 9, 2019

Mid-Valley Special Education Cooperative

5:110 Recognition for Service

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

ADOPTED: April 4, 2012

Mid-Valley Special Education Cooperative

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

Professional and Appropriate Conduct

All Cooperative 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. Any employee who sexually harasses a student 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. Executive Director;
2. Building Principal;
3. Head of any department;
4. Any employee who, as the Cooperative'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 school business official endorsement.

Ethics and Gift Ban

Advisory Board policy 2:105, *Ethics and Gift Ban*, applies to all Cooperative 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 the 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 Advisory Board. An employee having an interest in instructional materials must file an annual statement with the Board Secretary.

For the purpose of acquiring profit or personal gain, no employee shall act as an agent of the Cooperative nor shall an employee act as an agent of any business in any transaction with the Cooperative. This includes participation in the selection, award or administration of a contract supported by a federal award when the employee has a real or apparent conflict of interest as defined by 2 C.F.R. §200.318(c) (1). 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.

Standards of Conduct

Please refer to the applicable collective bargaining agreement.

LEGAL REF.:U.S. Constitution, First Amendment.

2 C.F.R. §200.318(c)(1).

5 ILCS 420/4A-101 and 430/.

50 ILCS 135/.

105 ILCS 5/10-22.39 and 5/22-5.

775 ILCS 5/5A-102.

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:May 31, 2017

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 the Cooperative or otherwise authorized for Cooperative 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 Cooperative employees who use personal technology and social media shall:

1. Adhere to the high standards for appropriate school 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 Cooperative 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 Cooperative-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 Cooperative employees without proper approval. For Cooperative employees, proper approval may include implied consent under the circumstances.
5. Refrain from using the Cooperative's logos without permission and follow Board policy 5:170, *Copyright*, and all Cooperative 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 the school environment or its operation. Staff members are cautioned against sharing personal information with students on social media.
7. Assume all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students' viewing of inappropriate Internet materials through the Cooperative employee's personal technology or social media. The Advisory 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 school to dismissal and/or indemnification of the Cooperative for any losses, costs, or damages, including reasonable attorney fees, incurred by the Cooperative relating to, or arising out of, any violation of this policy.

The Executive Director shall:

1. Inform Cooperative employees about this policy during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by Board policy 5:120, *Employee Ethics; Conduct; and Conflict of Interest*.
2. Direct Coordinators to annually:
 - a. Provide their building staff with a copy of this policy.
 - b. Inform their building 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 the Cooperative, 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 Cooperative employee representatives and electronic network system administrator(s) and present proposed changes to the Advisory 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 School Dist. 205, 391 U.S. 563 (1968).

Mayer v. Monroe County Community School 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:February 1, 2017

Mid-Valley Special Education Cooperative

5:130 Responsibilities Concerning Internal Information

Cooperative 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 Advisory Board meeting. Internal information is any information, oral or recorded in electronic or paper format, maintained by the Cooperative or used by the Cooperative or its employees. The Executive 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 Cooperative Public Records), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:150 (Personnel Records), 7:340 (Student Records)

ADOPTED:June 7, 2012

Mid-Valley Special Education Cooperative

5:140 Solicitations By or From Staff

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

CROSS REF.:8:90 (Parent Organizations and Booster Clubs)

ADOPTED:April 4, 2012

Mid-Valley Special Education Cooperative

5:150 Personnel Records

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

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

There shall be one official personnel file maintained at the MVSEC office for each employee. Every employee shall have the right, upon request, to review, inspect and obtain copies of the records maintained in his/her personnel file in accordance with or without the provisions of the Illinois Personnel Record Review Act. Records not in the personnel file but which should have been included as required under said Act may not be used by the Board in any judicial or quasi-judicial proceeding unless the records were not intentionally excluded and 1) the employee agrees to their use, or 2) the employee has been given a reasonable time to review the records. MVSEC will provide one copy per year of personnel records at no charge to the employee.

LEGAL REF.:745 ILCS 46/10.

820 ILCS 40/.

23 Ill.Admin.Code §1.660.

CROSS REF.:2:250 (Access to Cooperative's Public Records), 4:15 (Identity Protection), 5:125 (Personal Technology and Social Media; Usage and Conduct), 7:340 (Student Records)

ADOPTED:November 2, 2016

Mid-Valley Special Education Cooperative

5:170 Copyright

Works Made for Hire

The Executive 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 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 the Cooperative shall be the owner of the copyright.

Copyright Compliance

While staff members may use appropriate supplementary materials, it is each staff member's responsibility to abide by the Cooperative's copyright compliance procedures and to obey the copyright laws. The Cooperative is not responsible for any violations of the copyright laws by its staff or students. A staff member should contact the Executive Director or designee whenever the staff member is uncertain about whether using or copying material complies with the Cooperative'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 Executive Director or designee, install or download any program on a Cooperative-owned computer. At no time shall it be necessary for a Cooperative staff member to violate copyright laws in order to properly perform his or her duties.

Copyright Infringement; Designation of Cooperative's Digital Millennium Copyright Act (DMCA) Agent

The employee listed below receives complaints about copyright infringement within the use of the Cooperative's online services. The Superintendent or designee will register this information with the federal Copyright Office as required by federal law.

Cooperative DMCA Agent:

Nancy Sporer

Name

1304 Ronzheimer Ave., St. Charles, IL 60174

Address

Nancy.sporer@d303.org

Email

331-228-4873

Telephone

LEGAL REF.:Federal Copyright Law of 1976, 17 U.S.C. §101 et seq.

105 ILCS 5/10-23.10.

CROSS REF.:5:125 (Personal Technology and Social Media; Usage and Conduct), 6:235 (Access to Electronic Networks)

ADOPTED:December 2, 2015

Mid-Valley Special Education Cooperative

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, Cooperative-paid insurance programs, etc.) will be deducted from the Cooperative's compensation liability to the employee. The Advisory Board's intent is that in no case will the employee, who is temporarily disabled, receive more than 100 percent of their gross salary.

Those insurance plans privately purchased by the employee and to which the Cooperative 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 Executive 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 the Cooperative's expense, by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the authority by his or her supervisor to perform health examinations if the examination is job-related and consistent with business necessity.

Also please refer to the applicable collective bargaining agreement.

LEGAL REF.:Americans with Disabilities Act, 42 U.S.C. §12102.

105 ILCS 5/10-22.4, 5/24-12, and 5/24-13.

Elder v. School Dist. No.127 1/2, 208 N.E.2d 423 (Ill.App.1, 1965).

School District No. 151 v. ISBE, 507 N.E.2d 134 (Ill.App.1, 1987).

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

ADOPTED:November 2, 2016

Mid-Valley Special Education Cooperative

5:185 Family and Medical Leave

Leave Description

An eligible employee may use unpaid family and medical leave (FMLA leave), guaranteed by the federal Family and Medical Leave Act, 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 year, beginning July 1 and ending June 30 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, the Cooperative 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 in 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 the Cooperative, 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, an employee must be employed at a worksite where at least 50 employees are employed within 75 miles and the employee has been employed by the Cooperative for at least 12 months and has been employed for at least 1,250 hours of service during the 12-month period immediately before the beginning of the leave. The 12 months an employee must have been employed by the Cooperative need not be consecutive. However, the Cooperative will not consider any period of previous employment that occurred more than seven 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 the Cooperative's intention to rehire the employee.

Requesting Leave

If the need for the FMLA leave is foreseeable, an employee must provide the Executive 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 the Cooperative'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 Executive 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 Executive 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.

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

medical certification.

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

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

Continuation of Health Benefits

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

Changed Circumstances and Intent to Return

An employee must provide the Executive Director or designee reasonable notice of changed circumstances (i.e., within 2 business days if the changed circumstances are foreseeable) that will alter the duration of the FMLA leave. The Executive 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 8 consecutive weeks whether he or she intends to return to work.

Return to Work

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

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

Please also refer to the applicable collective bargaining agreement.

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:February 1, 2017

Mid-Valley Special Education Cooperative

Professional Personnel

Mid-Valley Special Education Cooperative

5:190 Professional Licensed Staff Qualifications

A professional licensed staff member, as the term is used in this policy, refers to a Cooperative employee who is required to be licensed under State law.

Each professional licensed staff member must:

1. Have a valid Illinois Professional Educator License issued by the State Superintendent of Education with the required endorsements as provided in the School Code.
2. Provide the Cooperative Office with a complete official transcript of credits earned in institutions of higher education.
3. On or before November 15 and March 15 of each year, provide the Cooperative Office with an official transcript of any credits earned since the date the last transcript was filed, if requesting salary adjustments.

The Executive Director or designee shall:

1. Monitor compliance with State and federal law requirements that licensed staff members be appropriately licensed for their assignments; and
2. Through incentives for voluntary transfers, professional development, recruiting programs, or other effective strategies, ensure that minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers.

LEGAL REF.:20 U.S.C. §6312(e)(1)(A).

105 ILCS 5/10-20.15, 5/21-11.4, 5/21B-15, 5/21B-20, 5/21B-25, and 5/24-23.

23 Ill.Admin.Code §1.610 et seq., §1.705 et seq., and Part 25.

ADOPTED:November 2, 2016

Mid-Valley Special Education Cooperative

5:200 Terms and Conditions of Employment and Dismissal

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

School Year and Day

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

Work calendars will be determined by the Executive Director or designee and approved by the Board.

Nursing Mothers

The Cooperative accommodates employees who are nursing mothers according to provisions in State and federal law.

Duty-Free Lunch

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

Staff employed for at least four hours per day shall receive a paid duty-free lunch of 30 minutes.

Salary

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

Salaries or hourly pay rates will be determined by the Executive Director or designee and approved by the Board.

Assignments and Transfers

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

The Executive Director is authorized to make all assignments. In order of priority, assignments shall be made based on the Cooperative's needs and best interests, employee qualifications, and employee desires.

Evaluation

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

The Executive Director or designee will determine and implement an evaluation process.

On an annual basis, the Executive Director will provide the Advisory Board with a written report which outlines the results of the Cooperative's teacher evaluation system.

School Social Worker Services Outside of Cooperative Employment

School social workers may not provide services outside of their District employment to any student(s) attending school in the District. *School social worker* has the meaning stated in 105 ILCS 5/14-1.09a.

Dismissal

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

The Cooperative will follow State law when dismissing any staff member.

LEGAL REF.: 105 ILCS 5/10-19, 5/14-1.09a, 5/18-8, 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 Certified Employees) and 51 (Dismissal of Tenured Teachers).

Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532(1985).

CROSS REF.: 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:290 (Employment Termination and

Suspensions), 6:20 (Calendar and Day)

ADOPTED: January 31, 2018

Mid-Valley Special Education Cooperative

5:210 Resignations

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

LEGAL REF.:105 ILCS 5/24-14.

Park Forest Heights School Dist. v. State Teacher Certification Bd., 842 N.E.2d 1230 (Ill.App.1st 2006).

ADOPTED:April 4, 2012

Mid-Valley Special Education Cooperative

5:220 Substitute Teachers

The Executive 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 the Cooperative 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 the Cooperative 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 the Cooperative 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 the District 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, 2020, 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 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 the District'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 the Cooperative 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 Executive 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 5/10-20.67 (P.A. 100-596, final citation pending), 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: January 9, 2019

5:230 Maintaining Student Discipline

Please refer to the applicable collective bargaining agreement.

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:November 2, 2016

Mid-Valley Special Education Cooperative

5:240 Suspension

Suspension Without Pay

The Advisory Board may suspend without pay: (1) a professional employee pending a dismissal hearing, or (2) a teacher as a disciplinary measure for misconduct that is detrimental to the Cooperative. Administrative staff members may not be suspended without pay as a disciplinary measure.

Misconduct that is detrimental to the Cooperative includes:

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

The Executive Director or designee is authorized to issue a pre-suspension notification to a professional employee. This notification shall include the length and reason for the suspension as well as the deadline for the employee to exercise his or her right to appeal the suspension to the Board or Board-appointed hearing examiner before it is imposed. At the request of the professional employee made within five calendar days of receipt of a pre-suspension notification, the Board or Board-appointed hearing examiner will conduct a pre-suspension hearing. The Board or its designee shall notify the professional employee of the date and time of the hearing. At the pre-suspension hearing, the professional employee or his/her representative may present evidence. If the employee does not appeal the pre-suspension notification, the Executive Director or designee shall report the action to the Board at its next regularly scheduled meeting.

Suspension With Pay

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

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

Administrative Absence 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 the Cooperative 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 the Cooperative, 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 the Cooperative all compensation and the value of all benefits received by him or her during the suspension. The Executive 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: January 31, 2018

5:250 Leaves of Absence

Sick and Bereavement Leave

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

The Executive Director or designee will determine sick and bereavement leaves with the approval of the Board.

As a condition for paying sick leave after three days absence for personal illness or 30 days for birth or as the Advisory Board or Executive Director deem necessary in other cases, the Advisory Board or Executive 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) an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, (4) a physician assistant who has been delegated the authority 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.

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.

Paid Sick Leave for Adoption

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 Executive Director may require that the employee provide evidence that the formal adoption process is underway.

Sabbatical Leave

Sabbatical leave may be granted in accordance with the School Code.

Personal Leave

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

The Executive Director or designee will determine personal leave with the approval of the Board.

The use of a personal day is subject to the following conditions:

1. Except in cases of emergency or unavoidable situations, personal leave requests should be submitted to the Coordinator three days in advance of the requested date,
2. No personal leave days may be used immediately before or immediately after a holiday unless the Executive Director or designee grants prior approval,
3. Personal leave may not be used in increments of less than one-half day, and
4. Personal leave days are subject to a substitute's availability.

Parental Leaves/Child-Rearing Leave

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

The Advisory 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 staff member must request, if possible, a child-rearing leave by notifying the Executive Director or designee 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 before the first day of school after winter recess.

Subject to the insurance carrier's approval, the staff member 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 staff

member is qualified, subject to scheduling efficiency and instruction continuity.

Other Leaves of Absence/Leave of Absence Without Pay

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

The Advisory Board may grant a leave of absence without pay to tenured staff members who have rendered satisfactory service and desire to return to employment in a similar capacity at a time determined by the Board.

Each leave of absence shall be of the shortest possible duration required to meet the leave's purpose consistent with a reasonable continuity of instruction for students.

Association Release Time, Professional Improvement Leave, Job-Sharing Leave

Please refer to the applicable collective bargaining agreement.

Leaves for Service in the Military

Leaves for service in the U.S. Armed Services or any of its reserve components and the National Guard, 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 military service does not acquire tenure.

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.

School Visitation Leave

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

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

Leaves for Victims of Domestic or Sexual Violence

An unpaid leave from work is available to any staff member who: (1) is a victim of domestic or sexual violence, or (2) has a family or household member who is a victim of domestic or sexual violence whose interests are not adverse to the employee as it relates to the domestic or sexual violence. The unpaid leave allows the employee to seek medical help, legal assistance, counseling, safety planning, and other assistance without suffering adverse employment action.

The Victims' Economic Security and Safety Act governs the purpose, requirements, scheduling, and continuity of benefits, and all other terms of the leave. Accordingly, if the Cooperative 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 Advisory 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 president of a State teacher association that is an exclusive bargaining agent in the Cooperative, or his or her designee, to attend meetings, workshops, or seminars as described in 105 ILCS 5/24-6.2.

Leave to Serve as an Election Judge

1. 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 the Cooperative, 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 the Cooperative's employees may be absent to serve as election judges on the same Election Day.

LEGAL REF.: 10 ILCS 5/13-2.5

20 ILCS 1805/30.1 *et seq.*

105 ILCS 5/24-6, 5/24-6.1, 5/24-6.2, 5/24-6.3, 5/24-13, and 5/24-13.1.

820 ILCS 147/, School Visitation Rights Act.

820 ILCS 154/, Child Bereavement Leave 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 (Educational Support Personnel - Sick Days, Vacation, Holidays, and Leaves)

ADOPTED:February 1, 2017

Mid-Valley Special Education Cooperative

5:260 Student Teachers

The Executive Director is authorized to accept students from university-approved teacher-training programs to do student teaching in the Cooperative. 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 the 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 in the Cooperative, the Executive Director or designee shall ensure that:

1. The Cooperative 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 the Cooperative 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 Executive 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 Executive Director or designee will provide each student teacher with a copy of his or her report.

Assignment

The Executive Director or designee shall be responsible for coordinating placements of all student teachers within the Cooperative. Student teachers should be assigned to supervising teachers whose qualifications are acceptable to the Cooperative 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: February 1, 2017

Mid-Valley Special Education Cooperative

Educational Support Personnel

Mid-Valley Special Education Cooperative

5:270 Employment At-Will, Compensation, and Assignment

Employment At-Will

Unless otherwise specifically provided, Cooperative employment is at-will, meaning that employment may be terminated by the Cooperative or employee at any time for any reason, other than a reason prohibited by law, or no reason at all. Nothing in 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 Executive 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 Advisory 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

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

The Executive 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:November 2, 2016

Mid-Valley Special Education Cooperative

5:280 Duties and Qualifications

Support staff include: secretaries, administrative assistants, occupational therapists, physical therapists, certified occupational therapy assistants, physical therapy assistants, registered nurses, and teaching assistants.

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

LEGAL REF.:

34 C.F.R. §§200.58 and 200.59.

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 §§1.630 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:February 1, 2017

Mid-Valley Special Education Cooperative

5:285 Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

The Cooperative shall adhere to State and federal law and regulations requiring a drug and alcohol testing program for school van drivers. The Executive Director or designee will manage a program to implement State and federal law defining the circumstances and procedures for the testing.

LEGAL REF.:625 ILCS 5/6-106.1 and 5/6-106.1c.

49 U.S.C. §31306, Alcohol and Controlled Substances Testing (Omnibus Transportation Employee Testing Act of 1991, P.L. 102-143).

49 C.F.R. Parts 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs), 382 (Controlled Substance and Alcohol Use and Testing), and 395 (Hours of Service of Drivers).

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

ADOPTED:May 31, 2017

Mid-Valley Special Education Cooperative

5:290 Employment Termination and Suspensions

Resignation

An employee is requested to provide two weeks' written notice of a resignation. A resignation notice cannot be revoked once given.

Retirement

Please refer to the applicable collective bargaining agreement.

Non-RIF Dismissal

The Cooperative 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 Executive Director is responsible for making dismissal recommendations to the Advisory Board consistent with the Board's goal of having a highly qualified, high performing staff.

Reduction in Force and Recall

Please refer to the 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.

Administrative Absence With Pay

Please refer to the applicable collective bargaining agreement.

Suspension

Except as provided below, the Executive 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 Executive Director's judgment, the employee's presence is detrimental to the Cooperative. 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 the Cooperative 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 the Cooperative, 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 the Cooperative all compensation and the value of all benefits received by the employee during the suspension. The Executive 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.: 5:240 (Professional Personnel - Suspension), 5:270 (Educational Support Personnel - Employment At-Will, Compensation, and Assignment)

ADOPTED: January 31, 2018

5:300 Schedules and Employment Year

Employment Year

Please refer to the applicable collective bargaining agreement.

Schedules

Please refer to the applicable collective bargaining agreement.

The Executive Director shall supervise a process for setting work schedules and an employment year for all staff members in accordance with State and federal law, Advisory 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 Cooperative 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 Executive Director's approval is required to establish a flexible work schedule or job-sharing.

Breaks

Please refer to the applicable collective bargaining agreement.

Duty-Free Lunch

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 unpaid duty-free meal break that begins within the first five hours of the employee's workday.

Nursing Mothers

The Cooperative 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: May 31, 2017

Mid-Valley Special Education Cooperative

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 the Cooperative'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 Executive 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:April 4, 2012

Mid-Valley Special Education Cooperative

5:320 Evaluation

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

The Executive Director is responsible for designing and implementing a program for evaluating the job performance of each staff member according to standards contained in Advisory 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 for the first two years of employment, every 2-3 years thereafter.
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:November 2, 2016

Mid-Valley Special Education Cooperative

5:330 Sick Days, Vacation, Holidays, and Leaves

Sick and Bereavement Leave/IMRF Service Credit Plan

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 13 paid sick leave days per year. Part-time employees will receive sick leave pay equivalent to their regular workday. Unused sick leave shall accumulate to a maximum of 180 days, including the leave of the current year. This policy is the Cooperative's written plan allowing eligible employees to convert eligible accumulated sick leave to service credit upon retirement under IMRF.

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 Executive Director and/or designee shall monitor the use of sick leave.

As a condition for paying sick leave after 3 days absence for personal illness or 30 days for birth or as the Advisory Board or Executive Director deem necessary in other cases, the Advisory Board or Executive 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) an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the advanced practice nurse to perform health examinations, (4) a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician, or (5) if the treatment is by prayer or spiritual means, a spiritual advisor or practitioner of the employee's faith.

Paid Sick Leave for Adoption

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 Executive Director may require that the employee provide evidence that the formal adoption process is underway.

Vacation

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

Vacation days will be determined by the Executive Director and approved by the Board.

Holidays

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

Holidays will be determined by the Executive Director or designee and approved by the Board.

Personal Leave

Please refer to the applicable collective bargaining agreement.

For employees not covered by a current applicable bargaining agreement:

Personal leave will be determined by the Executive Director or designee and approved by the Board.

Parental Leave and Other Leaves of Absence, Accident or Injury Leave

Please refer to the applicable collective bargaining agreement.

Non-Paid Leaves of Absence

Please refer to the applicable collective bargaining agreement.

Association Release Time

Please refer to the applicable collective bargaining agreement.

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 Illinois Municipal Retirement Fund in accordance with 105 ILCS 5/24-6.3.

Other Leaves

Educational support personnel receive the following leaves on the same terms and conditions granted professional personnel in Advisory 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 or Sexual Violence.
4. Child Bereavement Leave.
5. Leave to serve as an election judge.

LEGAL REF.:20 ILCS 1805/30.1 et seq.

105 ILCS 5/10-20.7b, 5/24-2, and 5/24-6.

820 ILCS 147 and 180/.

820 ILCS 154/.

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 (Professional Personnel - Leaves of Absence), 6:20 (Calendar and Day)

ADOPTED:February 1, 2017

Mid-Valley Special Education Cooperative

SECTION 6 - INSTRUCTION

Mid-Valley Special Education Cooperative

6:20 Calendar and Day

The Cooperative follows as closely as possible the calendars established by member districts. Staff working in classrooms housed in member districts shall follow that district's established calendar.

Students attending Mades-Johnstone Center follow the District 303 calendar.

Commemorative Holidays

In the school operated by the Cooperative, 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

For the school operated by the Cooperative, the Advisory Board establishes the length of the student's school days with the recommendation of the Executive Director and subject to State law requirements.

LEGAL REF.:105 ILCS 5/10-19, 5/10-24.46, 5/18-8.05, 5/18-12, 5/18-12.5, 5/24-2, 5/27-3, 5/27-18, 5/27-19, 5/27-20, 5/27-20.1, 5/27-20.2, and 20/1.

10 ILCS 5/11-4.1.

23 Ill.Admin.Code §1.420(f).

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

CROSS REF.:5:200 (Terms and Conditions of Employment and Dismissal), 5:330 (Sick Days, Vacation, Holidays, and Leaves)

ADOPTED:February 4, 2015

Mid-Valley Special Education Cooperative

6:30 Organization of Instruction and Curriculum Development

Organization of Instruction

The housing of programs in Member District facilities shall be according to plans developed by the Director in cooperation with the Member Districts.

For schools operated by the Cooperative, the Executive Director shall annually develop a plan for organizing instructional levels.

Programs and Curriculum

The Executive Director shall develop and implement a plan of services for special education students that is educationally sound and is otherwise in compliance with State and federal law.

The Executive 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.

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), 7:15 (Student and Family Privacy Rights)

Adopted: November 7, 2018

Mid-Valley Special Education Cooperative

6:62 Physical Education

In all grades, physical education must be taught including a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. Unless otherwise exempted, all students are required to engage daily during the school day in a physical education course.

Exemption from Physical Activity

In order to be excused from participation in physical education, a student must present an appropriate excuse from his or her parent/guardian or from a person licensed under the Medical Practice Act. The excuse may be based on medical or religious prohibitions. State law prohibits a school board from honoring parental excuses based upon a student's participation in athletic training, activities, or competitions conducted outside the auspices of the School District.

Special activities in physical education will be provided for a student whose physical or emotional condition, as determined by a person licensed under the Medical Practices Act, prevents his or her participation in the physical education courses.

A student in grades 3-12 who is eligible for special education may be excused from physical education courses if:

1. The student's parent/guardian agrees that the student must utilize the time set aside for physical education to receive special education support and services, or
2. The student's individualized education program team determines that the student must utilize the time set aside for physical education to receive special education support and services.

The agreement or determination must be made a part of the individualized education program. A student requiring adapted physical education must receive that service in accordance with the student's individualized education program.

LEGAL REF.:105 ILCS 5/27-5,5/27-6, 5/27-7.

225 ILCS 60/, Medical Practice Act.

23 Ill.Admin.Code §1.420(p).

CROSS REF.:6:20 (Calendar and Day), 6:70 (Teaching About Religions), 7:190 (Student Discipline)

ADOPTED:May 2, 2012

Mid-Valley Special Education Cooperative

6:65 Student Social and Emotional Development

Social and emotional learning (SEL) is defined as the process through which students enhance their ability to integrate thinking, feeling, and behaving to achieve important life tasks. Students competent in SEL are able to recognize and manage their emotions, establish healthy relationships, set positive goals, meet personal and social needs, and make responsible and ethical decisions.

The Executive Director shall incorporate SEL into the Cooperative's curriculum and other educational programs consistent with the Cooperative's mission and the goals and benchmarks of the Ill. Learning Standards. The Ill. Learning Standards include three goals for students:

1. Develop self-awareness and self-management skills to achieve school and life success.
2. Use social-awareness and interpersonal skills to establish and maintain positive relationships.
3. Demonstrate decision-making skills and responsible behaviors in personal, school, and community contexts.

The incorporation of SEL objectives into the Cooperative's curriculum and other educational programs may include but is not limited to:

1. Classroom and school-wide programming to foster a safe, supportive learning environment where students feel respected and valued. This may include incorporating scientifically based, age-and-culturally appropriate classroom instruction, Cooperative-wide, and school-wide strategies that teach SEL skills, promote optimal mental health, and prevent risk behaviors for all students.
2. Staff development and training to promote students' SEL development. This may include providing all personnel with age-appropriate academic and SEL and how to promote it.
3. Parent/Guardian and family involvement to promote students' SEL development. This may include providing parents/guardians and families with learning opportunities related to the importance of their children's optimal SEL development and ways to enhance it.
4. Community partnerships to promote students' SEL development. This may include establishing partnerships with diverse community agencies and organizations to assure a coordinated approach to addressing children's mental health and SEL development.
5. Early identification and intervention to enhance students' school readiness, academic success, and use of good citizenship skills. This may include development of a system and procedures for periodic and universal screening, assessment, and early intervention for students who have significant risk factors for social, emotional, or mental health conditions that impact learning.
6. Treatment to prevent or minimize mental health conditions in students. This may include building and strengthening referral and follow-up procedures for providing effective clinical services for students with social, emotional, and mental health conditions that impact learning. This may include student and family support services, school-based behavioral health services, and school-community linked services and supports.
7. Assessment and accountability for teaching SEL skills to all students. This may include implementation of a process to assess and report baseline information and ongoing progress about school climate, students' social and emotional development, and academic performance.

LEGAL REF.:Children's Mental Health Act of 2003, 405 ILCS 49/.

CROSS REF.:1:30, (School Cooperative Philosophy), 6:10 (Educational Philosophy and Objectives), 6:40 (Curriculum Development), 6:60 (Curriculum Content), 6:270 (Guidance and Counseling Program), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:250 (Student Support Services)

ADOPTED:January 9, 2013

Mid-Valley Special Education Cooperative

6:70 Teaching About Religions

The Cooperative'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), 6:255 (Assemblies and Ceremonies)

ADOPTED:May 31, 2017

Mid-Valley Special Education Cooperative

6:80 Teaching About Controversial Issues

The Executive Director or designee shall ensure that all school-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

The Cooperative specifically reserves its right to stop any school-sponsored activity that it determines violates this policy, is harmful to the Cooperative or the students, or violates State or federal law.

CROSS REF.:6:255 (Assemblies and Ceremonies)

ADOPTED:December 6, 2017

Mid-Valley Special Education Cooperative

6:100 Using Animals in the Educational Program

Animals may be brought into Cooperative facilities for educational purposes according to procedures developed by the Executive Director or designee 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.

LEGAL REF.:105 ILCS 5/2-3.122, 5/27-14, and 112/1 et seq.

CROSS REF.:6:120 (Education of Children with Disabilities), 6:120-AP3 (Service Animal Access Requests), 6:120-AP3,E1 (Request for a Service Animal to Accompany a Student in School Facilities)

ADOPTED:May 2, 2012

Mid-Valley Special Education Cooperative

6:110 Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program

The Executive Director or designee shall develop, maintain, and supervise a program for students at risk of academic failure or dropping out of school. The program shall include education and support services addressing individual learning styles, career development, and social needs, and may include without limitation one or more of the following:

- Parent-teacher conferences
- Counseling services by social workers and/or guidance counselors
- Counseling services by psychologists
- Psychological testing
- Truants' alternative and optional education program
- Community agency services
- Alternative learning opportunities program, in conformity with the Alternative Learning Opportunities Law, as it may be amended from time to time
- Graduation incentives program
- Remediation program

Any student who is below the age of 20 years is eligible to enroll in a graduation incentives program if he or she:

1. Is considered a dropout according to State law;
2. Has been suspended or expelled;
3. Is pregnant or is a parent;
4. Has been assessed as chemically dependent; or
5. Is enrolled in a bilingual education or English Language Learners program.

LEGAL REF.:105 ILCS 5/2-3.41, 5/2-3.66, 5/10-20.9a, 5/13B, 5/26-2a, 5/26-13, 5/26-14, and 5/26-16.

CROSS REF.:6:280 (Grading and Promotion), 6:300 (Graduation Requirements), 7:70 (Attendance and Truancy)

ADOPTED:February 4, 2015

Mid-Valley Special Education Cooperative

6:120 Education of Children with Disabilities

The Cooperative shall provide a free appropriate public education in the least restrictive environment and necessary related services to all children with disabilities enrolled in the Cooperative, as required by 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 3 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 Cooperative 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.

For students eligible for services under IDEA, the Cooperative shall follow procedures for identification, evaluation, placement, and delivery of services to children with disabilities provided in the ISBE *Special Education* rules. For those students who are not eligible for services under IDEA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related services, the Cooperative shall establish and implement a system of procedural safeguards. The safeguards shall cover students' identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student's parent(s)/guardian(s) to examine relevant records, an impartial hearing with opportunity for participation by the student's parent(s)/guardian(s), representation by counsel, and a review procedure. When a student who is eligible for special education under Article 14 of the School Code reaches the majority age of 18 years, all rights accorded to the students' parents under that Article transfer to the student, except as provided in 105 ILCS 5/14-6.10.

If necessary, students may also be placed in nonpublic special education programs or education facilities.

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: November 7, 2018

Mid-Valley Special Education Cooperative

6:120-AP1, E1 Exhibit - Notice to Parents/Guardians Regarding Section 504 Rights

On Cooperative letterhead

Date:

Dear Parent/Guardian:

Re:Section 504 Rights

The Rehabilitation Act of 1973, commonly referred to as "Section 504," is a nondiscrimination statute enacted by the U.S. Congress. The Act's purpose is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under Section 504 is a student who: has a record of having, or is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working, and performing manual tasks. Many students will be eligible for educational service under both Section 504 and the Individuals with Disabilities Education Act (IDEA). Students who are eligible under IDEA have many specific rights that are not available to students who are eligible solely under Section 504.

This notice describes the rights assured by Section 504 to those disabled students who do not qualify under IDEA. The intent of this notice is to keep you fully informed concerning decisions about your student and to inform you of your rights if you disagree with any decisions in reference to Section 504.

Please keep this explanation for future reference.

Parents/Guardians and/or students have the right to:

1. Be informed by the Cooperative of your rights and procedural safeguards under Section 504 in an understandable language. 34 C.F.R. Parts 104 and 300. The purpose of this notice is to advise parents/guardians and/or students of these rights. 23 Ill.Admin.Code §§226.500, 510 and 610.
2. An appropriate education designed to meet a student's individual educational needs as adequately as the needs of non-disabled students are met. 34 C.F.R. §104.33.
3. Free educational services except for those fees that are imposed on non-disabled students or their parents/guardians. Insurers and similar third parties are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student. 34 C.F.R. §104.33.
4. A placement in the least restrictive environment. 34 C.F.R. §104.34.
5. Facilities, services, and activities that are comparable to those provided for non-disabled students. 34 C.F.R. §104.34.
6. An evaluation prior to an initial Section 504 placement and any subsequent significant change in placement. 34 C.F.R. §104.34.
7. Testing and other evaluation procedures conforming to the requirements of 34 C.F.R. §104.35 as to validation, administration, areas of evaluation, etc. The Cooperative shall consider information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical conditions, social and cultural background, adaptive behavior, physical or medical reports, student grades, progress reports, parent/guardian observations, anecdotal reports and standardized test scores. 34 C.F.R. §104.35.
8. Placement decisions made by a group of persons, i.e., a Section 504 committee, including the parent(s)/guardian(s) persons knowledgeable about the student, the meaning of the evaluation data, the placement options and the legal requirements for the least restrictive environment and comparable facilities. 34 C.F.R. §104.35.
9. Periodic reevaluations. 34 C.F.R. §104.35.
10. A notice prior to any action by the Cooperative in regard to the identification, evaluation, or placement of the student. 34 C.F.R. §104.36.
11. Examine relevant records. 34 C.F.R. §104.36.
12. An impartial due process hearing regarding the student's identification, evaluation or educational placement including an opportunity for parental participation in the hearing and representation by an attorney. 34 C.F.R. §104.36.

You must file a written *Parental Request for an Impartial Due Process Hearing* with the Cooperative Section 504 compliance coordinator or designee. If you disagree with the decision of the Section 504 committee. The request must be submitted to the Cooperative Section 504 compliance coordinator within 10 calendar days from the time you received the written notice of the Cooperative's Section 504 committee decision. A copy of a *Parental Request for an Impartial Due Process Hearing* is available online at:

www.isbe.state.il.us/spec-ed/pdfs/dp_parental_19-86a.pdf.

The hearing will be scheduled before an impartial hearing officer and you will be notified in writing of the date, time, and place for the hearing. The hearing will conform to the requirements of 34 C.F.R. §300.512 and Section 14-8.02a of the School Code (105 ILCS 5/14-8.02a.). 34 C.F.R. §104.36; 23 Ill.Admin.Code §226.625. The impartial hearing officer shall issue a written decision, including findings of fact and conclusions of law, within 10 days after the conclusion of the hearing and send by certified mail a copy of the decision to the parents/guardians or student (if the student requests the hearing), the Cooperative, the Director of Special Education, legal representatives of the parties, and the State Board of Education. 105 ILCS 5/14-8.02a(h).

13. A review by a court of competent jurisdiction of the impartial hearing officer's decision. 34C.F.R. §104.36. Any appeal must be filed in a court of competent jurisdiction within 120 days after the impartial due process hearing officer's decision is mailed to the party. 105ILCS 5/14-8.02a(i).
14. File a complaint with the Cooperative's Section 504 coordinator or designee concerning Section 504 matters other than your student's identification, evaluation and/or placement. The Section 504 coordinator or designee will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution.
15. File a complaint with the Office of Civil Rights. The Illinois regional Office of Civil Rights is located in Chicago at:

Chicago Office for Civil Rights

U.S. Department of Education

Citigroup Center

500 West Madison Street, Suite 1475

Chicago, IL 60661

Phone:312/730-1560

Fax:312/730-1567

TDD:877/521-2172

Email:OCR.Chicago@ed.gov

Sincerely,

Executive Director

DATED:May 2, 2012

Mid-Valley Special Education Cooperative

6:120-AP2 Administrative Procedure - Access to Classrooms and Personnel

Access to classrooms and personnel is permitted in limited situations by Section 105 ILCS 5/14-8.02(g-5), amended by P.A. 96-657. Guidelines follow:

1. These guidelines apply to access requested by the parent/guardian of a student receiving special education services or being evaluated for eligibility, an independent educational evaluator, or a qualified professional retained by or on behalf of a parent/guardian or child.
2. Visitors must comply with:
 - a. School safety, security, and visitation policies at all times.
 - b. Applicable privacy laws, including those laws protecting the confidentiality of education records such as the federal Family Educational Rights and Privacy Act and the Illinois School Student Records Act.
 - c. Board policy 8:30, *Visitors to and Conduct on School Property*. Visitors may not disrupt the educational process.
3. Parents are welcome to visit in MVSEC classrooms and services with prior notice to the classroom teacher, principal or coordinator. Visits should be limited to one hour or less, to assure minimal disruption to the instructional environment. Visits may need to be rescheduled, depending on the classroom environment.
4. If a prospective parent wishes to visit a MVSEC educational placement or program proposed for the child by the IEP team, these arrangements should be made through the home district's representative.
5. A *qualified professional* means "an individual who holds credentials to evaluate the child in the domain or domains for which an evaluation is sought or an intern working under the direct supervision of a qualified professional, including a master's or doctoral degree candidate." These individuals are referred to in this procedure as professionals.
6. Professionals will be afforded reasonable access to educational facilities, personnel, classrooms, and buildings and to the child. To minimize disruption, reasonable access means that the parent(s)/guardian(s) or qualified professional retained by or on behalf of a parent/guardian or child is allowed access once per school quarter for up to one hour or one class period. A visitor may request the authorized administrator to grant longer or additional observations based on individual circumstances and provide any supporting documentation in support of such a request. A professional evaluator can request longer or additional observations in his or her initial request. The administrator may grant, deny, or modify the request, and the administrator's decision shall be final.
7. If the visitor is an independent educational evaluator or a qualified professional retained by or on behalf of a parent or child, he or she must be afforded reasonable access of sufficient duration and scope for the purpose of conducting an evaluation of the child, the child's performance, the child's current educational program, placement, services, or environment, or any educational program, placement, services, or environment proposed for the child, including interviews of educational personnel, child observations, assessments, tests, or assessments of the child's educational program, services, or placement or of any educational program proposed by the IEP team, services, or placement. If one or more interviews of school personnel are part of the evaluation, the interviews must be conducted at a mutually agreed upon time, date, and place that do not interfere with the school employee's school duties. The Program Coordinator or designee may limit interviews to personnel having information relevant to the child's current educational services, program, or placement or to a proposed educational service, program, or placement.
8. For professionals visiting classrooms, prior to visiting a school, school building, or school facility, a visitor must complete 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*. This form serves to:
 - a. Inform the Building Principal or designee in writing of the proposed visit(s), the purpose, and the duration, and
 - b. Identify requested dates/times for the visit(s) to facilitate scheduling.
9. The student's parent/guardian must consent in writing to the student being interviewed by the named evaluator as part of a visit. The parent/guardian will grant this consent by completing 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*.
10. The student's parent/guardian, or the student, if he or she is over the age of 18, must execute an Authorization to Release Student Record Information before an independent educational evaluator or a qualified professional retained by or on behalf of a parent/guardian or child will be given access to student school records or to personnel who would likely release such records during discussions about the student. If a student is over the age of 12 and the records contain mental health and/or developmental disability information, the student must also be requested to sign the Authorization to Release information before any observation by or disclosure of school student records or information to a visitor.
11. The visitor must acknowledge, before the visit, that he or she is obligated to honor target students' confidentiality and each student's rights and refrain from any re-disclosure of such records. The visitor will provide this acknowledgment and agreement by completing 6:120-AP2, E1, *Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes*.
12. The Program Coordinator will attempt to arrange the visit(s) at times that are mutually agreeable. The Coordinator will accompany any visitor for the duration of the visit, including during any interviews of staff members, if necessary. Visits may need to be rescheduled due to classroom disruption.
13. If the visitor is a professional retained by the parent/guardian, the visitor must provide identification and credentials before the visit.
14. This procedure applies to any public school facility, building, or program and to any facility, building, or program supported in whole or in part by public funds. The student's case manager or other Cooperative designee must facilitate such visit(s) when the student attends a program outside of the Cooperative, such as at a private day program or residential program, provided it is supported in whole or in part by public funds.

DATED: May 2, 2012

6:120-AP2, E1 Exhibit - Request to Access Classroom(s) or Personnel for Special Education Evaluation and/or Observation Purposes

Student name:DOB:

School attending:Grade:

The following information must be completed by individuals requesting to access a school building, facility, and/or educational programs or to interview Cooperative personnel or the student named above for the purpose of assessing the student's special education needs. Please complete this form and return it to the classroom where the student is enrolled, who will forward it to the Program Coordinator. He or she will contact you to coordinate your visit:

Observations are limited to one hour or one class period per school quarter, unless otherwise arranged.

Parent's Independent Evaluator or Other Qualified Professional (Complete this section if the person making the request is not the parent/guardian.)

Name: Agency/Company:

Phone: Email address:

Address:

My professional training and/or licensure or certification, if applicable, is (check all that apply):

- Teacher, certified in the areas of: Illinois certified? Y N
- Clinical Psychologist School Psychologist
- Licensed Clinical Social Worker Licensed Social Worker
- School Social Worker Occupational Therapist
- Physical Therapist Speech/Language Pathologist
- Audiologist Psychiatrist
- Registered Nurse Certified School Nurse
- Other qualified professional (list credentials):

I have been requested by the above named student's parent/guardian to conduct an evaluation of the student for the purpose of:

As part of this evaluation, I am requesting the following for the length of time noted (check all that apply):

Observation of student in the following classroom(s)/setting(s):

Duration:

Opportunity to interview the following personnel believed to work with the student:

Duration:

Opportunity to interview the student.

I will need more than one hour or one class period for my visit for the following reason(s):

Student records, as noted in the attached, signed Authorization to Release Student Record Information.

Acknowledgement (To be completed by the person making the access request.)

I understand that the Cooperative will allow me reasonable access to the school, school facilities, or educational programs or individual(s) I have requested as related to the purpose of my visit. I have been provided with a copy of 6:120-AP2, *Access to Classrooms and Personnel*, and agree to comply with its terms and conditions. I understand that visits may have to be rescheduled due to classroom disruption. I further understand that during my visit, I must honor all students' confidentiality rights and refrain from any re-disclosure of such records.

Individual Requesting Access Signature Date

Parent/Guardian Verification (Must be completed whenever an independent evaluator or other qualified professional requests access.)

I, , am the parent/guardian of the above-named student, and I confirm that I have requested an evaluation of my child by the individual named herein, for the stated purpose(s). If requested above, I consent to my child being interviewed by the named evaluator as part of this visit understanding that the Cooperative has not conducted a background check on the evaluator. I have no reason to believe the evaluator poses a safety risk to my child or others. I further understand and agree that it is my responsibility to notify the Cooperative in writing if I

end my working relationship with the named evaluator prior to the completion of the tasks outlined herein and that the Cooperative otherwise will work with the evaluator to provide reasonable access to the school, school building, school facility, personnel, or my child at mutually agreed upon times and in a manner that is least disruptive to the school setting or my child's academic program.

Parent/Guardian SignatureDate

DATED:May 2, 2012

Mid-Valley Special Education Cooperative

6:120-AP3 Administrative Procedure - Service Animal Access Requests

A service animal that is individually trained to perform tasks for the benefit of a student with a disability is permitted to accompany that student to all school functions, whether in or outside the classroom. The student's right to have a service animal in the educational setting must be carefully balanced with the rights of other students who are equally entitled to receive educational benefits at the school. This procedure is used to evaluate and manage legal and practical issues when the Cooperative receives a request for a service animal to accompany a disabled student at school.

Definitions

Service Animal - An animal such as a guide dog, signal dog, or any other animal that is individually trained to perform tasks for the benefit of a student with a disability. 105 ILCS 5/14-6.02. While the School Code and the Americans with Disabilities Act both use the word *animal*, research identifies that dogs are the most commonly used service animals.

Adult Handler - The adult who has been trained to handle a service animal and has agreed to handle the service animal in the educational setting.

Actor	Action
Parent/Guardian	<p>Informs the Cooperative of the need for a service animal to accompany their disabled child to school.</p> <p>Completes 6:120-AP3, E1, <i>Request for a Service Animal to Accompany a Student in School Facilities</i>.</p>
Executive Director or designee	<p>Discusses this procedure with the Building Principal, Program Coordinator, or other appropriate administrative and special education staff, and the Board Attorney.</p> <p>The Board Attorney will be a necessary participant in the Cooperative's efforts to manage the issues presented by a request for service animal access. The Executive Director may want to authorize the Program Coordinator to consult with the Board Attorney as needed.</p> <p>Contacts the Cooperative's insurance carrier(s) to assess appropriate coverage for issues involving service animals, including the adult handler.</p> <p>Consults with the Building Principal and Special Education Coordinator to determine whether the student has the right to be accompanied by a service animal.</p> <p>105 ILCS 5/14-6.02 only grants students with a disability the right to bring a service animal to school.</p>
IEP and/or 504 Team	<p>For a student with an IEP or Section 504 plan, or who qualifies for a service animal, determines:</p> <ol style="list-style-type: none"> 1. Whether the service animal is a required <i>related service</i> to ensure the provision of a "free appropriate public education" (FAPE), and/or 2. Whether the service animal is an appropriate <i>reasonable accommodation</i> for the student's disability. <p>Conditionally approves the request if the answer to either of the above questions is positive (i.e., determines that the service animal will perform tasks for the benefit of a student with a disability). The service animal will be allowed to accompany the student to school, provided the service animal meets the criteria in 6:120-AP3, E1, <i>Request for a Service Animal to Accompany a Student in School Facilities</i>.</p> <p>If the request is denied, notifies the parent/guardian in writing of the reasons for the denial and the right to appeal. Provides any required procedural safeguard notices. See 23 Ill.Admin.Code Part 226; Section 504 of the Rehabilitation Act of 1973 (34 C.F.R. Parts 104 and 300); and 6:120-AP1, E1, <i>Notice to Parents/Guardians Regarding Section 504 Rights</i>.</p>
	<p>When service animal access is allowed:</p> <p>Permits the service animal to accompany the student to school if: (1) the IEP and/or 504 Team determined that the service animal will perform tasks for the benefit of a student with a disability, and (2) all of the criteria are met in 6:120-AP3, E1, <i>Request for a Service Animal to Accompany a Student in School Facilities</i>.</p> <p>Ensures that the Cooperative conducts a criminal background check on the adult handler. See 6:250-AP, <i>Securing and Screening Resource Persons and Volunteers</i>, and 6:250-E, <i>Volunteer Information Form and Waiver of Liability</i>.</p> <p>The ADA regulation, 28 C.F.R. §35.130(f), and the Illinois White Cane Act, 775 ILCS 30/, both prohibit charging a disabled individual a deposit or a surcharge as a condition to allowing a service animal to accompany the disabled individual. Consult the Board Attorney about payment of any criminal background screening fees for an adult handler.</p> <p>Creates a plan with the student's parent/guardian and the adult handler for:</p> <ol style="list-style-type: none"> 1. Integrating the animal into the classroom and school environment (assemblies, cafeteria, library, etc.), and 2. Meeting the service animal's basic needs during the school day. <p>Any plan depends on the individual student's service animal arrangement, any management issues, and the schedules within each individual building. The school staff is not required to provide care or assistance except in special circumstances (see 28 C.F.R. Part 35, App.A). Consider addressing: where the animal will urinate and</p>

<p>Building Principal/Program Coordinator</p>	<p>defecate, who disposes of the waste, where the animal drinks water, and who provides it, etc.</p> <p>Checks with the school nurse regarding any known allergies among students attending the school.</p> <p>Manages identified students' competing educational interests by:</p> <ol style="list-style-type: none"> 1. Consulting the Board Attorney. 2. Minimizing contact between any allergic students and the service animal. 3. Creating a method to monitor identified competing educational interests between students. 4. Responding to future unidentified competing educational interests and managing them immediately. 5. Modifying any other conditions as the facts of the situation require. <p>See <u>Kalbfleisch ex rel. v. Columbia Community Unit School District</u>, Ill.App.3d 1105, for a discussion about the balancing of interests. Other helpful publications include:</p> <p>The U.S. Department of Education's "Reasonable Accommodation Handbook," Section C10, provides information about balancing competing interests in the context of a service animal's presence in the work environment. It is available at: www2.ed.gov/policy/gen/leg/foia/acshbom3.pdf.</p> <p>The Ill. Attorney General Office's "Disability Rights Service Animals: A Guide for Illinois Businesses and Other Public Accommodations," available at: www.illinoisattorneygeneral.gov/rights/servanimals.html.</p> <p>The U.S. Dept. of Justice's "Commonly Asked Questions about Service Animals in Places of Business," available at: www.ada.gov/qasrvc.htm.</p> <p>Facilitates the dissemination of accurate information about the presence of the service animal at school while respecting privacy rights.</p> <p>Creates a joint communication from the Building Principal/Program Coordinator and the parent/guardian of the student using a service animal. The communication should inform other students and their parents/guardians about the placement of a service animal in their educational setting.</p> <p>Providing a joint communication allows the school to exchange the information needed to balance competing educational interests without violating federal or State laws that govern student records. See Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, and its implementing rules at 34 C.F.R. Part 99; Ill. School Student Records Act, 105 ILCS 10/, and its implementing rules at 23 Ill.Admin.Code Part 375. FERPA prohibits schools from disclosing personally identifiable information from students' education records without the consent of a parent or eligible student, unless an exception applies. See policy 7:340, <i>Student Records</i>.</p> <p>Prepares a list of answers to anticipated questions.</p> <p>Educates students, staff, and the community about the rights of students to use service animals in the school and the consequences for mistreatment of animals. See Humane Care of Animals Act (510 ILCS 70/4.03, 70/4.04, and 70/7.15 make it unlawful to meddle or tamper with a service dog or to tease, strike or mistreat one); White Cane Law (775 ILCS 30/3 makes it unlawful to interfere with the rights of a disabled person); Guide Dog Access Act (720 ILCS 630/1 makes it unlawful to deny right of entry and use of facilities of any public place of accommodation).</p> <p>When a service animal arrives at school without notice:</p> <p>Requests the parent/guardian to retrieve the animal. Keeps the animal with the student until the parent/guardian removes the animal from school property.</p> <p>Informs school personnel that the animal may not be taken away from the student.</p> <p>Contacts animal control if the Principal or designee believes the animal may be dangerous or sick.</p> <p>Informs the parent/guardian upon retrieval of the animal of the requirements in this procedure.</p>
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LEGAL REF.:105 ILCS 5/14-6.02.

Humane Care for Animals Act, 510 ILCS 70/.

Guide Dog Access Act, 720 ILCS 630/.

Illinois White Cane Act, 775 ILCS 30/.

28 C.F.R. Part 35.

28 C.F.R. §36.104.

34 C.F.R. Parts 100 and 300.

DATED:May 2, 2012

6:120-AP3, E1 Exhibit - Request for a Service Animal to Accompany a Student in School Facilities

This form identifies criteria to help the Cooperative minimize risks that a service animal poses to students, staff, and the educational environment. It is not based on speculation, stereotypes, or generalizations about students with disabilities. Each criterion includes guidelines and explanations with resources. A service animal that meets the criteria may accompany a student to all school functions in or outside the classroom.

Parent/guardian Complete this form and return it to the Building Principal. It will be used during the Individual Education Plan or Section 504 plan meeting.

Student name <i>(please print)</i>	DOB
School attending	Grade
Parent/Guardian name <i>(please print)</i>	Contact number
Animal owner's name <i>(if other than parent/guardian; please print)</i>	Contact number
Animal handler's name <i>(if other than owner's name; please print)</i>	Contact number

Please initial before each of the following statements if the statement is true.

The animal has completed a professional service animal training program.

(Initials)

Guidelines	Explanation
<p>Trained service animals generally include:</p> <ul style="list-style-type: none"> • Hearing dog • Guide dog • Assistance dog • Seizure alert dog • Mobility dog • Psychiatric service dog • Autism service dog (could be same as therapy dog) <p>Trained service animals generally do not include:</p> <ul style="list-style-type: none"> • Skilled Companion Animal • Social Dog • Facility Dog • Trained Agility Dog • Police Dog • Search And Rescue Dog 	<p>To minimize risks, a service animal should be professionally trained. This training is different from and in addition to the <i>individualized training</i> to perform tasks for the benefit of the student.</p> <p>Assistance Dogs International, Inc. (ADI) is a coalition of not-for-profit organizations. Its purpose is to improve the areas of training, placement, and utilization of service dogs. See its website for service animal training programs at: www.assistancedogsinternational.org/Standards/ServiceDogStandards.php.</p>

- Helping Dog

The animal meets minimum standards for a service animal in public.

(Initials)

Guidelines	Explanation
<p>Public appropriateness standards:</p> <ul style="list-style-type: none"> • Clean, well-groomed with no offensive odor. • Does not urinate or defecate in inappropriate locations. <p>Behavior standards:</p> <ul style="list-style-type: none"> • Does not disrupt the normal course of school business; solicit attention, visit or annoy, solicit or steal food or other items from any member of the staff or student population; or vocalize unnecessarily, i.e., barking, growling or whining, etc. • Shows no aggression towards people or other animals, i.e., showing teeth, barking, growling, jumping on individuals, etc. <p>General training standards:</p> <ul style="list-style-type: none"> • Works calmly and quietly on harness, leash, or other tether. • Performs tasks in the school setting and lies quietly beside the student or adult handler without blocking aisles, doorways, etc. • Trained to urinate and defecate on command. • Stays within 24 inches of the student or adult handler at all times unless the nature of a trained task requires it to be working at a greater distance. 	<p>Requiring "minimum standards for a service animal in public" ensures that the school provides reasonable accommodations without fundamentally altering the nature of the school environment. No State laws or agency rules address specific minimum standards for a service animal. This list follows the ADI's "minimum standards for a service animal in public," available at:</p> <p>www.assistancedogsinternational.org/Standards/ServiceDogStandards.php.</p> <p>Additional standards may be appropriate to meet a school building's and its students' needs. The ADI's sample public access test ensures that an animal has appropriate behavior for a public setting. Available at:</p> <p>www.assistancedogsinternational.org/publicaccesstest.php.</p>

The animal is *individually trained* to perform tasks for the benefit of a student with a disability.

(Initials)

Guidelines	Explanation
<p>A service animal must perform individualized tasks to mitigate aspects of the student's disability.</p> <p>Identify individualized tasks:</p> <ol style="list-style-type: none"> 1. _____ 2. _____ 3. _____ 	<p>105 ILCS 5/14-6.02 requires the service animal to be <i>individually trained</i> to perform tasks for the benefit of a student with a disability. This verification of training helps the school identify necessary IEP related services or 504 plan reasonable accommodations.</p> <p>Tasks may include, but are not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items. 28 C.F.R. §36.104.</p>

The animal has a current rabies vaccination tag.

(Initials)

Guidelines	Explanation
<p>A service animal's vaccinations must be current and filed in the student's temporary record.</p>	<p>Illinois law only requires a current rabies vaccination, which is verified through a current rabies vaccination tag. 510 ILCS 5/8. Local municipalities, cities, or villages within the Cooperative's boundaries may have additional registration requirements. Require proof of those if they exist.</p>

The adult handler(s) may lawfully: 1. Be on school property, and

(Initials) **2. Have contact with children.**

Guidelines	Explanation
<p>Identify adult handler(s):</p>	

1. _____ 2. _____ The animal handler must not be 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 Child Murderer and Violent Offender Against Youth Registration Act.	At a minimum, 720 ILCS 5/11-9.3 prohibits a child sex offender from being present on school property when persons under the age of 18 are present. Note that some school boards forbid the use of convicted felons as volunteers. Board policy 6:250, <i>Community Resource Persons and Volunteers</i> , requires the Executive Director to establish procedures for securing and screening resource persons and volunteers. 6:250-AP, <i>Securing and Screening Resource Persons and Volunteers</i> , requires criminal history records checks for individuals who work in direct contact with students or where a check would be prudent.
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Acknowledgement

- I. I understand that the presence of a service animal may present competing educational rights between my student and other students at school. These issues may present at any time, and I understand that the Building Principal/Program Coordinator must manage them immediately. I will:
 - a. Participate in any meetings requested of me by the Building Principal/Program Coordinator;
 - b. Participate in drafting a joint communication to notify other students and their parents/guardians about the placement of the service animal; and
 - c. Authorize the school to disclose information as necessary to balance competing educational interests and integrate the animal into the classroom and the school environment.

- II. I understand that for the safety and protection of students and staff, which is necessary for the safe operation of the school, the school may revoke access because:
 - a. One of the criteria above is not present.
 - b. The service animal displays aggression or appears to be an imminent threat to the safety or health of any person in the school. If this occurs, the Building Principal/Program Coordinator will immediately contact me to remove the animal from school property and summon Animal Control.
 - c. The adult handler fails to follow the Building Principal's/Program Coordinator's instructions.

- III. I understand that a service animal's owner is solely liable for any damage to persons, premises, or facilities that were caused by the service animal. I will hold the Cooperative, its employee, agents, and assigns harmless for any injury to, including death of, the service animal. I understand that the Local Governmental and Governmental Employees Tort Immunity Act protects staff members from liability arising from actions consistent with Board policies and administrative procedures.

Parent/guardian signature		Date
Animal owner's signature		Date

The Building Principal/Program Coordinator and, if applicable, the IEP or 504 team, based this decision on the information provided in this request. *(Note to Building Principal: return a copy of this form to the individual(s) making the request, file the original in the student's temporary record, and send a copy to the Cooperative's main office.)*

Approved **Denied**

Building Principal/Program Coordinator or designee	Date

DATED: May 2, 2012

6:140 Education of Homeless Children

Each child of a homeless individual and each homeless youth has equal access to the same free, appropriate public education as provided to other children and youths, including a public pre-school education. A *homeless child* is defined as provided in the McKinney Homeless Assistance Act and the Ill. Education for Homeless Children Act. The Executive Director or designee shall act as or appoint a Liaison for Homeless Children to coordinate this policy's implementation.

A homeless child may attend MVSEC programs if: (a) the child currently lives in any Member District's attendance areas; or (b) the child when permanently housed resided in a Member District or was enrolled in a Member District school.

LEGAL REF.:McKinney Homeless Assistance Act, 42 U.S.C. §11431 et seq.

Ill. Education for Homeless Children Act, 105 ILCS 45/.

CROSS REF.:2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 7:10 (Equal Educational Opportunities), 7:30 (Student Assignment), 7:50 (School Admissions and Student Transfers To and From Non-Cooperative Schools), 7:60 (Residence), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students)

ADOPTED:November 4, 2015

Mid-Valley Special Education Cooperative

6:150 Home and Hospital Instruction

A child qualifies for home or hospital instruction if they are absent due to a medical condition, or the child's physician, physician assistant, or advanced practice registered nurse anticipates that due to a medical condition the child will be unable to attend school, and instead must be instructed at home or in the hospital, for a period of two or more consecutive weeks or on an ongoing intermittent basis. "Ongoing intermittent basis" means that the child's medical condition is of such a nature or severity that it is anticipated that the child will be absent from school due to the medical condition for periods of at least two days at a time multiple times during the school year totaling at least 10 days or more of absences. There shall be no requirement that a child be absent from school a minimum number of days before the child qualifies for home or hospital instruction.

Appropriate educational services from qualified staff will begin no later than five school days after receiving a physician's written statement. Instructional or related services for a student receiving special education services will be determined by the student's individualized education program.

Instruction time will be provided for a minimum of five hours per week on days when school is normally in session, unless fewer hours are certified by the attending physician.

A student who is unable to attend school because of pregnancy will be provided home instruction, correspondence courses, or other courses of instruction before the birth of the child when the student's physician, physician assistant, or advanced practice registered nurse indicates, in writing, that she is medically unable to attend regular classroom instruction as well as for up to three months after the child's birth or a miscarriage.

The Cooperative may from time to time contact the parent(s)/guardian(s) of the absent student with additional requests for information concerning the student's medical condition.

LEGAL REF.: 105 ILCS 5/10-22.6a, 5/14-13.01, and 5/18-4.5.

23 Ill.Admin.Code §§1.520, 1.610, and 226.300.

CROSS REF.: 6:120 (Education of Children with Disabilities), 7:10 (Equal Educational Opportunity)

ADOPTED: January 31, 2018

Mid-Valley Special Education Cooperative

6:190 Extracurricular and Co-Curricular Activities

The Executive Director must approve an activity in order for it to be considered a Cooperative-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. The Cooperative has sufficient financial resources for the activity.
4. Requests from students.
5. The activity will be supervised by a school-approved sponsor.

Non-school sponsored student groups are governed by 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), 7:300 (Extracurricular Athletics), 7:330 (Student Use of Buildings - Equal Access), 8:20 (Community Use of School Facilities)

Adopted: November 7, 2018

Mid-Valley Special Education Cooperative

6:210 Instructional Materials

All Cooperative 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 Executive Director or designee shall annually provide a list or description of textbooks and instructional materials used in the Cooperative to the Board. Anyone may inspect any textbook or instructional material.

No movie above the PG rating shall be shown to students in elementary grades unless prior approval is received from the Executive Director or designee. No R rated movie shall be shown to high school students unless prior approval has been received from the Executive Director or designee. These restrictions apply to television programs and other media with equivalent ratings. Parents/guardians shall be given the 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. No movie rated NC-17 (no one 17 and under admitted) shall be shown under any circumstances.

Instructional Materials Selection and Adoption

The Executive 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 Complaints)

ADOPTED:December 6, 2017

Mid-Valley Special Education Cooperative

6:220 Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct

The Executive Director or designee shall establish a *Bring Your Own Technology (BYOT) Program*. The program will:

1. Promote educational excellence by facilitating resource sharing, innovation, and communication to enhance (a) technology use skills; (b) web-literacy and critical thinking skills about Internet resources and materials, including making wise choices; and (c) habits for responsible digital citizenship required in the 21st century.
2. Provide sufficient wireless infrastructure within budget parameters.
3. Provide access to the Internet only through the Cooperative's or member district's electronic networks.
4. Identify approved BYOT devices and what Cooperative-owned technology devices may be available; e.g., laptops, tablet devices, E-readers, and/or smartphones.
5. Align with established board policies.
6. Provide relevant staff members with BYOT professional development opportunities, including the provision of:
 - a. Classroom management information about issues associated with the program, e.g., technical support, responsible use, etc.;
 - b. A copy of or access to this policy and any building-specific rules for the program;
 - c. Additional training, if necessary, about 5:170, *Copyright*; and
 - d. Information concerning appropriate behavior of staff members as required by State law and policy 5:120, *Employee Ethics; Conduct; and Conflict of Interest*.
7. Provide a method to inform parents/guardians and students about this policy.
8. Include the program in the annual report to the Board as required under policy 6:10, *Education Philosophy and Objectives*.

The Cooperative reserves the right to discontinue its BYOT program at any time. The Cooperative does not provide liability protection for BYOT devices, and it is not responsible for any damages to them.

Responsible Use

The Cooperative recognizes students participating in the program as responsible young adults and holds high expectations of their conduct in connection with their participation in the program. Teachers may encourage students to bring their own devices as supplemental in-class materials when: (a) using the devices will appropriately enhance, or otherwise illustrate, the subjects being taught; (b) the Building Principal or Coordinator has approved their use and found that their use is age-appropriate; and (c) the student's parent/guardian has signed the *Bring Your Own Technology (BYOT) Program Participation Authorization and Responsible Use Agreement Form*. A student's right to privacy in his or her device is limited; any reasonable suspicion of activities that violate law or Board policies will be treated according to policy 7:140, *Search and Seizure*.

Responsible use in the program incorporates into this policy the individual's *Acceptable Use of Electronic Networks* agreement pursuant to policy 6:235, *Access to Electronic Networks*. Responsible use also incorporates the established usage and conduct rules in policy 5:125, *Social Media and Personal Technology; Usage and Conduct*, for staff and 7:190, *Student Behavior*, for students. Failure to follow these rules and the specific BYOT program student guidelines may result in: (a) the loss of access to the Cooperative's electronic network and/or student's BYOT privileges; (b) disciplinary action pursuant to 7:190, *Student Behavior*; 7:200, *Suspension Procedures*; or 7:210, *Expulsion Procedures*; and/or (c) appropriate legal action, including referrals of suspected or alleged criminal acts to appropriate law enforcement agencies.

LEGAL REF.:

Children's Internet Protection Act (CIPA), 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 Schools and Libraries.

Children's Online Privacy Protection Act (COPPA), 15 U.S.C. §§6501-6508.

16 C.F.R. Part 312, Children's Online Privacy Protection Rule.

105 ILCS 5/10-20.28.

CROSS REF.: 1:30 (School District Philosophy), 4:140 (Waiver of Student Fees), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:170 (Copyright), 6:10 (Educational Philosophy and Objectives), 6:40 (Curriculum Development), 6:120 (Education of Children with Disabilities), 6:210 (Instructional Materials), 6:235 (Access to Electronic Networks), 7:140 (Search and Seizure), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:340 (Student Records)

Adopted: January 9, 2019

6:235 Access to Electronic Networks

Electronic networks, including the Internet, are a part of the Cooperative's instructional program and serve to promote educational excellence by facilitating resource sharing, innovation, and communication. The Executive Director shall develop an implementation plan for this policy and appoint system administrator(s).

The Cooperative 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, the Cooperative will not be responsible for any unauthorized charges or fees resulting from access to the Internet.

Curriculum and Appropriate Online Behavior

The use of the Cooperative's electronic networks shall: (1) be consistent with the curriculum adopted by the Cooperative 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, 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 Executive Director's implementation plan, use the Internet throughout the curriculum.

The Cooperative's electronic network is part of the curriculum and is not a public forum for general use.

Acceptable Use

All use of the District'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 school 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 the District's electronic networks or District computers. General rules for behavior and communications apply when using electronic networks. The District's administrative procedure, *Acceptable Use of the District'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 school officials.

Internet Safety

Technology protection measures shall be used on each Cooperative 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 Executive Director or designee. The Executive Director or designee shall enforce the use of such filtering devices. The Executive 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 the District's Electronic Networks* as a condition for using the District'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 the District'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 the District's administrative procedure, *Acceptable Use of the District'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 Schools and Libraries.

720 ILCS 5/26.5.

CROSS REF.: 5:100 (Staff Development Program), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:170 (Copyright), 6:210 (Instructional Materials), 6:220 (Bring Your Own Technology (BYOT) Program; Responsible Use and Conduct), 6:230 (Library Media Program), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools)

ADOPTED: June 5, 2013

6:240 Field Trips

Field trips are encouraged when the experiences are a part of the school curriculum and/or contribute to the Cooperative's educational objectives.

All field trips must have the Executive Director or designee's prior approval, except that field trips beyond a 200-mile radius of the school or extending overnight must have the prior approval of the Board. The Executive 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 Executive 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, except that the Cooperative will pay such costs for students who qualify for a fee waiver under Board policy 4:140, *Waiver of Student Fees*. 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 Cooperative staff members, shall not be represented as or construed to be sponsored by the Cooperative or school. The Cooperative 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), 7:10 (Equal Educational Opportunities), 7:270 (Administering Medicines to Students)

Adopted: November 7, 2018

Mid-Valley Special Education Cooperative

6:250 Community Resource Persons and Volunteers

The 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. To assist with academic programs under a certificated teacher's immediate supervision;
3. To assist in times of violence or other traumatic incidents within the Cooperative 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;
4. As a guest lecturer or resource person under a certificated teacher's direction and with the administration's approval; or
5. As supervisors, chaperones, or sponsors for non-academic school activities, extracurricular activities, or field trips.

The Executive 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, or has otherwise been convicted of a felony, is prohibited from being a resource person or volunteer. All volunteer coaches must comply with the requirement to report hazing in policy 5:90, *Abused and Neglected Child Reporting*.

Prior to classroom assignments, volunteers must sign the Volunteer Confidentiality Agreement.

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 School Property), 8:95 (Parental Involvement)

Adopted: November 7, 2018

Mid-Valley Special Education Cooperative

6:255 Assemblies and Ceremonies

Assemblies must be approved by the Executive Director or designee and be consistent with the Cooperative's educational objectives.

The Cooperative shall not endorse or otherwise promote invocations, benedictions, and group prayers at any school assembly, ceremony, or other school-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:May 2, 2012

Mid-Valley Special Education Cooperative

6:260 Complaints About Curriculum, Instructional Materials, and Programs

Persons with suggestions or complaints about curriculum, instructional materials, and programs should place their complaint in writing and direct it to the Complaint Manager(s). A parent/guardian may request that his/her child be exempt from using a particular instructional material or program by communicating their request in writing to the Complaint Manager(s).

CROSS REF.:2:260 (Uniform Grievance Procedure), 8:110 (Public Suggestions and Complaints)

ADOPTED:May 2, 2012

Mid-Valley Special Education Cooperative

6:280 Grading and Promotion

The Executive 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 IEP. A student shall not be promoted solely based upon age or any other social reason, except as provided in the student's IEP. Every teacher shall maintain an evaluation record for each student in the teacher's classroom. A Cooperative 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 5/2-3.64a-5, 5/10-20.9a, 5/10-21.8, and 5/27-27.

CROSS REF.:6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:300 (Graduation Requirements), 6:340 (Student Testing and Assessment Program), 7:50 (School Admissions/Eligibility for Services)

ADOPTED:February 4, 2015

Mid-Valley Special Education Cooperative

6:290 Homework

Homework is part of the Cooperative's instructional program and has the overarching goal of increasing student achievement. Homework is assigned to further a student's educational development and is an application or adaptation of a classroom experience. The Executive Director or designee 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 the school 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 7, 2012

Mid-Valley Special Education Cooperative

6:300 Graduation Requirements

To graduate from high school, unless otherwise exempted, each student is responsible for:

1. Completing all Member District graduation requirements that are in addition to the State requirements.
2. Completing all courses as provided in the School Code, 105 ILCS 5/27-22.
3. Completing all minimum requirements for graduation as specified by Illinois State Board of Education rule, 23 Ill.Admin.Code §1.440.
4. Passing an examination on patriotism and principles of representative government, proper use of the flag, methods of voting, and the Pledge of Allegiance.
5. Participating in State assessments that are required for graduation by the School Code, 105 ILCS 5/2-3.64a-5, unless the student is exempt.

The Executive Director or designee is responsible for:

1. Maintaining a description of all course offerings that comply with the above graduation requirements.
2. Notifying students and their parents/guardians of graduation requirements.
3. Developing the criteria for #4 above.
4. Complying with State law requirements for students who transfer during their senior year because their parent(s)/guardian(s) are on active military duty. This includes making reasonable adjustments to ensure graduation if possible, or efforts to ensure that the original (transferor) district issues the student a diploma.
5. Taking all other actions to implement this policy.

Certificate of Completion

A student with a disability who has an Individualized Education Program prescribing special education, transition planning, transition services, or related services beyond the student's four years of high school, qualifies for a certificate of completion after the student has completed four years of high school. The student is encouraged to participate in the graduation ceremony of his or her high school graduation class. The Executive Director or designee shall provide timely written notice of this requirement to children with disabilities and their parents/guardians.

LEGAL REF.: 105 ILCS 5/2-3.64a-5, 5/22-27, 5/27-3, 5/27-22, and 5/27-22.10.

105 ILCS 70/, Educational Opportunity for Military Children Act.

23 Ill.Admin.Code §1.440.

CROSS REF.: 6:30 (Organization of Instruction and Curriculum Development), 6:320 (High School Credit for Proficiency), 7:50 (School Admissions and Student Transfers To and From Non-Cooperative Schools)

ADOPTED: January 31, 2018

Mid-Valley Special Education Cooperative

6:320 High School Credit for Proficiency

Proficiency Credits

Subject to the limitations in this policy and State law, the Executive Director is authorized to establish and approve a program for granting credit for proficiency with the goal of allowing a student who would not benefit from a course because the student is proficient in the subject area to receive credit without having to take the course. A student who demonstrates competency under this program will receive course credit for the applicable course and be excused from any requirement to take the course as a graduation prerequisite. No letter grade will be given for purposes of the student's cumulative grade point average. The Executive Director or designee shall notify students of the availability of and requirements for receiving proficiency credit.

Proficiency credit will be offered in the following subject areas:

Foreign language - A student is eligible to receive one year of foreign language credit if the student has graduated from an accredited elementary school and can demonstrate proficiency, according to this Cooperative's academic criteria, in a language other than English. A student who demonstrates proficiency in American Sign Language is deemed proficient in a foreign language and will receive one year of foreign language credit. A student who studied a foreign language in an approved ethnic school program is eligible to receive appropriate credit according to the level of proficiency reached; the student may be required to take a proficiency examination.

Other proficiency testing - The program for granting credit for proficiency may allow, as the Executive Director deems appropriate, course credit to be awarded on the basis of a local examination to a student who has achieved the necessary proficiency through independent study or work taken in or through another institution. Proficiency testing may also be used to determine eligible credit for other subjects whenever students enter from non-graded schools, non-recognized or non-accredited schools, or were in a home-schooling program.

LEGAL REF.:105 ILCS 5/10-22.10, 5/10-22.43, 5/10-22.43a, 5/27-12.1, 5/27-22, 5/27-22.10, 5/27-24.3, and 5/27-24.4.

23 Ill.Admin.Code §1.460.

CROSS REF.:6:280 (Grading and Promotion), 6:300 (Graduation Requirements)

ADOPTED:May 2, 2012

Mid-Valley Special Education Cooperative

6:340 Student Testing and Assessment Program

The MVSEC student assessment program provides information for determining individual student achievement and instructional needs; curriculum and instruction effectiveness; and school performance measured against student learning objectives and statewide norms.

The Executive Director or designee shall manage the student assessment program that, at a minimum:

1. Administers the State assessment system, known as the *Partnership for Assessment of Readiness for College and Careers (PARCC)*, to all students and/or any other appropriate assessment methods and instruments, including norm and criterion-referenced achievement tests, aptitude tests, proficiency tests, and teacher-developed tests.
2. Informs students of the timelines and procedures applicable to their participation in every State assessment.
3. Be uniformly applied to all students who are required to be tested, including: (a) students in a State approved transitional bilingual education or transitional program, and (b) students who have an Individualized Education Plan (IEP), subject to any modifications that may be required by an individual student's IEP.
4. Provides each student's parents/guardians with the results or scores of each State assessment. See policy 6:280, *Grading and Promotion*.
5. Utilizes professional testing practices.

Overall student assessment data on tests required by State law will be aggregated by the Member Cooperative and reported, along with other information, on the Member Cooperative's annual report card. All reliable assessments administered by the Cooperative and scored by entities outside of the Cooperative must be (1) reported to ISBE on its form by the 30th day of each school year, and (2) made publicly available to parents and guardians of students. Board policy 7:340, *Student Records*, and its implementing procedures govern recordkeeping and access issues.

LEGAL REF.: Family Educational Rights and Privacy Act, 20 U.S.C. §1232g.

Illinois School Student Records Act, 105 ILCS 10/.

105 ILCS 5/2-3.63a-5, 5/2-3.64a-5, 5/10-17a, 5/22-82, and 5/27-1.

CROSS REF.: 6:280 (Grading and Promotion), 7:340 (Student Records)

ADOPTED: January 31, 2018

Mid-Valley Special Education Cooperative

SECTION 7 - STUDENTS

Mid-Valley Special Education Cooperative

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, the Cooperative 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 the Cooperative remains viewpoint neutral when granting access to school facilities under Board policy 8:20, *Community Use of School 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 Executive Director shall appoint a Nondiscrimination Coordinator. The Executive Director and Building Principal shall use reasonable measures to inform staff members and students of this policy and grievance procedure.

LEGAL REF.: 20 U.S.C. §1681 et seq., Title IX of the Education Amendments of 1972, implemented by 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), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:60 (Residence), 7:130 (Student Rights and Responsibilities), 7:160 (Student Appearance), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:250 (Student Support Services), 7:330 (Student Use of Buildings - Equal Access), 7:340 (Student Records), 8:20 (Community Use of School Facilities)

ADOPTED: January 31, 2018

Mid-Valley Special Education Cooperative

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 the Cooperative's educational objectives as identified in 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 school 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 Cooperative 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

School 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 the Cooperative) 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. The school 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 school official or staff member shall subject a student to a non-emergency, invasive physical examination or screening as a condition of school 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 school 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 school-related or education-related activities.
6. Student recognition programs.

Under no circumstances may a school 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 Executive 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 the 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 the 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.: Protection of Pupil Rights, 20 U.S.C. §1232h.

Children's Privacy Protection and Parental Empowerment Act, 325 ILCS 17/1 et seq.

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: January 31, 2018

Mid-Valley Special Education Cooperative

7:20 Harassment of Students Prohibited

Bullying, Intimidation, and Harassment Prohibited

No person, including a Cooperative 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. The Cooperative 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

Sexual harassment of students is prohibited. Any person, including a Cooperative employee or agent, or student, engages in sexual harassment whenever he or she makes sexual advances, requests sexual favors, and/or engages in other verbal or physical conduct, including sexual violence, of a sexual or sex-based nature, imposed on the basis of sex, that:

1. Denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; or
2. Has the purpose or effect of:
 - a. Substantially interfering with a student's educational environment;
 - b. Creating an intimidating, hostile, or offensive educational environment;
 - c. Depriving a student of educational aid, benefits, services, or treatment; or
 - d. Making submission to or rejection of such conduct the basis for academic decisions affecting a student.

The terms "intimidating," "hostile," and "offensive" include conduct that has the effect of humiliation, embarrassment, or discomfort. Examples of sexual harassment include touching, crude jokes or pictures, discussions of sexual experiences, teasing related to sexual characteristics, and spreading rumors related to a person's alleged sexual activities. The term *sexual violence* includes a number of different acts. Examples of sexual violence include, but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Making a Complaint: Enforcement

Students are encouraged to report claims or incidences of bullying, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, Building Principal, a Complaint Manager, or any staff member with whom the student is comfortable speaking. A student may choose to report to a person of the student's same sex. Complaints will be kept confidential to the extent possible given the need to investigate. Students who make good faith complaints will not be disciplined.

An allegation that a student was a victim of any prohibited conduct perpetrated by another student shall be referred to the Building Principal for appropriate action.

The Executive Director shall insert into this policy the names, addresses, and telephone numbers of the Cooperative's current Nondiscrimination Coordinator and Complaint Managers. At least one of these individuals will be female, and at least one will be male.

Nondiscrimination Coordinator:

Nancy Sporer
1304 Ronzheimer Ave., St. Charles, IL 60174
nancy.sporer@d303org
331-228-4928

Complaint Managers:

Nancy Sporer
1304 Ronzheimer Ave., St. Charles, IL 60174
nancy.sporer@d303.org
331-228-4928

Timothy Stoudt
1304 Ronzheimer Ave., St. Charles, IL 60174
Timothy.Stoudt@d303.org
331-228-6034

The Executive Director shall use reasonable measures to inform staff members and students of this policy, such as, by including it in the appropriate handbooks.

Any Cooperative 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 Cooperative 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 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.

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), 5:20 (Workplace Harassment Prohibited), 5:125 (Personal Technology and Social Media; Usage and Conduct), 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)

Adopted: March 7, 2018

Mid-Valley Special Education Cooperative

7:50 School Admissions and Eligibility for Services

Special education services shall be available to eligible children with disabilities from the age of three (3) through the age of twenty-one (21) who are enrolled in the Member Districts, or non-member districts by permission.

Unless otherwise determined by a student's IEP team, the student who has successfully completed a secondary program shall be granted a diploma by the student's resident school district and all eligibility for public school education is terminated, including special education and related services. The parent and the student shall participate in the decision to terminate public school responsibility prior to age twenty-two (22).

LEGAL REF.:

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

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232.

Illegal Immigrant and Immigrant Responsibility Act of 1996, 8 U.S.C. § 1101.

20 U.S.C. § 1400 et seq.

42 U.S.C. § 12101 et seq.

105 ILCS 5/2-3.13a, 5/10-20.12, 5/10-22.5a, 5/14-1.02, 5/14-1.03a, 5/14-16, 5/26-1, 5/26-2, 5/27-8.1, and 10/8.1.

325 ILCS 55/1 et seq. and 50/1 et seq.

23 Ill.Admin.Code Part 226, Special Education.

23 Ill. Admin. Code § 375 et seq.

CROSS REF.: 6:30 (Organization of Instruction and Curriculum Development), 6:135 (Accelerated Placement Program), 6:140 (Education of Homeless Children), 7:60 (Residence), 7:340 (Student Records)

Adopted: November 7, 2018

Mid-Valley Special Education Cooperative

7:60 Residence

Member Districts

Students who are eligible for special education services and are residents of a Member District may participate in the programs available through the Cooperative according to provisions in their IEPs.

Non-Member Districts

Eligible students who are not residents of a Member District may participate in the special education programs available through the Cooperative, provided the student's resident district provides any necessary transportation and pays the Cooperative the per capita cost of educating such students as defined in Section 14-7.01 of the School Code (105 ILCS 5/14-7.01).

LEGAL REF.: McKinney Homeless Assistance Act, 42 U.S.C. § 11431 et seq.

105 ILCS 5/10-20.12a, 5/10-20.12b, and 5/10-22.5.

105 ILCS 45/1-5.

ADOPTED: May 2, 2012

Mid-Valley Special Education Cooperative

7:70 Attendance and Truancy

Compulsory School Attendance

This policy applies to individuals who have custody or control of a child: (a) between the ages of six (on or before September 1) and 17 years (unless the child has graduated from high school), or (b) who is enrolled in any of grades kindergarten through 12 in the public school regardless of age.

Subject to specific requirements in State law, the following children are not required to attend public school: (1) any child attending a private school (including a home school) or parochial school, (2) any child who is physically or mentally unable to attend school (including a pregnant student suffering medical complications as certified by her physician), (3) any child lawfully and necessarily employed, (4) any child over 12 and under 14 years of age while in confirmation classes, (5) any child absent because his or her religion forbids secular activity on a particular day, and (6) any child 16 years of age or older who is employed and is enrolled in a graduation incentives program.

The parent/guardian of a student who is enrolled must authorize all absences from school and notify the school in advance or at the time of the student's absence. A valid cause for absence includes illness, observance of a religious holiday, death in the immediate family, family emergency, other situations beyond the control of the student, other circumstances that cause reasonable concern to the parent/guardian for the student's safety or health, or other reason as approved by the Executive Director or designee.

Absenteeism and Truancy Program

The Executive Director or designee shall manage an absenteeism and truancy program in accordance with the School Code and 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 Executive Director or designee is authorized to determine when the student's absence is justified.
2. A protocol for excusing a student in grades 6 through 12 from attendance to sound *Taps* at a military honors funeral held in Illinois for a deceased veteran.
3. 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.
4. A process to telephone, within two hours after the first class, the parents/guardians of students in grade 8 or below who are absent without prior parent/guardian notification.
5. 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.
6. A description of diagnostic procedures for identifying the cause(s) of a student's unexcused absenteeism, including interviews with the student, his or her parent(s)/guardian(s), and staff members or other people who may have information about the reasons for the student's attendance problem.
7. The identification of supportive services that may be offered to truant, chronically truant, or chronically absent students, including parent-teacher conferences, student and/or family counseling, or information about community agency services.
8. 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.
9. A process to request the assistance and resources of outside agencies, such as, the juvenile officer of the local police department or the truant office of the appropriate Regional Office of Education, if truancy continues after supportive services have been offered.
10. A protocol for cooperating with non-Cooperative agencies including County or municipal authorities, the Regional Superintendent, truant officers, the Community Truancy Review Board, and a comprehensive community based youth service agency. Any disclosure of school student records must be consistent with Board policy 7:340, *Student Records*, as well as State and federal law concerning school student records.
11. An acknowledgement that no punitive action, including out-of-school suspensions, expulsions, or court action, shall be taken against a truant minor for his or her truancy unless available supportive services and other school resources have been provided to the student.
12. 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 Executive Director believes qualifies.

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), 6:150 (Home and Hospital Instruction), 7:10 (Equal Educational Opportunities), 7:50 (School Admissions and Eligibility for Services), 7:60 (Residence), 7:80 (Release Time for Religious Instruction/Observance), 7:190 (Student Behavior), 7:340 (Student Records)

Adopted: January 9, 2019

7:80 Release Time for Religious Instruction/Observance

A student shall be released from school, as an excused absence, to observe a religious holiday or for religious instruction.

The Executive Director shall develop and distribute to teachers appropriate procedures regarding student absences for religious reasons and 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 7, 2012

Mid-Valley Special Education Cooperative

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 during school hours: (1) at any time before the regular dismissal time or at any time before school is otherwise officially closed, and/or (2) to any person other than a custodial parent/guardian.

Early Dismissal Announcement

The Executive Director or designee shall make reasonable efforts to notify parents whenever it is necessary to close school early due to inclement weather or other reason.

CROSS REF.:4:170 (Safety), 6:20 (Calendar and Day)

ADOPTED:May 2, 2012

Mid-Valley Special Education Cooperative

7:100 Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students

Required Health Examinations and Immunizations

A student's parent(s)/guardian(s) shall present proof that the student received a health examination, with proof of the immunizations against, and screenings for, preventable communicable diseases, as required by the Illinois Department of Public Health (IDPH), within one year prior to:

1. Entering kindergarten or the first grade;
2. Entering the sixth and ninth grades; and
3. Enrolling in an Illinois school, regardless of the student's grade (including nursery school, special education, Head Start programs operated by elementary or secondary schools, and students transferring into Illinois from out-of-state or out-of-country).

Proof of immunization against meningococcal disease is required for students in grades 6 and 12.

As required by State law:

1. Health examinations must be performed by a physician licensed to practice medicine in all of its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician authorizing the advanced practice nurse to perform health examinations, or a physician assistant who has been delegated the performance of health examinations by a supervising physician.
2. A diabetes screening is a required part of each health examination; diabetes testing is not required.
3. Beginning with the 2017-2018 school year, an age-appropriate developmental screening and an age-appropriate social and emotional screening are required parts of each health examination. A student will not be excluded from school due to his or her parent/guardian's failure to obtain a developmental screening or a social and emotional screening.
4. Before admission and in conjunction with required physical examinations, parent(s)/guardian(s) of children between the ages of one and seven years must provide a statement from a physician that their child was *risk-assessed* or screened for lead poisoning.
5. The IDPH will provide all students entering sixth grade and their parent(s)/guardian(s) information about the link between human papillomavirus (HPV) and HPV-related cancers and the availability of the HPV vaccine.
6. The District will provide informational materials regarding influenza, influenza vaccinations, meningococcal disease, and meningococcal vaccinations developed, provided, or approved by the IDPH when it provides information on immunizations, infectious diseases, medications, or other school health issues to students' parent(s)/guardian(s).

Unless an exemption or extension applies, the failure to comply with the above requirements by October 15 of the current school year will result in the student's exclusion from school until the required health forms are presented to the Cooperative. New students who register after October 15 of the current school year shall have 30 days following registration to comply with the health examination and immunization regulations. If a medical reason prevents a student from receiving a required immunization by October 15, the student must present, by October 15, an immunization schedule and a statement of the medical reasons causing the delay. The schedule and statement of medical reasons must be signed by the physician, advanced practice nurse, physician assistant, or local health department responsible for administering the immunizations.

Until June 30, 2015, a student transferring from out-of-state who does not have the required proof of immunizations by October 15 may attend classes only if he or she has proof that an appointment for the required vaccinations is scheduled with a party authorized to submit proof of the required vaccinations. If the required proof of vaccination is not submitted within 30 days after the student is permitted to attend classes, the student may no longer attend classes until proof of the vaccinations is properly submitted.

Eye Examination

Parent(s)/guardian(s) are encouraged to have their children undergo an eye examination whenever health examinations are required.

Parent(s)/guardian(s) of students entering kindergarten or an Illinois school for the first time shall present proof before October 15 of the current school year that the student received an eye examination within one year prior to entry of kindergarten or the school. A physician licensed to practice medicine in all of its branches or a licensed optometrist must perform the required eye examination.

If a student fails to present proof by October 15, the school may hold the student's report card until the student presents proof: (1) of a completed eye examination, or (2) that an eye examination will take place within 60 days after October 15. The Executive Director or designee shall ensure that parents/guardians are notified of this eye examination requirement in compliance with the rules of the IDPH. Schools shall not exclude a student from attending school due to failure to obtain an eye examination.

Dental Examination

All children in kindergarten and the second, sixth, and ninth grades must present proof of having been examined by a licensed dentist before May 15 of the current school year in accordance with rules adopted by the IDPH.

If a child in the second, sixth, or ninth grade fails to present proof by May 15, the school may hold the child's report card until the child presents proof: (1) of a completed dental examination, or (2) that a dental examination will take place within 60 days after May 15. The Superintendent or designee shall ensure that parent(s)/guardian(s) are notified of this dental examination requirement at least 60 days before May 15 of each school year.

Exemptions

In accordance with rules adopted by the IDPH, a student will be exempted from this policy's requirements for:

1. Religious grounds, if the student's parent(s)/guardian(s) present the IDPH's Certificate of Religious Exemption form to the Superintendent or designee. When a Certificate of Religious Exemption form is presented, the Superintendent or designee shall immediately inform the parent(s)/guardian(s) of exclusion procedures pursuant to Board policy 7:280, *Communicable and Chronic*

Infectious Disease and State rules if there is an outbreak of one or more diseases from which the student is not protected.

2. Health examination or immunization requirements on medical grounds, if the examining physician, advanced registered practice nurse, or physician assistant provides written verification.
3. Eye examination requirement, if the student's parent(s)/guardian(s) show an undue burden or lack of access to a physician licensed to practice medicine in all of its branches who provides eye examinations or a licensed optometrist.
4. Dental examination requirement, if the student's parent(s)/guardian(s) show an undue burden or a lack of access to a dentist.

Homeless Child

Any homeless child shall be immediately admitted, even if the child or child's parent/guardian is unable to produce immunization and health records normally required for enrollment. Board policy 6:140, *Education of Homeless Children*, governs the enrollment of homeless children.

LEGAL REF.:

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

105 ILCS 5/27-8.1 and 45/1-20.

410 ILCS 45/7.1 and 315/2e.

23 Ill.Admin.Code §1.530.

77 Ill.Admin.Code Part 665.

77 Ill.Admin.Code Part 690.

CROSS REF.:6:30 (Organization of Instruction and Curriculum Development), 6:140 (Education of Homeless Children), 6:180 (Extended Instructional Programs), 7:50 (School Admissions and Eligibility for Services), 7:280 (Communicable and Chronic Infectious Disease)

Adopted: January 9, 2019

Mid-Valley Special Education Cooperative

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 school setting. Students should exercise these rights reasonably and avoid violating the rights of others. Students who violate the rights of others or violate Cooperative 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 the school or any school 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)

ADOPTED:February 3, 2016

Mid-Valley Special Education Cooperative

7:140 Search and Seizure

In order to maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects. "School authorities" includes school liaison police officers.

School Property and Equipment as well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (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 school property. In addition, the Building Principal shall require each high school student, in return for the privilege of parking on school property, to consent in writing to school searches of his or her vehicle, and personal effects therein, without notice and without suspicion of wrongdoing.

The Executive Director may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school 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

School 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 the school'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 school 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 the school authority who conducted the search, and given to the Executive Director.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the Cooperative's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

Video Cameras and/or Monitors

To assist in maintaining security and to deter inappropriate conduct, Mid-Valley Special Education Cooperative may position video cameras and/or monitors in public areas of school property, such as in the hallways, stairwells, gymnasium, cafeteria, school buses, and exterior locations of school buildings. Appropriate disciplinary action may be taken for misconduct which is recorded or observed from the cameras and/or monitors. Only those people with a legitimate educational or administrative purpose may view and/or listen to the electronic video and/or audio recordings. Where appropriate, the video recording may be shared with law enforcement officials.

Notification Regarding Student Accounts or Profiles on Social Networking Websites

The Executive 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. School 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. School 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 school 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 school 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:February 3, 2016

Mid-Valley Special Education Cooperative

7:150 Agency and Police Interviews

The Executive Director or designee 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) minimize potential disruption, (3) foster a cooperative relationship with public agencies and law enforcement, and (4) comply with State law.

LEGAL REF.: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.:7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:190 (Student Behavior)

ADOPTED:June 1, 2016

Mid-Valley Special Education Cooperative

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 Executive Director or designee and included in the *Student Handbook(s)*.

LEGAL REF.:105 ILCS 5/10-22.25b.

Tinker v. Des Moines Independent School District, 89 S.Ct. 733 (1969).

CROSS REF.:7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior)

ADOPTED:May 2, 2012

Mid-Valley Special Education Cooperative

7:170 Vandalism

The Cooperative will seek restitution from students and their parents/guardians for vandalism or other student acts that cause damage to school property.

LEGAL REF.:740 ILCS 115/.

CROSS REF.:7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior)

ADOPTED:May 2, 2012

Mid-Valley Special Education Cooperative

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 Cooperative 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 school-sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a non-school related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by a school Cooperative or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This item (4) applies only in cases in which a school administrator or teacher receives a report that bullying through this means has occurred and it does not require a Cooperative or school to staff or monitor any non-school related activity, function, or program.

Definitions from Section 27-23.7 of the School Code (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 a school.

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 school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school 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 school 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 school.

School personnel means persons employed by, on contract with, or who volunteer in a school Cooperative, including without limitation school and school Cooperative administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school 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 the Cooperative's goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the following requirements:

1. Using the definition of *bullying* as provided in this policy, the Superintendent or designee shall emphasize to the school community that: (1) the District prohibits bullying, and (2) all students should conduct themselves with a proper regard for the rights and welfare of other students. This may include a process for commending or acknowledging students for demonstrating appropriate behavior.
2. Bullying is contrary to State law and the policy of this Cooperative. However, nothing in the Cooperative'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 the 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 the Cooperative named officials or any staff member. The Cooperative 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:

Nancy Sporer
1304 Ronzheimer Ave., St. Charles, IL 60174
nancy.sporer@d303org
331-228-4928

Complaint Manager:

Nancy Sporer
1304 Ronzheimer Ave., St. Charles, IL 60174
nancy.sporer@d303.org
331-228-4928

4. Consistent with federal and State laws and rules governing student privacy rights, the Director or designee shall promptly inform parent(s)/guardian(s) of all students involved in an alleged incident of bullying and discuss, as appropriate, the availability of social work services, counseling, school psychological services, 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 the incident of bullying was received and taking into consideration additional relevant information received during the course of the investigation about the reported incident of bullying.
 - b. Involving appropriate school 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 school administrator or designee of the report of the 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 and guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the principal or school administrator 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 act of bullying is within the permissible scope of the Cooperative's jurisdiction and shall require that the Cooperative provide the victim with information regarding services that are available within the Cooperative and community, such as counseling, support services, and other programs.

6. The Director or designee shall use interventions to address bullying, which may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, 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 the Cooperative'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. The Cooperative's bullying prevention and response plan must be based on the engagement of a range of school stakeholders, including students and parents/guardians.
10. The Director or designee shall post this policy on the Cooperative'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 school 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 a school;
 - c. Identification of areas of a school 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 the Cooperative already collects for other purposes. The Director or designee must post the information developed as a result of the policy evaluation on the Cooperative's website, or if a website is not available, the information must be provided to school administrators, Board members, school 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. 6:60, *Curriculum Content*. Bullying prevention and character instruction is provided in all grades in accordance with State law.
 - c. 6:65, *Student Social and Emotional Development*. Student social and emotional development is incorporated into the Cooperative's educational program as required by State law.
 - d. 6:235, *Access to Electronic Networks*. This policy states that the use of the Cooperative's electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use.
 - e. 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).
 - f. 7:185, *Teen Dating Violence Prohibited*. This policy prohibits teen dating violence on school property, at school sponsored activities, and in vehicles used for school-provided transportation.
 - g. 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.

- h. 7:310, *Restrictions on Publications; Elementary 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.
13. The Director or designee shall fully inform staff members of the Cooperative's goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes each of the following:
- Communicating the Cooperative's expectation and State law requirement that teachers and other certificated or licensed employees maintain discipline.
 - Establishing the expectation that staff members: (1) intervene immediately to stop a bullying incident that they witness or immediately contact building security and/or law enforcement if the incident involves a weapon or other illegal activity, (2) report bullying, whether they witness it or not, to an administrator, and (3) inform the administration of locations on school grounds where additional supervision or monitoring may be needed to prevent bullying.
 - Where appropriate in the staff development program, providing strategies to staff members to effectively prevent bullying and intervene when it occurs.
 - Establishing a process for staff members to fulfill their obligation to report alleged acts of bullying.

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), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:285 (Food Allergy Management Program), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools)

Adopted: March 7, 2018

Mid-Valley Special Education Cooperative

7:185 Teen Dating Violence Prohibited

Engaging in teen dating violence that takes place at school, on school property, at school-sponsored activities, or in vehicles used for school-provided transportation is prohibited. For purposes of this policy, the term *teen dating violence* occurs whenever a student who is 13 to 22 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 Executive 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. 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).
 - b. 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*. This policy prohibits students from engaging in bullying, intimidation, and harassment at school, school-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 school staff member. School staff shall respond to incidents of teen dating violence by following the Cooperative's established procedures for the prevention, identification, investigation, and response to bullying and school violence.
 - b. The Nondiscrimination Coordinator, Building Principal, Coordinator, or a Complaint Manager identified in policy 7:20, *Harassment of Students Prohibited*.
3. Incorporates age-appropriate instruction in grades 7 through 12, in accordance with the Cooperative's comprehensive health education program in Board policy 6:60, *Curriculum Content*. This includes incorporating student social and emotional development into the Cooperative's educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*.
4. Incorporates education for school staff, as recommended by the Nondiscrimination Coordinator, Building Principal, Coordinator, 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), 5:100 (Staff Development Program), 5:230 (Maintaining Student Discipline), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities)

ADOPTED:June 4, 2014

Mid-Valley Special Education Cooperative

7:190 Student Behavior

The goals and objectives of this policy are to provide effective discipline practices that: (1) ensure the safety and dignity of students and staff; (2) maintain a positive, weapons-free, and drug-free learning environment; (3) keep school property and the property of others secure; (4) address the causes of a student's misbehavior and provide opportunities for all individuals involved in an incident to participate in its resolution; and (5) teach students positive behavioral skills to become independent, self-disciplined citizens in the school community and society.

When and Where Conduct Rules Apply

A student is subject to disciplinary action for engaging in *prohibited student conduct*, as described in the section with that name below, whenever the student's conduct is reasonably related to school or school activities, including, but not limited to:

1. On, or within sight of, school grounds before, during, or after school hours or at any time;
2. Off school grounds at a school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school;
3. Traveling to or from school or a school activity, function, or event; or
4. Anywhere, if the conduct interferes with, disrupts, or adversely affects the school environment, school 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 student or staff member; (b) endanger the health or safety of students, staff; or (c) threaten or damage school property.

Prohibited Student Conduct

The school administration is authorized to discipline students for gross disobedience or misconduct, including but not limited to:

1. Using, possessing, distributing, purchasing, or selling tobacco or nicotine materials, including without limitation, electronic cigarettes.
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence of an alcoholic beverage are not permitted to attend school or school functions and are treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing, selling, or offering for sale:
 - 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. Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system; or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system. The prohibition in this section does not apply to a student's use of asthma or other legally prescribed inhalant medications.
 - f. Any substance inhaled, injected, smoked, consumed, or otherwise ingested or absorbed with the intention of causing a physiological or psychological change in the body, including without limitation, pure caffeine in tablet or powdered form.
 - g. *Look-alike* or counterfeit drugs, including a substance that is not prohibited by this policy, but one: (a) that a student believes to be, or represents to be, an illegal drug, controlled substance, or other substance that is prohibited by this policy; 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, controlled substance, or other substance that is prohibited by this policy.
 - h. 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 school or school 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 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. Prohibited conduct specifically includes, without limitation, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Building Principal, 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); (c) it is used during the student's lunch period, or (d) 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 school officials. Examples of disobeying staff directives include refusing a Cooperative staff member's request to stop, present school identification, or submit to a search.
8. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, altering report cards, 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 a staff person or another student, or urging other students to engage in such conduct. Prohibited conduct specifically includes, without limitation, any

use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, bullying using a school computer or a school computer network, or other comparable conduct.

10. Engaging in any sexual activity, including without limitation, offensive touching, sexual harassment, indecent exposure (including mooning), and sexual assault. This does not include the non-disruptive: (a) expression of gender or sexual orientation or preference, or (b) display of affection during non-instructional time.
11. Teen dating violence, as described in Board policy 7:185, *Teen Dating Violence Prohibited*.
12. Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person's personal property.
13. Entering school property or a school facility without proper authorization.
14. In the absence of a reasonable belief that an emergency exists, calling emergency responders (such as calling 911); signaling or setting off alarms or signals indicating the presence of an emergency; or indicating the presence of a bomb or explosive device on school grounds, school bus, or at any school activity.
15. Being absent without a recognized excuse; State law and School Board policy regarding truancy control will be used with chronic and habitual truant.
16. 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.
17. Being involved in gangs or gang-related activities, including displaying gang symbols or paraphernalia.
18. Violating any criminal law, including but not limited to, assault, battery, arson, theft, gambling, eavesdropping, vandalism, and hazing.
19. Making an explicit threat on an Internet website against a school employee, a student, or any school-related personnel if the Internet website through which the threat was made is a site that was accessible within the school at the time the threat was made or was available to third parties who worked or studied within the school grounds at the time the threat was made, and the threat could be reasonably interpreted as threatening to the safety and security of the threatened individual because of his or her duties or employment status or status as a student inside the school.
20. Operating an unmanned aircraft system (UAS) or drone for any purpose on school grounds or at any school event unless granted permission by the Executive Director or designee.
21. Engaging in any activity, on or off campus, that interferes with, disrupts, or adversely affects the school environment, school 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 student or staff member; or (b) endanger the health or safety of students, staff, or threaten or endanger school 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 school property; or (d) at any location on school property or at a school-sponsored event.

Efforts, including the use of positive interventions and supports, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or psychological harm to someone else. The Executive 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 expulsion, 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 psychostimulant medication to the student.

Disciplinary Measures

School officials shall limit the number and duration of expulsions and out-of-school suspensions to the greatest extent practicable, and, where practicable and reasonable, shall consider forms of non-exclusionary discipline before using out-of-school suspensions or expulsions. School personnel shall not advise or encourage students to drop out voluntarily due to behavioral or academic difficulties. Potential disciplinary measures include, without limitation, any of the following:

1. Notifying parent(s)/guardian(s).
2. Disciplinary conference.
3. Withholding of privileges.
4. Temporary removal from the classroom.
5. Return of property or restitution for lost, stolen, or damaged property.
6. In-school suspension. The Building Principal or designee shall ensure that the student is properly supervised.
7. After-school study or Saturday study provided the student's parent/guardian has been notified. If transportation arrangements cannot be agreed upon, an alternative disciplinary measure must be used. The student must be supervised by the detaining teacher or the Building Principal or designee.
8. Community service with local public and nonprofit agencies that enhances community efforts to meet human, educational, environmental, or public safety needs. The Cooperative will not provide transportation. School administration shall use this option only as an alternative to another disciplinary measure, giving the student and/or parent/guardian the choice.
9. Seizure of contraband; confiscation and temporary retention of personal property that was used to violate this policy or school disciplinary rules.
10. Suspension of bus riding privileges in accordance with Board policy 7:220, *Bus Conduct*.
11. Out-of-school suspension from school and all school activities in accordance with Board policy 7:200, *Suspension Procedures*. A student who has been suspended may also be restricted from being on school grounds and at school activities.
12. Expulsion from school and all school activities for a definite time period not to exceed 2 calendar years in accordance with Board policy 7:210, *Expulsion Procedures*. A student who has been expelled may also be restricted from being on school grounds and at school activities.
13. Transfer to an alternative program if the student is expelled or otherwise qualifies for the transfer under State law. The transfer shall be in the manner provided in Article 13A or 13B of the School Code.

14. Notifying juvenile authorities or other law enforcement whenever the conduct involves criminal activity, including but not limited to, illegal drugs (controlled substances), *look-alikes*, alcohol, or weapons or in other circumstances as authorized by the reciprocal reporting agreement between the District and local law enforcement agencies.

The above list of disciplinary measures is a range of options that will not always be applicable in every case. In some circumstances, it may not be possible to avoid suspending or expelling a student because behavioral interventions, other than a suspension and expulsion, will not be appropriate and available, and the only reasonable and practical way to resolve the threat and/or address the disruption is a suspension or expulsion.

Corporal punishment is prohibited. 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.

School staff members shall not use isolated time out and physical restraints other than as permitted in Section 10-20.33 of the School Code, State Board of Education rules, and procedures developed by the Executive Director. Neither isolated time out nor physical restraints shall be used to discipline or punish a student.

Weapons

A student who is determined to have brought one of the following objects to school, any school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school shall be expelled for a period of at least one calendar year but not more than 2 calendar years:

1. A *firearm*, meaning any gun, rifle, shotgun, or weapon as defined by Section 921 of Title 18 of the United States Code (18 U.S.C. § 921), firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act (430 ILCS 65/), or firearm as defined in Section 24-1 of the Criminal Code of 1961 (720 ILCS 5/24-1).
2. A knife, brass knuckles, or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including *look-alikes* of any *firearm* as defined above.

The expulsion requirement under either paragraph 1 or 2 above may be modified by the Executive Director, and the Executive Director's determination may be modified by the Board on a case-by-case basis. The Executive 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.

This policy's prohibitions concerning weapons apply regardless of whether: (1) a student is licensed to carry a concealed firearm, or (2) the Board permits visitors, who are licensed to carry a concealed firearm, to store a firearm in a locked vehicle in a school parking area.

Re-Engagement of Returning Students

The Executive Director or designee shall maintain a process to facilitate the re-engagement of students who are returning from an out-of-school suspension, expulsion, or an alternative school setting. The goal of re-engagement shall be to support the student's ability to be successful in school following a period of exclusionary discipline and shall include the opportunity for students who have been suspended to complete or make up work for equivalent academic credit.

Required Notices

A school staff member shall immediately notify the office of the Building Principal in the event that he or she: (1) observes any person in possession of a firearm on or around school 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 school 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 Building Principal or designee shall immediately notify the local law enforcement agency, Ill. Dept. of State Police (ISP), and any involved student's parent/guardian. *School grounds* includes modes of transportation to school activities and any public way within 1000 feet of the school, as well as school property itself.

Delegation of Authority

Each teacher, and any other school personnel when students are under his or her charge, is authorized to impose any disciplinary measure, other than suspension, expulsion, corporal punishment, or in-school suspension, that is appropriate and in accordance with the policies and rules on student discipline. Teachers, other certificated [licensed] 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, school 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 Executive Director or designee is authorized to impose the same disciplinary measures as teachers and may suspend students guilty of gross disobedience or misconduct from school (including all school functions) and from riding the school bus, up to 10 consecutive school days, provided the appropriate procedures are followed. The Board may suspend a student from riding the bus in excess of 10 school days for safety reasons.

Student Handbook

The Executive Director, with input from the parent-teacher advisory committee, shall prepare disciplinary rules implementing the Cooperative's disciplinary policies. These disciplinary rules shall be presented annually to the Board for its review and approval.

A student handbook, including the Cooperative's 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.

Incorporated
by Reference: 7:190-AP4, (Use of Isolated Time Out and Physical Restraint)

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.: 2:150 (Committees), 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 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 (Expulsion Procedures), 7:220 (Bus Conduct), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:270 (Administering Medicines to Students), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 8:30 (Visitors to and Conduct on School Property)

Adopted: January 9, 2019

Mid-Valley Special Education Cooperative

7:200 Suspension Procedures

In-School Suspension

The Director or designee is authorized to maintain an in-school suspension program. The program shall include, at a minimum, each of the following:

1. Before assigning a student to in-school suspension, the charges will be explained and the student will be given an opportunity to respond to the charges.
2. Students are supervised by licensed school personnel.
3. Students are given the opportunity to complete classroom work during the in-school suspension for equivalent academic credit.

Out-of-School Suspension

The Director or designee shall implement suspension procedures that provide, at a minimum, for each of the following:

1. A conference during which the charges will be explained and the student will be given an opportunity to respond to the charges before he or she may be suspended.
2. A pre-suspension conference is not required, and the student can be immediately suspended when the student's presence poses a continuing danger to persons or property or an ongoing threat of disruption to the educational process. In such cases, the notice and conference shall follow as soon as practicable.
3. An attempted phone call to the student's parent(s)/guardian(s).
4. A written notice of the suspension to the parent(s)/guardian(s) and the student, which shall:
 - a. Provide notice to the parent(s)/guardian(s) of their child's right to a review of the suspension;
 - b. Include information about an opportunity to make up work missed during the suspension for equivalent academic credit;
 - c. Detail the specific act of gross disobedience or misconduct resulting in the decision to suspend;
 - d. Provide rationale or an explanation of how the chosen number of suspension days will address the threat or disruption posed by the student or his or her act of gross disobedience or misconduct; and
 - e. Depending upon the length of the out-of-school suspension, include the following applicable information:
 - i. For a suspension of 3 school days or less, an explanation that the student's continuing presence in school would either pose:
 - a) A threat to school safety, or
 - b) A disruption to other students' learning opportunities.
 - ii. For a suspension of 4 or more school days, an explanation:
 - a) That other appropriate and available behavioral and disciplinary interventions have been exhausted,
 - b) As to whether school officials attempted other interventions or determined that no other interventions were available for the student, and
 - c) That the student's continuing presence in school would either:
 - i) Pose a threat to the safety of other students, staff, or members of the school community, or
 - ii) Substantially disrupt, impede, or interfere with the operation of the school.
 - iii. For a suspension of 5 or more school days, the information listed in section 4.e.ii., above, along with documentation by the Executive Director or designee determining what, if any, appropriate and available support services will be provided to the student during the length of his or her suspension.
5. A summary of the notice, including the reason for the suspension and the suspension length, must be given to the Board by the Executive Director or designee.
6. Upon request of the parent(s)/guardian(s), a review of the suspension shall be conducted by the Board or a hearing officer appointed by the Board. At the review, the student's parent(s)/guardian(s) may appear and discuss the suspension with the Board or its hearing officer and may be represented by counsel. Whenever there is evidence that mental illness may be the cause for the suspension, the Director or designee shall invite a representative from the Department of Human Services to consult with the Board. After presentation of the evidence or receipt of the hearing officer's report, the Board shall take such action as it finds appropriate. If the suspension is upheld, the Board's written suspension decision shall specifically detail items (a) and (e) in number 4, above.

LEGAL REF.:105 ILCS 5/10-22.6.

Goss v. Lopez, 95 S.Ct. 729 (1975).

Sieck v. Oak Park River-Forest High School, 807 F.Supp. 73 (N.D. Ill., E.D., 1992).

CROSS REF.:5:100 (Staff Development), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:220 (Bus Conduct)

ADOPTED:June 1, 2016

7:210 Expulsion Procedures

The final authority for expulsion of a student receiving services from the Cooperative lies with the Board of Education of the student's district of residence. The policy provided within the district of residence for expulsion of students will be followed, including the due process procedure and is in compliance with the provisions of IDEA. No special education student shall be expelled if the student's particular act of gross disobedience or misconduct is a manifestation of his or her disability. A special education student whose gross disobedience or misconduct is not a manifestation of his/her disability may be expelled pursuant to the expulsion procedures, in accordance with the district of residence, provided that the student shall continue to receive educational services as provided in the IEP during the period of expulsion.

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), 7:230 (Misconduct By Students with Disabilities)

ADOPTED:May 2, 2012

Mid-Valley Special Education Cooperative

7:220 Bus Conduct

All students must follow the Cooperative's *School Bus Safety Rules*.

School Bus Suspensions

The Executive Director, or any designee as permitted in the School Code, is authorized to suspend a student from riding the school bus or van for up to 10 consecutive school days for engaging in gross disobedience or misconduct, including but not limited to, the following:

1. Prohibited student conduct as defined in Board policy, 7:190, *Student Behavior*.
2. Willful injury or threat of injury to a bus driver or to another rider.
3. Willful and/or repeated defacement of the bus.
4. Repeated use of profanity.
5. Repeated willful disobedience of a directive from a van or bus driver or other supervisor.
6. Such other behavior as the Executive Director or designee deems to threaten the safe operation of the bus and/or its occupants.

If a student is suspended from riding the bus or van for gross disobedience or misconduct on a bus or van, the Board may suspend the student from riding the school bus or van for a period in excess of 10 days for safety reasons. The Cooperative's regular suspension procedures shall be used to suspend a student's privilege to ride a school bus. Misconduct on a van may result in loss of van riding privileges or other disciplinary action.

Academic Credit for Missed Classes During School Bus Suspension

A student suspended from riding the bus who does not have alternate transportation to school shall have the opportunity to complete or make up work for equivalent academic credit. It shall be the responsibility of the student's parent or guardian to notify the school that the student does not have alternate transportation.

Electronic Recordings on School Buses

Electronic visual and audio recordings may be used on school buses to monitor conduct and to promote and maintain a safe environment for students and employees when transportation is provided for any school related activity. Notice of electronic recordings shall be displayed on the exterior of the vehicle's entrance door and front interior bulkhead in compliance with State law and the rules of the Illinois Department of Transportation, Division of Traffic Safety.

Students are prohibited from tampering with electronic recording devices. Students who violate this policy shall be disciplined in accordance with the Board's discipline policy and shall reimburse the Cooperative for any necessary repairs or replacement.

LEGAL REF.:Family Educational Rights and Privacy Act, 20 U.S.C. §1232g; 34 C.F.R. Part 99.

105 ILCS 5/10-20.14, 5/10-22.6, and 10/.

720 ILCS 5/14-3(m).

23 Ill.Admin.Code Part 375, Student Records.

CROSS REF.:4:110 (Transportation), 4:170 (Safety), 7:130 (Student Rights and Responsibilities), 7:170 (Vandalism), 7:190 (Student Behavior), 7:200 (Suspension Procedures), 7:230 (Misconduct by Students with Disabilities), 7:340 (Student Records)

ADOPTED:June 1, 2016

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. The Board will establish and maintain a committee to develop, implement, and monitor procedures on the use of behavioral interventions for children with disabilities.

Discipline of Special Education Students

The Cooperative 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 expelled 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 (Expulsion Procedures), 7:220 (Bus Conduct)

ADOPTED: November 6, 2013

Mid-Valley Special Education Cooperative

7:240 Conduct Code for Participants in Extracurricular Activities

The Executive Director or designee, using input from coaches and sponsors of extracurricular activities, shall develop a conduct code for all participants in extracurricular activities consistent with Board policy and the rules adopted by any association in which the Cooperative maintains a membership. The conduct code shall: (1) require participants in extracurricular activities to conduct themselves as good citizens and exemplars of their school at all times, including after school, on days when school is not in session, and whether on or off school 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 coaches and sponsors of extracurricular activities shall annually review the conduct code with participants and provide participants with a copy. In addition, coaches and sponsors of interscholastic athletic programs shall provide instruction on steroid abuse prevention to students in grades 7 through 12 participating in these programs.

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), 7:300 (Extracurricular Athletics)

ADOPTED: June 1, 2016

Mid-Valley Special Education Cooperative

7:250 Student Support Services

The following student support services may be provided by the Cooperative:

1. Health services supervised by a qualified school nurse. The Executive Director or designee may implement procedures to further a healthy school environment and prevent or reduce the spread of disease.
2. Educational and psychological testing services and the services of a school psychologist as needed. In all cases, written permission to administer a psychological examination must be obtained from a student's parent(s)/guardian(s). The results will be given to the parent(s)/guardian(s), with interpretation, as well as to the appropriate professional staff.
3. The services of a school social worker as indicated on the student's IEP.
4. A liaison to facilitate the enrollment and transfer of records of students in the legal custody of the Illinois Department of Children and Family Services when enrolling in or changing schools.

The Executive Director or designee shall develop protocols for responding to students with social, emotional, or mental health needs that impact learning ability. The Cooperative, 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 9, 2019

Mid-Valley Special Education Cooperative

7:270 Administering Medicines to Students

Students should not take medication during school hours or during school-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 school hours or school-related activities, the parent/guardian must request that the school dispense the medication to the child and otherwise follow the Cooperative's procedures on dispensing medication.

No Cooperative 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 *School Medication Authorization Form* is submitted by the student's parent/guardian. No student shall possess or consume any prescription or non-prescription medication on school grounds or at a school-related function other than as provided for in this policy and its implementing procedures.

Nothing in this policy shall prohibit any school 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 parent(s)/guardian(s) of students.

Self-Administration of Medication

A student may possess 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 a *School Medication Authorization Form*. The Cooperative 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 or epinephrine injector or the storage of any medication by school personnel. A student's parent/guardian must indemnify and hold harmless the Cooperative 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 and/or medication, or the storage of any medication by school personnel.

Administration of Undesignated Medication

Upon any administration of medication, the Superintendent or designee(s) must ensure all notifications required by State law and administrative procedures occur.

Disclaimers

Upon implementation of this policy, the protections from liability and hold harmless provisions as explained in Section 22-30(c) of the School Code apply.

No one, including without limitation parent(s)/guardians of students, should rely on the District for the availability of undesignated medication. This policy does not guarantee the availability of undesignated medications. Students and their parent(s)/guardian(s) 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.

23 Ill.Admin.Code §1.540.

CROSS REF.: 7:285 (Food Allergy Management Program)

Adopted: January 9, 2019

Mid-Valley Special Education Cooperative

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 Executive 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 Executive 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 Executive Director.

The team shall determine guidelines to be used by school staff members in the event the child suffers a life-threatening episode at school or a school event.

Cooperative 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: December 6, 2017

Mid-Valley Special Education Cooperative

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 Board policies. The Executive Director or designee 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 §690.

Individuals With Disabilities Education Act, 20 U.S.C. §1400 et seq.

Rehabilitation Act, Section 504, 29 U.S.C. §794(a).

ADOPTED:May 2, 2012

Mid-Valley Special Education Cooperative

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 the Cooperative to completely eliminate the risks of exposure to allergens when a student is at school, a Food Allergy Management Program using a cooperative effort among students' families, staff members, and students helps the Cooperative reduce these risks and provide accommodations and proper treatment for allergic reactions.

The Executive Director or designee shall develop and implement a Food Allergy Management Program that:

1. Fully implements the following goals established in the 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 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 the Cooperative'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.

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:May 2, 2012

Mid-Valley Special Education Cooperative

7:290 Suicide and Depression Awareness and Prevention

Youth suicide impacts the safety of the school environment. It also affects the 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 the 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 school 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 school-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 6:65, *Student Social and Emotional Development*, implementing the goals and benchmarks of the Ill. Learning Standards and 405 ILCS 49/15(b) (requiring student social and emotional development in the Cooperative's educational program);
 - b. 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 school counseling services.
 - c. 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
 - d. 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 the Cooperative's Suicide and Depression Awareness and Prevention Program.

Illinois Suicide Prevention Strategic Planning Committee

The Executive Director or designee shall attempt to develop a relationship between the Cooperative and the Illinois Suicide Prevention Strategic Planning Committee, the Illinois Suicide Prevention Coalition Alliance, and/or a community mental health agency. The purpose of the relationship is to discuss how to incorporate the goals and objectives of the Illinois Suicide Prevention Strategic Plan into the Cooperative's Suicide Prevention and Depression Awareness 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 Executive Director shall inform each Cooperative employee about this policy and ensure its posting on the Cooperative's website. The Executive Director or designee shall provide a copy of this policy to the parent or legal guardian of each student enrolled in the Cooperative.

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.

The Cooperative, 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 the Cooperative, (3) do not extend beyond the school day and/or school-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), 6:65 (Student Social and Emotional Development), 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 9, 2019

Mid-Valley Special Education Cooperative

7:300 Extracurricular Athletics

Student participation in school-sponsored extracurricular athletic activities is contingent upon the following:

1. A parent/guardian of the student must provide written permission for the student's participation, giving the Cooperative full waiver of responsibility of the risks involved.
2. The student must present a current certificate of physical fitness issued by a licensed physician, an advanced practice nurse, or a physician assistant. The ***Pre-Participation Physical Examination Form***, offered by the Illinois High School Association and the Illinois Elementary School Association, is the preferred certificate of physical fitness.
3. The student must show proof of accident insurance coverage either by a policy purchased through a parent(s)/guardian(s) or a written statement that the student is covered under a family insurance plan.
4. The student must agree to follow all conduct rules and the coaches' instructions.
5. The student and his or her parent(s)/guardian(s) must provide written consent to random drug and alcohol testing pursuant to the Extracurricular Drug and Alcohol Testing Program.
6. The student and his or her parent(s)/guardian(s) must: (a) comply with the eligibility rules of, and complete any forms required by the Cooperative including, without limitation, signing an acknowledgment of receiving information about the Board's concussion policy 7:305, *Student Athlete Concussions and Head Injuries*.

The Executive Director or designee (1) is authorized to impose additional requirements for a student to participate in extracurricular athletics, provided the requirement(s) comply with Board policy 7:10, *Equal Educational Opportunities*, and (2) shall maintain the necessary records to ensure student compliance with this policy.

LEGAL REF.:105 ILCS 5/10-20.30, 5/10-20.54, 5/22-80, and 25/2.

23 Ill.Admin.Code §1.530(b).

CROSS REF.:4:170 (Safety), 6:190 (Extracurricular and Co-Curricular Activities), 7:10 (Equal Educational Opportunities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:305 (Student Concussions and Head Injuries), 7:340 (Student Records)

ADOPTED:February 3, 2016

Mid-Valley Special Education Cooperative

7:305 Student Athlete Concussions and Head Injuries

The Executive 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 member(s) of a Concussion Oversight Team for the District.
 - b. The Concussion Oversight Team shall establish each of the following based on peer-reviewed scientific evidence consistent with guidelines from the Centers for Disease Control and Prevention:
 - i. A return-to-play protocol governing a student's return to interscholastic athletics practice or competition following a force of impact believed to have caused a concussion. The Superintendent or designee shall supervise an athletic trainer or other person responsible for compliance with the return-to-play protocol.
 - ii. 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 Executive Director or designee shall supervise the person responsible for compliance with the return-to-learn protocol.
 - c. Each student and the student's parent/guardian shall be required to sign a concussion information receipt form each school year before participating in an interscholastic athletic activity.
 - d. A student shall be removed from an interscholastic athletic practice or competition immediately if any of the following individuals believes that the student sustained a concussion during the practice and/or competition: a coach, a physician, a game official, an athletic trainer, the student's parent/guardian, the student, or any other person deemed appropriate under the return-to-play protocol.
 - e. 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.
 - f. The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: all coaches or assistant coaches (whether volunteer or a district employee) of interscholastic athletic activities; nurses, licensed healthcare professionals or non-licensed healthcare professionals who serve on the Concussion Oversight Team (whether or not they serve on a volunteer basis); athletic trainers; game officials of interscholastic athletic activities; and physicians who serve on the Concussion Oversight Team.
 - g. The Board shall approve school-specific emergency action plans for interscholastic athletic activities to address the serious injuries and acute medical conditions in which a student's condition may deteriorate rapidly.
2. Comply with the concussion protocols, policies, and by-laws of the Illinois High School Association (IHSA), including its *Protocol for Implementation of NFHS Sports Playing Rules for Concussion*, which includes its *Return to Play (RTP) Policy*. These specifically require that:
 - a. A student athlete who exhibits signs, symptoms, or behaviors consistent with a concussion in a practice or game shall be removed from participation or competition at that time.
 - b. A student athlete who has been removed from an interscholastic contest for a possible concussion or head injury may not return to that contest unless cleared to do so by a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer.
 - c. If not cleared to return to that contest, a student athlete may not return to play or practice until the student athlete has provided his or her school with written clearance from a physician licensed to practice medicine in all its branches in Illinois, advanced practice registered nurse, physician assistant or a certified athletic trainer working in conjunction with a physician licensed to practice medicine in all its branches in Illinois.
3. Require that all high school coaching personnel, including the head and assistant coaches, and athletic directors obtain online concussion certification by completing online concussion awareness training in accordance with 105 ILCS 25/1.15.
4. Require all student athletes to view the IHSA video about concussions.
5. Inform student athletes and their parents/guardians about this policy in the *Agreement to Participate* or other written instrument that a student athlete and his or her parent/guardian must sign before the student is allowed to participate in a practice or interscholastic competition.
6. Provide coaches and student athletes and their parents/guardians with educational materials from the IHSA regarding the nature and risk of concussions and head injuries, including the risks inherent in continuing to play after a concussion or head injury.
7. Include a requirement for staff members to notify the parent/guardian of a student who exhibits symptoms consistent with that of a concussion.
8. 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), 5:100 (Staff Development Program), 7:300 (Extracurricular Athletics)

Adopted: January 9, 2019

7:310 Restrictions on Publications; Elementary Schools

School-Sponsored Publications and Web Sites

School-sponsored publications, productions, and web sites are part of the curriculum and are not a public forum for general student use. School authorities may edit or delete material that is inconsistent with the Cooperative's educational mission.

All school-sponsored communications shall comply with the ethics and rules of responsible journalism. Text that is libelous, obscene, vulgar, lewd, invades the privacy of others, conflicts with the basic educational mission of the school, is socially inappropriate, is inappropriate due to the maturity of the students, or is materially disruptive to the educational process will not be tolerated.

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.

Non-School 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-school 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 the Cooperative.

Students are prohibited from creating, distributing, and/or accessing at school any publication that:

1. Will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities;
2. Violates the rights of others, including but not limited to material that is libelous, 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 Board policy and Student Handbooks;
4. Is reasonably viewed as promoting illegal drug use; or
5. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school purposes. Nothing herein shall be interpreted to prevent the inclusion of material from outside sources or the citation to such sources as long as the material to be distributed or accessed is primarily prepared by students.

Accessing or distributing "on-campus" includes accessing or distributing on school property or at school-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 school.

Non-School 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 school operations, or (2) interferes with the rights of other students or staff members.

Bullying and Cyberbullying

The Executive 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

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).

CROSS REF.:6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:25 (Advertising and Distributing Materials in School Provided by Non-School Related Entities)

ADOPTED:February 1, 2017

7:315 Restrictions on Publications; High Schools

Definitions

School official means a Program Administrator or designee.

School-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 school student who gathers, compiles, writes, edits, photographs, records, or prepares information for dissemination in school-sponsored media.

Student media adviser means an individual employed, appointed, or designated by the Cooperative to supervise or provide instruction relating to school-sponsored media.

School-Sponsored Media

School-sponsored publications, productions, and websites are governed by the Speech Rights of Student Journalists Act and the School Board policies. Student journalists may not use school-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 the Cooperative's policies; or
 - c. Materially and substantially disrupt the orderly operation of the school.

All school-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 school 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 the Cooperative or an expression of Board policy.

Non-School 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-school 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 the Cooperative.

Students are prohibited from creating, distributing, and/or accessing at school any publication that:

6. Will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities;
7. 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;
8. 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 School Board policy and Student Handbooks;
9. Is reasonably viewed as promoting illegal drug use;
10. Is distributed in kindergarten through eighth grade and is primarily prepared by non-students, unless it is being used for school 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
11. Incites students to violate any Board policies.

Accessing or distributing *on-campus* includes accessing or distributing on school property or at school-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 school.

Non-School 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 school 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 (Philosophy), 6:10 (Educational Philosophy and Objectives), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:25 (Advertising and Distributing Materials in School Provided by Non-School Related Entities)

ADOPTED:February 1, 2017

Mid-Valley Special Education Cooperative

7:325 Student Fundraising Activities

No individual or organization is allowed to ask students to participate in fundraising activities while the students are on school grounds during school hours or during any school activity. Exceptions are:

1. School-sponsored student organizations; and
2. Parent organizations and booster clubs that are recognized pursuant to policy 8:90, *Parent Organizations and Booster Clubs*.

The Executive 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. For any school that participates in the School Breakfast Program or the National School Lunch Program, fundraising activities involving the sale of food and beverage items to students during the school day while on the school campus must comply with the Ill. State Board of Education rules concerning the sale of competitive food and beverage items.
3. Participation in fundraising efforts must be voluntary.
4. Student safety must be paramount and door-to-door solicitations are discouraged.
5. For school-sponsored student organizations, a school staff member must supervise the fundraising activities and the student activity funds treasurer must safeguard the financial accounts.
6. 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.
7. The funds shall be used to the maximum extent possible for the designated purpose.
8. Any fundraising efforts that solicit donor messages for incorporation into school property (e.g., tiles or bricks) or placement upon school 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 the Cooperative 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), 4:120 (Food Services), 8:80 (Gifts to the Cooperative), 8:90 (Parent Organizations and Booster Clubs)

ADOPTED:November 4, 2015

Mid-Valley Special Education Cooperative

7:330 Student Use of Buildings - Equal Access

Student groups or clubs that are not school sponsored are granted free use of school 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 Executive Director or designee for non-curricular student groups, clubs, or organizations to meet. *Non-instructional time* means time set aside by the school 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 Cooperative 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. The school will not sponsor the meeting.
6. School 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-school persons do not direct, conduct, control, or regularly attend the meetings.
9. The school retains its authority to maintain order and discipline.
10. A school staff member or other responsible adult is present in a supervisory capacity.
11. The Executive Director or designee approves the meeting or series of meetings.

The Executive 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).

Gemetzke 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: December 5, 2018

Mid-Valley Special Education Cooperative

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 a school or at its direction by a school 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 in the school.
3. Video and other electronic recordings (including without limitation, electronic recordings made on school 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 school 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. A student or the student's parent/guardian may request, in writing, that scores received on college entrance examinations be included on the student's academic transcript. 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. The Cooperative may release directory information as permitted by law, but a parent/guardian shall have the right to object to the release of information regarding his or her child. However, the Cooperative 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 Cooperative discloses school student records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by State or federal law.

The Executive 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.:

20 U.S.C. §1232g, Family Educational Rights and Privacy Act, implemented by 34 C.F.R. Part 99.

50 ILCS 205/7.

105 ILCS 5/10-20.21b, 5/20.37, 5/20.40, and 5/14-1.01 et seq.

105 ILCS 10/, III. School Student Records Act.

325 ILCS 17/, Children's Privacy Protection and Parental Empowerment Act.

750 ILCS 5/602.11, III. Marriage and Dissolution of Marriage Act.

23 Ill.Admin.Code Parts 226 and 375.

Owasso I.S.D. No. I-011 v. Falvo, 534 U.S. 426 (2002).

Chicago Tribune Co. v. Chicago Bd. of Ed., 332 Ill.App.3d 60 (1st Dist. 2002).

CROSS REF.: 5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal Information), 7:15 (Student and Family Privacy Rights), 7:220 (Bus Conduct)

Adopted: January 9, 2019

Mid-Valley Special Education Cooperative

SECTION 8 - COMMUNITY RELATIONS

Mid-Valley Special Education Cooperative

8:10 Cooperative-Community Relations Goals

A full understanding of the Cooperative's program and what it can and should do for children is important in developing a good delivery of special education programs. In order to achieve such understanding the Advisory Board believes:

1. Educational communications should be many faceted and should include a variety of media to efficiently and effectively inform all citizens of each Member District;
2. Educational communications must be internal as well as external and stress the dissemination of factual, objective and realistic data about the Cooperative;
3. Educational communications must include a planned program with involvement and feedback to be effective;
4. Educational communications must be sensitive to change as determined by events and evaluation of the program.

In accordance with its stated Cooperative-Community public relations goals, objectives may include:

1. To provide an information program to aid public understanding of the Cooperative which may include, but not be limited to, regular feature stories and various brochures describing Cooperative programs and policies;
2. To assess public opinion as a means to assist the Board in policy determination and to assist the professional staff in the operation of the schools;
3. To recognize the right of the news media to inquire, research, and report to the public information about the Cooperative;
4. To seek ways to involve citizens in the work of the Cooperative and foster understanding in the community of each Member District;
5. To provide in-service activities to assist all employees in the Cooperative in recognizing their roles as representatives of the Cooperative in the total Cooperative-Community relations effort;
6. To conduct all Cooperative business in public sessions save for those areas which of necessity should and by law may be considered in closed meeting.

ADOPTED:May 2, 2012

Mid-Valley Special Education Cooperative

8:20 Community Use of School Facilities

School facilities are available to community organizations during non-school hours when such use does not: (1) interfere with any school function or affect the safety of students or employees, or (2) affect the property or liability of the Cooperative. The use of school facilities for school purposes has precedence over all other uses. The Cooperative reserves the right to cancel previously scheduled use of facilities by community organizations and other groups. The use of school facilities requires the prior approval of the Superintendent or designee and is subject to applicable procedures.

Persons on school premises must abide by the Cooperative's conduct rules at all times.

Student groups and school-related organizations and local governments are granted the use of school facilities at no cost. Other organizations granted use of facilities shall pay fees and costs. Facilities and grounds will not be made available to individuals for personal or social reasons or to business enterprises for commercial gain. All non-school sponsored groups before using the facilities during non-regularly staffed hours must provide a certificate of insurance naming the Cooperative as an *additional insured* or otherwise show proof of insurance.

The Executive Director shall develop procedures to manage community use of school facilities. Use of school facilities requires the Executive Director's or designee's approval and is subject to the procedures.

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 in Schools Provided by Non-School Related Entities), 8:30 (Visitors to and Conduct on School Property)

ADOPTED: June 5, 2013

Mid-Valley Special Education Cooperative

8:25 Advertising and Distributing Materials in Schools Provided by Non-School Related Entities

No material or literature shall be posted or distributed that would: (1) disrupt the educational process, (2) violate the rights or invade the privacy of others, (3) infringe on a trademark or copyright, or (4) be defamatory, obscene, vulgar, or indecent. No material, literature, or advertisement shall be posted or distributed without advance approval as described in this policy.

Community, Educational, Charitable, or Recreational Organizations

Community, educational, charitable, recreational, or similar groups may, under procedures established by the Executive Director, advertise events pertinent to students' interests or involvement. All advertisements must (1) be student-oriented, (2) prominently display the sponsoring organization's name, and (3) be approved in advance by the Executive Director or designee. The Cooperative reserves the right to decide where and when any advertisement or flyer is distributed, displayed, or posted.

Commercial Companies and Political Candidates or Parties

No individual or entity may advertise or promote its interests by using the names or pictures of the Cooperative, any Cooperative school or facility, staff members, or students except as authorized by and consistent with administrative procedures and approved by the Board.

Material from candidates and political parties will not be accepted for posting or distribution, except when used as part of the curriculum.

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: November 7, 2018

Mid-Valley Special Education Cooperative

8:30 Visitors to and Conduct on School Property

The following definitions apply to this policy:

School property - School buildings and grounds, all Cooperative buildings and grounds, parking areas, vehicles used for school purposes, and any location used for a Board meeting, school athletic event, or other school-sponsored event.

Visitor - Any person other than an enrolled student or Cooperative employee.

All visitors to school property are required to report to the Program Administrator's office and receive permission to remain on school property. All visitors must sign a visitors' log, show identification, and wear a visitor's badge. When leaving the school, visitors must return their badge. On those occasions when large groups of parents and friends are invited onto school property, visitors are not required to sign in but must follow school officials' instructions. Persons on school 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 by telephone or email to make an appointment. Conferences with teachers are held, to the extent possible, outside school hours or during the teacher's conference/preparation period.

Requests to access a school building, facility, and/or educational program, or to interview personnel or a student for purposes of assessing the student's special education needs, should be made at the appropriate building. Access shall be facilitated according to guidelines from the Executive Director or designee.

The Cooperative expects mutual respect, civility, and orderly conduct among all people on school property or at a school event. No person on school property or at a school event (including visitors, students, and employees) shall perform any of the following acts:

1. Strike, injure, threaten, harass, or intimidate a staff member, a Board member, sports official or coach, 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 school 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 under the influence of an alcoholic beverage or illegal drug; when the person's alcohol or illegal drug consumption is detectable, regardless of when and/ or where the use occurred.
9. Use or possess medical cannabis.
10. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner).
11. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the Board.
12. Operate a motor vehicle: (a) in a risky manner, (b) in excess of 20 miles per hour, or (c) in violation of an authorized Cooperative employee's directive.
13. Engage in any risky behavior, including roller-blading, roller-skating, or skateboarding.
14. Violate other Cooperative policies or regulations, or a directive from an authorized security officer or Cooperative employee.
15. Engage in any conduct that interferes with, disrupts, or adversely affects the Cooperative or a School function.

Convicted Child Sex Offender

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender is:

1. A parent/guardian of a student attending the school and has notified the Program Administrator of his or her presence at the school for the purpose of: (i) attending a conference at the school with school 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, Executive Director, or Executive Director's designee. If permission is granted, the Executive Director or Board Chairperson shall provide the details of the offender's upcoming visit to the Program Administrator.

In all cases, the Executive 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

Authorized agents of an exclusive bargaining representative, upon notifying the Program Administrator's or Executive Director's office, may meet with a school employee (or group of employees) in the school building during duty-free times of such employees

Enforcement

Any staff member may request identification from any person on school property; refusal to provide such information is a criminal act. The Program Administrator 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 school property. The person is also subject to being denied admission to school events or meetings for up to one calendar year.

Procedures to Deny Future Admission to School Events or Meetings

Before any person may be denied admission to school events or meetings as provided in this policy, the person has a right to a hearing before the Board. The Executive Director may refuse the person admission pending such hearing. The Executive Director or designee must provide the person with a hearing notice, delivered or sent by certified mail with return receipt requested, at least 10 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 school events will be denied; and
4. Instructions on how to waive a hearing.

LEGAL REF.: Nuding v. Cerro Gordo Community Unit School Dist., 730 N.E.2d 96 (Ill.App.4, 2000).

Pro-Children Act of 1994, 20 U.S.C. §7181 et seq.

105 ILCS 5/10-20.5b, 5/24-24, and 5/24-25.

410 ILCS 130/, Compassionate Use of Medical Cannabis Pilot Program.

430 ILCS 66/, Firearm Concealed Carry Act.

720 ILCS 5/11-9.3.

CROSS REF.:4:170 (Safety), 5:50 (Drug- and Alcohol-Free Workplace; Tobacco Prohibition), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:190 (Student Behavior), 8:20 (Community Use of School Facilities)

ADOPTED:February 1, 2017

Mid-Valley Special Education Cooperative

8:70 Accommodating Individuals with Disabilities

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities and will not be subject to illegal discrimination. When appropriate, the Cooperative may provide to persons with disabilities aids, benefits, or services that are separate or different from, but as effective as, those provided to others.

The Cooperative 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, website, 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 Executive Director or designee is designated the Title II Coordinator and shall:

1. Oversee the Cooperative's compliance efforts, recommend necessary modifications to the Cooperative Board, and maintain the Cooperative's final Title II self-evaluation document, update it to the extent necessary, and keep it available for public inspection for at least three 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 Executive 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 the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Executive 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 12131 et 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: December 6, 2017

Mid-Valley Special Education Cooperative

8:80 Gifts to the Cooperative

The School 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, Executive Director or designee. Individuals should obtain a pre-acceptance commitment before identifying the Cooperative, any school, or school 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 the Cooperative's mandate to provide equal educational and extracurricular opportunities to all students in the Cooperative as provided in Board policy 7:10, *Equal Educational Opportunities*. State and federal laws require the Cooperative 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. Permit the Cooperative to maintain resource equity among its learning centers.
5. Be viewpoint neutral. The Executive Director or designee shall manage a process for the review and approval of donations involving the incorporation of messages into or placing messages upon school property.
6. Comply with all laws applicable to the Cooperative 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.

The Cooperative will provide equal treatment to all individuals and entities seeking to donate money or a gift. Upon acceptance, all gifts become the Cooperative's property. The acceptance of a gift is not an endorsement by the Advisory Board, Cooperative, or school 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:November 4, 2015

Mid-Valley Special Education Cooperative

8:90 Parent Organizations and Booster Clubs

Parent organizations and booster clubs are invaluable resources to the Cooperative's school. While parent organizations and booster clubs have no administrative authority and cannot determine Cooperative policy, the Advisory Board welcomes their suggestions and assistance.

Parent organizations and booster clubs may be recognized by the Board and permitted to use the Cooperative's name, a Cooperative school's name, or a Cooperative school's team name, or any logo attributable to the Cooperative provided they first receive the Executive Director or designee's express written consent. Consent to use one of the above-mentioned names or logos will generally be granted if the organization or club has by-laws containing the following:

1. The organization's or club's name and purpose, such as, to enhance students' educational experiences, to help meet educational needs of students, to provide extra athletic benefits to students, to assist specific sports teams or academic clubs through financial support, or to enrich extracurricular activities.
2. The rules and procedures under which it operates.
3. An agreement to adhere to all Board policies and administrative procedures.
4. A statement that membership is open and unrestricted, meaning that membership is open to all parent(s)/guardian(s) of students enrolled in the school, Cooperative staff, and community members.
5. A statement that the Cooperative is not, and will not be, responsible for the organization's or club's business or the conduct of its members.
6. An agreement to maintain and protect its own finances.
7. A recognition that money given to a school cannot be earmarked for any particular expense. Booster clubs may make recommendations, but cash or other valuable consideration must be given to the Cooperative to use at its discretion. The Board's legal obligation to comply with Title IX by providing equal athletic opportunity for members of both genders will supersede an organization or club's recommendation.

Permission to use one of the above-mentioned names or logos may be rescinded at any time and does not constitute permission to act as the Cooperative's representative. At no time does the Cooperative accept responsibility for the actions of any parent organization or booster club regardless of whether it was recognized and/or permitted to use any of the above-mentioned names or logos. The Executive Director shall designate an administrative staff member to serve as the recognized liaison to parent organizations or booster clubs. The liaison will serve as a resource person and provide information about school programs, resources, policies, problems, concerns, and emerging issues. Building staff will be encouraged to participate in the organizations.

CROSS REF.:8:80 (Gifts to the Cooperative)

ADOPTED:November 2, 2016

Mid-Valley Special Education Cooperative

8:95 Parental Involvement

In order to assure collaborative relationships between students' families and the Cooperative, and to enable parents/guardians to become active partners in their children's education, the Executive Director or designee 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 the Cooperative.
4. Seek input from parents/guardians on significant school-related issues.
5. Inform parents/guardians on how they can assist their children's learning.

CROSS REF.:6:250 (Community Resource Persons and Volunteers), 8:10 (Connection with the Community), 8:90 (Parent Organizations and Booster Clubs)

ADOPTED:May 2, 2012

Mid-Valley Special Education Cooperative

8:100 Relations with Other Organizations and Agencies

The Cooperative 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 school districts

CROSS REF.:1:20 (Cooperative Organization), 4:170 (Safety), 5:90 (Abused and Neglected Child Reporting), 7:150 (Agency and Police Interviews)

ADOPTED:May 2, 2012

Mid-Valley Special Education Cooperative

8:110 Public Suggestions and Concerns

The Advisory Board is interested in receiving suggestions and concerns from members of the community. Any individual may make a suggestion or express a concern at the Cooperative office. All suggestions and/or concerns will be referred to the appropriate level staff member or Cooperative administrator who is most able to respond in a timely manner. Each suggestion or complaint 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.

CROSS REF.:2:140 (Communications To and From the Advisory Board), 2:230 (Public Participation at Board Meetings and Petitions to the Board), 2:260 (Uniform Grievance Procedure), 3:30 (Chain of Command), 6:260 (Complaints About Curriculum, Instructional Materials and Programs), 8:10 (Connection with the Community)

ADOPTED:February 1, 2017

Mid-Valley Special Education Cooperative

