

6000 GENERAL HUMAN RESOURCES

6001 Human Resources Program Goals

The personnel employed by the district constitute the most important resource for effectively conducting a quality learning process. Important contributions to a successful education program are made by all staff members. The district's education program will function best when it employs highly qualified personnel, conducts appropriate staff development activities, and establishes policies and working conditions which are conducive to high morale and which enable each staff member to make the fullest contribution to district programs and services.

The goals of the district's Human Resources program shall include the following:

1. To recruit, select, and employ the best qualified personnel to staff the district's school.
2. To conduct an employee evaluation program that will contribute to the continuous improvement of staff performance.
3. To assign personnel to ensure that they are used as effectively as possible.
4. To develop the quality of human relationships necessary to obtain maximum staff performance and a high level of job satisfaction.
5. To maintain employee discipline in a manner consistent with the district's obligations, goals and the applicable requirements of law.
6. To create and maintain legally-compliant job descriptions which establish roles, responsibilities, and expectations for staff.

A review of the Human Resources program will be conducted annually by the administrator in charge of Human Resources.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6002 Equal Employment Opportunity Statement

Community High School District 94 ("District 94") is an equal opportunity employer and employs persons without regard to race, color, religion, sex, pregnancy, national origin, age (40 or older), marital status, sexual orientation (except for

physical/sexual attraction to a minor by an adult), disability or genetic information and other legally protected categories.

Community High School District 94 will not deny any person an opportunity to be referred for employment, obtain employment, be promoted, or be accorded all other rights to compensation and other conditions and privileges of employment based solely on that person's race, color, religion, sex, pregnancy, national origin, age (40 or older), marital status, sexual orientation (except for physical/sexual attraction to a minor by an adult), disability or genetic information and other legally protected categories.

Community High School District 94 is, and will continue to be, in compliance with all applicable laws.

Any employee who believes s/he has been discriminated against by any supervisor or other employee may immediately notify his/her immediate supervisor, or if his/her immediate supervisor is alleged to have discriminated, the employee may notify the next immediate supervisor. Such notice shall be in writing and shall contain a description of the alleged discriminatory conduct. A copy of the notice shall be sent to the Superintendent, or, if the Superintendent is alleged to have discriminated, to the President of the Board of Education.

After receiving notice of alleged discrimination, the Superintendent shall promptly convene a hearing for the purpose of ascertaining the facts regarding the alleged discriminatory conduct. If the Superintendent is alleged to have discriminated, the hearing shall be conducted by an independent hearing officer appointed by the Board. If it is determined that the complaint is justified, appropriate disciplinary action against the employee who improperly discriminated against another employee shall be recommended to the Board. Such disciplinary action shall be consistent with the district's obligations, applicable law and Board policy.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GA – Non-discrimination

Reference: Title IX of the Education Amendments of 1972

20 USC 1681 and 1672

The Rehabilitation Act of 1973

29 USC 794

Title VII of the Civil Rights Act of 1964

42 USC 2000(e) et seq.

The Equal Pay Act of 1963

29 USC 206

Title VI of the Civil Rights Act of 1964

42 USC 2000(d) et seq.

The Age Discrimination in Employment Act

The Americans With Disabilities Act

6003 Title IX – Compliance Statement

Community High School District 94 shall not discriminate on the basis of sex in the educational programs or activities which it operates in compliance with Title IX. The District's policy not to discriminate on the basis of sex in educational programs and activities extends to employment in, and admission to, such programs and activities. Inquiries concerning the application of Title IX may be referred to the Title IX Coordinator for the District at the Administrative Offices or to the Director of the Office of Civil Rights of the Department of Health, Education and Welfare, Washington, D.C.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference: Title IX of the Education Amendments of 1972

6004 Employee Rights and Responsibilities

In order to ensure that the school system is operated in conformance with the policies established by the Board of Education, all employees shall be responsible for being familiar with and carrying out the policies of the Board and the rules, regulations, procedures, and administrative directives promulgated for the purpose of implementing those policies.

In the absence of written policy, rule, regulation, procedure, or directive, an employee shall act according to his or her best judgment, keeping in mind the spirit of any related established policies, procedures, rules, regulations, directives and compliance with laws.

The Board shall support the action of an employee when such action is consistent with an established policy, rule, regulation, procedure, or directive and within the scope of the employee's authority.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GAM(a) – Employee Rights and Responsibilities

Reference:

6005 Supervisory Conflict of Interest

In order to avoid any actual or potential conflict of interest or the appearance thereof in the supervision and evaluation of employees, it shall be the policy of District 94 to neither employ a person for, nor assign a current employee to, a position when such employment or assignment will result in a supervisor/subordinate relationship between employees who are close relatives or have a close personal relationship.

For the purpose of this policy, “close relative” shall be defined as father, mother, step-parent, brother, sister, step-sibling, spouse, son, daughter, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandchild, grandparent, aunt, uncle, or first cousin.

For purposes of this policy, “close personal relationship” shall be defined as persons living in the same household.

In the event current employees whose assignment in District 94 places them in a supervisor/subordinate relationship become close relatives or involved in a close personal relationship, every effort shall be made to change the job assignment of one or more of the employees so that they are no longer in a supervisor/subordinate relationship. When such efforts are problematical or potentially harmful to programs, case by case exceptions should be considered by the Administration and Board.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GAG(b) – Conflict of Interest - Staff

Reference:

6006 Creating a Position

New positions shall only be created by the Board of Education to meet such needs as are identified by the Superintendent.

Each proposed new position shall include a job description; a title, certification requirements, if any; specialized training and/or experience required, if any; salary level; term of contract; and placement within the organization.

The Superintendent, or his/her designee, shall be responsible for recommending new or additional positions. The Board of Education reserves for itself the final determination as to the number and kind of certified and support positions deemed necessary for the effective operation of the schools.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6007 Posting of Vacancies

All vacancies in positions shall be posted by the Human Resources office consistent with applicable collective bargaining agreements and applicable State and Federal laws.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6008 Recruitment of Staff

Recruitment of staff shall consist of the following steps:

1. Posting of the vacancy in accordance with applicable law and the appropriate collective bargaining agreement, if applicable.
2. Advertising the position through the regular channels developed for such purposes. This could include, but is not limited to, media, Internet, professional journals, colleges and universities, etc.
3. Developing a job description for each position to be filled.
4. Receiving a completed letter of interest, resume, and application from each candidate by the designated date.
5. Screening of applications by the Superintendent, or his/her designee(s).
6. Team interview process (See ¶6009 – Employment of Staff).
7. Reference checks.
8. Recommendation of candidate to the Board of Education.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6009 Employment of Staff

The employment of staff shall be conducted under the following conditions:

1. Employment decisions shall be made by the Board of Education based on recommendations from the Superintendent. Generally, employees are not to start their

employment before Board approval. However, the Superintendent may conditionally employ or recommend to the Board that an employee start before his/her formal Board approval if a circumstance exists that would constitute an emergency, or hardship for the district. All such conditional employments or recommendations are subject to formal Board approval.

2. All candidates nominated for employment must meet certification requirements and/or qualifications established for the position.

3. Hiring decisions shall seek the best qualified applicant and shall not be based on political patronage, favoritism, or family relationship.

4. The salary and other terms and conditions of employment shall be provided to the Board of Education at the time of employment, and shall be subject to Board approval.

5. All candidates shall accurately and honestly complete records and fulfill all District and State requirements (background checks, physical examination, certification, etc.). Failure to do so shall constitute grounds for dismissal.

6. Reference checks shall be made, where possible and consistent with applicable law, to establish experience, training and good moral character.

7. The Human Resources office shall establish a system to communicate with both successful and unsuccessful candidates.

8. Community High School District 94 is an equal opportunity employer.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6010 Evaluation

The evaluation of staff shall be consistent with applicable law and Board-approved evaluation systems, as cooperatively developed by the appropriate employee group(s).

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6011 Supervision

The purpose of supervision is to improve District programs and job performance. The supervisor is responsible for insuring that employees implement approved objectives, plans, and Board policy. This is to be accomplished by observing actual performance, offering suggestions for improvement, and helping the employee to correct deficiencies. An employee who willingly ignores a supervisor's directive may be referred through the Superintendent to the Board for disciplinary action, up to and including discharge.

Each supervisor should be particularly attentive to the needs of new staff and those involved in new programs.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6012 Assignment and Transfer

It shall be the duty of the Human Resources office to use the prerogatives of assignment, transfer and promotion of employees for the best interests of the district, its educational programs and the respective employees.

Upon written request by an employee, and consistent with applicable law, the Human Resources administrator may affect a reasonable transfer for said employee using the following procedures:

1. Consultation with those administrators and supervisors concerned with the situation.
2. Thorough consideration of the best interests of the school district and the employee.
3. Approval of the Board of Education.
4. Conformance with applicable collective bargaining agreements and policies.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6013 Directory of School Personnel

A directory of school personnel will be compiled each year. Under no circumstances is the material contained in it or the directory itself to be released to any outside agencies or individuals. The information contained in this directory is to be considered confidential in nature, unless considered a public record under the Freedom of Information Act.

Employees must notify the Human Resources office and the business/payroll offices of changes in addresses and phone numbers as soon as they take effect.

Adopted: December 19, 2000
Revised: March 19, 2013
Replaces:
Reference: 5 ILCS 140/7(b)

6014 Employee Service Recognition

It shall be the policy of the Board of Education to recognize the contribution to the school system made by employees who serve the district for a considerable period of time. An appropriate program of service recognition shall be established by the Board, or its designee, for the purpose of providing such acknowledgment. Actual awards given will be subject to budgetary allocation.

Adopted: December 19, 2000
Revised: May 18, 2004; March 19, 2013
Replaces: GARJ – Employee Service Awards

6014P Employee Service Recognition – Rules and Regulations

Employee service recognition shall be provided on the following basis:

1. An employee who has completed the following years of service in District 94 shall receive service recognition: 5 years, 10 years, 15 years, 20 years, 25 years, 30 years and 35 years.
2. In the event that a service award is given, an employee may choose to donate the cash equivalent of the applicable award to any District 94 related or sponsored activity (Foundation, scholarship, club, booster group, etc.). The District will then transfer that amount to the chosen group.
3. For the purpose of determining eligibility for service recognition, years of service shall be determined as follows:

- a) Each year of full-time employment in a nine- (9), ten- (10), or twelve- (12) month position shall count as one (1) year of service.
- b) Part-time employment, whether for less than a full year or less than a full day, shall be counted on a pro-rate basis.
- c) Time spent on a paid leave-of-absence shall count as service.
- d) Time spent on unpaid leave-of-absence shall not count as service, unless the unpaid leave-of-absence is all of part of a leave taken under the Family and Medical Leave Act, or unless otherwise required by applicable law.
- e) Service need not be continuous.

Adopted: December 19, 2000

Revised: May 18, 2004; March 19, 2013

Replaces: GARJ-R Rules & Regulations Accompanying Employee Service Awards

6015 Jury Duty

The Board of Education recognizes that service on a jury constituted by a State or Federal court is an important civic responsibility.

Therefore, the Board shall continue to pay full salary to an employee during the period of time s/he is on jury duty at the request of a State or Federal court; however, all per diem monies paid to the employee by the court shall be remitted to the Board of Education in order that the Employee not receive double payment. An employee who fails to remit such per diem monies to the Board shall suffer a loss of pay for each day of work missed during the period of jury service.

All expenses, including travel, meals and lodging incurred by an Employee as the result of service on a jury are the responsibility of the employee. Any remuneration by the court for such expenses shall be retained by the employee.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6016 Student Welfare – Child Abuse

All employees shall comply with applicable Federal and State laws regarding the reporting of incidents of child abuse and/or neglect or suspected incidents of child abuse and/or neglect. Further, any such incident or any such suspected incident shall be immediately reported to the principal or his/her designee by an employee who has knowledge of such an incident or suspected incident. Failure to report any such incident may result in discipline by the District and/or sanctions as delineated by *Illinois School Code* or state statute.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GAM(b) – Child Abuse – Student Welfare

Reference:

6017 Copyright

Works Made for Hire

The Superintendent or designee shall manage the development of instructional materials and computer programs by employees who perform such work within the scope of their employment in accordance with State and federal laws and School Board policies. Whenever an employee is assigned to develop instructional materials and/or computer programs, or otherwise performs such work within the scope of his or her employment, shall be considered a work for hire and 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 Superintendent 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 Superintendent 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.

Copyright Infringement; Designation of District Digital Millennium Copyright Act (DMCA) Agent 2

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

District DMCA Agent:

Name _____

Address _____

Email _____

Telephone _____

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

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

- Adopted: December 19, 2000
- Revised: March 19, 2013; December 15, 2015
- Replaces: GA(a) – Reproduction of Copyrighted Materials;
Reproduction of Copyrighted Materials

6017P Copyright Compliance

These guidelines help staff members determine if they may use non-original work freely or whether permission is needed to use or copy it. Whenever a staff member is uncertain, has questions, or needs permission from a copyright-owner to use or copy a work, he or she should contact the Superintendent or designated copyright compliance officer. Appendix 1 is a *Fair Use Assessment Factors Checklist*. Appendix 2 contains use resources available online.

1. Is the work copyright protected? *A “no” means you may use the work freely; a “yes” or uncertain answer means you should proceed with the second query.*
 - a. No, if it is in the public domain.
 - b. No, if it is a U.S. Government publication.
 - c. No, if it is an idea or method described in copyrighted work.
 - d. The presence of a copyright notice is not determinative.
 - e. Yes, almost all other works.
2. Do you want to exercise one of the copyright owner’s exclusive rights? *A “yes” or uncertain answer means you should proceed with the third query.*
 - a. Yes, if you plan to copy the work.
 - b. Yes, if you plan to use the work as the basis for a new work.
 - c. Yes, if you plan to electronically distribute or publish copies.
 - d. Yes, if you plan to perform music or drama, recite prose or poetry, or if you plan to play a video and/or audio digital or tape recording or a CD-ROM or DVD.
 - e. Yes, if the plan is to publicly display the work.
3. Does your planned use of the work require the copyright owner’s permission? *A “no” means you may use the work, provided that any copies contain the copyright notice as it appears in*

the original work; a "yes" or uncertain answer means you should contact the Superintendent or designated copyright compliance officer.

- a. No, if your planned use of printed work is within the *fair use* exception as defined in 17 U.S.C. §107. See Appendix 1.
- b. No, if your planned use of the work is within the *library's special rules* exception as defined in 17 U.S.C. §108.
 - A library may make a single copy containing the copyright notice for the purpose of archiving lost, stolen, damaged, or deteriorating works.
 - A library may make a single copy containing the copyright notice for a student or staff member at no more than the actual cost of photocopying, provided that the library finds that the copyrighted work cannot be obtained elsewhere at a fair price.
- c. No, if your planned use of the work is within the *educational performances and displays* exception as defined in 17 U.S.C. §110.

Performances by teachers or students are permitted as part of a teaching activity in a classroom or instructional setting. All other performances require permission from the copyright owner.
- d. No, if you plan to use it in an overhead or opaque projector for instructional purposes.
- e. No, if you plan to copy and use music for academic purposes, other than performance.
- f. Yes, notwithstanding the above, if you plan to create anthologies, compilations, or collective works.
- g. Yes, notwithstanding the above, if copies will be *consumed* during the course. *Consumable* works include: workbooks, exercises, standardized tests, test booklets, and answer sheets.
- h. Yes, notwithstanding the above, if you plan to substitute copies for the purchase of the work; likewise, if you yearly copy the same item.
- i. You must receive permission from the Superintendent or designated copyright compliance officer before showing the off-air recording of television programs, video rentals, or videos purchased for home use. You must follow any applicable license agreements.
- j. You must receive permission from the Superintendent or designated copyright compliance officer before using any non-District owned software and/or CD-ROM or DVD products in District owned equipment. No one may install or download any program on District owned equipment without the Superintendent or designee's permission.
- k. You must follow licensing agreements applicable to District owned software and CD-ROM or DVD products.
 - Licensing agreements with the manufacturer and vendor shall be followed.
 - Staff members shall take reasonable precautions to prevent copying or the use of unauthorized copies on school equipment, to avoid the installation of privately purchased software on school equipment, and to avoid the use of single copy software or CD-ROM products across a network with multiple users unless the applicable license agreement permits.

- A back-up copy shall be purchased for use as a replacement when a program is lost or damaged. If the vendor is not able to supply such, the District shall make a back-up program in accordance with the terms of the applicable licensing agreement or 17 U.S.C. §117.

Appendix 1: Copyright Fair Use Assessment Factors Checklist

Purpose and Character of Use of Copyrighted Work

Use this checklist to analyze whether material falls under the *fair use doctrine*. Factors favoring fair use will generally indicate that material may be used without seeking permission from the copyright owner. Factors opposing fair use require permission to reprint or adapt the material from the copyright owner. If a copyright owner is known, always request permission before using any material.

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> Teaching	<input type="checkbox"/> Commercial activity - gain of financial rewards from use; e.g., sale of goods, services; advertising; fundraising, etc.
<input type="checkbox"/> Research/Scholarship/Academics	<input type="checkbox"/> Profiting from use
<input type="checkbox"/> Nonprofit educational institution	<input type="checkbox"/> Bad-faith behavior; e.g., misrepresentation of intended use
<input type="checkbox"/> Criticism	<input type="checkbox"/> Denying credit to original author or artist
<input type="checkbox"/> Comment	<input type="checkbox"/> Entertainment
<input type="checkbox"/> News reporting	
<input type="checkbox"/> Used to create something new	
<input type="checkbox"/> Restricted access given	
<input type="checkbox"/> Parody	

Nature of Copyrighted Work Used

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> Published work	<input type="checkbox"/> Unpublished work
<input type="checkbox"/> Factual or nonfiction based	<input type="checkbox"/> Highly creative work (art, music, novel)
<input type="checkbox"/> Out of print work	<input type="checkbox"/> Fiction

Amount and Substantiality of Copyrighted Work Used

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> Small amount used	<input type="checkbox"/> Large portion or whole work used
<input type="checkbox"/> Portion used not central or significant to entire work	<input type="checkbox"/> Portion used is the heart of the work

Impact on Market of Copyrighted Work

Favoring Fair Use	Opposing Fair Use
<input type="checkbox"/> User owns lawfully acquired/purchased copy	<input type="checkbox"/> Could replace sale of copyrighted work
<input type="checkbox"/> One or few copies made	<input type="checkbox"/> Significantly impairs market/potential market of copyrighted work or derivative work
<input type="checkbox"/> No significant effect on market/potential market for copyrighted work	<input type="checkbox"/> Reasonable available licensing mechanisms
<input type="checkbox"/> No similar product marketed by copyright holder	<input type="checkbox"/> Affordable permission to use copyrighted work available
<input type="checkbox"/> No ready licensing or permission mechanism	<input type="checkbox"/> Numerous copies made
	<input type="checkbox"/> Made accessible on the internet or elsewhere
	<input type="checkbox"/> Repeated or long-term use

Adapted with permission from Steven Mandell; © 2006 Mandell Menkes LLC. All Rights Reserved.

Appendix 2: Copyright Resource List

U.S. Copyright Office

www.copyright.gov

Copyright Act, as amended, Title 17 of the United States Code

www.copyright.gov/title17/92chap1.html

Copyright Term and the Public Domain in the United States; updated every Jan. 1.

www.copyright.cornell.edu/resources/publicdomain.cfm

Cornell University Copyright Information Center

Circular 21: Reproductions of Copyrighted Works by Educators and Librarians

www.copyright.gov/circs/circ21.pdf

U.S. Copyright Office

Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational

Institutions with Respect to Books and Periodicals (see Circular 21:

Reproductions of Copyrighted Works by Educators and Librarians, page 6)

www.copyright.gov/circs/circ21.pdf

TEACH Act (Technology, Education and Copyright Harmonization Act of 2002)

www.copyright.gov/title17/92appviii.html

The TEACH Act and some Frequently Asked Questions

www.ala.org/ala/issuesadvocacy/copyright/teachact/faq.cfm

TEACH ACT - Amended Section 110(2) Comparison Chart, Sections 110(1)-(2)

www.unc.edu/~unc/ncg/TEACH.htm

The University of North Carolina at Chapel Hill

WIPO (World Intellectual Property Organization)

www.wipo.org

MPAA (Motion Picture Association of America)

www.mpa.org

iCopyright.com (Automated copyright licensing system for digital content)

- www.icopyright.com
Permissions Group (Negotiation of rights and fees for the use of copyrighted material
in and for all media)
- www.permissionsgroup.com
SIIA (Software & Information Industry Association)
- www.spa.org
CCC Copyright Clearance Center (Copyright permission for publications worldwide)
- www.copyright.com
ASCAP (American Society of Composers, Authors and Publishers)
- www.ascap.com
BMI (Broadcast Music Inc.)
- www.bmi.com
SESAC, Inc. (A performing rights organization)
- www.sesac.com
The Harry Fox Agency, Inc. (Licensing agency for U.S. music publishers)
- www.harryfox.com
The Authors Registry (Maintains an extensive directory of authors)
- www.authorsregistry.org
Copyright & Fair Use (Stanford University Libraries)
- fairuse.stanford.edu/
Copyright Society of the USA
- www.csusa.org
The Copyright (Copyright Registration and Information Resource)
- www.benedict.com
Crash Course in Copyright
University of Texas
- copyright.lib.utexas.edu/
Kohn on Music Licensing
- www.kohnmusic.com
National Writers Union
- www.nwu.org
Poets & Writers, Inc.
- www.pw.org
Project Gutenberg (Internet's oldest producer of FREE electronic books (eBooks or
eTexts))
- www.promo.net/pg
WATCH: Writers and Their Copyright Holders
- tyler.hrc.utexas.edu/
World Intellectual Property Organization
- www.wipo.int/portal/index.html.en

Seeking Permission to Copy or Use Copyrighted Works

The following resources are a partial list of where to begin searching for permission to copy or use copyrighted work. Whenever it is unclear who the owner is, or if the owner is a legal entity of some kind (a business or organization), be sure that the person granting permission is authorized to do so. Once it is known whom to ask, initiate contact by writing a letter, calling, or emailing. Seek written permission that clearly describes its scope. Document the receipt of an oral permission and send the owner a confirming letter. A copyright protects materials regardless of whether the owner cares about protection or not. Thus, if required permission cannot be obtained, the work may not be used.

1. For information regarding how to find copyright owners, contact the Writers Artists and Their Copyright Holders (WATCH) program through the University of Texas, Austin's Harry Ransom Humanities Research Center at research.hrc.utexas.edu/watch/. Phone: 512/471-8944, Fax: 512/471-9646, Email: www.hrc.utexas.edu/contact/.
2. For a part of a book or a journal article, contact: Copyright Clearance Center, "CCC" Copyright Clearance Center, Inc., 222 Rosewood Drive, Danvers, MA 01923, Phone: 978/750-8400, Fax: 978/646-8600 Email: info@copyright.com, www.copyright.com.
3. For images, contact: The Film Foundation, 7920 Sunset Boulevard, 6th Floor, Los Angeles, CA 90046, Phone: 303/436-5060, Fax: 323/436-5061, Email: www.film-foundation.org; American Society of Media Photographers, 150 North Second Street, Philadelphia, PA 19106, Phone: 215/451-2767, Fax: 215/451-0880, Email: www.asmp.org.
4. If the author owns the copyright in a contribution to a periodical, magazine, or newspaper, permission may be obtained through The National Writers Union, PO Box 2424, Chicago, IL 60690, Phone: 312/924-1835, www.nwu.org; and the Society of Children's Book Writers and Illustrators, 8271 Beverly Blvd., Los Angeles, CA 90048, Phone: 323/782-1010, Fax: 323/782-1892, Email: scbwi@scbwi.org, www.scbwi.org.
5. For a musical work, contact: American Society of Composers, Authors and Publishers, (ASCAP) One Lincoln Plaza, New York, NY 10023, Phone: 212/621-6000, Email: www.ascap.com; Broadcast Music Incorporated, (BMI), 320 West 57th Street, New York, NY 10019-3790, Phone: 212/586-2000, Email: www.bmi.com/home/licensing; or SESAC, 55 Music Square East, Nashville, TN 37203, Phone: 615/320-0055, Fax: 615/329-9627, Email: www.sesac.com.
6. To record and distribute a musical composition recorded by someone else, or synchronize music with visual images, contact: The Harry Fox Agency, Inc., National Music Publishers Association, 711 Third Avenue, 8th Floor, New York, NY 10017, Phone: 212/370-5330, Fax: 646/487-6779, Email: www.harryfox.com, www.nmpa.org.
7. Play Rights

<p>Samuel French, Inc. people) 45 West 25th Street New York, NY 10010-2751 Phone: 212/206-8990 Fax: 212/206-1429 www.samuel french.com</p>	<p>Anchorage Press (Plays for young c/o Dramatic Publishing 311 Washington St. Woodstock, IL 60098-3308 Phone/Fax: 800/448-7469 customerservice@dpcplays.com</p>
---	--

Baker's Plays
 c/o Samuel French, Inc.
 45 W. 25th Street
 New York, NY 10010
 Phone: 323/876-0579
 Fax: 323/876-5482
www.bakersplays.com

www.applays.com

Dramatists Play Service, Inc.
 440 Park Avenue South
 New York, NY 10016
 Phone: 212/683-8960
 Fax: 212/213-1539

postmaster@www.dramatists.com

www.dramatists.com

8. For news archives, check the Web. Many of the largest news organizations have placed archives of their back issues online.
9. Movies
 The Motion Picture Licensing Corporation, 5455 Centinela Avenue, Los Angeles, CA 90066, Phone: 800/462-8855, Fax: 310/822-4440, Email: [mplc.org/index/contactform, info@mplc.com](mailto:info@mplc.com), www.mplc.com, grants public performance rights. If the author and the publisher are known, contact them directly. If the publisher is unknown contact: The Literary Marketplace, www.literarymarketplace.com (for books) or Ulrich's International Periodicals, www.ulrichsweb.com (for journals), both published by the R. R. Bowker Company, www.bowker.com.
10. Changed Owner
 The apparent copyright owner may not be the real copyright owner. The U.S. Copyright Office of Internet Resources, www.loc.gov/copyright, provides online searching of its registration records and performs professional searches for a fee.
11. Software
 Contact the software's manufacturer at the address given on the licensing agreement.

Instructional Materials and Computer Programs Developed Within the Scope of Employment

Definitions ¹

The definitions used in this procedure are in accordance with State and federal law. In the event of a change, these procedures shall be deemed to be modified to the extent required by the change.

Works made for hire - Instructional materials and computer programs (including written, electronic, digital, audio, visual materials and tapes, films, and works of art) when an employee creates them:

1. Within the employee's scope of employment,
2. In whole or in part during hours of District employment (not including lunch periods or other similar free periods),
3. Under the District's supervision or control,
4. As a direct result of the employee's duties with the District, and/or
5. Using District resources or facilities.

¹ The definitions are derived from 105 ILCS 5/10-23.10(b) and 17 U.S.C. §101.

Proceeds - Profits derived from the sale of instructional materials after deducting the expenses of developing and marketing these materials.

Computer program - A series of coded instructions or statements in a form acceptable to a computer, which causes the computer to process data in order to achieve a certain result.

Computer - An internally programmed, general purpose digital device capable of automatically accepting and processing data and supplying the results of the operation.

Instructional Material Prepared Within the Scope of Employment

All instructional materials developed by an employee within the scope of District employment are works made for hire and belong to the District. The District is entitled to all proceeds from the sale of works made for hire other than computer programs.

An employee must provide the Superintendent or designee with prior written notification of his or her intention to publish any computer programs developed within the scope of employment. The District has the exclusive right to register the copyrights for them. Unless the employee specifically states in writing to the contrary, the employee warrants that any programs developed and submitted to the District for publication are original.

Computer Programs Prepared Within the Scope of Employment

All computer programs developed by an employee within the scope of District employment are works made for hire and belong to the District.

An employee who develops a computer program is entitled to a share of the proceeds from its sale as agreed to by the District. Neither the employee nor the District may receive more than 90% of the proceeds. An employee's representative may conduct the negotiation; the School Board must approve all agreements. ²

The employee must provide the Superintendent or designee with prior written notification of his or her intention to publish any computer programs developed within the scope of District employment. The District has the exclusive right to register the copyrights for them. Unless the employee specifically states in writing to the contrary, the employee warrants that any programs developed and submitted to the District for publication are original.

The District shall compute proceeds. The proceeds of a computer program developed by more than one employee shall be equitably distributed among such employees, in proportion to their participation in the program's development.

LEGAL REF.: 17 U.S.C. §101.
 105 ILCS 5/10-23.10.

Designation of District Digital Millennium Copyright Act (DMCA) Agent; Registration Process

Before using this exhibit, consult the Board Attorney to first identify whether the District is an online service provider (OSP) under the DMCA. The DMCA is an amendment to 17 U.S.C. §101 et seq. It provides certain limitations on the liability of OSPs for copyright infringement under the

² The provisions contained in this paragraph are required by 105 ILCS 5/10-23.10(a).

DMCA's *Safe Harbor Provision* (SHP). OSPs are operators of websites that allow users to generate content of their own and upload that content to the OSP's website.

If the District is an OSP, the SHP shields the District from being sued when or if infringing copyrighted content is uploaded to its website(s), and it provides limitations on liability for storage, at the direction of a user, of copyrighted material residing on a system or network controlled or operated by or for an OSP. The SHP is only available if an OSP designates an agent to receive notifications of claimed infringement, provides the agent's contact information to the U.S. Copyright Office, and posts that information on the its website in a location accessible to the public (www.copyright.gov/onlinesp/).

If the District is an OSP, the Superintendent or designee will follow these steps to identify and register a DMCA agent to receive notifications of claimed infringement:

1. Identify an agent to receive notification of claims of infringement. This may be the Superintendent, an Assistant Superintendent, or another administrator.
2. Fill out the *Interim Designation Form* (www.copyright.gov/onlinesp/agent.pdf) to designate a DMCA agent (*designation of agent*), or, if changing agents, use the *Amended Designation Form* (www.copyright.gov/onlinesp/agenta.pdf) to amend a previously designated agent. **Note:** The *Amended Designation Form* replaces a previously filed *Interim Designation Form*.
3. Determine the fee (listed on the forms discussed in #2). **Note:** Consult the Board Attorney about filing alternative names when registering and whether additional fees may apply. The fee for filing allows for the listing of only one name for OSP. It is the OSP's legal name. If the District uses other names or additional URLs, it should include them in the same filing to avoid additional fees to register.
4. Draft a check payable to the Register of Copyrights and mail it and the form to: Copyright RRP, P.O. Box 71537, Washington, DC 20024.
5. Post the District's DMCA agent's contact information in a publicly accessible location on the website. See policy 5:170, *Copyright*. **Note:** Consult the Board Attorney about further steps necessary for registering and posting DMCA agent information. For example, some websites make users verify that they are not infringing copyright when they upload content, along with a Terms of Service and Copyright Policy. Other steps may include training from the Board Attorney about procedures to terminate repeat infringers, responding to takedown notices, etc.

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

Adopted: December 15, 2015

Revised:

Replaces:

Reference:

6017Pex Request to Reprint or Adapt Material

On District letterhead

Date _____

To: _____

On behalf of the School District, I am requesting permission to **reprint** [*to use without change*] or **adapt** [*to use and modify*] the following material:

No reprinted or adapted material will be used in a sales promotion or advertising campaign. If permission to reprint or adapt this material is granted, the material will be used for the following purpose(s): _____

The following credit line will appear on each reprint or adaption:

Reprinted/Adapted, with permission from (publication) _____
Copyright year of publication _____ Copyright owner _____
All rights reserved.

If you agree to grant permission for the School District to reprint or adapt the above listed material, please sign the **Permission to Reprint or Adapt Material** and return it to the requestor. Please contact me at _____ if you have any questions. Thank you for your consideration.

School District Requestor (*please print*)

Email/Fax

Signature

Date

Permission to Reprint or Adapt Material

I hereby grant permission to the School District requestor to reprint or adapt material as requested on the terms and conditions stated herein.

Copyright owner (*please print*)

Signature

Date

Adopted: December 15, 2015
Revised:
Replaces:
Reference:

6018 Deduction of Pay for Unauthorized Absence

Employees who are absent from duty for any reason or reasons other than those authorized by Board policy or applicable labor agreement, or for reasons unacceptable to the Board of Education, shall not be entitled to receive any pay during such absence. Prorating of salaries shall be on the basis of annual salary divided by the number of contracted service days.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6019 Family and Medical Leave

It is the policy of the Board of Education of Community High School District 94 to comply with the provisions of the Federal Family and Medical Leave Act of 1993 (FMLA). An employee eligible for participation shall have been employed for at least twelve (12) months and have worked for at least 1,250 hours during the previous twelve (12) months.

Eligible employees shall be allowed Family Medical Leave for one or more of the following reasons:

1. The birth of a child of the employee and the care of such child.
2. A child placed with employee for adoption or foster care.
3. The care for a family member (spouse, son, daughter or parent) of the employee with a serious health condition.
4. A serious health condition that makes the employee unable to perform functions of his/her position.
5. Military family leave, which may be a military caregiver leave or a qualified exigency leave.

6. Any other purpose for which leave may be taken under the FMLA.

During the District 94 fiscal year, eligible employees shall be entitled to twelve (12) work weeks or such other period of leave permitted by the FMLA of unpaid leave with the understanding that the employee may use accrued paid leave prior to any unpaid leave and the use of paid leave will be counted against the employee's FMLA leave.

The Board of Education shall maintain the employee's group health plan coverage for the duration of the leave on the same basis, at the same level, and under the same conditions coverage would have been provided had the employee not taken the leave. The Board and employee shall continue to pay their respective applicable shares of the health care premiums during the duration of the leave. The Superintendent shall develop the necessary rules and regulations related to the following provisions of the Family and Medical Leave Act:

1. Eligible employees
2. Purpose of the leave
3. Terms of the leave
4. Notice requirements
5. Substitution of paid leave
6. Medical certification
7. Medical re-certification
8. Maintenance of health benefits.
9. Return to employment
10. Rules applicable to instructional employees

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GCBDA/GDBDA – Family and Medical Leave

Reference: *See Also:* ¶6020-P – Practices Accompanying Policy 6020 Family and Medical Leave Act; ¶6109 – Unpaid Sick Leave

6019P Practices Accompanying Policy 6020 Family and Medical Leave

All eligible district employees shall be entitled to a Family and Medical Leave (FMLA), on a gender neutral basis, provided the leave is taken in accordance with the following provisions:

1. *Eligible Employee*

An employee who has been employed for at least twelve (12) months and has worked at least 1,250 hours during the previous twelve (12) month period. The

twelve (12) month period during which the twelve (12) weeks of leave entitlement occurs shall be calculated based upon the district's fiscal year.

2. *Purpose of Leave*

Eligible employees shall be allowed Family and Medical Leave for one or more of the following reasons:

- a) Because of the birth of a child of the employee and in order to care for such child;
- b) Because a child has been placed with the employee for adoption or foster care;
- c) In order to care for a family member (child, parent, or spouse) of the employee who suffers from a serious health condition;
- d) Because of a serious health condition that makes the employee unable to perform the functions of his/her position;
- e) For military family leave, which may be a military caregiver leave or a qualified exigency leave;
- f) For any other purpose for which leave may be taken under the FMLA.

3. *Term of Leave*

Eligible employees shall be entitled to a total of twelve (12) work weeks of unpaid leave or such other period of leave permitted by the FMLA during the twelve (12) month period, as set forth in Paragraph 1, subject to the following:

- a) The employee must state a qualifying reason for the needed leave to allow the Board (or its designee) to determine whether the purpose for the leave is one allowed under the Act;
- b) The entitlement to leave because of the birth or placement of a child expires one (1) calendar year after the date of birth or placement;
- c) A husband and wife who are both employed by the Board and both eligible for leave are only permitted to take a combined total of twelve (12) weeks of leave during any twelve (12) month period if the leave is taken because of the birth or placement of a son or daughter; and
- d) Leave may be taken on an intermittent basis (in separate blocks of time during a single illness or injury) or reduced schedule (reducing the

usual number of hours per week or per day) if medically necessary when the purpose of the leave is to care for a seriously ill family member or because of the employee's own serious health condition. Leave may be taken on an intermittent basis or reduced schedule only with Board approval when the purpose of the leave is the birth or placement of a child for adoption or foster care.

4. *Notice Requirements*

When the leave is foreseeable (i.e., based upon an expected birth or placement for adoption or foster care, or planned medical treatment for the employee or the employee's seriously ill family member), the employee is required to notify the Superintendent, or designee, not less than thirty (30) days before the date the leave is to begin of the intention to take leave pursuant to this policy. If the circumstances (i.e., date of birth or planned treatment) require the leave to begin in less than thirty (30) days, the employee shall notify the Superintendent or designee as soon as practicable. The employee shall make a reasonable effort to schedule the planned treatment so as not to unduly disrupt operations, subject to the approval of the health care provider involved in administering the treatment. The Board may deny an employee's leave request until at least thirty (30) days after the date the employee provides notice of the intention to take leave for unreasonable failure to provide timely advance notice for foreseeable leaves.

5. *Substitution of Paid Leaves*

An employee entitled to paid family leave of less than twelve (12) work weeks within a twelve (12) month period shall also be entitled to the additional weeks of leave, on an unpaid basis, necessary to attain the total of twelve (12) work weeks of leave granted under this policy. An eligible employee may elect to substitute accrued paid leave for all or part of the unpaid twelve (12) weeks of leave granted pursuant to this policy under the following circumstances:

- a) Accrued paid vacation or personal leave may be substituted for leave for any purpose granted under this policy;
- b) Accrued paid sick leave may be substituted if the leave is taken in order to care for a seriously ill family member, because of the employee's own serious health condition, or because of the birth of placement of a child.

6. *Medical Certification*

The Board may require requests seeking leave to care for a seriously ill family member or because of the employee's own serious health condition be supported by medical certification from the family member's or the employee's health care provider. For foreseeable leaves, the certification shall be provided to the Superintendent, or designee, within fifteen (15) calendar days from the date the Board requests such certification or as soon thereafter as practicable. For unforeseeable leaves,

the employee is required to provide certification as soon as is practicable, under the particular circumstances, after the date the Board requests such certification. The certification shall contain the following:

- a) The date the serious health condition began;
- b) The health care provider's best medical judgment concerning the probable duration of the condition;
- c) A diagnosis of the condition and a brief statement of the prescribed treatment regimen, including whether in-patient hospitalization is required;
- d) If the purpose of the leave is to care for a seriously ill family member, a statement that the employee is needed to care for the family member, including an estimate of the amount of time the employee will be needed;
- e) If the purpose of the leave is because of the employee's own serious health condition, a statement that the employee is unable to perform the functions of their present position;
- f) In the case where intermittent or reduced schedule leave is requested for planned medical treatment, a statement of the dates and duration of the treatment;
- g) In the case where intermittent or reduced schedule leave is requested to care for a seriously ill family member or because of the employee's serious health condition, a statement that the intermittent or reduced leave schedule is medically necessary, as to the seriously ill employee, or necessary for the care of the family member, including the expected duration of its necessity.

In cases where the Board has reason to doubt the validity of a medical certification it may require the employee to obtain a second opinion, at Board expense. The Board shall select the health care provider to supply the second opinion. In cases where the medical opinions in the first and second certifications conflict, the Board may require the employee to obtain a third certification, at Board expense. The third health care provider shall be jointly selected by the Board and the employee and their certification shall be final and binding upon both the Board and the employee.

The Board reserves the right to request certification at a later date in cases where it does not initially request medical certification to support the leave request, but it later has reason to question the appropriateness or duration of the leave. The Board may

deny a leave request, for foreseeable leaves, or deny continuation of leaves for unforeseeable leaves, until the employee provides the required certification.

7. *Medical Re-certification*

The Board may request re-certification at reasonable intervals, but not more often than once every thirty (30) days. The Board may request re-certification, regardless of the length of time since the last request, for the following:

- a) When the employee requests a leave extension;
- b) When the circumstances described by the original certification change significantly (i.e., the nature or duration of the illness changes significantly); and
- c) When the Board receives information that casts doubt upon the continuing validity of the original certification.

8. *Maintenance of Health Benefits*

The Board shall maintain the employee's group health plan coverage for the duration of leave up to the federally mandated maximum FMLA leave period taken pursuant to this policy on the same basis, at the same level, and under the same conditions coverage would have been provided had the employee not taken leave. The Board and the employee shall continue to pay their respective applicable shares of the health care premiums during the duration of the leave up to the federally mandated maximum FMLA leave period as if the leave had not been taken. The Board may recover its share of any premium payments for any periods of unpaid leave from the employee if the employee fails to return to work after their leave entitlement has been exhausted. The Board also may recover any portion of the premium it paid which the employee was obligated to pay.

If the employee substitutes paid leave for unpaid leave under this policy, their share of the health care premiums shall be paid by the method the Board normally utilizes during any employee's paid leave. If the leave is unpaid, the employee shall pay his/her share of the premium no later than the 1st day of each month.

9. *Return to Employment*

At the end of the leave period taken pursuant to this policy, the employee shall be returned to the position held immediately prior to taking the leave, except for key employees under the circumstances set forth below. If that position is unavailable, the Board shall return the employee to an available position the employee is qualified to hold with equivalent pay and benefits and other terms and conditions of employment. The right to reinstatement cases and the employment relationship between the employee and the Board will be deemed terminated if the employee unequivocally informs the Board of their intent not to return to their employment at the end of the leave period.

For key employees (a salaried FMLA eligible employee who is among the highest paid 10% of all the employees [salaried and unsalaried; eligible and ineligible] employed by the Board within 75 miles of that employee's work site) the Board may deny reinstatement under the following circumstance:

- a) The employee has been notified, in writing, either when leave is requested or when leave begins, that they qualify as a key employee and as such the possibility exists that they will not be reinstated at the end of the leave;
- b) The Board determines the denial is necessary to prevent substantial and grievous economic injury to the district's operations;
- c) The Board notifies the key employee of its intent not to reinstate the employee on this basis; and
- d) In cases where the key employee begins the leave and elects not to return to employment after receiving notice from the Board of its intent not to reinstate the employee.

The Board may require the employee to submit medical certification from their health care provider that the employee is now able to resume work if the basis for the leave was the employee's own serious health condition that made the employee unable to perform the functions of their job. The Board may deny the employee's return to work until the certification is submitted.

10. *Special Rules for Instructional Employees*

The following rules apply to employees who meet the eligibility requirements of Section 1 of this policy and whose principle function is teaching and instructing in a class, small group or individual setting, including athletic coaches, driving instructors, and special education assistants (i.e., signers for the hearing impaired).

- a) Intermittent or Reduced Schedule Leave
For eligible instructional employees who request leave to care for a seriously ill family member or because of their own serious health condition which is foreseeable, based upon planned medical treatment, and who will be on leave for more than 20% of the employee's total number of working days during the entire period of the requested leave, the Board may require the employee to:
 - (i) Take leave for a period or periods of a particular duration no longer than the duration of the planned treatment; or

- (ii) Temporarily transfer to an available alternative position the employee is qualified to hold with equivalent pay and benefits which better accommodates recurring periods of leave than their regular position.

b) Notice Requirements

The notice requirements contained in this policy apply to instructional employees who request foreseeable intermittent or reduced schedule leaves for any of the purposes stated in Section 2 of this policy. If the employee fails to provide timely notice of such leaves, the Board may impose upon the employee either of the requirements of 10.a) (i) or 10.a) (ii) of this section of this policy may deny the employee's leave until the notice requirement is satisfied.

c) Leave Near the End of the School Term

The following rules apply to instructional employees who request leaves near the end of the school term:

- (i) If the employee requests leave which is to begin more than five (5) weeks before the end of the school term, the Board may require the employee to continue taking leave until the end of the school term, if:
 - (a) The leave is at least three (3) weeks long; and
 - (b) The return to employment will occur during the three (3) week period before the end of the school term.
- (ii) If the employee requests leave for a purpose other than their own serious health condition which is to begin during the five (5) week period before the end of the school term, the Board may require the employee to continue taking leave until the end of the school term if:
 - (a) The leave is longer than two (2) weeks; and
 - (b) The return to employment will occur during the two (2) week period before the end of the school term.

d) Return to Employment

Established School Board policies and practices and existing collective bargaining agreement shall be used as the basis for determining how instructional employees will be returned to employment at the end of

an FMLA leave period. The employee will be returned to the same or an equivalent position the employee is qualified to hold with equivalent pay benefits and other terms and conditions of employment; subject to any additional provisions in any applicable Board policy or collective bargaining agreement which are not inconsistent with the FMLA.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GCBDA/GDBDA-R – Proposed Rules and Regulations Accompanying Policy GBBDA/GCGDA: Family and Medical Leave Act

Reference: *See Also:* 6019 – Family and Medical Leave

6020 Employees with Chronic Communicable Diseases

1. Continued Employment

An employee with a chronic communicable disease shall be permitted to retain his/her position whenever, through reasonable accommodation of the employee's physical condition and without undue hardship to the employer, there is no reasonable risk of transmission of the disease to others. Such an employee shall remain subject to the Board's employment policies, including, but not limited to, sick leave, physical examinations, temporary and permanent disability, and termination.

2. Review Procedures

a) Temporary Exclusion:

Upon being informed that an employee has, or is reasonably suspected of having, a chronic communicable disease an employee shall inform the Superintendent.

Pending determination of the employee's continued employment status, an employee with a chronic communicable disease, or an employee who is reasonably suspected of having a chronic communicable disease, may be temporarily excluded from work for a period not to exceed ten (10) working days or may be transferred to another position by the Superintendent. Any extension of an employee's temporary exclusion from work shall be approved by a multidisciplinary team as defined below. During any period of temporary exclusion the Employee shall be entitled to be paid at his/her regular rate.

b) Initial Evaluation:

An employee with a chronic communicable disease, or an employee who is reasonably suspected of having a chronic communicable

disease, may be required to submit to a physical examination conducted by a physician selected by the district and provided at school district expense. The employee shall then be evaluated by a multidisciplinary team that shall consist of appropriate district personnel and a physician or other consultants selected by the Superintendent, the employee's physician(s), public health personnel, and the employee, where applicable. The teams' report and recommendations, including any dissenting opinions, shall be forwarded to the Superintendent. Every effort shall be made to complete the evaluation in a timely and prompt manner.

c) Subsequent Evaluations:

The employee shall be periodically reevaluated by the multidisciplinary team to determine whether his or her placement continues to be appropriate. The frequency of the reevaluations shall be determined by the team, but in no event shall the employee be reevaluated less frequently than once per school term.

3. Confidentiality

The Superintendent or his/her designee shall report, by mail or telephone, each suspected or diagnosed case of a Class I or Class II communicable disease as defined by the Illinois Department of Public Health or the City of West Chicago to the local health authority. Otherwise, the employee's medical condition shall be disclosed only to the extent necessary to minimize the health risks to the employee and others and as otherwise required by law. The number of personnel aware of the employee's condition will be kept at the minimum needed to detect situations in which the potential for transmission may increase. Persons deemed to have "a direct need to know" will be provided with the appropriate information; however, these persons shall not further disclose such information. The multidisciplinary team responsible for making initial and subsequent evaluations will be responsible for determining who has "a direct need to know."

4. Dismissal – Employees on Contractual Continued Service Status

If the dismissal or removal of a Certified employee on contractual continued service status is sought, such dismissal or removal shall be implemented in accordance with § 24-12 of the *Illinois School Code*.

5. Dismissal – Other Employees

If an employee other than one on contractual continued service status is being considered for dismissal for reasons relating to the employee's inability to perform the essential functions of his or her position, without reasonable accommodation, such dismissal shall be in accordance with the following procedure:

- a) The specific reason(s) for the proposed dismissal shall be issued to the employee, in writing, and shall be confidential;
- b) If the employee, within ten (10) days, requests in writing of the Secretary of the Board that a hearing be scheduled, the Board shall schedule a hearing on the proposed dismissal. If no hearing is requested, the Board decision shall be final and such action shall be confirmed in a public session or a regular or special meeting of the Board.
- c) Any hearing shall be conducted before the Board, a committee of the Board, or a Board-appointed hearing officer, on a date not less than ten (10) days nor more than sixty (60) days after notice of the proposed dismissal is provided to the employee.
- d) The Board shall, with reasonable dispatch, make a decision as to whether the dismissal should be upheld or overturned. This decision shall be final and binding.

6. Additional Rules and Regulations

The Superintendent may establish additional rules and regulations designed to implement this policy.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GARA – Communicable Diseases

Reference:

6021 Bloodborne Pathogens

The Board of Education is committed to providing a safe and healthful work environment. It is the policy of Community High School District 94 to comply with the OSHA Bloodborne Pathogens Standard, Title 29 Code of Federal Regulations 1910.1030 and 56 Ill. Adm. Code 350, or their successors, through the development of an Exposure Control Plan.

The elements of the Exposure Control Plan shall include:

- 1. Employee exposure determination;
- 2. The procedures for evaluating the circumstances surrounding an exposure incident; and

3. The schedule and method for implementing the special sections of the standard, including:

- a) Methods of compliance
- b) Hepatitis B vaccination and post-exposure follow-up
- c) Training and communication of hazards to employees
- d) Recordkeeping

The Exposure Control Plan will be maintained in the Health Office. A copy will also be available in the Business Office. The plan will be reviewed annually and updated as appropriate. All employees who are reasonably anticipated to have contact with, or exposure to, blood or other potentially infectious materials are required to comply with the procedures and work practices outlined in the Exposure Control Plan.

The Superintendent and/or his/her designee(s) will have responsibility to complete the following tasks to implement the Exposure Control Plan:

1. Develop written protocols and ensure that effective disinfectants are purchased and available to the appropriate staff members.
2. Ensure that all required medical actions are performed and appropriate medical records maintained.
3. Schedule training, develop documentation of training, and distribute the written Exposure Control Plan to employees.
4. Provide and maintain all necessary personal protective equipment, engineering controls, labels, and bags as required by the standard.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GBEB – Bloodborne Pathogens

Reference: *See Also:* Series 6000, ¶6021P – Practices Accompanying Bloodborne Pathogens Exposure Control Plan

6021P Practices Accompanying Bloodborne Pathogens Exposure Control Plan

1. Employee Exposure Determination

- a) Employees with Occupational Exposure - The following job classifications within District 94 have occupational exposure:

Nurse, Nursing Assistants

- b) Employees who may have Occupational Exposure – The following job classifications within District 94 may have occupational exposure:

Custodian As required to clean up and remove contaminated waste, blood, and other bodily fluids

Coaches In contact sports as first responder to injuries

Program Assistant,
Personal Care Assistant/
Job Coach in DLP and
Multiple Needs } Assisting the Nurse, or Nurse Assistants

Deans’ Assistants
Administrators } As a responder to injuries

Physical Education
Staff As a first responder to injuries. Supervision of students in contact sports

Family & Consumer
Science Staff/Industrial
Arts Staff/ Science Staff environments } As first responder to student accidents and injuries which may occur in lab class

2. Methods of Implementation and Control

- a) Universal Precautions and Exposure Control Plan - As of March 30, 1993, universal precautions will be observed at this facility in order to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious materials will be considered infectious regardless of the perceived status of the source individual.

Employees covered by the Bloodborne Pathogens Standard will receive an explanation of the Exposure Control Plan during their annual training session. All employees will have an opportunity to review this Plan at any reasonable time during their work shifts by contacting the certified school nurse in the Health Office. Employees

seeking copies of the Plan may contact the certified school nurse in the Health Office. A copy of the Plan will be made available free of charge and within fifteen (15) days of the request.

b) Engineering Controls and Work Practices –

Engineering controls and work practice controls will be utilized to eliminate or minimize exposure to employees at this facility. Where occupational exposure remains after institution of these controls, personal protective equipment shall also be utilized.

The following engineering controls will be utilized at Community High School:

- (i) Puncture-resistant disposal containers for contaminated sharps, orthodontia wire, or broken glass.

The following work practice controls will be utilized at Community High School:

- (i) Accessible hand washing facilities located in the Health Office.
- (ii) Hand washing immediately or as soon as feasible after removal of gloves.
- (iii) Interim hand washing measures, such as antiseptic towelettes and paper towels will be provided.
- (iv) Washing body parts as soon as possible after skin contact with blood or other potentially infectious materials.
- (v) Prohibition on the recapping or bending of needles.
- (vi) Prohibition on the shearing or breaking of needles.
- (vii) Proper labeling.
- (viii) Decontamination of equipment.
- (ix) Prohibition of eating, drinking, smoking, applying cosmetics or lip balm, and handling contact lenses in work areas where there is a likelihood of occupational exposure.

- (x) Prohibition of food and drink being kept in refrigerators, freezers, shelves, cabinets, or on counter tops where blood or other potentially infectious materials are present.
- (xi) Procedures to minimize splashing, splattering, and generation of droplets of blood or other potentially infectious materials.
- (xii) Use of containers to prevent leakage of blood or other potentially infectious materials during collection, handling, processing, storage, transport, or shipping.

c) Personal Protective Equipment –

Personal protective equipment must be used if occupational exposure remains after instituting engineering and work practice controls, or if controls are not feasible. Annual training will be provided to all staff members in the use of the appropriate personal protective equipment. For first aid responders, the following personal protective equipment will be provided in the Health Office, physical education area, science office, family and consumer science area, industrial arts area, and the art area:

- (i) Gloves
- (ii) Masks
- (iii) Eye Protection
- (iv) Mouthpieces
- (v) Quick access kits that include the above-mentioned items and disinfectant towelettes for hand washing.
- (vi) Red bags or biohazard-labeled bags

As a general rule, employees using personal protective equipment must observe the following precautions:

- (i) Wash hands immediately, or as soon as feasible, after removal of gloves or other personal protective equipment.
- (ii) Remove protective equipment before leaving the work area and after a garment becomes contaminated.

- (iii) Place protective equipment in the biohazard bag and request the custodian to dispose of it.
- (iv) Wear gloves when it can be reasonably anticipated that you may have contact with blood or other potentially infectious materials and when handling or touching contaminated items or surfaces. Replaces gloves if torn, punctured, or contaminated.
- (v) Never wash or decontaminate disposable gloves.
- (vi) Wear appropriate face and eye protection.
- (vii) If a garment is penetrated by blood or other potentially infectious materials, remove the garment immediately or as soon as feasible. Place it in the biohazard bag to be sanitized later.

Personal protective equipment will be repaired or replaced at no cost to the employee.

d) Training –

Annually, all employees will receive training regarding bloodborne pathogens conducted by qualified personnel. They will also provide training on the epidemiology of bloodborne pathogen diseases.

Training topics will include, at a minimum, the following topics:

- (i) A copy and explanation of the standard.
- (ii) Epidemiology and symptoms of bloodborne pathogens.
- (iii) Modes of transmission.
- (iv) District 94 Exposure Control Plan and how to obtain an additional copy.
- (v) Methods to recognize exposure tasks.
- (vi) Use and limitation of engineering control, work practices, and personal protective equipment.
- (vii) Types, use, location, removal, handling, decontamination and disposal of personal protective equipment.

- (viii) The offering of Hepatitis B vaccine free of charge and training on its safety, effectiveness, benefits, and methods of administration.
- (ix) Emergency procedures for blood and other potentially infectious materials.
- (x) Exposure incident procedure.
- (xi) Post-exposure evaluation and follow-up.
- (xii) Signs and labels.

An employee education and training record will be completed for each employee upon completion of training. This document will be kept with the employee's records in the Human Resources office. The training record shall include the following:

- (i) Dates of training sessions.
- (ii) Contents of summary of training sessions.
- (iii) Names and qualifications of persons conducting training.
- (iv) Names and job titles of all persons attending training sessions.

Training records will be maintained a minimum of three (3) years from the date on which training occurred, or longer if required by applicable law. Employee training records will be provided upon request of the employee or employee's authorized representative within fifteen (15) working days.

- e) Hepatitis B Vaccination –
The Human Resources office will provide information on Hepatitis B vaccination, addressing its safety, benefits, efficacy, methods of administration, and availability. The Hepatitis B vaccination series will be made available annually at no cost to employees who have or may have occupational exposure to blood or other potentially infectious materials unless:
 - (i) The employee previously received the series.
 - (ii) Antibody testing reveals that the employee is immune.

- (iii) Medical records prevent taking the vaccination.
- (iv) The employee chooses not to participate.

Persons may appeal for a position under Category A or B in Section 1 of this document.

All employees with occupational exposure are strongly encouraged to receive the Hepatitis B vaccination series. If an employee chooses to decline the Hepatitis B vaccination series, then the employee must sign a statement to this effect.

Employees who decline may request and obtain at a later date the vaccination at no cost. Documentation of refusal of the Hepatitis B vaccination will be kept in a separate medical file for each employee with occupational exposure.

- f) Post Exposure Evaluation and Follow-up Procedures for Reporting, Documenting, and Evaluating the Exposure –

Should an incident occur, an employee should contact the Health Office immediately. Each exposure must be documented on an “Exposure Report Form.” The Health Office will add any additional information as needed.

An immediately available confidential medical evaluation and follow-up will be arranged by the Human Resources administrator and the Certified School Nurse. The follow-up will include the following elements:

- (i) Documentation of routes of exposure and how exposure occurred.
- (ii) Identification and documentation of source individual’s blood as soon as possible to determine HIV and HBV infectivity and documentation of source’s blood test results.
- (iii) Testing, if possible, of the source individual’s blood as soon as possible to determine HIV and HBV infectivity and documentation of source’s blood test results.
- (iv) Exposure information to be provided to exposed employee.

- (v) Blood testing of exposed employee, if possible, to determine exposure to HBV or HIV.

The exposed employee will be provided with the Exposure Incident Report, the Request for Source Individual Evaluation, and the Employee Exposure Follow-up Record. Original copies of these appendices will be maintained with the employee's medical records.

The Human Resources administrator, Business Services administrator, and Certified School Nurse will review circumstances of the exposure incident to determine if procedures, protocols, and/or training need to be revised.

- g) Health Care Professionals –
The Certified School Nurse will ensure that health care professionals responsible for the employees' Hepatitis B vaccination and post-exposure evaluation and follow-up are given a copy of the OSHA Bloodborne Standard. The Certified School Nurse will ensure that the health care professional evaluating an employee after an exposure incident receives the following:

- (i) A description of the employee's job duties relevant to the incident.
- (ii) Route(s) of exposure.
- (iii) Summary of circumstances of exposure.
- (iv) If possible, results of source individual's blood test.
- (v) Relevant employee medical records, including vaccination status.

A written opinion shall be obtained from the health care professional who evaluates employees at Community High School. Written opinions will be obtained:

- (i) Whenever an employee is sent to a health care professional following the exposure incident.

- h) Housekeeping –
The Business Services administrator has developed and implemented a written schedule for cleaning and decontamination of work surfaces as

indicated by the Standard. All such activities will be conducted by the nurse on a weekly basis as a minimum.

In addition, the following housekeeping practices will be implemented:

- (i) Work surfaces will be decontaminated with appropriate disinfectant when overtly contaminated and after any spill of blood or other potentially infectious materials.
 - (ii) Reusable receptacles will be inspected and decontaminated.
 - (iii) Contaminated glassware will be picked up by mechanical means or a brush and dust pan.
 - (iv) Regulated waste should be placed in closed and labeled containers.
 - (v) Contaminated sharps should be placed in containers that are closed, puncture-resistant, appropriately labeled and leak-proof.
 - (vi) Containers for sharps will be located in the Health Office. Sharps containers will be kept upright throughout use, replaced routinely, closed when moved, and not allowed to overflow.
 - (vii) All regulated waste will be discarded according to Federal, State and local requirements.
- i) Labeling –
A standard fluorescent orange or orange-warning label will be attached to containers of regulated waste; refrigerators or freezers containing blood and other potentially infectious materials; sharps disposable containers; contaminated equipment for repair; and other containers used to ship, transport, or store blood or other potentially infectious materials
- j) Record Keeping –
Medical records will be maintained for each employee with occupational exposure in accordance with 29 CFR 1910.20 and 56 *Illinois Administrative Code* 350, or their successors. The Human Resources Office will maintain required medical records.

In addition to the requirements of 29 CFR 1910.20 and 56 *Illinois Administrative Code* 350, or their successors, the medical record will include:

- (i) Name and Social Security Number of employee.
- (ii) Copy of employee's Hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination.
- (iii) Copy of all results of examinations, medical testing, and follow-up procedures required by the Standard.
- (iv) Copy of all health care professional's written opinion(s) as required by the Standard.

All medical records will be kept confidential and will not be disclosed or reported without the employee's express written consent to any person within or outside of the workplace except as required by the Standard or as may be required by law. Records will be maintained at least the duration of employment plus 30 years in accordance with the regulations.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: Bloodborne Pathogens Exposure Control Plan adopted June 20, 1995

Reference: *See Also:* Series 6000, ¶6021 – Bloodborne Pathogens

6022 Maintenance, Inspection, and Dissemination of Personnel Records

The Board of Education acknowledges that the maintenance, inspection, and dissemination of personnel records must reflect an appropriate balance between the needs of the Board for administrative effectiveness, the employee for confidentiality and privacy, and third parties who have a legitimate interest in the contents of such records. Therefore, all personnel records shall be maintained, inspected, and disseminated in accordance with this policy, any rules, regulations or practices promulgated thereunder, and applicable law.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GAK – Maintenance, Inspection and Dissemination of Personnel Records

Reference: *See Also:* Series 2000, ¶2207 – Personnel Files; Series 6000, ¶6022P – Practices Accompanying Policy 6022 on Maintenance, Inspection and Dissemination of Personnel Records

6022P Practices Accompanying Policy 6023 on Maintenance, Inspection, and Dissemination of Personnel Records

1. Maintenance of Personnel Records –
 - a) The personnel file of each employee shall be located in the district’s administrative Human Resources offices.
 - b) The personnel file of each employee shall contain such personnel records, including anecdotal records, as may be necessary to support the actions of the Board to determine the employment, assignment, promotion, discipline, transfer or discharge of the employee and to determine the compensation and benefits of the employee.
 - c) Records which have not been included in an employee’s personnel file may not be used by the Board in a judicial or quasi-judicial proceeding unless, in the opinion of the judge or hearing officer, the records were not intentionally excluded from the employee’s personnel file and provided the employee is given a reasonable time to review the records before they are used in the proceedings. Records that should have been included in any employee’s personnel file shall be used in a judicial or quasi-judicial proceeding at the request of the Employee.
 - d) The Board shall not gather or keep a record of an employee’s associations, non-employment activities, political activities, publications or communications unless it is with the written consent of the employee, or unless these activities occur on school premises or during the employee’s working hours or if such activities interfere with the employee’s duties or the duties of other employees. If records described in this section are kept by the Board as permitted, they shall be part of the employee’s personnel record.

2. Inspection of Personnel Records

Scope –

- a) A current employee, an employee subject to recall after layoff or leave of absence with a right of recall, or a former employee or applicant who has terminated employment or unsuccessfully applied for

employment within the preceding year, may inspect his/her personnel records in accordance with the following procedures and guidelines. Such individual is referred to herein as an “employee”:

- b) Records subject to inspection by employee are his/her personnel records and the contents therein, including test scores (except for test documents and protocols) and any documents which are, have been, or are intended to be used to determine that person’s qualifications for employment, promotion, transfer, additional compensation, discharge or other disciplinary action, maintained by the Board, Administration, or others having a contractual agreement with the Board to keep or supply personnel records. Anecdotal records maintained by supervisory personnel are also subject to inspection. Such anecdotal records must be placed in an employee’s personnel file prior to any usage of them.
- c) Records not subject to inspection are as follows:
 - (i) Letters of reference.
 - (ii) Test documents and protocols.
 - (iii) Matters relating to the district’s staff planning which relate to or affect more than one employee, provided that any documents used for determining an individual’s qualifications for employment, promotion, transfer, or additional compensation, or with reference to the discharge or discipline of an individual shall be subject to review.
 - (iv) Information of a personal nature about another person, if the disclosure would constitute an unwarranted invasion of that person’s privacy.
 - (v) Records regarding a pending claim or dispute between an employee and the Board which may be discovered in a judicial or quasi-judicial proceeding.
 - (vi) Investigatory or security records maintained to investigate criminal conduct by an employee or other activity by the employee which could reasonably be expected to harm the Board’s property or operations or could cause the Board financial liability, unless and until the Board takes adverse personnel action based on information in such records.

- d) An employee shall also be granted any rights to access of records already granted by law.

Rights of Parties –

- a) An employee shall be permitted to inspect all or any part of his/her personnel records that are subject to inspection provided the request is made in writing on a form provided by the Human Resources Office.
- b) An employee may, upon proper request, inspect his/her personnel records twice during a calendar year.
- c) An employee may not remove all or any part of the district's personnel records without the express written consent of the Board or its designee.
- d) If the parties cannot agree to the removal or correction of records as requested by an employee within thirty (30) calendar days following such request, the employee may, within ten (10) working days after such impasse, provide a statement of reasonable length explaining his/her position on the records in question. This statement shall permanently remain with the employee's records, and, if the records are transmitted to a third party, the statement shall accompany the transmitted records. The Board may include a statement with such transmitted records that the Board's transmission of the employee's statement does not imply agreement with the statement.
- e) If the Board or an employee knowingly places a false statement in the records, the other party shall first request that the statement be corrected or deleted. If there is no response to such request within a reasonable time, the complaining party shall have a remedy through legal action to expunge such information from the records.

Time and Place of Inspection; Copies –

- a) The Board shall provide an employee an inspection opportunity within seven (7) working days after a proper request has been made, except that the Board shall have an additional seven (7) days to comply if reason can be shown why the deadline cannot be met.
- b) The inspection of records shall normally take place in the district's administrative offices during regular business hours; however, in exceptional circumstances, the Board may permit inspection at another time or place more convenient to the employee

- c) An employee may obtain a copy of the information in his/her personnel file that is subject to inspection at or after the time provided for inspection. The employee shall be charged the actual cost of duplicating the information.
3. Dissemination of Disciplinary Records/Evaluations –
- a) The Board shall not divulge an employee's records concerning discipline reports, letters of reprimand, or other disciplinary action to a third party who is not a member of the district's administrative staff or a department chairperson or a part of a labor organization representing the employee or who has not been authorized in writing by the employee to receive such information without written notice to the employee on or before the day of the dissemination of such record. Such notice shall be by first-class mail sent to the employee's last known address.
 - b) Prior to releasing an employee's personnel records to a third party, any disciplinary reports, letters of reprimand, or other records of disciplinary action which are more than four (4) years old shall be redacted, except if such records are released pursuant to legal action or arbitration.
 - c) The Board shall permit a designated union representative to inspect the personnel records of an employee which may have a bearing on the resolution of a grievance in which an employee is involved, provided that the employee has designated in writing a representative of his/her union or collective bargaining unit or other representative to make such inspection.
 - d) Disclosure of performance evaluations shall be prohibited.
4. Privacy of Employees –
- a) In order to protect the privacy of District 94 employees and to protect them against unrequested commercial solicitation, District 94 shall not make the home address or telephone number of any District 94 employee available to any individual or group except a labor organization representing the employee.
 - b) Inquiries concerning an employee shall be directed to the administrator responsible for personnel records.

- c) Persons making inquiries concerning the terms of employment of employees shall be given only verification of employment, length of employment, and the building or department in which the employee serves unless the inquiry is in writing and accompanied by a written consent to release the requested information signed by the employee.

5. Access to Personnel Records –

- a) The following persons shall have access to an employee's personnel records without the consent of the employee:
 - (i) Administrators and department chairpersons.
 - (ii) A designated union representative, as provided in Section 3, Paragraph c), above.
 - (iii) Officials of the State Board of Education and Educational Service Region.
 - (iv) Members of the Board of Education in consultation with, and in the presence of, the Superintendent.
 - (v) Legal counsel and special consultants employed or retained by the Board.
- b) No person or organization other than those specified in Paragraph a) of this Section shall have access to an employee's personnel records except under the following circumstances:
 - (i) When such access is provided by statute.
 - (ii) When the employee requests the release of his/her records and provides written consent for such release. Such request must specify the records to be released and to whom they are to be released. Each request for release must be accompanied by a letter of consent; a blanket consent for release of information shall not be accepted. Such release shall be subject to all of the limitations specified in these rules and regulations and all applicable law.

Adopted: December 19, 2000

Revised:

Replaces: GAK-R – Rules & Regulations Accompanying Policy GAK:
Maintenance, Inspection, and Dissemination of Personnel Records

Reference: *See Also:* Series 2000, ¶2206 – Personnel Files; Series 6000, ¶6022 – Maintenance, Inspection, and Dissemination of Personnel Records

6023 Staff Personal Security and Safety

Community High School District 94 shall take appropriate measures to assure that all staff works in a secure and safe working environment. All staff members are required to take measures to secure their personal property while on district premises and to report any unsafe or potentially unsafe conditions to their immediate supervisor. The District shall not be responsible for staff personal property loss or damage while on district grounds or accompanying an employee on district business.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6024 Staff Development

The Board recognizes that the key to a successful educational program is a well-trained, competent staff dedicated to professional growth. While professional growth through participation in on-going staff development activities is the responsibility of all employees, the encouragement for such professional growth is a district obligation. Therefore, the district should assist in the development and scheduling of appropriate staff development activities which will enable employees to effectively meet their responsibility.

An effective staff development program which meets identified student, district, and personal needs must:

1. Serve all employees.
2. Meet the identified needs of staff.
3. Provide an appropriate balance among skills training, skills maintenance, and program development with quality training.
4. Provide for input from staff members in program development.
5. Use skills of the staff to deliver training.
6. Bring relevant skills to the District for increased student achievement, productivity, and improvement.

In accordance with this policy, the district will maintain a staff development program, committing time and available resources to enhance the skills and attitudes of employees.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6025 Employee Responsibilities

Student Welfare Responsibilities – Staff responsibilities for student welfare include the following:

1. Each staff member must maintain supervision, control and protection of students commensurate with assigned duties and responsibilities.
2. An employee should not voluntarily assume responsibility for duties s/he cannot reasonably perform. Voluntary assumption of duties carries the same responsibilities as assigned duties.
3. An employee must provide proper instruction in the safety matters presented in curriculum guides.
4. All employees are responsible to report any accidents, violations, or detected safety hazards.
5. An employee may not send a student on a personal errand.
6. An employee may not transport students in a private vehicle except where, and as, such activity is specifically permitted by Board policy.
7. An employee may not leave a class or student unattended while students are in one room.
8. An employee may not leave a class in the charge of an unqualified person.
9. An employee must accompany his/her class wherever it is assigned and remain with the students until supervision is assumed by another responsible person with qualifications suitable for the situation.

10. An employee may not use equipment in the classroom that has not been approved for school use.
11. An employee may use machinery and equipment for its intended purpose only.
12. An employee should promptly report unsafe equipment or conditions to their immediate supervisor.
13. A student shall not be expected or required to activities that may be detrimental to his/her health.
14. Students not enrolled in shop or laboratory classes are not permitted to use power tools or other potentially dangerous equipment with the exception of supervised extracurricular activities requiring such tools (e.g. set construction, Habitat for Humanity home-building projects, etc.).
15. Students are not to work in a shop, kitchen or laboratory at other than scheduled times, and then, only under qualified supervision.
16. Students with an identified physical or mental condition are not to be permitted to use equipment that may prove dangerous or injurious to their well being. Students with disabilities are permitted to use such equipment in a manner consistent with their IEP or 504 plan.
17. All equipment used in the educational process must be operated in a safe manner and consistent with current safety regulations.
18. Classroom materials and equipment are to be organized for minimum hazard to students and staff.
19. Good judgment must be exercised when assigning tasks to students in order to prevent bodily harm or damage to property.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference:

6026 Insurance Management - Liability

The Board of Education shall maintain liability insurance coverage for the Board of Education and its members, officers, agents, employees, student teachers,

volunteer personnel, successors, and assigns. Such insurance coverage shall insure against loss by reason of civil rights damage claims and suits, constitutional rights damage claims and suits, and death and bodily injury damage claims and suits including defense thereof, when damages are sought for negligent or wrongful acts allegedly committed during the scope of employment or under the direction of the Board.

The Board of Education shall maintain automobile liability insurance coverage for all District 94 owned or operated on-the-road motor vehicles. Such insurance coverage shall insure against loss by reason of death or bodily injury damage and property damage.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: EGD – Insurance Management – Liability

Reference: *School Code of Illinois*, Section 10-22.3; Series 3000, ¶3400 et seq – Insurance

6027 Worker's Compensation

All employees shall be protected against accident while on duty through a Workers' Compensation Policy written in accordance with the Illinois Compiled Statutes covering the protection of employees.

Adopted: December 19, 2000

Revised:

Replaces: EGAA – Workmen's Compensation

Reference:

6028 Absence Due to On-the-Job Injury

If a staff member claims that, while acting within the scope of his or her employment, s/he sustains a physical injury while acting to maintain the safety of students or school personnel or while acting in self-defense or in defense of school property, the staff member shall report on that same day the injury to the Business Services administrator or his/her designee and such report shall be followed by a written report within twenty-four (24) hours to comply with Workers Compensation guidelines. If the employee is hospitalized and is physically unable to do so, said reporting must be as soon as possible.

If the staff member is required to miss work as a direct result of that injury, and the Business Services administrator, in his/her sole discretion determines that the staff member sustained the injury while so acting, the staff member shall have re-instituted up to three consecutive (3) days of sick leave and shall sustain no loss of pay for those three (3) days as a result of the injury. Three days is the period of time that must

elapse before Workers Compensation becomes effective. The determination of the Business Services administrator shall be final and not subject to grievance.

Adopted: August 21, 2007

Revised: March 19, 2013

Replaces:

Reference: *See Also* ¶6028 – Worker’s Compensation

6029 Dress Guidelines for Staff

The Board of Education recognizes that staff is a role model for the students with whom they interact during and after the school day and that the creation of an environment that is too informal can result in students assuming a degree of independence they may not otherwise take. Further the Board recognizes the positive effect that staff can have on their students. To that end, it is strongly suggested and encouraged that all staff dress and groom themselves in a manner appropriate to the public educational environment at the high school level. The following guidelines are intended to serve this purpose:

1. Staff dress should not distract from the overall educational mission of the School.
2. Wearing appropriate attire is a responsibility of all staff.
3. Appropriate attire shall exclude clothing which reveals the shoulders, low back, stomach, breasts, or cleavage of the wearer. Further, it means that underclothing or lingerie should be covered. Sleeveless tops are deemed appropriate. However, tank tops or tops with spaghetti straps should be covered.
4. Clothing should be in good repair without holes or rips, etc.
5. “Flip flop” or “thong” beach or shower sandals (i.e. plastic or rubber) should not be worn. Dress sandals are appropriate.
6. Shorts, tee-shirts with writing or graphics, and sweats should not be worn unless they are appropriate for a specific class or activity. “Wildcat” wear shirts and sweatshirts are deemed appropriate.
7. Apparel with writing or graphics should be sensitive to the content conveyed as well as to the location of the writing or graphics.

Administrators are expected to counsel staff whose personal appearance is not considered to be in good taste or adhere to the guidelines noted above. Nothing herein shall replace collectively-bargained language with regard to uniforms.

Adopted: August 21, 2007
Revised: March 19, 2013
Replaces:
Reference:

6030 Employee Ethics

Employee Ethics

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

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

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

Ethics and Gift Ban

School Board policy ¶3703, *Ethics and Gift Ban*, applies to all District employees. Students shall not be used in any manner for promoting a political candidate or issue.

Outside Employment and Conflict of Interest

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

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

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

Adopted: June 1, 2010

Revised: March 19, 2013

Replaces:

Legal Ref.: U.S. Constitution, First Amendment.

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

50 ILCS 135/.

105 ILCS 5/10-22.39, 5/22-5, and 5/24-22.

Pickering v. Board of Township H.S. Dist. 205, 391 U.S. 563 (1968).

Garcetti v. Ceballos, 547 U.S. 410 (2006).

Cross Ref.: ¶3703 (Ethics and Gift Ban), ¶6024 (Staff Development Program)

6030-P Employee Ethics ProcedureAdministrative Procedure - Employee Conduct Standards

Professional and ethical behavior is expected of all District staff members. The standards listed below serve as a notice of expected conduct. The standards are intended to protect the health, safety, and general welfare of students and employees, ensure the community a degree of accountability within the School District, and define misconduct justifying disciplinary action. The listed standards are not a complete list of expectations, and depending on the factual context, an employee may be disciplined for conduct that is not specifically listed. The conduct standards apply to all District employees to the extent they do not conflict with an applicable collective bargaining agreement; in the event of a conflict, the provision is severable and the applicable bargaining agreement will control. All school employees shall:

1. Exhibit positive examples of preparedness, punctuality, attendance, self-control, language, and appearance.
2. Exemplify honesty and integrity. Violations of this standard include, but are not limited to, falsifying, misrepresenting, omitting, or erroneously reporting the professional qualifications of oneself or another individual or information submitted in connection with job duties or during the course of an official inquiry/investigation.
3. Maintain a professional relationship with all students, both in and outside the school and attend all in-service trainings on educator ethics, teacher-student conduct, and school, employee-student conduct for all personnel (105 ILCS 5/10-22.39). Violations of this standard, include but are not limited to: (a) committing any act of child abuse or cruelty to children; (b) engaging in harassing behavior; (c) soliciting, encouraging, or consummating an inappropriate written, verbal, or physical relationship with a student; and (d) furnishing tobacco, alcohol, or illegal/unauthorized substance to any student or allowing a student under his or her supervision to consume alcohol or an illegal/unauthorized substance.
4. Maintain a safe and healthy environment, free from harassment, intimidation, bullying, substance abuse, and violence, and free from bias and discrimination. Violations of this standard include, but are not limited to: (a) using alcohol or illegal or unauthorized substances when on school property or at school-sponsored events, or whenever engaged in job responsibilities; (b) failing to report suspected cases of child abuse or neglect, or of gender harassment; and (c) tolerating student-on-student bullying or harassment.
5. Honor the public trust when entrusted with public funds and property by acting with a high level of honesty, accuracy, and responsibility. Violations of this standard include, but are not limited to: (a) misusing public or school-related funds; (b) failing to account for funds collected from students or parents/guardians; (c) submitting fraudulent requests for reimbursement of expenses or for pay; (d) co-mingling District or school funds with personal funds or checking accounts; and (e) using school property without the approval of the supervising school official.
6. Maintain integrity with students, colleagues, parents/guardians, community members, and businesses concerning business dealings and when accepting gifts and favors. Violations of this standard include but are not limited to, soliciting students or parents/guardians to purchase supplies or services from the employee or to participate in activities that financially benefit the employee without fully disclosing the interest.

7. Respect the confidentiality of student and personnel records, standardized test material, and other information covered by confidentiality agreements. Violations of this standard include, but are not limited to: (a) disclosing confidential information concerning student academic and disciplinary records, health and medical information, family status and/or income, and assessment/testing results, unless disclosure is required or permitted by law; and (b) disclosing confidential information restricted by State or federal law.

8. Demonstrate conduct that follows generally recognized professional standards and attend all in-service trainings on educator ethics, teacher-student conduct, and school employee-student conduct for all personnel (105 ILCS 5/10-22.39). Unethical conduct is any conduct that impairs the employee's ability to function professionally in his or her employment position or a pattern of behavior or conduct that is detrimental to the health, welfare, discipline, or morals of students.

9. Comply with all State and federal laws and rules regulating public schools and School Board policies.

Conviction of any employment disqualifying criminal offense listed in Section 5/21-23a of The School Code will result in dismissal.

Before disciplinary action is taken, the supervisor will conduct a fair and objective investigation to determine whether the employee violated a standard or other work rule and the extent that any violation impacts educational or operational activities, effectiveness, or efficiency. Discipline must be appropriate and reasonably related to the seriousness of the misconduct and the employee's record. Any applicable provision in a contract, bargaining agreement, or State law will control the disciplinary process.

Adopted: June 1, 2010

Revised:

Replaces:

Legal Ref.: U.S. Constitution, First Amendment.

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

50 ILCS 135/.

105 ILCS 5/10-22.39, 5/22-5, and 5/24-22.

Pickering v. Board of Township H.S. Dist. 205, 391 U.S. 563 (1968).

Garcetti v. Ceballos, 547 U.S. 410 (2006).

Cross Ref.: ¶3703 (Ethics and Gift Ban), ¶6024 (Staff Development Program)

6031 Personal Technology and Social Media; Usage and Conduct

Definitions

Include; 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 *Facebook, LinkedIn, MySpace, Twitter,* 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 smartphones such as BlackBerry®, Android®, iPhone®, and other devices, such as, iPads® and iPods®.

Usage and Conduct

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

1. Adhere to the high standards for appropriate school relationships in policy 6030, *Employee Ethics* at all times while using personal technology or social media, 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 under policy 1701, *Equal Rights and Opportunities*; 1702, *Discrimination Complaints*; 1703, *Sexual Harassment*; 1806, *Preventing Bullying, Intimidation, and Harassment*; 6030, *Employee Ethics*; 7308 and 7308P, *Internet Guidelines, Terms, and Conditions*; 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. Examples of District-provided or supported methods of communication include District e-mail, telephones, and written communication.
3. Comply with policy 2206, *Personnel Files*; 6022, *Maintenance, Inspection, and Dissemination of Personnel Records*; and, 8501, *Collection, Maintenance, Inspection, and Dissemination of Student Records*. 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.
4. Refrain from using the District’s logos without permission and follow Board policy 6017, *Reproduction of Copyrighted Materials*, and all District copyright compliance procedures.
5. Use personal technology and social media for personal purposes should be limited to personal time.
6. Not use District email addresses to register on social networks, blogs or other online tools utilized for personal use.

7. Assume all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students' viewing of inappropriate Internet materials through the 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.
8. Be subject to remedial and any other appropriate disciplinary action for violations of this policy ranging from prohibiting the employee from possessing or using any personal technology or social media at school to dismissal and/or indemnification of the 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.

This policy shall not be construed in a manner that interferes with any protected concerted activity under the Illinois Educational Labor Relations Act.

The Superintendent 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, 6030 *Employee Ethics*.
2. Direct Building Principals to annually:
 - a. Provide their building staff with a copy of this policy.
 - b. Inform their building staff about the importance of maintaining high standards in their school relationships.
 - c. Remind their building staff that those who violate this policy will be subject to remedial and any other appropriate disciplinary action up to and including dismissal.
3. Build awareness of this policy with students, parents, and the community.
4. Ensure that no one for the 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.
5. Periodically review this policy and any procedures with District employee representatives and electronic network system administrator(s) and present proposed changes to the Board.

Adopted: April 22, 2014

Revised:

Replaces:

Legal Reference: 105 ILCS 5/21B-75 and 5/21B-80.

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

Code of Ethics for Ill. Educators, 23 Ill.Admin.Code §22.20.

Garcetti v. Ceballos, 547 U.S. 410 (2006).

Pickering v. High School Dist. 205, 391 U.S. 563 (1968).

Mayer v. Monroe County Community School Corp., 474 F.3d 477 (7th Cir. 2007).

6100 CERTIFIED PERSONNEL**6101 Required Physical Examinations for New Certified**

The Board of Education shall require each new certified employee to obtain a complete physical examination by a physician licensed to practice medicine in the State of Illinois.

The report of the physical examination shall be on a form provided by the Board and shall certify that the certified employee is physically capable of performing the essential functions of the job for which s/he is being employed, consistent with applicable law.

The Board of Education shall bear the cost of the physical examination provided the certified employee has the examination performed by the physician selected by the Board. If the employee chooses to have the examination performed by another physician of his/her own choice, the employee shall bear the cost of the examination.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GBRA – Required Physical Examinations for New Certified Employees

Reference:

~~6102 Credit for Prior Teaching Experience~~

~~One Year or More of Prior Service—~~

~~Upon the initial employment of an ISBE-certified individual in a position requiring certification, the Board of Education shall grant credit on the salary schedule equal to the number of years of full time, high school level teaching experience earned as a regular teacher in a public or private school recognized by the State—other than home school teaching exposure.~~

~~Teacher Salary Schedule credit for non-high school level teaching experience may be granted by the Superintendent or his/her designee when, in the Superintendent's or his/her designee's judgment, such experience contributes to the certified employee's ability to provide excellent instruction or service.~~

~~Less Than One Year of Full-Time Prior Service—~~

~~A new certified employee who, during any school year, was employed as a secondary school teacher or counselor for less than the full school year shall be entitled to credit on the district's Teacher Salary Schedule for a full year of teaching experience for that school year provided s/he meets the following criteria:~~

- ~~1. Employment was for a position for which teacher certification is required.~~
- ~~2. Employment was for a full school day for one hundred (100) or more days of the school year.~~
- ~~3. Employment was on a contractual basis.~~
- ~~4. Initial full-time contractual employment in District 94 commenced after August 26, 1979.~~

~~Credit for Military Service—~~

~~The Board of Education recognizes that in some instances military service may provide experience that is directly related to a teaching subject or school service area and that such experience, therefore, enhances a teacher's qualifications in the subject or service area.~~

~~Therefore, the Superintendent may grant a new teacher a maximum of one year of Teacher Salary Schedule credit for military service when, in the Superintendent's judgment, the teacher gained experience directly related to his/her initial assignment in District 94 through such military service.~~

~~Credit for Non-Teaching Work Experience—~~

~~The Board of Education recognizes that in some instances non-teaching work experience may provide experience that is directly related to a teaching subject or~~

~~school service area and that such experience therefore enhances a teacher's qualifications in the subject or service area.~~

~~————— Therefore, the Superintendent, or his/her designee, may recommend the granting of an initially employed teacher a maximum of three (3) years of Teacher Salary Schedule credit for full time, non teaching work experience when, in the Superintendent's or his/her designee's judgment, such experience is directly related to the teacher's initial assignment at District 94. Examples may include, but are not limited to, a former research chemist who is assigned to teach Chemistry, a former accountant who is assigned to teach Business Education, or a former clinical social worker who is assigned to a school social work role. Experience on the salary schedule may not be granted for experience in a non-certified school position (e.g. clerical, program assistant/teacher aide, etc.).~~

~~— Adopted: December 19, 2000~~

~~— Revised: March 19, 2013~~

Suspended: April 19, 2016

~~— Replaces: GBA(b) — Credit for Teaching Experience Prior to Employment in District 94; GBA(c) — Credit for Teaching Experience of Less than a Full School Year; and GBA(d) — Credit for Military Service~~

~~— Reference:~~

6103 Professional Organizations Certified Employee Membership

The Board of Education recognizes the value of membership in specialized professional organizations as a means of maintaining a staff of Certified Employees that is abreast of new knowledge, instructional materials, and pedagogical developments.

Therefore, the Board shall annually budget a sum of money for the purpose of paying membership fees or portions thereof in specialized professional organizations for certified employees.

Each request from a certified employee for such Board-paid membership shall be subject to the approval of his/her immediate supervisor (department chairperson or division head, coordinator, etc.), the Principal, and the Superintendent or his/her designee. In the event that the budget allocation is insufficient to fully cover all requests, the immediate supervisor shall be responsible for allocating funds.

For the purposes of this policy, the National Education Association, Illinois Education Association, American Federation of Teachers, and local teacher organizations shall not be considered specialized professional organizations.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GBS – Professional Organizations Certified Employee Membership

Reference:

6104 Certified Employee Participation in Professional Meetings & In-Service Activities

The Board of Education recognizes the value of professional meetings and in-service activities designed to increase the effectiveness of certified employees.

Therefore, each department in the school shall annually be allotted a sum of money for the purpose of reimbursing certified employees for out-of-pocket expenses incurred as a result of approved attendance at professional meetings or in-service activities conducted outside District 94. In the event that the budget allocation is insufficient to fully cover all requests, the department supervisor shall be responsible for allocating funds. Such reimbursement shall be subject to the provisions of the rules and regulations that accompany Policy 3504 on Expenses for General Personnel.

A request from a certified employee to attend a professional meeting or in-service activity shall be subject to the approval of the certified employee's immediate supervisor (department chairperson or division head, coordinator, etc.), the Principal, and

the Superintendent or designee. Each request shall be evaluated on the basis of the relevance of the activity to the certified employee's assignment in District 94, and the likelihood that participation in the activity will have a positive effect on his/her performance in District 94.

Prior to an absence for the purpose of attending a professional meeting or in-service activity, a certified employee shall provide lesson plans, seating charts, attendance rosters, and/or other appropriate information needed by the person who assumes his/her duties during the absence. In addition, the certified employee shall, if possible, leave information with his/her immediate supervisor regarding where s/he may be contacted during the absence.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GBRHB – Certified Employee Participation in Professional Meetings & In-service Activities

Reference: Series 2000, ¶ 2203 – Meetings/Conventions/Conference Attendance;
Series 3000, ¶3504 – Expenses for General Personnel

6105 Additional Training

It shall be the policy of the Board of Education to encourage teachers to engage in programs of continuing education in their teaching or service area which will enable them to provide more effective instruction and/or services to the students of Community High School District 94.

Credit hours earned by teachers enrolled in such programs shall be considered for advancement on the Teacher Salary Schedule. A set of regulations specifying the terms and conditions under which such credit hours shall be applicable toward Teacher Salary Schedule placement may be found in Policy 6105P.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GBA(e) – Additional Training

Reference: *See Also:* Series 6000, 6105P – Additional Training Rules and Regulations

6105P Additional Training Rules and Regulations

Credit hours earned for college or university courses completed by a teacher after the date on which the teacher was awarded a Bachelor's degree and after the date on which the teacher was certified to teach by a State Department of Education,

shall be counted for advancement on the Teacher Salary Schedule, subject to the following conditions:

1. A teacher may only move into Column BA+30 if he/she is enrolled in an approved Master's program.
2. Hours earned after the acquisition of a Master's degree may be counted for advancement beyond the MA level of the Teacher Salary Schedule.
3. Administrative approval, in writing, shall be obtained for each individual course when the date of enrollment in such course is after the date of initial employment in District 94. Said approval shall be obtained prior to the first class session of the course by submitting a pre-approval form to the Human Resources administrator and the Principal. Forms for this purpose shall be available in the Human Resources office. Courses for which such written approval has not been obtained shall not be counted for advancement on the Teacher Salary Schedule.
 - a) In the event a complete Master's Degree, endorsement/certification, or post-Master's Degree program is submitted for consideration, the program may be approved in total, with each of the individual courses in the program being credited upon completion for advancement on the Teacher Salary Schedule.
4. Course credit shall be earned at an educational institution accredited to grant graduate degrees by the appropriate regional accrediting association (North Central Association, etc.) and in programs approved by the National Council for the Accreditation of Teacher Education (NCATE).
5. Credit for advancement on the Teacher Salary Schedule shall be granted for a course that is:
 - a) A graduate course in the subject or service area to which the teacher is currently assigned; or
 - b) A graduate course which is part of a master's degree program in education in which the teacher is enrolled; or
 - c) A graduate course outside the subject or service area to which the teacher is currently assigned when, in the judgment of the Human Resources administrator and Principal, the course is relevant to the teacher's current assignment.
6. Credit for advancement on the Teacher Salary Schedule shall only be granted for a regularly scheduled on-campus or extramural (extension) course. Credit

earned at workshops, symposia, clinics, etc., shall not qualify for Teacher Salary Schedule credit, except as provided in Section 8 below.

7. An official transcript from the institution granting credit providing evidence that the teacher has earned credit in the course shall be received in the Human Resources office. Credit verified by official transcript prior to September 20 of a school year shall count toward Teacher Salary Schedule advancement during that school year.

8. Staff members enrolling in approved District 94 staff development programs/workshops will receive one (1) credit for each twenty (20) clock hours of workshop participation. These workshops will be developed by the staff development committee and approved by the Superintendent prior to staff enrollment. Credit will only be awarded for participation in workshops scheduled at times other than regular school hours.

9. The Superintendent may waive, in writing, any or all of the conditions specified in this Policy when a teacher is enrolling in a specific course at the request of the Superintendent or his/her designee.

10. For purposes of Teacher Salary Schedule advancement, the standard unit of measure for credit hours shall be the semester-hour. Quarter-hours, trimester hours, etc., shall be converted to semester hours.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces:

Reference: *See Also:* Series 6000, ¶6105 Additional Training

6106 Department Chairpersons/Division Heads

The Board of Education shall authorize the employment of a department chairperson or division head for educational programs and/or service areas when an intermediate level of administration is necessary for the effective provision of such programs and/or services.

The Board may appoint department chairpersons and division heads annually upon the recommendation of the Superintendent.

A job description specifying the duties and qualifications of a department chairperson and division head shall be maintained in the Administration Office and updated periodically with Board approval.

For a department chairperson subject to the terms and conditions of a collective bargaining agreement the salary for that department chairperson shall be as specified in the collective bargaining agreement.

For a department chairperson or division head not subject to the terms and conditions of a collective bargaining agreement, the salary for the position of department chairperson and all teaching and related duties shall be established annually by the Board.

Adopted: December 19, 2000
 Revised: March 19, 2013
 Replaces: GBBAA – Department Chairmen
 Reference:

6107 Inability to Evaluate and Observe

Section 24-11 of the *Illinois School Code* requires a probationary teacher who is first employed by the district after January 1, 1998, to complete four (4) consecutive years of full-time teaching service prior to a determination by the Board of Education whether that probationary teacher is qualified to enter upon contractual continued service status. If a probationary teacher cannot be adequately evaluated and observed in the performance of his/her teaching duties due to excessive absence from his/her duties for whatever reason, the Board of Education may determine, upon the recommendation of the Superintendent, that the inability to evaluate and observe the probationary teacher is a valid reason for dismissal. “Excessive absence from his/her duties” shall not include absences due to a temporary illness or incapacity as defined in Board policy ¶6110 and Section 10-22.4 of the *Illinois School Code*.

Adopted: December 19, 2000
 Revised: March 19, 2013
 Replaces: GBI – Inability to Evaluate and Observe
 Reference: Series 6000 – General Personnel; ¶6110 – Temporary Illness or Incapacity

6108 Tutoring for Pay Prohibited

The Board recognizes its responsibility to ensure that students are provided instructional and other school services without charge and that a proper relationship between students and employees is maintained.

Therefore, an employee of District 94 may neither charge any District 94 student a fee for any service rendered the student on school premises, or render a service for a fee at any time to a District 94 student who is enrolled in a class or activity taught, coached, or sponsored by the employee.

Adopted: December 19, 2000
 Revised:

Replaces: GBRGB – Tutoring for Pay
Reference:

6109 Unpaid Sick Leave

The Board of Education in its sole discretion may grant a certified employee a leave of absence pursuant to Section 24-6 of the *Illinois School Code*. Such leave shall not commence until 1) the certified employee has utilized Family and Medical Leave, if applicable (see Policy 6202); and 2) the certified employee has exhausted all accumulated sick leave and is no longer deemed to be on an unpaid leave of absence for temporary illness or incapacity. The leave shall be limited to a reasonable duration, but in no event shall an unpaid leave exceed the balance of the school year in which it commences. Requests for an unpaid leave of absence must be accompanied by a physician's statement as to the nature and extent of the illness or incapacity and the estimated duration necessary for recovery.

A certified employee granted an unpaid leave of absence hereunder shall not be entitled to any fringe benefits, but may continue his/her group insurance coverage, provided the carrier agrees to such continuance, upon timely advance payment to the Business Office of all premiums due. No later than thirty (30) calendar days prior to the scheduled termination of any leave in excess of ninety (90) calendar days, the certified employee shall notify the Superintendent or his/her designee in writing of his/her intention to return to employment. Failure to provide such notification shall be deemed a submission of resignation from employment in District 94.

Notwithstanding the general conditions set forth above, the Board retains the sole discretion to grant or extend any unpaid leave of absence under any conditions it deems appropriate. The granting or denying of an unpaid leave or extension shall be nonprecedential with respect to any other request for a leave by a certified employee in the district. This policy shall be interpreted in a manner consistent with the provisions of the Family and Medical Leave Act and Board policy ¶6020. In the event of a conflict between the provisions of this policy, the Family and Medal Leave Act, and/or Board policy ¶6020, the provisions of the Family and Medical Leave Act and Board Policy ¶6020 shall control.

Adopted: December 19, 2000
Revised: March 19, 2013
Replaces: GBRIB(b) – Unpaid Sick Leave
Reference: Series 6000 – General Personnel, ¶6019 – Family and Medical Leave

6110 Temporary Illness or Incapacity

Pursuant to Section 24-13 of the *Illinois School Code*, the contractual continued service status of any certified employee shall not be affected by absence caused by temporary illness or temporary incapacity as hereinafter defined. Pursuant to Section 10-22.4 of the *Illinois School Code*, no certified employee shall be dismissed for reasons of temporary illness or temporary mental or physical incapacity to perform his/her duties as hereinafter defined.

A certified employee shall be deemed temporarily ill or temporarily incapacitated if s/he, because of ill health or for any other reason, is physically or mentally unfit to perform his/her duties and, by reason thereof, is either continuously absent from all of his/her scheduled work days during any ninety (90) consecutive calendar days or intermittently absent for up to ninety (90) scheduled work days during any one hundred and fifty (150) consecutive calendar days for the same or a related illness or incapacity.

A certified employee shall be deemed permanently ill or incapacitated if s/he, because of ill health or for any other reason, is either continuously absent from his/her duties during the school term for scheduled work days in addition to those included in a period of ninety (90) consecutive calendar days or for more than ninety (90) scheduled work days out of a period of one hundred and fifty (150) consecutive calendar days.

For purposes of the foregoing definitions, time periods shall not be computed anew at the start of a new school term, but shall be continued for any certified employee who remains ill or incapacitated from the same or a related illness or incapacity which caused the certified employee to be absent the previous school term except that the time period for purposes of determining continuous absences shall be suspended until the certified employee has exhausted any additional sick leave available at the beginning of a new school term.

Nothing in this policy shall prevent a certified employee from being deemed permanently ill or permanently incapacitated immediately or in less than ninety (90) scheduled work days, provided the certified employee presents to the Board a statement from a physician licensed to practice medicine in Illinois in all of its branches acknowledging the permanent nature and duration of the certified employee's illness or incapacity.

A certified employee who is temporarily ill or temporarily incapacitated and has exhausted all his/her accumulated sick leave shall be deemed to be on an unpaid leave of absence for a period of time not to exceed ninety (90) calendar days from the commencement of such illness or incapacity. The acquisition of additional sick leave at the beginning of a new school term after an employee has exhausted all accumulated sick leave in the previous school term shall not be deemed to interrupt the ninety (90) calendar

day leave of absence period hereunder, but shall extend such unpaid leave period by the additional paid sick leave days.

A certified employee granted an unpaid leave of absence hereunder shall not be entitled to any fringe benefits, but may continue his/her group insurance coverage upon timely advanced payment to the Business Office of all premiums due.

In the event a certified employee remains ill or incapacitated at the expiration of the temporary sick leave afforded under this policy, s/he may apply to the Board for an extended unpaid sick leave of absence pursuant to Board policy.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GBRIBI(a) – Temporary Illness/Incapacity

Reference: Policy Series 2000 – General Condition of Employment - Administrators,
¶2209 - Sudden Illness

6112 Reduction-in-Force

Reduction-in-Force

If the Board of Education determines there is a need to decrease the number of teachers employed or to discontinue some particular type of teaching service, the Board will comply with Section 24-12 of the School Code of Illinois, as amended.

Neither this reduction-in-force policy nor a teacher's tenure status may preclude the Board, in its discretion, from either making teaching assignments or transferring teachers to positions for which they are legally qualified.

Recall

If a vacancy occurs for the following school term or within one calendar year from the beginning of the school term following a reduction-in-force, the Board will tender such vacant position to a teacher so removed or dismissed who is eligible for recall pursuant to Section 24-12 of the School Code of Illinois, as amended, and who is qualified to hold such position based upon legal qualifications and any other qualifications established in a District job description. The order of recall shall be in inverse order of dismissal. Vacant positions include full-time teaching positions and full-year part-time teaching assignments, but do not include substitute positions and positions becoming vacant because of leaves, whether paid or unpaid. A teacher so recalled retains his/her tenure status (if applicable) and all accumulated seniority; however, the period such teacher did not teach shall not be counted toward seniority.

To be eligible for recall, the teacher must provide the Board, or designee, in writing, prior to the last day of the school term of dismissal, with the address where such teacher may be reached. The teacher must also notify the Board in writing, within fourteen (14) calendar days of mailing or within seven (7) calendar days of receipt of the offer, whichever shall first occur, of the acceptance of any vacant position offered to the teacher during the recall period. Failure to notify the Board of acceptance shall constitute rejection of the offer of employment. If a teacher rejects an offer of a vacant position, the teacher shall be deemed to have waived his/her recall rights and will no longer be eligible for any other vacant positions that become available within the recall time period.

Seniority

Seniority shall be defined as follows:

1. Years of continuous service as a teacher in the school district; provided, however, that less than full-time service shall be computed on a *pro rata* basis and approved unpaid leaves of absence shall not be counted in determining seniority, to the fullest extent permitted by law.
2. If the total teaching service as computed in the manner described in 1. above is equal between two or more teachers, the order of dismissal shall be determined at the discretion of the Board.

“Legal Qualifications” or “Legally Qualified” shall be defined as all statutory and regulatory prerequisites for teaching a particular subject or grade including, but not limited to, the certification requirements of Article 27 of the School Code of Illinois and the academic experience requirements of State Board of Education Document No. 1 (or its successor or supplementary requirements) in effect at the time of dismissal and/or recall.

Prior to November 1 of each school term, the administration shall post a listing of the seniority status of all teachers in the school district, along with a copy of this Policy. Each teacher shall have ten (10) employment days thereafter to file written objection to his/her status and shall detail the alleged specific error in the listing. Failure to make such timely objection will be deemed an acceptance of the status and the teacher cannot thereafter challenge his/her seniority for the school term.

Adopted: December 19, 2000

Revised: May 15, 2012

Replaces: GBKA – Reduction-in-Force

Reference:

6113 Part-time Teaching and Job Sharing

The practice of assigning teachers to part-time positions or approving job sharing applications within the district is generally discouraged by the district; however, when the best interests of the district and its students are served, the Board of Education may consider such an assignment. The best interests of the district may include, among other things, the instructional program needs, individual or group student needs, economic advantages, academic department scheduling integrity, and staffing efficiency.

Conditions for Both Part-Time and Job Sharing Teachers

Teachers who apply to be part-time teachers and job sharing teachers:

1. Will be entitled to those benefits stipulated in accordance with applicable provisions of the School Code of Illinois and the Contractual Agreement between the Board of Education and the West Chicago High School Teachers' Association on a pro rata basis consistent with the Collective Bargaining Agreement.
2. Will be expected to attend faculty meetings, department or division meetings, staff development/institute/school improvement days/ late start and early dismissal staff development opportunities, scheduled student and parent conferences, cover classes as substitute teachers when needed, commit to curriculum development and other committee work in the district, and participate in other related activities. Both job sharing teachers shall participate in these activities (e.g. both staff members will attend full-day institute days).
3. Will not accrue seniority nor exercise any seniority rights over any full-time teacher, unless such seniority was previously earned as a full-time teacher in the district.
4. Will not adversely affect the scheduling of assigned periods of other full-time teachers within the department or division.
5. Will sign a contract annually stipulating these provisions.

Submission and Evaluation of Proposals

Teachers who apply for part-time and job sharing positions:

1. Will submit proposals annually to teach part-time or job share prior to February 15 of the year preceding the year for which the leave is sought to the Human Resources administrator, who shall, in turn, forward them with a recommendation to the superintendent for recommendation and presentation to the Board of Education. Teachers shall be notified no later than May 15th of the acceptance or denial of the proposal. A written extension may be granted with the written consent of the teacher and the District.

2. Will have proposals to teach part-time or job share evaluated by the administration and Board based on the following criteria:
 - a) Advantages and disadvantages to students.
 - b) Personal and family advantages and disadvantages to the teachers involved.
 - c) Non-economic advantages and disadvantages to the District.
 - d) Prospects for success in terms of scheduling, time considerations, meeting constraint, etc., among others.
 - e) Other administrative concerns such as enrollment growth, adding sections, student transfers, staff illness, etc., among others.
3. Further conditions which apply to proposals for job sharing teachers:
 - a) Only the teachers involved may initiate an application to job share.
 - b) Job sharing means that two teachers share one full-time teaching position, and decide between them how much time each teacher will devote to the job.
 - c) A proposal must be submitted annually to the principal which precisely states and defines the following:
 - (i) The prior relationship of the teaching partners.
 - (ii) The division of tasks between the teaching partners.
 - (iii) Time scheduling between the teaching partners.
 - (iv) Provisions for communications between the teaching partners.
 - (v) Provisions for communication between the partners and the rest of the staff.
 - (vi) Benefits to the students.
 - (vii) Benefits to the teaching partners.
 - (viii) Benefits to the district.

- (ix) Provisions to insure participation of both teachers in faculty and department or division meetings, student and parent conferences, class coverage as needed, curriculum development and other committee work, and other related activities.

Termination of Part-time or Job Sharing

1. A letter requesting termination of part-time teaching or job-sharing should be presented to the Human Resources Administrator no later than February 15. A response shall be received from the district no later than May 15th unless a mutual written time extension is agreed upon.

2. Teachers with tenure and seniority over other full-time teachers within the department or division and subject area of certification shall be returned to full-time service and shall begin to accrue seniority as was earned prior to the part-time or job-sharing arrangement. This assumes the teacher has complied with timeline notifications and has not been dismissed for any reason applicable under contract or State law.

Adopted: August 15, 2000

Revised: March 19, 2013

Replaces:

Reference:

6200 EDUCATIONAL SUPPORT PERSONNEL

6201 Required Physical Examination for New Educational Support Personnel

The Board of Education shall require each new educational support employee to obtain a complete physical examination by a physician licensed to practice medicine in the State of Illinois.

The report of the physical examination shall be on a form provided by the Board and shall certify that the educational support employee is physically capable of performing the essential functions of the job for which s/he is being employed.

The report of the educational support employee's physical examination shall be on file with the Human Resources office prior to the employee's first day on the job.

The Board of Education shall bear the cost of the physical examination provided the educational support employee has the examination performed by the physician selected by the Board. If the employee chooses to have the examination performed by another physician of his/her own choice, the employee shall bear the cost of the examination.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GCRA – Required Physical Examinations for New educational support Employees

Reference:

6300 CONFIDENTIAL/EXEMPT PERSONNEL

6301 Confidential/Exempt Employee Salaries

The annual rate of pay for each confidential/exempt employee for the succeeding fiscal year shall be established annually by the Board of Education prior to July 1.

However, the Superintendent may adjust an individual confidential/exempt employee's annual rate of pay, based on the individual's job performance, at any time during the fiscal year. Such adjustments shall be subject to the following conditions:

1. The adjusted annual pay rate must be within the established pay ranges for the position for which the individual is employed.
2. Any additional cost resulting from a pay rate adjustment must be fundable within the current adopted budget guidelines for confidential/exempt employee salaries.
3. All such annual pay rate adjustments shall be shown on the confidential/exempt employee's personnel report for the month in which the adjustment was made.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GCAA – Educational Support Employee Salaries

Reference:

6302 Confidential Employee Overtime Pay

Any confidential employee, other than a supervisor employed on an annual salary basis, shall be paid one and one-half (1 ½) times his/her regular pay rate for any and all hours in excess of forty (40) that s/he is employed during any one of his/her regular workweeks, or as otherwise required by applicable law. Paid holidays, jury duty leave, and emergency dismissals beyond the control of the employee shall be considered a normal workday for the purpose of determining the number of hours a confidential employee is employed during a workweek. Any overtime must be approved by the supervisor before the overtime is taken.

It is the intent of the Board that this policy and the Human Resources practices of Community High School District 94 conform with all applicable provisions of the Minimum Wage Law of 1971, and the Fair Labor Standards Act.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GCRD(a) – Educational Support Employee Overtime Pay

Reference:

6303 Holidays – Confidential/Exempt Employees

1. Confidential/exempt employees who are employed for nine (9) or ten (10) months (182 to 194 days per year excluding paid holidays) during the school year are entitled to the following benefits:

- a) Each nine- and ten-month confidential/exempt employee shall be granted a paid holiday on each of the following holidays:
 - (i) Thanksgiving Day
 - (ii) Christmas Day
 - (iii) New Year's Day
 - (iv) Memorial Day
 - (v) Labor Day (if work schedule commences prior to Labor Day)

- b) Each nine- and ten-month confidential/exempt employee shall be granted a paid holiday on each of the following holidays, provided the holiday results in an all-school holiday or if the district is closed on a weekday:
 - (i) Columbus Day
 - (ii) Veterans' Day
 - (iii) Dr. Martin Luther King, Jr.'s Birthday
 - (iv) Lincoln's Birthday/Presidents' Day

- (v) Casimir Pulaski Day

2. Confidential/exempt employees who are employed for the full calendar year of twelve (12) months (240 or more days per year) are entitled to the following benefits:

- a) Each twelve-month confidential/exempt employee shall be granted a paid holiday on each of the following holidays:
 - (i) Independence Day
 - (ii) Labor Day
 - (iii) Thanksgiving Day
 - (iv) Day after Thanksgiving
 - (v) Christmas Day
 - (vi) New Year's Day
 - (vii) Memorial Day

When New Year's Day, Independence Day, or Christmas Day falls on Saturday or Sunday, each twelve-month confidential/exempt employee scheduled to work the weekday before and the weekday after each holiday shall be granted his/her paid holiday on the preceding Friday or on the following Monday, as determined by the Superintendent.

- b) Each twelve-month confidential/exempt employee shall be granted a paid holiday on each of the following holidays, provided the holiday results in an all-school holiday or if the district is closed on a weekday:
 - (i) Columbus Day
 - (ii) Christmas Eve Day
 - (iii) New Year's Eve Day
 - (iv) Dr. Martin Luther King, Jr.'s Birthday
 - (v) Lincoln's Birthday/Presidents' Day
 - (vi) Casimir Pulaski Day
 - (vii) Veterans' Day

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GBRI – Holidays – Educational Support Employees

Reference:

6304 Vacations – Confidential/Exempt Personnel

Paid vacations for all confidential/exempt personnel who work twelve (12) months (240 or more days per year) excluding paid holidays shall be provided according

to the schedule delineated in the West Chicago High School Support Staff Association Collective Bargaining Agreement.

Vacation schedules shall be based upon the operating circumstances of each job classification. Vacation time shall be arranged by the confidential/exempt employee staff member with his/her supervisor, subject to approval by the Superintendent or his/her designee.

Vacation earned during a fiscal year may be used any time between the beginning of that fiscal year (July 1) and April 15 of the following fiscal year (e.g., vacation earned in the 2010-2011 school year must be used by April 15 of the 2011-2012 school year). Vacation days not utilized by this date will be forfeited.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GCRH – Vacations – Educational Support Personnel

Reference:

6305 Leaves and Absences – Confidential/Exempt Employees

1. Sick Leave –

A full-time confidential/exempt employee shall be granted thirteen (13) days of sick leave with full pay per work year. Days may be utilized on the same basis as are provided for by the West Chicago High School Support Staff Association collective bargaining agreement.

A confidential/exempt employee who is employed on a part-time basis or is employed after the beginning of the work year for his/her particular assignment shall be granted sick leave on a pro rata basis.

The accounting periods for sick leave shall be July 1 to June 30 for twelve-month confidential/exempt employees and the first day of the work calendar to the last day of the work calendar for nine- and ten-month confidential/exempt employees.

Sick leave may be used for the following reasons:

- a) Personal illness of the confidential/exempt employee.
- b) Quarantine at home.
- c) Serious or terminal illness of a child, parent, legal guardian of the confidential/exempt employee or his/her spouse, brother, sister, brother-in-law, sister-in-law, grandchild, grandparent, son-in-law, daughter-in-law, aunt, uncle, or member of the confidential/exempt employee's immediate household, or his/her spouse.

- d) Adoption of a child under six (6) years of age for a period not to exceed twelve (12) calendar weeks following receipt of the child.

Sick leave may not be used for cosmetic surgery except when required as a result of an injury or accident.

The Board may require a physician's certificate or, if the treatment is by prayer or spiritual means, that of a spiritual advisor or practitioner of such person's faith, as a basis for pay during sick leave after an absence of three (3) consecutive days of personal illness, or as it may deem necessary in cases where, in the district's sole judgment, it appears that sick leave has been misused. Unused sick leave may accumulate up to a maximum of 210 days.

2. Personal Leave –

A full-time confidential/exempt employee shall be granted two (2) days of personal leave with full pay per work year. Unused personal leave shall accumulate up to three (3) days. Unused non-cumulative personal leave shall be added to accumulated sick leave. Days may be utilized on the same basis as are provided for by the West Chicago High School Support Staff Association collective bargaining agreement.

A confidential/exempt employee who is employed on a part-time basis or is employed after the beginning of the work year for his/her particular assignment shall be granted personal leave on a pro rata basis.

The accounting periods for personal leave shall be the same as described above for sick leave.

The personal leave may be used only to transact personal business that cannot be accomplished except during scheduled work hours.

Personal leave shall not be available for the day immediately preceding or immediately following a legal holiday or school recess except in case of an emergency, a religious holiday, unavoidable legal business of a personal or family nature, or other circumstances as determined solely at the discretion of the Human Resources administrator. Said determinations shall be non-precedential, non-grievable, and not otherwise subject to review.

If a confidential/exempt employee certifies to the Human Resources office that two (2) days of personal leave have been or will be used for taking part in religious observances or recognized religious holidays of his/her faith not otherwise scheduled as school holidays, a third day of personal leave shall be granted.

Personal leave may not be used for purposes of recreation, any activity which produces taxable income (other than capital gains), or during a work stoppage of any kind.

3. Bereavement Leave –

Three days of bereavement leave shall be granted for the death of a child, parent, legal guardian, brother, sister, grandchild, grandparent, brother-in-law, sister-in-law, aunt or uncle of an employee or his/her spouse, or any member of the confidential/exempt employee's immediate household. Arrangements for bereavement leave should be made through the office that handles Human Resources matters. Bereavement leave in excess of three (3) days shall be counted against sick leave. Days may be utilized on the same basis as are provided for by the West Chicago High School Support Staff Association collective bargaining agreement.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GCRG – Leaves and Absences – Educational Support Employees

Reference:

6306 Unpaid Sick Leave

The Board of Education in its sole discretion may grant a confidential/exempt employee a leave of absence for personal illness or quarantine. Such leave shall not commence until the until 1) the confidential/exempt employee has utilized Family and Medical Leave, if applicable (see Policy 6202); and 2) the confidential/exempt employee has exhausted all accumulated sick leave and is no longer deemed to be on an unpaid leave of absence for temporary illness or incapacity. The leave shall be limited to a reasonable duration, but in no event shall an unpaid leave exceed the balance of the fiscal year in which it commences. Requests for an unpaid leave of absence must be accompanied by a physician's statement as to the nature and extent of the illness or incapacity and the estimated duration necessary for recovery.

A confidential/exempt employee granted an unpaid leave of absence hereunder shall not be entitled to any fringe benefits, but may continue his/her group insurance coverage, provided the carrier agrees to such continuance, upon timely advance payment to the Business Office of all premiums due. No later than thirty (30) calendar days prior to the scheduled termination of any leave in excess of ninety (90) calendar days, the confidential/exempt employee shall notify the Superintendent or his/her designee in writing of his/her intention to return to employment. Failure to provide such notification shall be deemed a submission of resignation from employment in District 94.

Notwithstanding the general conditions set forth above, the Board retains the sole discretion to grant or extend any unpaid leave of absence under any conditions it

deems appropriate. The granting or denying of an unpaid leave or extension shall be nonprecedential with respect to any other request for a leave by a confidential/exempt employee in the district.

Adopted: December 19, 2000
 Revised: March 19, 2013
 Replaces: GCRGB(b) – Unpaid Sick Leave
 Reference:

6307 Confidential/Exempt Employee Insurance Program

It shall be the policy of the Board of Education to provide life insurance, long-term disability insurance, and hospital/major-medical insurance to confidential/exempt employees on the same basis as such benefits are provided to members of the West Chicago High School Support Staff Association as delineated in the collective bargaining agreement.

Adopted: December 19, 2000
 Revised: March 19, 2013
 Replaces: EG – Classified Employee Insurance Program
 Reference:

6308 Confidential/Exempt Employee Rights Before the Administration

When a confidential/exempt employee is required to appear before an administrator, and it is reasonably anticipated that such meeting will include notice of dismissal or suspension of the confidential/exempt employee or of reduced economic benefits for the confidential/exempt employee, the confidential/exempt employee shall be given reasonable prior notice regarding the reasons for such meeting and shall be entitled to have a representative of his/her choice present during such meeting.

Adopted: December 19, 2000
 Revised: March 19, 2013
 Replaces: GCRL – Educational Support Employee Rights Before the Administration
 Reference:

6309 Reduction-In-Force Confidential/Exempt Personnel

1. Definitions –

- a) “Confidential/exempt Personnel” are any regularly employed employees not regularly required to be certified under laws relating to the certification of teachers or school service personnel and whose positions are not covered under a Collective Bargaining Agreement. To qualify as “regularly employed,” an employee must be employed on a regular part-time or full-time basis during the school year. Employees hired on less than regular part-time basis, or on a short-term or substitute basis, or as temporary replacements for regular confidential/exempt personnel are not “regularly employed” for purposes of this policy.
- b) “Qualifications” or “Qualified” consist of any conditions, restrictions or prerequisites for employment in a particular category of position, including any statutory or regulatory requirements (e.g., licenses or permits) and any additional requirements set forth in job descriptions or otherwise established by the Board of Education.
- c) “Category of Position” is defined as a class or group of confidential/exempt personnel employees performing the same duties or functions and having the same qualifications for that position.
- d) “Available Position” or “Vacant Position” or “Vacancy” shall include any regular full-time confidential/exempt personnel position which the Board determines is available within a specific Category of Position. Any part-time substitute, short-term, temporary or other position which is not available on a regular full-time basis shall not be considered an “Available Position” or “Vacant Position” or “Vacancy” under this policy.
- e) “Seniority” shall be defined as follows:
 - (i) Length of continuing service in Community High School District 94; provided, however that (a) unpaid leaves of absence of ninety (90) consecutive calendar days or more shall other than FMLA leave not be credited toward accrued seniority, and (b) leaves of absence of less than ninety (90) consecutive days shall not constitute an interruption or break in continuing service for seniority purposes.
 - (ii) If the years of total continuous service in Community High School District 94 are equal between two or more employees, then seniority shall be determined by total service in Community High School District 94, whether or not continuous. Such service shall be computed in the manner described in (i) above.

- (iii) If the years of total service in Community High School District 94 are equal between two or more employees, then seniority shall be determined on the basis of salary, with the employee with the higher salary being considered senior.
- (iv) If two or more employees remain equal after application of the factors set forth in 3. above, the employee having greater seniority shall be determined by lot.

2. Seniority List Procedures –

The annual seniority list shall be posted in accordance with statutory guidelines and as delineated in the collective bargaining agreement with the West Chicago High School Support Staff association.

3. Reduction-In-Force and Recall Procedures

If the Board of Education decides to decrease the number of regularly employed confidential/exempt personnel employees employed or to discontinue some particular type of confidential/exempt service, the Board shall first dismiss, within the respective Category of Position, the employee with the least seniority as defined in Paragraph 1. e) of this policy. Employees who are removed or dismissed shall receive a written notice of honorable dismissal by registered mail at least thirty (30) calendar days before the employee is removed or dismissed in accordance with Section 10-23.5 of the *Illinois School Code*.

If a vacancy occurs for the following school term or within one calendar year from the beginning of the school term following the reduction-in-force, the Board shall offer the vacant position to the employee with the most seniority on the recall list who was dismissed from the same Category of Position and is qualified to hold the position. To be “qualified” for a position, an employee must meet all of the requirements for the position, including any prerequisites established by the Board for employees in the particular Category of Position. An employee’s failure to maintain the necessary qualifications for a particular Category of Position will result in a waiver of recall rights to any vacancy arising in such category during the recall period. Any recalled employee shall retain his/her previously accumulated seniority but shall not accrue additional seniority for the period after the honorable dismissal and prior to reemployment.

To be eligible for recall, an honorably dismissed employee must provide to the Board, in writing, prior to the last day of the school term of dismissal, the address where the employee may be reached. The employee must also notify the Board, in writing, within fourteen (14) calendar days of the Board’s mailing of the notice of vacancy, or within seven (7) calendar days of the employee’s receipt of the notice, whichever shall first occur, of the acceptance of any vacant position offered to the employee during the recall period. The employee’s failure to notify the Board of

acceptance of any vacancy shall constitute rejection of the offer of employment. Any employee who rejects an offer of an available full-time position in any Category of Position in which s/he is qualified shall be deemed to have waived his/her recall rights under Section 10-23.5 of the *Illinois School Code* and will not longer be eligible for any other vacant positions that become available during the recall period.

This Reduction-in-Force policy shall not preclude the Board, in its discretion, from assigning or transferring confidential/exempt personnel employees to positions for which they are qualified.

Adopted: December 19, 2000

Revised: March 19, 2013

Replaces: GCKA – Reduction-in-Force Support (Educational Support) Personnel

Reference: