GOVERNING BOARDS POLICY MANUAL

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# Four Rivers Special Education District 5:10

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# General Personnel

## Equal Employment Opportunity and Minority Recruitment

The Special Education District shall provide equal employment opportunities to all persons regardless of their race, color, religion, creed, national origin, sex, sexual orientation, age, ancestry, marital status, arrest record, military status, order of protection status, unfavorable military discharge, citizenship status provided the individual is authorized to work in the United States, use of lawful products while not at work, being a victim of domestic violence, sexual violence, or gender violence, genetic information, physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation, pregnancy, childbirth, or related medical conditions; credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position or other legally protected categories. No one will be penalized solely for his or her status as a registered qualifying patient or a registered designated caregiver for purposes of the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/.

Persons who believe they have not received equal employment opportunities should report their claims to the Nondiscrimination Coordinator and/or a Complaint Manager for the Uniform Grievance Procedure. These individuals are listed below. No employee or applicant will be discriminated or retaliated against because he or she: (1) requested, attempted to request, used, or attempted to use a reasonable accommodation as allowed by the Illinois Human Rights Act, or (2) initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information.

Administrative Implementation

The Director shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the District’s nondiscrimination efforts. The Nondiscrimination Coordinator may be the Director or a Complaint Manager for the Uniform Grievance Procedure. The Director shall insert into this policy the names, addresses, and telephone numbers of the District’s current Nondiscrimination Coordinator and Complaint Managers.

*Nondiscrimination Coordinator:*

Name Chris Pennell\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address 936 W. Michigan Avenue, Jacksonville, IL 62650\_\_\_

Telephone No. 217/245-7174\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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*Complaint Managers:*

Name Valerie Hasting\_\_\_\_\_\_\_\_\_\_\_\_\_ \_ Cindy Moore\_\_\_\_\_\_\_\_\_\_\_\_\_

Address \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

Minority Recruitment

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

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

Americans with Disabilities Act, Title I, 42 U.S.C. § 12111 et seq.

Civil Rights Act of 1991, 42 U.S.C. §1981 et seq.

(Title Vii of the Civil Rights Act of 1964), 42 U.S.C. §2000 et seq., 29 C.F.R. Part 1601

Equal Pay Act, 29 U.S.C. § 206(d).

Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. §2000ff et seq.

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

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

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

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

Uniformed Services Employment and Reemployment Rights Act (1994), 38 U.S.C. §§4301 et seq.

Ill. Constitution, Art. I, §§ 17, 18, and 19

105 ILCS 5/10-20.7, 5/10-20.7a, 5/10-21.1, 5/10-22.4, 5/10-23.5, 5/22-19, 5/24-4, 5/24-4.1, and 5/24-7.

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Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/40.

Genetic Information Privacy Act, 410 ILCS 513/25.

Ill. Whistleblower Act 740 ILCS 174 et seq.

Ill. Human Rights Act, 775 ILCS 5/1-103 and 5/2-102, 5/2-103, and 5/6-101.

Religious Freedom Restoration Act, 775 ILCS 35/5

Right to Privacy in the Workplace Act, 820 ILCS 55/10

Employee Credit Privacy Act, 820 ILCS 70/.

Job Opportunities for Qualified Applicants Act, 820 ILCS 820 ILCS 75/.

Ill. Equal Pay Act of 2003, 820 ILCS 112/

Victim’s Economic Security and Safety Act, 820 ILCS 180/30

Nursing Mothers in the Workplace Act, 820 ILCS 260

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:20 (Sexual Harassment), 5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:50 (Drug and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition), 5:70 (Religious Holidays), 5:180 (Temporary Illness or Temporary Incapacity), 5:200 (Terms and Conditions of Employment and Dismissal), 5:250 (Leaves of Absence), 5:270 (Employment, At-Will, Compensation, and Assignment), 5:300 (Schedules and Employment Year), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 7:10 (Equal Educational Opportunities), 7:180 (Preventing Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities)

ADOPTED: December 18, 2019

# Four Rivers Special Education District 5:20

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# General Personnel

## Workplace Harassment Prohibited

The Special Education Cooperative expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. District employees shall not engage in harassment or abusive conduct on the basis of an individual’s actual or perceived race, color, religion, national origin, ancestry, sex, sexual orientation, age, citizenship status, disability, pregnancy, marital status, order of protection status, military status, or unfavorable discharge from military service, nor shall they engage in harassment or abusive conduct on the basis of an individual’s other protected status identified in Board policy 5:10, *Equal Employment Opportunity and Minority Recruitment.* Harassment of students, including but not limited to, sexual harassment, is prohibited by Board policy 7:20, *Harassment of Students Prohibited.*

The District will take remedial and corrective action to address unlawful workplace harassment, including sexual harassment.

Sexual Harassment Prohibited

The Special Education Cooperative shall provide a workplace environment free of verbal or other conduct, or communications constituting sexual harassment as defined and otherwise prohibited by State and federal law. The District provides annual sexual harassment prevention training in accordance with State law.

District employees shall not make unwelcome sexual advances or request sexual favors or engage in any unwelcome conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment prohibited by this policy include, but is not limited to, verbal or physical, or other conduct. The terms intimidating, hostile, or offensive include, but are not limited to, conduct which has the effect of humiliation, embarrassment or discomfort. Sexual harassment will be evaluated in light of all the circumstances.

Making a Complaint

Employees and nonemployees (persons who are not otherwise employees and are directly performing services for the District pursuant to a contract with the District, including contractors and consultants) are encouraged to promptly report information regarding violations of this policy. Individuals may choose to report to a person of the individual’s same gender. Every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

# Four Rivers Special Education District 5:20

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

Whom to Contact with a Report or Complaint

An employee should report claims of harassment, including making a confidential report, to any of the following: his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager. Employees may also report claims using Board policy 2:260, *Uniform Grievance Procedure.* If a claim is reported using Board policy 2:260, then the Complaint Manager shall process and review the complaint according to that policy, in addition to any response required by this policy.

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

**Nondiscrimination Coordinator:**

Name: Chris Pennell, Director

Address: 936 W. Michigan Avenue, Jacksonville, IL 62650

Telephone No.: 217/245-7174, ext. 220

**Complaint Managers:**

Name: Kim Nelson Cindy Moore

Address: 936 W. Michigan Avenue, Jacksonville, IL 62650

Telephone No.: 217/245-7174, ext. 230 217/245-7174, ext. 309

Investigation Process

Supervisors, Building Principals, or administrators who receive a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. A supervisor or administrator who fails to promptly forward a report or complaint may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the District’s duty to investigate and maintain a workplace environment that is productive, respectful, and free of unlawful discrimination, including harassment. The District shall investigate alleged workplace harassment when the Nondiscrimination Coordinator or a Complaint Manager becomes aware of an allegation, regardless of whether a written report or complaint is filed.

# Four Rivers Special Education District 5:20

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Enforcement

A violation of this policy by an employee may result in discipline, up to and including discharge. A violation of this policy by a third party will be addressed in accordance with the authority of the Board in the context of the relationship of the third party to the District, i.e., vendor, parent, invitee, etc. Any employee making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, up to and including discharge.

Retaliation Prohibited

An employee’s employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing bona fide complaints or providing information about harassment is prohibited (see Board policy 2:260, *Uniform Grievance Procedure*), and whistleblower protection may be available under the State Officials and Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and the Ill.Human Rights Act (775 ILCS 5/).

An employee should report allegations of retaliation to his/her immediate supervisor, the Building Principal, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

Employees who retaliate against others for reporting or complaining of violations of this policy or for participating in the reporting or complaint process will be subject to disciplinary action, up to and including discharge.

Recourse to State and Federal Fair Employment Practice Agencies

The District encourages all employees who have information regarding violations of this policy to report the information pursuant to this policy. The following government agencies are available to assist employees: the Ill Dept. of Human Rights and the U.S. Equal Employment Opportunity Commission.

The Director shall also use reasonable measures to inform staff members, applicants, and nonemployees-of this policy, which shall include posting on the District website and/or making this policy available in the District’s administrative office, and including this policy in the appropriate handbooks.

LEGAL REF.: Title VII of the Civil Rights Act, 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.

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

Ill. Human Rights Act, 775 ILCS 5/2-101E and (E-1), 5/2-102(A, (A-10), (D-5), 5/2-102(E-5), 5/2-109, 5/5-102, and 5/5-102.2.

56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.

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

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

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

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

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

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

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

Oncale v. Sundown Offshore Services, 118 S.Ct. 998 (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, 7:20

ADOPTED: 12/18/19

# Four Rivers Special Education District 5:30

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# General Personnel

## Hiring Process and Criteria

The Director hires the most qualified personnel consistent with budget and staffing requirements and in compliance with School Board policy on equal employment opportunity and minority recruitment. The Director is responsible for recruiting personnel and making hiring recommendations to the Operating Board. IF the Director’s recommendation is rejected, the Director must submit another. No individual will be employed who has been convicted of a criminal offense listed in 105 ILCS 5/21B-80(c).

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

Job Descriptions

The Board maintains the Director’s job description and directs, through policy, the Director, in his or her charge of the District’s administration. The Director shall develop and maintain a current, comprehensive job description for each position or job category, other than the Directorship.

Investigations

The Director or designee shall ensure that a fingerprint-based criminal history records check and a check of the Statewide Sex Offender Database and Violent Offender Against Youth Database is performed on each applicant as required by State law. When the applicant is a successful director candidate who has been offered employment by the Board, the Board President shall ensure that these checks are completed. The Director or designee, or if the applicant is a successful director candidate, then the Board President shall notify an applicant if the applicant is identified in either database. The School Code requires the Board President to keep a conviction record confidential and share it only with the Director, Regional Superintendent, State Superintendent, State Educator Preparation and Licensure Board, and any other person necessary to the hiring decision, or for purposes of clarifying the information, the Department 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.

The Director or designee shall ensure that an applicant’s credit history or report from a consumer reporting agency is used only when a satisfactory credit history is an established bona fide occupational requirement of a particular position.

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

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

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

1. The District uses an applicant’s credit history or report from a consumer reporting agency only when a satisfactory credit history is an established bona fide occupational requirement of a particular position.
2. The District does not screen applicants based on their current or prior wages or salary histories, including benefits or other compensation, by requiring that the wage or salary history satisfy minimum or maximum criteria.
3. The District does not request or require a wage or salary history as a condition of being considered for employment, being interviewed, continuing to be considered for an offer of employment, an offer of employment, or an offer of compensation.
4. The District does not request or require an applicant to disclose wage or salary history as a condition of employment.
5. The District does not ask an applicant or applicant’s current or previous employers about wage or salary history, including benefits or other compensation.
6. The District does not ask an applicant or applicant’s previous employers about claim(s) made or benefit(s) received under the Workers’ Compensation Act.
7. The District does not request of an applicant or employee access in any manner to his or her personal online account, such as social networking websites, including a request for passwords to such accounts.
8. The District provides equal employment opportunities to all persons. See policy 5:10, *Equal Employment Opportunity and Minority Recruitment.*

Physical Examinations

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

Any employee may be required to have an additional examination by a physician who is licensed in Illinois to practice medicine and surgery in all its branches, a licensed advanced practice registered nurse, or a licensed physician assistant who has been delegated the authority by his or

# Four Rivers Special Education District 5:30

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her supervising physician to perform health examinations, if the examination is job-related and consistent with business necessity. The District will pay the expenses of any such examination.

Orientation Program

The staff of the District will provide an orientation program for new employees to acquaint them with District policies and procedures, school rules and regulations, and the responsibilities of their positions. 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, 5/21 B-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

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

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

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

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

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

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

CROSS REF.: 2:260 (Uniform Grievance Procedure), 3:50 (Administrative Personnel Other Than the Director), 4:60 (Purchases and Contracts); 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child Reporting)5:40 (Communicable and Chronic Infectious Disease), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:220 (Substitute Teachers), 5:280 (Educational Support Personnel – Duties and Qualifications

ADOPTED: December 18, 2019

# Four Rivers Special Education District 5:31

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# General Personnel

## Technical Assistance Personnel

When it becomes necessary to hire technical assistance supervising personnel who are employed by member public school districts, the Special Education District shall reimburse the employing member school district. In addition, such supervising personnel shall be paid a rate to cover mileage, supplies, and preparation time.

Technical assistance supervising personnel who are employed by agencies other than Member Districts shall be reimbursed at a per diem rate according to their appropriate step on the current Special Education District Salary Schedule. In addition, such personnel may submit a claim for expenses which shall be reimbursed.

Inservice specialists and consultants shall be reimbursed for professional services at a per diem rate. These specialists and/or consultants may submit a claim for expenses which shall be reimbursed.

This policy shall not be interpreted to cover public school employees who are participating in inservice activities which are provided by the District or to public school employees who are hired by the District during vacation periods.

ADOPTED: February 23, 2000

# Four Rivers Special Education District 5:35

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# General Personnel

## Compliance with the Fair Labor Standards Act

Job Classifications

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

Workweek and Compensation

The workweek for District employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday. 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 hour in a single workweek.

Overtime

A non-exempt employee shall not work overtime without his or her supervisor’s express approval. All supervisors of non-exempt employees shall: (1) monitor overtime use on a weekly basis and report such use to the business office, (2) seek the Director’s or designee’s written pre-approval for any long term or repeated use of overtime that can be reasonably anticipated, (3) ensure that overtime provisions of this policy and the FLSA are followed, and (4) ensure that employees are compensated for any overtime worked. – accurate and complete time sheets of actual hours worked during the workweek shall be signed by each employee and submitted to the business office. The business office will review work records of employees on a regular basis, make an assessment of overtime use, and provide the assessment to the Director. In lieu of overtime compensation, non-exempt employees may receive compensatory time-off, according to Board policy 5:310, *Compensatory Time-Off.*

Suspension Without Pay

No exempt employee shall have his or her salary docked, such as by an unpaid suspension, if the deduction would cause a loss of the exempt status. Licensed employees may be suspended without pay in accordance with Board policy 5:240, *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.*

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Administrative Implementation

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

LEGAL REF.: 820 ILCS 105/4a

Fair Labor Standards Act, 19 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: September 25, 2019

# Four Rivers Special Education District 5:40

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# General Personnel

## Communicable and Chronic Infectious Disease

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

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

An employee with a communicable or chronic infectious disease will be permitted to retain his or her position whenever, after reasonable accommodations and without undue hardship, there is no substantial risk of transmission of the disease to others, provided an employee is able to continue to perform the 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.

20 ILCS 2305/6

105 ILCS 5/24-5.

Personnel Record Review Act, 820 ILCS 40

Control of Communicable Diseases, 77 ILL.Admin.Code Part 690

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

ADOPTED: September 25, 2019

# Four Rivers Special Education District 5:50

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# General Personnel

## Drug-Free and Alcohol-Free Workplace; E-Cigarette, Tobacco and Cannabis Prohibition

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

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

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

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

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

As a condition of employment, each employee shall:

1. Abide by the terms of the Board policy respecting a drug-free and alcohol-free workplace; and

# Four Rivers Special Education District 5:50

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1. Notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than five calendar days after such a conviction.

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

To make employees aware of the dangers of drug and alcohol abuse, the 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 District employees;
5. Establish a drug-free awareness program to inform employees about
6. Remind employees that policy 6:60, *Curriculum Content,* requires the District to educate students, depending upon their grade, about drug and substance abuse prevention and relationships between drugs, alcohol, and violence.
7. The dangers of drug abuse in the workplace,
8. Available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs, and
9. The penalties that the District may impose upon employees for violations of this policy.

E-Cigarette, Tobacco, and Cannabis Prohibition

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

*Tobacco* shall have the meaning provided in section 105 ILCS 10-20.5b.

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

*E-Cigarette* is short for electronic cigarette and includes, but is not limited to, any electronic nicotine delivery system (ENDS), electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen, or similar product or device, and any components or parts that can be used to build the product or device.

# Four Rivers Special Education District 5:50

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District Action Upon Violation of Policy

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

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

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

Disclaimer

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

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. § 121114

Drug-Free School and Communities Act of 1994, 20 U.S.C. § 7101 et seq.

Controlled Substances Act, 21 U.S.C. § 812; 21 C.F.R. 1308.11 – 1308.15

Drug-Free Workplace Act of 1988, 41 U.S.C. § 701 et seq.

Drug-Free Workplace Act, 30 ILCS 580

105 ILCS 5/10-20.5b.

410 ILCS 82/, Smoke Free Illinois Act

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

410 ILCS 705/1-1 et seq. Cannabis Regulation and Tax Act

720 ILCS 675, Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act

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

21 CFR Parts 1100, 1140, and 1143

23 Ill.Admin.Code §22.20

CROSS REF.: 5:10 (:Equal Employment Opportunity and Minority Recruitment), 5:120 (Employee Ethics; Conduct; and Conflict of Interest), 6:60 (Curriculum Content),

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

ADOPTED: December 18, 2019

# Four Rivers Special Education District 5:60

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# General Personnel

## 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 District is not responsible for losses due to an employee’s own negligence, losses due to normal wear, or losses due to the theft, unless the theft was a result of the District’s negligence. Employees must submit the appropriate itemized, signed, standardized form(s) to support any requests for expense advancements, reimbursements, or purchase orders that show the following:

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

Advancements

The Director may advance expenses to teachers and other licensed employees for the anticipated actual and necessary expenses to be incurred while attending meetings that are related to their duties and will contribute to their professional development, provided they fall below the maximum allowed in the Board’s expense regulations.

Expense advancement requests must be submitted to the Director or designee on the District’s standardized estimated expense approval form for employees. After spending expense advancements, employees must use the District’s standardized expense reimbursement form and submit to the Director: (a) the itemized, signed advancement voucher that was issued, and (b) the amount of actual expenses by attaching receipts. Any portion of an expense advancement not used must be returned to the District. Expense advancements and vouchers shall be presented to the Board in its regular bill process.

Reimbursements and Purchase Orders

Expense reimbursements and purchase orders may be issued by the Director or designee to employees, along with other expenses necessary for the performance of their duties, provided the expenses fall below the maximum allowed in the Board’s expense regulations.

# Four Rivers Special Education District 5:60

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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 District’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 District’s standardized expense reimbursement form for employees. Expense reimbursements and purchase orders shall be presented to the Board in its regular bill process.

Use of Credit and Procurement Cards

Credit and procurement card usage is governed by policy 4:55, *Use of Credit and Procurement Cards.*

Exceeding the Maximum Allowable Expense Amount(s)

All requests for expense advancements, reimbursements, and purchase orders exceeding the maximum allowed in the Board’s expense regulations may only be approved when:

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

Registration

When possible, registration fees will be paid by the District 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.

# Four Rivers Special Education District 5:60

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Meals

Meals charged to the District 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 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.

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

105 ILCS 5/10-22.32.

820 ILCS 115/9.5, Ill. Wage Payment and Collection Act.

CROSS REF.: 2:125 (Board Member Compensation; Expenses), 2:240 (Board Policy Development), 4:50 (Payment Procedures), 4:55 (Use of Credit and Procurement Cards)

ADOPTED: December 19, 2018

# Four Rivers Special Education District 5:70

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# General Personnel

## Religious Holidays

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

Employees may use earned vacation time or personal leave to make up the absences, provided such time is consistent with the District’s operational needs. A per diem deduction may also be requested by the employee.

LEGAL REF.: 775 ILCS 5/2-101 and 5/2-102.

ADOPTED: May 24, 2017

# Four Rivers Special Education District 5:80

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# General Personnel

## Court Duty

**Please refer to the “Collective Bargaining Agreement Between Four Rivers Education Association Local 3927 and Four Rivers Special Education District.”**

LEGAL REF.: 105 ILCS 5/10-20.7

ADOPTED: February 23, 2000

# Four Rivers Special Education District 5:90

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# General Personnel

## Abused and Neglected Child Reporting

Any District employee who suspects or receives knowledge that a student may be an abused or neglected child or, for a student aged 18 through 21, an abused or neglected individual with a disability, shall; (1) immediately report such a case to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-80025-ABUSE(1-800-252-2873)(within Illinois); or 217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY), and (2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Any District employee who believes a student is in immediate danger of harm, shall first call 911. The employee shall also promptly notify the Director or Building Principal that a report has been made. The Director or Building Principal shall immediately coordinate any necessary notifications to the student’s parent(s)/guardian(s) with DCFS, the applicable school resource officer (SRO), and/or local law enforcement. Negligent failure to report occurs when a District employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act (ANCRA) and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to DCFS.

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

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

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

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

All District employees shall:

1. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Director or designee shall ensure that the signed forms are retained.

# Four Rivers Special Education District 5:90

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1. Complete mandated reporter training as required by law within three months of initial employment and at least every three years after that date.

The Director will encourage all District educators to complete continuing professional development that addresses the traits and identifiers that may be evident in students who are victims of child sexual abuse, including recognizing and reporting child sexual abuse and

providing appropriate follow-up and care for abused students as they return to the classroom setting.

Alleged Incidents of Sexual Abuse; Investigations

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A, that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

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

DCFS and/or the appropriate law enforcement agency will inform the District when its investigation is complete or has been suspended, as well as the outcome of its investigation. The existence of a DCFS and/or law enforcement investigation will not preclude the District from conducting its own parallel investigation into the alleged incident of sexual abuse in accordance with policy 7:20, *Harassment of Students Prohibited.*

Special Director Responsibilities

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

The Director shall notify the State Superintendent and the Regional Superintendent in writing when he or she has reasonable cause to believe that a license holder was dismissed or resigned from the District as a result of an act that made a child an abused child as defined in ANCRA, direct or cause the Board to direct the Director or other equivalent school administrator to comply with ANCRA’s requirements concerning the reporting of child abuse.

Special School Board Member Responsibilities

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

# Four Rivers Special Education District 5:90

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

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 (Sexual Harassment), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program) 5:120 (Ethics and Conduct), 5:150 (Personnel Records), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Terminations and Suspensions), 6:120 Education of Children with Disabilities); 6:250 (Community Resource Persons and Volunteers), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

ADOPTED: December 18, 2019

# Four Rivers Special Education District 5:100

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# General Personnel

## Staff Development Program

The Director 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 School Improvement Plan so that student learning objectives meet or exceed goals established by the District and State.

The staff development program shall provide, at a minimum, at least once every 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 District staff on educator ethics, teacher-student conduct, and school employee-student conduct.

The Director shall develop protocols for administering youth suicide awareness and prevention education to staff consistent with Board policy 7:290, *Suicide and Depression Awareness and Prevention.*

Professional Meetings, Professional Growth, Tuition Reimbursement

**Please refer to the “Collective Bargaining Agreement Between Four Rivers Education Association Local 3927 and Four Rivers Special Education District.”**

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, 5/10-20.60

5/10-22.6(c-5), 5/10-22.39, 5/10-23.12, 5/22-80(h), and 5/24-5.

105 ILCS 25/1.15 (Interscholastic Athletic Organization Act,

105 ILCS 150/25, Seizure Smart School Act

105 ILCS 110/3, Critical Health Problems and Comprehensive Health Education Act.

325 ILCS 5/4, Abused and Neglected Child Reporting Act

745 ILCS 49/, (Good Samaritan Act).

775 ILCS 5/2-109, Ill. Human Rights Act

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

77 Ill.Admin Code §527.800.

# Four Rivers Special Education District 5:100

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CROSS REF.: 3:40 (Director), 3:50 (Administrative Personnel Other than the Director), 4:160 (Hazardous and Infectious Materials), 5:20 (Workplace Harassment Prohibited), 5:90 (General Personnel – Abused and Neglected Child Reporting), 5:120 (Ethics), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day), 6:50 (School Wellness), 6:160 (English Learners), 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 Awareness and Prevention Program).

ADOPTED: December 18, 2019

# Four Rivers Special Education District 5:110

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# General Personnel

## Recognition for Services

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

ADOPTED: May 24, 2017

# Four Rivers Special Education District 5:120

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# General Personnel

## Employee Ethics; Conduct; and Conflict of Interest

Professional and Appropriate Conduct

All District employees are expected to maintain high standards in their school relationships, to demonstrate integrity and honesty, to be considerate and cooperative, and to maintain professional and appropriate relationships with students, parents, staff members, and others. In addition, the *Code of Ethics for Illinois Educators,* adopted by the Illinois State Board of Education, is incorporated by reference into this policy. Any employee who sexually harasses a student, willfully or negligently fails to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act (325 ILCS 5/), or otherwise violates an employee conduct standard will be subject to discipline up to and including dismissal.

Statement of Economic Interests

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

1. Director
2. Building Principal/Administrator/Supervisor
3. Head of any department
4. Any employee who, as the District’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 who, as the District' having supervisory authority for 20 or more employees
7. Any employee in a position that requires an administrative or a chief school business official endorsement

Ethics and Gift Ban

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

# Four Rivers Special Education District 5:120

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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 Board. An employee having an interest in instructional materials must file an annual statement with the Board Secretary.

For the purpose of acquiring profit or personal gain, no employee shall act as an agent of the District nor shall an employee act as an agent of any business in any transaction with the District. This includes participation in the selection, award or administration of a contract supported by a federal award or State award governed by the Grant Accountability and Transparency Act (GATA) (30 ILCS 708/) when the employee has a real or apparent conflict of interest. A conflict of interest arises when an employee or any of the following individuals has a financial or other interest in the entity selected for the contract:

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

Employees shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to agreements or contracts. Situations in which the interest is not substantial or the gift is an unsolicited item of nominal value must comply with State law and Board policy 2:105 *Ethics and Gift Ban*.

Outside Employment

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

Incorporated by

Reference: 5:120-E (Exhibit – Code of Ethics for Illinois Educators)

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

2 C.F.R., §200.318(c)(1)

5 ILCS 420/4A-101, Ill.Governmental Ethics Act

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

30 ILCS 708/, Grant Accountability and Transparency Act.

# Four Rivers Special Education District 5:120

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50 ILCS 135/, Local Governmental Employees Political Rights Act.

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

325 ILCS 5/, Abused and Neglected Child Reporting Act

775 ILCS 5/5A-102, Ill. Human Rights Act

23 Ill.Admin.Code Plan 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: December 18, 2019

# Four Rivers Special Education District 5:125

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# General Personnel

## 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 District or otherwise authorized for District 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., iPhones, Blackberry, Android, platform phones, and Windows Phone, and other devices (e.g., iPod.

Usage and Conduct

All District employees who use personal technology and social media shall:

1. Adhere to the high standards for appropriate school relationships required by policy 5:120, *Ethics and Conduct* at all times, regardless of the ever-changing social media and personal technology platforms available. This includes District 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, *Ethics and Conduct*; 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 District-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 District employees without proper approval. For District employees, proper approval may include implied consent under the circumstances.
5. Refrain from using the District’s logos without permission and follow Board policy 5:170, *Copyright*, and all District copyright compliance procedures.

# Four Rivers Special Education District 5:125

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1. 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.
2. 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 District employee’s personal technology or social media. The Board expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its employees’ personal technology and social media.
3. 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 District for any losses, costs, or damages, including reasonable attorney fees, incurred by the District relating to, or arising out of, any violation of this policy.

The Director shall:

1. Inform District 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, *Ethics and Conduct*.
2. District Administrators to annually:
3. Provide their building staff with a copy of this policy.
4. Inform their building staff about the importance of maintaining high standards in their school relationships.
5. 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.
6. Build awareness of this policy with students, parents, and the community.
7. Ensure that no one for the District, 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.
8. Periodically review this policy and any procedures with District employee representatives and electronic network system administrator(s) and present proposed changes to the Board.

LEGAL REF.: 105 ILCS 5/21-23 and 5/21-23a.

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).

# Four Rivers Special Education District 5:125

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CROSS REF.: 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria, 5:100 (Staff Development Program), 5:120 (Ethics and Conduct), 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: December 18, 2019

# Four Rivers Special Education District 5:130

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# General Personnel

## 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 Operating 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 Director or designee shall manage procedures for safeguarding the integrity, security, and, as appropriate, confidentiality of internal information.

LEGAL REF.: 20 U.S.C. § 1232g.

45 C.F.R. § 164.502

5 ILCS 140/1 et seq.

50 ILCS 205/1 et seq.

105 ILCS 10/1 et seq.

820 ILCS 40/1 et seq.

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

ADOPTED: September 25, 2019

# Four Rivers Special Education District 5:140

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# General Personnel

## Solicitations By or From Staff

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

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

ADOPTED: May 24, 2017

# Four Rivers Special Education District 5:150

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# General Personnel

## Personnel Records

**Please refer to the “Collective Bargaining Agreement Between Four Rivers Education Association Local 3927 and Four Rivers Special Education District.”**

LEGAL REF.: 820 ILCS 40

23 Ill. Admin. Code § 1.660.

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

ADOPTED: June 21, 2011

# Four Rivers Special Education District 5:170

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# General Personnel

## Copyright

Works Made for Hire

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

Copyright Compliance

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

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

105 ILCS 5/10-23.10.

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

ADOPTED: April 25, 2018

# Four Rivers Special Education District 5:180

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# General Personnel

## Temporary Illness or Temporary Incapacity

Temporary illness or temporary incapacity refers to 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 District’s compensation liability to the employee. The Governing Boards’ intent is that in no case will the employee who is temporarily disabled receive more than 100 percent of his/her 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 a teacher or other licensed employee to be absent in one school year, after exhaustion of all available leave, for more than 90 consecutive work days, such absence may be considered a permanent disability and the Board may begin dismissal proceedings subject to State and federal law, including the Americans with Disabilities Act. – The Director may recommend this paragraph’s use when circumstances strongly suggest that the teacher or other licensed 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, a licensed advanced practice registered nurse, or a licenses physician assistant.

LEGAL REF.: 42 U.S.C. § 12101 et seq., Americans with Disabilities Act

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

Elder v. School Dist. No. 127 ½, 60 Ill.App.2d 56 (1st Dist. 1965).

School District No. 151 v. ISBE, 154 Ill.App.3d 375 (1st Dist. 1987).

CROSS REF.: 5:30 (Hiring Process and Criteria), 540 (Communicable and Chronic Infectious Disease), 5:185 (Family and Medical Leave), 5:250 (Leaves of Absence), 5:330 (Sick Days, Vacation, Holidays, and Leaves).

ADOPTED: September 25, 2019

# Four Rivers Special Education District 5:185

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# General Personnel

## Family and Medical Leave

Leave Description

Eligible employees may use unpaid family and medical leave, guaranteed by the federal Family and Medical Leave Act. The U.S. Department of Labor’s rules (federal rules) implementing FMLA, as they may be amended from time to time, control FMLA leave.

An eligible employee may take FMLA leave for up to a combined total of 12 weeks each 12-month period, beginning September 1 and ending August 31 of the next year.

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

While FMLA leave is normally unpaid, the District 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 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 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.

# Four Rivers Special Education District 5:185

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If spouses are employed by the District, they may together take only 12-weeks for family and medical leaves when the reason 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. In addition, one of the following provisions must describe the employee:

1. The employee has been employed by the District for at least 12 months and has been employed for at least 1,250 hours of service during the 12-month period immediately before the beginning of the leave. The 12 months an employee must have been employed by the District need not be consecutive. However, the District will not consider any period of previous employment that occurred more than 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 District’s intention to rehire the employee.
2. The employee is a full-time classroom teacher.

Requesting Leave

If the need for the FMLA leave is forseeable, an employee must provide the Director or designee with at least 30 days’ advance notice before the leave is to begin. If 30 days’ advance notice is not practicable, the notice must be given as soon as practicable. The employee shall make a reasonable effort to schedule a planned medical treatment so as not to disrupt the District’s operations, subject to the approval of the health care provider administering the treatment. The employee shall provide at least verbal notice sufficient to make the 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 forseeable leave may result in a delay in granting the requested leave until at least 30 days after the date the employee provides notice.

Certification

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

1. When the leave is to care for the employee’s covered family member with a serious health condition, the employee must provide a complete and sufficient certificate signed by the family member’s health care provider.

# Four Rivers Special Education District 5:185

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1. 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.
2. 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.
3. 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 District may require an employee to obtain a second and third opinion at its expense when it has reason to doubt the validity of a medical certification.

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

Continuation of Health Benefits

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

Changed Circumstances and Intent to Return

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

# Four Rivers Special Education District 5:185

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

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

Implementation

The Director or designee shall ensure that: (1) all required notices and responses to leave requests are provided to employees in accordance with the FMLA; and (2) this policy is implemented in accordance with the FMLA. In the event of a conflict between the policy and the FMLA or its regulations, the latter shall control. The terms used in this policy shall be defined as in the FMLA regulations.

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

CROSS REF.: 5:180, 5:250, 5:330

ADOPTED: December 14, 2016

# Four Rivers Special Education District 5:190

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# Professional Personnel

## Teacher Qualifications

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

1. Each teacher must:
2. Have a valid Illinois Professional Educator License issued by the State Superintendent of Education with the required endorsements as provided in the School Code.
3. Provide the District Office with a complete transcript of credits earned in institutions of higher education.
4. On or before September 15 of each year, unless otherwise provided in an applicable collective bargaining agreement, provide the District Office with a transcript of any credits earned since the date the last transcript was filed.
5. Notify the Director of any change in the teacher’s transcript.
6. All teachers working in a program supported with federal funds under Title I, Part A must meet applicable State certification and licensure requirements.

The Director or designee shall:

1. Monitor compliance with State and federal law requirements that teachers be appropriately licensed.
2. Through incentives for voluntary transfers, professional development, recruiting programs, or other effective strategies, ensure that minority students and students from low-income families are not taught at higher rates than other students by unqualified, out-of-field, or inexperienced teachers; and
3. Ensure parents/guardians of students in schools receiving Title I funds are notified of their rights to request their students’ classroom teachers’ professional qualifications*.*

LEGAL REF.: 20 U.S.C. §6312(e)(1)(A).

105 ILCS 5/10-20.15, 5/21-1, 5/21, 11.4,5/21B-15, 5/21B-20, 5/21B-25, and 5/24-23.

23 Ill. Admin. Code §1.620 and Part 25,

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

ADOPTED: December 14, 2016

# Four Rivers Special Education District 5:200

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# Professional Personnel

## Terms and Conditions of Employment and Dismissal

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

**School Year**

Teachers shall work according to the Jacksonville School District #117 school calendar adopted by the Board, which shall have a minimum of 176 student attendance days and a minimum of 180 teacher work days, including teacher institute days.

**School Day**

Teachers are required to work the school day adopted by the Board and Council. Teachers employed for at least four hours per day shall receive a duty-free lunch equivalent to the student lunch period, or 30 minutes, whichever is longer.

The District accommodates employees who are nursing mothers according to provisions in the State and Federal law.

**Salary**

Teachers shall be paid according to the salaries fixed by the Board, but in no case less than the minimum salary provided by the School Code. Teachers shall be paid at least monthly on a 10-or 12-month basis.

**Assignment and Transfers**

The Director or designee is authorized to make teaching assignments. In order of priority, assignments shall be made based on the District’s needs and best interests, employee qualifications, and employee desires.

**School Social Worker Services Outside of District 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 5/14-109a.

**Dismissal**

The District will follow State law when dismissing a teacher.

# Four Rivers Special Education District 5:200

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**Evaluation**

The District’s teacher evaluation system will be conducted under the plan developed pursuant to State law.

On an annual basis, the Director will provide the Board with a written report which outlines the results of the District’s teacher evaluation system.

LEGAL REF.: 105 ILCS 5/10-19, 5/10-20.6

5/14-1.09a, 5/18-8, 5/24-2, 5/24-8, 5/24-9, 5/24-21, 5/24A-4, and 5/24A-5.

820 ILCS 260

23 Ill.Admin.Code Parts 50 (Evaluation of Licensed Employees) and 51 (Dismissal of Tenured Teachers).

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

CROSS REF.: 5:290 (Employment Termination and Suspension), 6:20 (School Year Calendar and Day)

ADOPTED: December 18, 2019

# Four Rivers Special Education District 5:210

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# Professional Personnel

## Resignations and Retirement

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

Probationary teachers may resign during their contract period only with the Governing Board’s consent.

Retirement Bonus

**Please refer to the “Collective Bargaining Agreement Between Four Rivers Education Association Local 3927 and Four Rivers Special Education District.”**

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

Park Forest Heights School Dist. V. State Teacher Certification Bd., 842 N.E.2d 12:30 (Ill.App.1st, 2006)

ADOPTED: May 24, 2017

# Four Rivers Special Education District 5:220

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# Professional Personnel

## Substitute Teachers

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

A substitute teacher must hold either a valid teaching or substitute license or short-term substitute license and may teach in the place of a certified 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 District during the school year, except as follows:

1. A substitute teacher holding a substitute license may teach only for any one licensed teacher under contract with the District 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 District 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 Teacher’s 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 any 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 Operating 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 District has an emergency situation as defined in State law. During an emergency situation, a substitute teacher is limited to 30 calendar days of employment per each vacant position. The Director shall notify the appropriate Regional Office of Education within 5 business days after the employment of a substitute teacher in an emergency situation.

# Four Rivers Special Education District 5:220

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LEGAL REF.: 105 ILCS 5/10-20.67 (P.A. 100-596, final citation pending), 5/21B-20(2) and 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: December 19, 2018

# Four Rivers Special Education District 5:230

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# Professional Personnel

## Maintaining Student Discipline

Maintaining an orderly learning environment is an essential part of each teacher’s instructional responsibilities. A teacher’s ability to foster appropriate student behavior is an important factor in the teacher’s educational effectiveness. The Director shall ensure that all teachers, other certificated employees, and persons providing a student’s related service(s): (1) maintain discipline in the schools as required in the School Code, and (2) follow the Board policies and administrative procedures on student conduct, behavior, and discipline.

When a student’s behavior is unacceptable, the teacher should first discuss the matter with the student, if appropriate. If the unacceptable behavior continues, the teacher should consult with the Supervisor and/or discuss the problem with the parent(s)/guardian(s). A teacher may remove any student from the learning setting whose behavior interferes with the lessons or participation of fellow students; a student’s removal must be in accordance with Board policy and administrative procedures.

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

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

CROSS REF.: 2:150 (Committees), 7:190 (Student Behavior), 7:230 (Misconduct by Students with Disabilities)

ADOPTED: May 24, 2017

# Four Rivers Special Education District 5:240

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# Professional Personnel

## Suspension

Suspension Without Pay

The Operating Board may suspend without pay (1) a professional employee pending a dismissal hearing, or (2) a teacher as a disciplinary measure for up to 30 employment days for misconduct that is detrimental to the Special Education District. Administrative staff members may not be suspended without pay as a disciplinary measure.

Misconduct that is detrimental to the School District includes:

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

The 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, 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 Director or designee shall report the action to the Board at its next regularly scheduled meeting.

Suspension With Pay

The Operating Board or Director 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 Special Education District’s best interests, (2) as a disciplinary measure for misconduct that is detrimental to the Special Education District as defined above, or (3) pending a Board hearing to suspend a teacher without pay.

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

# Four Rivers Special Education District 5:240

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Employees Under Investigation by Illinois Dept. of Children and Family Services (DCFS)

Upon receipt of a DCFS recommendation that the District 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 District, 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;
3. A suspension with pay; or
4. 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 District all compensation and the value of all benefits received by him or her during the suspension. The Director will notify the employee of this requirement when the employee is suspended.

LEGAL REF.: 5 ILCS 430 et Seq.

105 ILCS 5/24-12.

325 ILCS 5/7.4(c-10)

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

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

Massey 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 24, 2018

# Four Rivers Special Education District 5:250

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# Professional Personnel

## Leave of Absence

Sick and Bereavement Leave, Personal Leave, Leave of Absence Without Pay, Union Leave

**Please refer to the “Collective Bargaining Agreement Between Four Rivers Education Association Local 3927 and Four Rivers Special Education District.”**

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 of 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. This policy does not create any right for an employee to take child bereavement leave that is inconsistent with the Child Bereavement Leave Act.

Sabbatical Leave

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

Child-Rearing Leaves

The Board shall grant a professional staff member’s request for a non-paid, child-rearing leave, not to exceed the balance of the school year plus one additional school year (but in no event shall such leave exceed 3 semesters), provided the request complies with this policy. Nothing in this section shall prohibit a professional staff member from using paid sick days as provided in this policy.

A teacher should request, if possible, a child-rearing leave by notifying the Director in writing no later than 90 days before the requested leave’s beginning date. The request should include the proposed leave dates. The leave shall end before a new school year begins or before the first day of school after winter recess.

# Four Rivers Special Education District 5:250

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Subject to the insurance carrier’s approval, the teacher may maintain insurance benefits at his or her own expense during a child-rearing leave.

A professional staff member desiring to return before the leave’s expiration will be assigned to an available vacancy for which the teacher is qualified, subject to scheduling efficiency and instruction continuity.

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.

Leave for Employment in Department of Defense

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

Leaves for Victims of Domestic Violence, Sexual Violence or Gender Violence

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

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

School Visitation Leave

An eligible certified staff member is entitled to eight hours during any school year, no more than four hours of which may be taken on any given day, to attend school conferences,

# Four Rivers Special Education District 5:250

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Behavioral meetings, or academic meetings related to the teacher’s child, if the conference or activity cannot be scheduled during non-work hours. Certified staff members must first use all accrued vacation leave, personal leave, compensatory leave, and any other leave that may be granted to the certified staff member, except sick and disability leave.

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

Leaves to Serve as an Officer or Trustee of a Specific Organization

Upon request, the Board will grant: (1) an unpaid leave of absence to a teacher who is 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 District, 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

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 District, 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 District’s employees may be absent to serve as election judges on the same election day.

LEGAL REF.: 10 ILCS 5/13-2.5.

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

330 ILCS 61/, Service Member Employment and Reemployment Rights Act.

820 ILCS 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: December 18, 2019

# Four Rivers Special Education District 5:260

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# Professional Personnel

## Student Teachers

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

1. The District 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 5/21.9(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 provide the District with written authorization for, and pay the costs of, his or her 105 ILCS 5/21.9(g) check (including any applicable vendor’s fees). Upon receipt of this authorization and payment, the Director or designee will submit the student teacher’s name, sex, race, date of birth, social security number, fingerprint images, and other identifiers, as prescribed by the Department of State Police, to the Department of State Police, the Director or designee will or or designee will provide each student teacher with a copy of his or her report.

Assignment

The Director or designee shall be responsible for coordinating placements of all student teachers within the District. Student teachers should be assigned to supervising teachers whose qualifications are acceptable to the District and the students’ respective colleges or universities.

# Four Rivers Special Education District 5:260

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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.: 5:190 (Teacher Quallifications), 4:175 (Convicted Child Sex Offender; Screening; Notifications).

ADOPTED: December 18, 2019

# Four Rivers Special Education District 5:270

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# Educational Support Personnel

## Compensation and Assignment

Compensation and Assignment

**Please refer to the “Collective Bargaining Agreement Between Four Rivers Education Association Local 3927 and Four Rivers Special Education District.”**

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: October 28, 2015

# Four Rivers Special Education District 5:280

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# Educational Support Personnel

## Duties and Qualifications

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

Paraprofessionals

Paraprofessionals provide supervised instructional support. Service as a paraprofessional requires an educator license with stipulations endorsed for a paraprofessional educator unless a specific exemption is authorized by the Illinois State Board of Education (ISBE).

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

Non-certificated and unlicensed Personnel Working with Students and Performing Non-Instructional Duties

Non-certificated and unlicensed personnel performing non-instructional duties may be used:

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

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

Bus Drivers

Four Rivers Special Education District may contract out for bus drivers. All school bus drivers must have a valid school bus driver permit.

# Four Rivers Special Education District 5:280

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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), 5:285 (Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers), 6:250 (Community Resource Persons and Volunteers).

ADOPTED: December 14, 2016

# Four Rivers Special Education District 5:285

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# Educational Support Personnel

## Drug and Alcohol Testing for School Bus and Commercial Vehicle Drivers

The District shall adhere to federal law and regulations requiring a drug and alcohol testing program for school bus and commercial vehicle drivers. The Director or designee manages 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. § 3130, 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), 5:280 (Duties and Qualifications)

ADOPTED: December 18, 2019

# Four Rivers Special Education District 5:290

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# Educational Support Personnel

## Employment Termination and Suspensions

Resignation and Retirement

An employee is requested to provide a two-week notice of resignation. A resignation notice cannot be revoked once given. An employee planning to retire should notify his or her supervisor, in writing, at least two (2) months before the retirement date.

Retirement Bonus

**Please refer to the “Collective Bargaining Agreement Between Four Rivers Education Association Local 3927 and Four Rivers Special Education District.”**

Non-RIF Dismissal

The District may terminate an at-will employee at any time. The Director or supervisor may recommend an employee’s discharge subject to the Governing Board’s approval. This includes recommending a non-licensed employee for immediate dismissal for willful or negligent failure to report an instance of suspected child abuse or neglect as required by 325 ILCS 5/.

**Please refer to the “Collective Bargaining Agreement Between Four Rivers Education Association Local 3927 and Four Rivers Special Education District.”**

Reduction in Force and Recall

**Please refer to the “Collective Bargaining Agreement Between Four Rivers Education Association Local 3927 and Four Rivers Special Education District.”**

Final Paycheck

**Please refer to the “Collective Bargaining Agreement Between Four Rivers Education Association Local 3927 and Four Rivers Special Education District.”**

Suspension

Except as provided below, the Director is authorized to suspend an employee without pay as a disciplinary measure, during an investigation into allegations of misconduct, or pending a dismissal hearing whenever, in the Director’s judgment, the employee’s presence is detrimental to the District

A disciplinary suspension shall be with pay (1) when the employee is exempt from the overtime provisions of the federal wage and hour laws, or (2) until an employee with an employment

# Four Rivers Special Education District 5:290

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contract for a definite term is provided a notice and hearing according to the suspension policy for professional employees.

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

LEGAL REF.: 105 ILCS 5/10-23.5 and 5/10-22.34.

5 ILCS 430 et seq.

820 ILCS 105/4a

CROSS REF.: 5:90 (Abused and Neglected Child Reporting), 5:240 (suspension policy for professional employees), 5:270 – Employment At-Will, Compensation, and Assignment)

ADOPTED: December 18, 2019

# Four Rivers Special Education District 5:300

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# Educational Support Personnel

## Schedules and Employment Year

The Director shall supervise a process for setting work schedules and an employment year for educational support employees in accordance with State and federal law, School 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 District needs, work load, and the efficient management of human resources.
2. Allow for the ability to respond to changing circumstances by altering work schedules as needed; and
3. Consider the well-being of the employee. The Director’s approval is required to establish a flexible work schedule or job-sharing.

Breaks

An employee who works at least 7 continuous hours shall receive a 30-minute duty-free meal break that begins within the first five hours of the employee’s workday. The District accommodates employees who are nursing mothers according to State and federal law.

Twelve-Month Employees

Twelve-month employees work a 35-hour week (Monday through Friday) except holidays and earned vacation time, with the individual time schedule developed by the Director and subject to individual building needs.

School Year Employees

School year employees work a 35-hour week (Monday through Friday), during the school calendar year unless otherwise specified, with the individual time schedule developed by the Director and subject to individual building needs.

Eleven-Month Employees

Eleven-month employees work a 35-hour week (Monday through Friday) except holidays and the month of July, with the individual time schedule developed by the Director and subject to individual building needs.

# Four Rivers Special Education District 5:300

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Ten-Month Employees

Ten-month employees work a 35-hour week (Monday through Friday) August 15th through June 14, with the individual time schedule developed by the Director and subject to individual building needs.

Emergency Closings

Emergency closing of schools will be announced via radio and television stations. Employees will need to follow the calendar of the district they are assigned and use discretion when traveling in bad weather.

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 24, 2017

# Four Rivers Special Education District 5:310

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# Educational Support Personnel

## Compensatory Time-Off

This policy governs the use of compensatory time-off by employees who: (1) are covered by the overtime provisions of the Fair Labor Standards Act, 29 U.S.C § 201 et seq., and (2) are not represented by an exclusive bargaining representative.

Employees may be given one and one-half (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 an additional overtime hours worked, at the rate of one and one-half times the employee’s regular hourly rate of pay, and (2) does not accumulate compensatory time-off until the employee uses an equal amount of accrued time-off.

An employee who has accrued compensatory time-off shall be permitted to use such time in at least half-day components provided such requests do not unduly disrupt the District’s operations. – The employee’s supervisor must approve a request to use compensatory time-off.

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

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

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

Implementation

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

# Four Rivers Special Education District 5:310

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LEGAL REF.: Fair Labor Standards Act, 29 U.S.C. § 201 et seq.; 29 C.F.R. § 785.

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: September 25, 2019

# Four Rivers Special Education District 5:320

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# Educational Support Personnel

## Evaluation

**Please refer to the “Collective Bargaining Agreement Between Four Rivers Education**

**Association Local 3927 and Four Rivers Special Education District.”**

ADOPTED: February 23, 2000

# Four Rivers Special Education District 5:330

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# Educational Support Personnel

## Sick Days, Vacation, Holidays, and Leaves

Sick Leave, Vacation, Holidays, Personal Leave, Union Leave

**Please refer to the “Collective Bargaining Agreement Between Four Rivers Education**

**Association Local 3927 and Four Rivers Special Education District.”**

Other Leaves

Educational support personnel receive the following leaves on the same terms and conditions

granted professional personnel in Board policy 5:250, *Leaves of Absence:*

1. Leaves for Service in the Military and General Assembly
2. School Visitation Leave
3. Child Bereavement Leave
4. Leaves for Victims of Domestic or Sexual Violence

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

330 ILCS61/, Service Member Employment and Reemployment Rights Act

820 ILCS 147 and 180/

820 ILCS 154/.

School Dist. 151 vs. ISBE, 154 Ill.App.3d 375 (1st Dist., 1987); Elder v. Sch. Dist. No.127 ½, 60 Ill.App.2d 56 (1st Dist., 1965).

CROSS REF.: 5:180, 5:185, 5:250

ADOPTED: December 18, 2019