

“Equal Educational Opportunity for All”

Employee Handbook

Tazewell-Mason Counties Special Education Association Schramm Educational Center Rogers Academy



Welcome

Welcome to a new school year and to the many challenges and rewards the education profession brings. The TMCSEA Employee Handbook is an attempt to help you understand practices and procedures of the Association and familiarize yourself with required paperwork of employees. Not all TMCSEA policies and procedures are included, those that have been summarized. This handbook is neither a contract or a substitute for the official TMCSEA Policy Manual, nor is it intended to alter the at-will status of non-contract employees in any way. Because of the varied nature of differing employee groups, location of programs, and many itinerant services this handbook must be used in conjunction with three other pertinent documents:

- *Policies & Bylaws Handbook—The Policy & Executive Committee approved rules and procedures of the Association*
- *Negotiated agreement & Memorandums of Understanding between TMCSEA and the SOS-IEA-NEA Contract*
- *The Illinois School Code*

Please feel free to ask your colleagues, immediate supervisor, office personnel, or me for clarification and direction on any of the material found in this handbook. Your suggestions for additions and improvements to this handbook are welcome.

My very best in all your professional pursuits and may the families & children we serve, either directly or through our work with professional staff of other districts, maximize their individual learning potential in a safe, healthy, and nurturing environment.

Respectfully,

Kristina D. Neville, Superintendent/Director
TMCSEA

Introduction to TMCSEA

Tazewell-Mason Counties Special Education Association (TMCSEA) is an organization made up of the school districts located within the two counties. It began in July, 1968 when these districts recognized that providing quality service in special education was a major goal and could be reached by joining forces.

The Association employs a staff of professionals and certified teachers as well as therapists to assist parents, children and local school districts in diagnostic, educational and supportive endeavors. TMCSEA is administered by a Director of Special Education and is governed by an Executive Committee and Policy Board, both of which are comprised of representatives from member school districts in the Association.

Structure & History

Tazewell-Mason Counties Special Education Association is a legally constituted Special Education Joint Agreement, formed under the Illinois School Code. TMCSEA is a cooperative agreement among area Superintendents and schools to provide comprehensive special education services. The Association was formed by the leadership of the two county Regional Superintendents, local school Superintendents and the Board of Education of thirty-two school districts during the school year of 1966-67. The Association became operational on July 1, 1968.

The Art Schramm family donated property in Pekin in a residential area to provide a site for Schramm Educational Center which was built in 1980. The Center sits on seven acres of property that was jointly donated and purchased by the Association to provide the necessary school site.

Since the 1980's, TMCSEA has been decentralized into seven mini-coops, where the individual districts hire a majority of the special education teaching and support staff. TMCSEA currently has twenty-one (21) member districts. The focus is on providing student and district evaluation/consultation services, special education programs, professional development opportunities and the continued operation of Schramm Educational Center. The Association currently employs approximately 100 special education personnel serving the twenty-one member districts.

TMCSEA entered into a license agreement with North Pekin/Marquette Heights School District #102 on July 1, 2021, to establish the TMCSEA Satellite Office located at 109 Rogers Road, North Pekin, which houses itinerant staff, STEP/Transition Program, and the Rogers Professional Development Center. Beginning with the 2023-2024 school year, Rogers Academy will provide specialized programming for K-12 students with emotional disabilities.

Vision Statement

TMCSEA strives to promote programming and services that enable students with disabilities to maximize their individual potential and become contributing members of society. The Association, through shared programming, provides high-quality, specialized educational services, programs, and facilities in partnership with our member districts.

Mission Statement

TMCSEA: A 21 School District—Special Education— Joint Agreement which operates the Schramm Educational Center and Rogers Academy sees itself:

Empowering districts to meet the needs of diverse learners. An interconnection between Association/District/Community is established for public awareness and education for students with disabilities. The Association champions equal educational opportunities and provides an array of services to include technical assistance, professional development, transition, specialized programs, therapies, low-incidence diagnostic, evaluation and consultation services.

Council for Exceptional Children (CEC) Equity Pledge

TMCSEA pledges to uphold the vision of diversity, equity and inclusion, and to support all of our members, volunteers, staff, and the students and families with exceptionalities we serve, especially those differentially impacted by systemic racism.

Member School Districts: 50-District No. 50 Schools; 51-Central Grade School; 52-Washington Grade Schools; 76-Creve Coeur Schools; 85-Robein School; 86-East Peoria Elementary Schools; 98-Rankin School; 102-North Pekin-Marquette Hgts. Schools; 108-Pekin Public Schools; 137-South Pekin Grade School; 303-Pekin Community High School; 308-Washington Community High School; 309-East Peoria Community High School; 606-Spring Lake Community Consolidated; 701-Deer Creek-Mackinaw Community Unit; 702-Tremont Community Unit; 703-Delavan Community Unit; 709-Morton Unit; 126-Havana Community Unit; 189-Illini Central Community Unit; 191-Midwest Central Community Unit

Organization

Tazewell-Mason Counties Special Education Association was formed into an organization with a unique reporting structure. Since this organization is a joint effort between many caring groups and individuals, there is a system of checks and balances in place. This ensures that the needs of all the students are met, while maintaining the proper structure of the Association.

Employees are responsible to their immediate coordinator but need to be aware of the existing hierarchy. Besides reporting to their coordinators, they are responsible to the leadership of the specific schools where they perform their services. By working collaboratively with the respective school leadership, we can better meet the educational needs of the students. This is our number one goal.

Joint Agreement Structure

The Tazewell-Mason Counties Special Education Association staff must be cognizant that:

- 1.) The legal responsibility for education is vested in the local school board of education and this responsibility cannot be delegated or shared. The Superintendent is the chief administrative agent of the Board.
- 2.) The legal responsibility for TMCSEA is vested in the administrative district by action of the Executive Committee. This responsibility cannot be delegated or shared. The Director is the chief administrative agent of the committee.

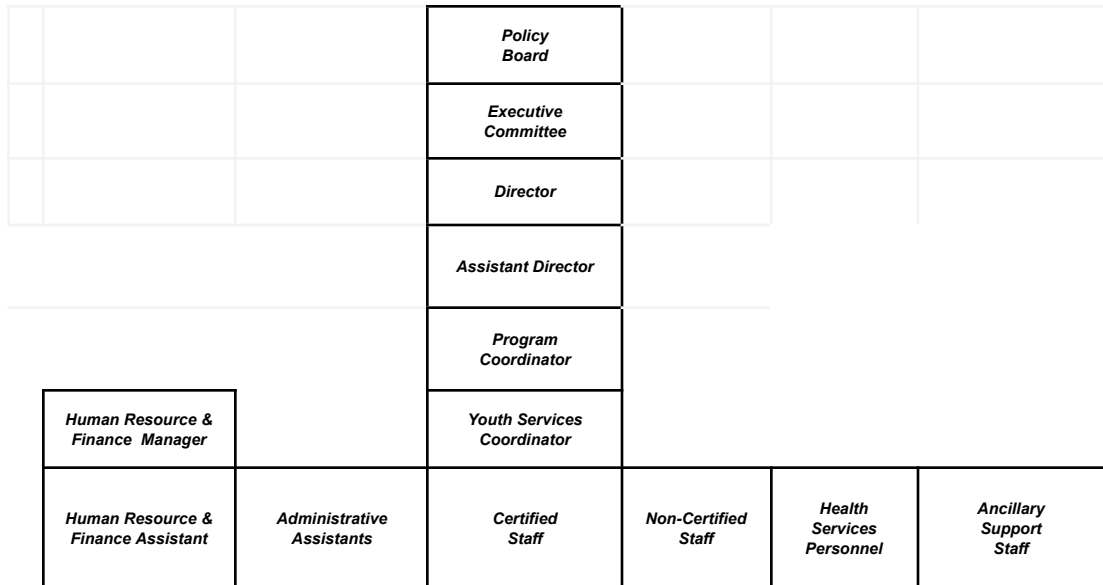
TMCSEA personnel, as members of the Association, are responsible to two major governing bodies:

Local District Board of Education
TMCSEA Policy Board/Executive Committee

Different levels of administrative supervision exist as part of this joint agreement between local school boards and TMCSEA.

Superintendent
Director
Assistant Director
Program Coordinator

Administration & Supervision



Personnel

Code of Ethics for Illinois Educators Illinois State Board of Education

Responsibility to Students:

The Illinois educator is committed to creating, promoting and implementing a learning environment that is accessible to each student, enables students to achieve the highest academic potential and maximizes their ability to succeed in academic and employment settings as a responsible member of society. Illinois educators:

- 1) Embody the Standards for the School Support Personnel Endorsements (23 Ill. Adm. Code 23), the Illinois Professional Teaching Standards (23 Ill. Adm. Code 24.130), and Standards for Administrative Endorsements (23 Ill. Adm. Code 29), as applicable to the educator, in the learning environment;
- 2) Respect the inherent dignity and worth of each student by assuring that the learning environment is characterized by respect and equal opportunity for each student, regardless of race, color, national origin, sex, sexual orientation, disability, religion, language or socio-economic status;
- 3) Maintain a professional relationship with students at all times;
- 4) Provide a curriculum based on high expectations for each student that addresses individual differences through the design, implementation and adaptation of effective instruction; and
- 5) Foster in each student the development of attributes that will enhance skills and knowledge necessary to be a contributing member of society.

Responsibility to Self

Illinois educators are committed to establishing high professional standards for their practice and striving to meet these standards through their performance. Illinois educators:

- 1) Assume responsibility and accountability for their performance and continually strive to demonstrate proficiency and understanding of current trends in both content knowledge and professional practice;
- 2) Develop and implement personal and professional goals with attention to professional standards through a process of self-assessment and professional development;
- 3) Represent their professional credentials and qualifications accurately; and
- 4) Demonstrate a high level of professional judgment.

Responsibility to Colleagues and the Profession

The Illinois educator is committed to collaborating with school and district colleagues and other professionals in the interest of student learning. Illinois educators:

- 1) Collaborate with colleagues in their respective schools and districts to meet local and State educational standards;
- 2) Work together to create a respectful, professional and supportive school climate that allows all educators to maintain their individual professional integrity;
- 3) Seek out and engage in activities that contribute to the ongoing development of the profession;
- 4) Promote participation in educational decision-making processes;
- 5) Encourage promising candidates to enter the education profession; and
- 6) Support the preparation, induction, mentoring and professional development of educators.

Responsibility to Parents, Families and Communities

The Illinois educator will collaborate, build trust and respect confidentiality with parents, families and communities to create effective instruction and learning environments for each student. Illinois educators:

- 1) Aspire to understand and respect the values and traditions of the diversity represented in the community and in their learning environments;
- 2) Encourage and advocate for fair and equal educational opportunities for each student;
- 3) Develop and maintain professional relationships with parents, families and communities;
- 4) Promote collaboration and support student learning through regular and meaningful communication with parents, families and communities; and
- 5) Cooperate with community agencies that provide resources and services to enhance the learning environment.

Responsibility to the Illinois State Board of Education

Illinois educators are committed to compliance with the School Code [105 ILCS 5] and its implementing regulations, and to State and federal laws and regulations relevant to their profession. Illinois educators:

- 1) Provide accurate communication to the Illinois State Board of Education concerning all educator licensure matters;
- 2) Maintain appropriate educator licensure for employment; and
- 3) Comply with State and federal laws and regulations.

The Council for Exceptional Children Special Education Professional Ethical Principles

Professional special educators are guided by the CEC professional ethical principles, practice standards, and professional policies in ways that respect the diverse characteristics and needs of individuals with exceptionalities and their families. They are committed to upholding and advancing the following principles:

1. Maintaining challenging expectations for individuals with exceptionalities to develop the highest possible learning outcomes and quality of life potential in ways that respect their dignity, culture, language, and background.
2. Maintaining a high level of professional competence and integrity and exercising professional judgment to benefit individuals with exceptionalities and their families.
3. Promoting meaningful and inclusive participation of individuals with exceptionalities in their schools and communities.
4. Practicing collegially with others who are providing services to individuals with exceptionalities.
5. Developing relationships with families based on mutual respect and actively involving families and individuals with exceptionalities in educational decision making.
6. Using evidence, instructional data, research, and professional knowledge to inform practice.
7. Protecting and supporting the physical and psychological safety of individuals with exceptionalities.
8. Neither engaging in nor tolerating any practice that harms individuals with exceptionalities.
9. Practicing within the professional ethics, standards, and policies of CEC; upholding laws, regulations, and policies that influence professional practice; and advocating improvements in the laws, regulations, and policies.
10. Advocating for professional conditions and resources that will improve learning outcomes of individuals with exceptionalities.
11. Engaging in the improvement of the profession through active participation in professional organizations.
12. Participating in the growth and dissemination of professional knowledge and skills.

Ethics & Gift Ban

The following precepts govern political activities being conducted by Cooperative employees, Policy Board or Executive Committee members:

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

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

Except as permitted by this policy, no Policy Board or Executive Committee member or employee, and no spouse of or immediate family member living with a Policy Board or Executive Committee member or employee shall intentionally solicit or accept any *gift* from any *prohibited source*, as defined in Policy 2:105 Ethics and Gift Ban, or that is otherwise prohibited by law or policy. No prohibited source shall intentionally offer or make a gift that violates this policy.

Refer to Policy 2:105 *Ethics & Gift Ban* in the Appendix.

Employee Ethics; Conduct; & Conflict of Interest

All Cooperative employees are expected to maintain high standards in their job performance, demonstrate integrity and honesty, be considerate and cooperative, and maintain professional and appropriate relationships with

students, parents/guardians, staff members, and others. In addition, the Code of Ethics for Illinois Educators, adopted by the Illinois State Board of Education, is incorporated by reference into Policy 5:120. Any employee who sexually harasses a student, willfully or negligently fails to report an instance of suspected child abuse or neglect as required by the Abused and Neglected Child Reporting Act (325 ILCS5/), or other violates an employee conduct standard will be subject to discipline up to and including dismissal.

Prohibited Interests, Limitation of Authority, & Outside Employment

In accordance with Section 105 ILCS 5/22-5 of the School Code, "no school officer or teacher shall be interested in the sale, proceeds, or profits of any book, apparatus, or furniture used or to be used in any school with which such officer or teacher may be connected," except when the employee is the author or developer of instructional materials listed with the Illinois State Board of Education and adopted for use by the Executive Committee.

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

Employees shall neither solicit nor accept gratuities, favors, or anything of monetary value from contracts, potential contractors, or parties to agreement or contracts.

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.

Refer to *Policy 5:120 Employee Ethics; Conduct & Conflict of Interest* in the Appendix.

Accountability/Responsibility

Special education staff members fulfill a dual role, an active member of the local school district in which the staff member's class or office is housed as well as a representative to the Tazewell-Mason Counties Special Education Association. In this dual role, it is necessary to receive assignments from both education agencies. Special education personnel are responsible to:

- A) The Tazewell-Mason Counties Special Education Association Policy Board and Executive Committee.
 - A special education staff member is initially responsible for following the policies, rules and regulations of the TMCSEA Policy Board and Executive Committee.
- B) Tazewell-Mason Counties Special Education Association Administration.
 - Director—The chief executive officer responsible for the administration and management of the Association's programs in accordance with the Governing Bodies' policies and directives. The Director is authorized to develop administrative procedures to implement policy.
 - Program Coordinators—Administer assigned program areas and provide direct support, supervision and evaluation of assigned staff.
- C) District Board of Education
 - The Board of Education of that district, its policies, rules and regulations and administration.

Should a conflict in assignments arise, it will be worked out with the Director, immediate supervisor and Superintendent/Principal involved.

Additional Responsibility

1. Follow all policies and procedures outlined in the staff handbook.
2. Report suspected child abuse and neglect as outlined in the TMCSEA policies.
3. Participate in ISBE mandated trainings and professional development activities as required and /or approved by immediate supervisor.
4. Report address changes: Any time an employee has a change of address the TMCSEA Administrative Office should be notified in writing.

Employment Practices

The Cooperative shall provide equal employment opportunities to all persons regardless of their race; color; creed; religion; national origin; sex; sexual orientation; age; ancestry; marital status; arrest record; military status; order of protection status; unfavorable military discharge; citizenship status provided the individual is authorized to work in the United States; use of lawful products while not at work; being a victim of domestic violence, sexual violence, or gender violence; genetic information; physical or mental handicap or disability, if otherwise able to perform the

essential functions of the job with reasonable accommodation; pregnancy, childbirth, or related medical conditions; credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position; or other legally protected categories. No one will be penalized solely for his or her status as a registered qualifying patient or a registered designated caregiver for purposes of the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/.

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

Items to be on file prior to employment:

1. Completed TMCSEA Application for Employment
2. A signed contract/salary agreement
3. Appropriate certification or licensure as applicable issued by the Illinois State Board of Education and/or appropriate accrediting body.
4. Official transcripts from college/university credits.
5. TMCSEA Physical Form
6. A functional strength test with examination report on file (as appropriate)
7. T.B. skin test report
8. Completion of all appropriate insurance forms (Health, Vision, Life) through the *Plan With Ease* Portal
9. Completion of State and Federal W-4 forms
10. Completed Federal I-9 Employment Eligibility Verification along with two forms of identification
11. Completion of all appropriate Teacher Retirement System or Illinois Municipal Retirement Fund forms
12. Criminal Background Investigation/Fingerprinting; Including Fingerprinting results, State of Illinois Sex Offender Report, Child Murderer & Violent Offender Against Youth Report & National Sex Offender Registry
13. Employment History Review pursuant to the Illinois School Code
14. Acknowledgment of Drug and Alcohol-Free Workplace Policy
15. Acknowledgment of Abuse and Neglected Child Reporting Policy
16. Acknowledgment of Harassment Policy (Workplace & Student)
17. Acknowledgment of Personal Technology & Social Media: Usage and Conduct Policy
18. Social Security 1945 Form (if applicable)
19. Supplemental Insurance/403b Plan Options
20. Employee Emergency Form
21. Equal Employment Opportunity Commission Form
22. Direct Deposit Form
23. Staff Authorization for Access to the Cooperatives Electronic Networks

The Association will provide Hepatitis B vaccination at no cost to employees upon request.

Rules & Regulations

Probation Period

New non-certified employees hired into positions that are not subject to the tenure requirements of the Illinois School Code shall serve a twelve-month probationary period. During the twelve-month probationary period, the employees are not subject to progressive discipline.

Tenure

As prescribed by the Illinois School Code, 105 ILCS-5/24-11, full-time teacher who completes a probationary period of four (4) consecutive years (school terms) will be considered to be eligible for tenure at the start of their fifth (5) year of employment. Tenure is contingent on hire date and its relationship to the school code. Public Act 103-500 contains a tenure acquisition provision which allows teachers to earn tenure in two years if they previously earned tenure in another district and receive two excellent evaluation overall ratings in the employing district.

For those first employed as a full-time teacher after July 1, 2023, the tenure periods are:

- 3 consecutive school terms of service in which the teacher holds a Professional Educator License and receives overall annual evaluation ratings of at least "Proficient" in the second and third school terms;
- 2 consecutive school terms of service in which the teacher holds a Professional Educator License and receives 2 overall annual evaluations of "Excellent."

Dismissal

As prescribed in an amendment to the Illinois School Code, 105 ILCS-5/24-11, a certified person will receive forty-five (45) days notice prior to the end of the school term that they will not be offered a contract for the coming school year. This is determined annually. A non-certified staff member will receive thirty (30) days notice.

Indication of Termination of Contract by an Employee

The employee is responsible to notify the Director, in writing, of your intentions to terminate employment as soon as possible so that a suitable replacement can be hired. As prescribed by the Illinois School Code, 10 ILCS 5/24-14, a teacher who has entered into contractual continued service may resign at any time by concurrence of the Executive Committee or by serving at least thirty (30) days written notice. However, no teacher may resign during the school term, without concurrence of the Executive Committee, in order to accept another teaching assignment.

Mandatory Reporting

Abused & Neglected Child Reporting

Any Association employee who suspects or receives knowledge that a student may be an abused or neglected child or, for a student aged 18-22, an abused or neglected individual with a disability, shall (1) immediately report or cause a report to be made to DCFS, (2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Any Cooperative employee who believes a student is in immediate danger of harm, shall first call 911. The employee shall also promptly notify the Director or Program Coordinator that a report has been made. Any employee who discovers pornography on electronic & information technology equipment shall immediately report it to local law enforcement, the National Center for Missing and Exploited Children's CyberTipline. Any employee who observes any act of hazing that does bodily harm to a student must report that act to the Program Coordinator, Director or designee who will investigate and take appropriate action.

Refer to Policy 5:90 Abused & Neglected Child Reporting in the Appendix.

Transportation of Students

Each Member District will have responsibility for providing transportation for disabled children residing within their district. The Director or designee will aid in the overall coordination of such transportation. The district of residence is responsible for providing the costs of transportation and for filing its own claim for state reimbursement for transportation. No TMCSEA employee may transport students in school or private vehicles unless authorized by the administration in an emergency situation.

Job Descriptions

TMCSEA employees have both general and specific job responsibilities. Employees should refer to their individual job descriptions. New employees will be given a copy of this job description by their Program Administrator. If a change is made in the job description, the employee will receive a revised copy.

Personnel Evaluation

All Staff will be evaluated by their appropriate Program Administrator either annually, biennially, or triennially, according to the position's evaluation cycle. Public Act 102-0252 allows a teacher in contractual continued service whose performance is rated as either "excellent" or "proficient" to be evaluated at least once in the course of three school years after receipt of the rating and informally observed at least once in the course of the two school years after receipt of the rating.

- 1) All staff will be evaluated according to the provisions in the Association's evaluation plans for all TMCSEA personnel and requirements of the State of Illinois. Evaluation results will be shared with the staff member as required. The staff member will sign the evaluation to indicate that it has been discussed.
- 2) Local district administrators may be requested to give additional input regarding the performance of TMCSEA staff members based in their district(s).
- 3) Administrative staff are evaluated by the Director.
- 4) TMCSEA will provide performance evaluation input as appropriate to co-op programs such as DHS/STEP.

Grievance Procedures

Uniform Grievance Procedure

Refer to Policy 2:260 *Uniform Grievance Procedure* in the Appendix.

A student, parent/guardian, employee or community member should notify any Association Complaint Manager if he or she believes that the Policy Board, Executive Committee, its employees, or agents have violated his or her rights guaranteed by the State or federal Constitution, State or federal statute, or policy. The Complaint Manager will attempt to resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably.

Filing a Complaint

A person (hereinafter Complainant) who wishes to avail him or herself of this grievance procedure may do so by filing a complaint with any Association Complaint Manager.

Investigation

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. Within 30 school business days of the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Director.

Decision and Appeal

Within five (5) school business days after receiving the Complaint Manager's report, the Director shall mail his or her written decision to the Complainant and accused by registered mail, return receipt requested and/or personal delivery as well as the Complaint Manager. Within 10 school business days after receiving the Director's decision, the Complainant or accused may appeal the decision to the Executive Committee by making a written request to the Complaint Manager. Within 30 school business days, after the appeal, the Executive Committee shall affirm, reverse, or amend the Director's decision or direct the Director to gather additional information. Within 5 school business days of the Executive Committee's decision, the Director shall inform the Complainant and accused of the Executive Committee's action.

Grievances Under the Collective Bargaining Agreement

Employees covered by the TMCSEA Bargaining Agreement may file a contractual grievance for a complaint involving the violation, interpretation or application of the terms of the bargaining agreement. See Article IV of the Bargaining Agreement between TMCSEA and the SOS-IEA-NEA.

Title IX Grievance Procedure

Refer to Policy 2:265 *Title IX Grievance Procedure* in the Appendix.

TMCSEA prohibits sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at www.tmcsea.org.

A person who wishes to make a report under Title IX Grievance Procedure may make a report to the Title IX Coordinator, Non-Discrimination Coordinator, a Complaint Manager or any employee with whom the person is comfortable speaking.

Insurance Benefits

Full-time certified and non-certified staff shall be eligible for fringe benefits as determined by the Policy Board. A minimum of thirty (30) hours per week is considered full-time employment, for medical, vision, dental and life insurance benefits.

- 1) Employees are provided partially paid major medical/hospitalization. Coverage for medical, hospitalization, vision and dental insurance is available for eligible dependents. The Association contributes a negotiated dollar amount per year toward the cost of dependent insurance. Employees using sick leave continue with full insurance coverage. Employees taking unpaid leave for an extended period have no insurance benefits unless the employee agrees to pay the premium and arrangements are made with the business office.
- 2) Fully paid \$40,000 term life insurance
- 3) Liability insurance as part of TMCSEA umbrella coverage
- 4) Worker's Compensation
- 5) Unemployment insurance benefits paid to eligible terminated employees

Tuition Stipend

The Executive Committee shall reimburse an employee for course work taken related to his/her job assignment in accordance with the following:

- A. The course(s) must be approved by the Director prior to enrollment. The Director shall approve courses, workshops or seminars which, in the Director's discretion, are applicable to an employee's present or potential future assignment in the Association. Further, if the Executive Committee requires an employee to fill a position utilizing a temporary or provisional certification, the employer shall approve any courses, workshops or seminars required in order for that employee to obtain permanent certification.
- B. The course(s) must be taken at an accredited college or university and must be successfully completed with appropriate notice to the TMCSEA. Only three (3) hours of online credit will be approved per semester unless online coursework is part of an administratively approved program at an accredited college or university.
- C. Tuition reimbursement is limited to no more than six (6) hours per semester during the school year and no more than six (6) hours during the summer.
- D. Reimbursement shall be at a rate equal to ISU resident tuition costs or one-half (1/2) the hourly cost at any other accredited college or university, provided that under no circumstances shall the reimbursement exceed the hourly costs.

Salaries/Payroll

TMCSEA employee salaries are recommended by the Executive Committee and approved by the Policy Board. All employees will receive written notice of their pay at the start of each school year. Pay periods are the 15th and 30th of each month. Checks are mailed from the Administrative Office on the 14th and 29th of the month, unless the 15th or 30th is a Saturday, Sunday or a holiday. In that case, they are mailed on Friday, or the day preceding the holiday. Paychecks will be mailed or available to be picked up at the Administration Office on the last working day prior to the holiday break. Checks are available in the Administrative Office during regular business hours on the 14th and 29th or that pay day. Direct deposit is available for all employees.

During summer office hours, regular business hours may differ. Paychecks may be picked up during those hours.

You will be receiving 24 checks starting on August 30th and ending August 15th. If you wish to receive your salary in 20 pays starting August 30th and ending June 15th, you must notify the business office in writing before August 20th prior to the new pay period you will be requesting the 20 pays.

A TMCSEA employee wanting another party to pick up their paycheck must give written permission authorizing such action. That party must sign and date the pick up transaction.

Mileage

Tazewell Mason Counties Special Education Association will reimburse employees for documented mileage expenses related to official business at the standard Internal Revenue Service (IRS) recognized mileage rate according to Policy 5:60 *Expenses* for reimbursable business miles. The IRS standard mileage rate includes vehicle operation costs of gas, oil, and repairs, lease payments and insurance. This mileage rate is typically revised annually by the IRS.

Reimbursable business miles are from the point of initial assignment in one building to a second or multiple school sites. Mileage reimbursement will also be paid when it is necessary to return to the building where the initial assignment occurs. Any exceptions must be approved by the Director. Expense reports must be submitted to Accounts Payable for reimbursement. All staff requesting mileage reimbursement must have a valid driver's license on file. In accordance with state law, it is mandatory for employees to wear seatbelts when operating a company or personal vehicles for business use.

Professional Meetings & Conferences

Attendance at professional meetings and conferences outside the local district or those conducted by the Association is encouraged. Attendance at those meetings held during school hours must be pre-planned and approval obtained through your administrator.

A Request to Attend Professional Development form must be completed. When approval is granted, the following guidelines will prevail:

- a) The least expensive method of travel will be used when more than one staff member is attending a meeting, we encourage carpooling. The driver will be reimbursed at the currently approved IRS mileage rate of reimbursement. The riders will receive no travel reimbursement. If traveling by rail or air, actual rail or airfare will be paid. Alcoholic beverages will not be reimbursed.
- b) Actual expenses should be reflected on the Request to Attend form and turned in to your Administrator with receipts for hotel/motel, meals, registration fees (excluding dues to organizations) and any other expenses incurred. Meal charges to TMCSEA cannot exceed \$35.00 per day.

Purchasing

Staff members who purchase items with a TMCSEA procurement card must sign a statement affirming that they are familiar with Policy 4:55 *Use of Credit & Procurement Cards*.

1. Staff member completes a requisition form.
2. Appropriate coordinator approves the budgeted purchase and codes according to the chart of accounts.
3. Director approves all appropriate requisitions and checks code.
4. The staff member and Administrator will receive a copy of the approved and signed requisition provided by the Human Resource & Finance Assistant.
5. Purchase orders are entered into the Skyward Financial program and purchases are made weekly.
6. Purchase orders are used as a backup to determine whether the order is complete for payment of invoice by Human Resource & Finance Manager.
7. Staff reimbursement for expenses require coordinator approval, requisition form and the original purchase receipt.
8. Monthly checks are generated the Friday before scheduled Executive Committee meetings where they are approved for payment and then to East Peoria High School District #309 Board for final approval.
9. Please refer to the Payroll/Accounts Payable schedule that is provided to all staff on opening day.

Absences

It is the responsibility of the employee to inform the operating district as well as your immediate Administrator daily of your absence until you have returned to work. If you require a substitute you must notify the Schramm Administrative Assistant so a sub can be secured for your absence. If possible, TMCSEA staff should notify parties before 3:00 p.m. concerning the status of their absence. Staff must document all absences in Skyward to request approval from their supervisor. Absence without pay for up to five (5) days is at the discretion of the Director and requires pre-approval. Request for short-term leave requires approval of the Executive Committee.

Sick & Bereavement Leave, Personal Leave, Leave of Absence Without Pay, Professional Development

Please refer to the Agreement Between Executive Committee of TMCSEA and SOS-IEA-NEA

Sick Leave

At the beginning of each school year, each employee hired prior to June 1, 2014 shall be credited with sixteen (16) days of sick leave, the unused portion of which shall continue to accumulate to a maximum of 350 days, excluding the leave of the current school year for teachers, and a maximum of 230 days, excluding the leave of the current school year, for educational support personnel. At the beginning of each school year, each employee hired on or after June 1, 2014 shall be credited with twelve (12) days of sick leave, the unused portion of which shall accumulate to 180 days. A sick day shall be the same length as the employee's work day. Such leave shall be interpreted to mean personal illness, mental or behavioral health complications, quarantine at home, or serious illness or death in the immediate family or household, birth, adoption, placement for adoption, and the acceptance of a child in need of foster care, as described in Section 24-6 of The School Code, or death of a close personal friend. For purposes of this Section, "immediate family" shall include parents, spouse, brothers, sisters, children, grandparents, grandchildren, parents-in-law, brothers-in-law, sisters-in-law, and legal guardians. The Executive Committee or its designee may require a physician's certificate as a basis for pay during leave after an absence of three (3) days for personal illness, or as it may deem necessary in other cases as permitted by The School Code. The Association shall furnish each employee with a written statement at the beginning of each school year, setting forth the total sick leave credit. Employees suffering catastrophic injury or illness may request the Executive Committee to grant a special allocation or paid sick leave. Any such request will be considered by the Executive Committee on a case-by-case basis.

Personal Leave

At the beginning of each school year, each employee shall be credited with two (2) days to be used for personal business. Personal business leave days shall be allowed to accumulate to a maximum of three (3). Unused personal business leave days earned in excess of three (3) shall accumulate as sick leave days. Personal business days may be used for any purpose at the discretion of the employee. An employee planning to use a personal business leave day shall notify his/her Administrator in writing at least one week in advance, except in cases of emergency. Personal business leave days shall be available for the practice of individual religious preferences. Personal business leave days on a day immediately preceding or following a school holiday shall be considered on a first-received, first-granted basis. All personal day requests shall be submitted via Skyward. All personal day approvals proceeding and following holidays are subject to the availability of substitutes. No more than three (3) employees shall be on personal business leave at one time without the consent of the Director.

Leaves of Absence

Jury Leave

Any employee called for jury duty during the workweek or who is subpoenaed to testify during the work week in a judicial or administrative matter pertaining to TMCSEA shall be paid his/her full salary for such time provided the employee pays to TMCSEA any remuneration, less mileage expenses, received for such duties for any work day that is missed.

Other Leave of Absence

All employees covered by this Agreement may be granted leaves of absence only by action of the Executive Committee. Except as provided in Policy 5:250 *Leaves of Absence*. Leaves of absence without pay may be granted based on the following conditions:

1. Requests for leave shall be in writing, stating the reason for the requested leave, and submitted to the Director, setting forth the length of the leave requested.
2. All leaves of absence shall be limited to a maximum of one (1) school year.
3. All leaves shall normally commence at the beginning of the school year or immediately after Christmas vacation, and reinstatement at other than the agreed upon time shall be at the discretion of the Executive Committee. However, in the event of adoption of a child and the employee does not receive sufficient advance notice of the delivery of the child in order for the leave to commence at a natural break in the school year, the leave shall commence the day the child arrives and will terminate at the agreed upon subsequent break in the school year providing that the employee had informed the Administration at the time of making application for an adopted child that such application was being made and thereafter kept the Administration informed as to the most likely schedule for the adoption to proceed.
4. Sick leave days shall not accrue, but unused sick leave held at the start of the leave shall be available upon reinstatement.
5. Written notice of intention to either return or resign shall be given by the employee to TMCSEA fifteen (15) calendar days prior to the end of the leave of absence. Failure to furnish such written notice shall

constitute a notice of resignation.

6. An employee returning from a leave of absence without pay will be reassigned to the job classification he or she left.
7. An employee on an unpaid leave of absence may remain in TMCSEA's insurance plans, but shall pay the full premium costs for the same on a monthly basis.

Arrangements may be made at the Director's discretion for time off with pay to attend the funeral of a student. Short-term leave of absence without pay, not to exceed five (5) days, may be granted at the discretion of the Director. Personal leave shall be exhausted prior to any unpaid short-term leave of absence.

Family & Medical Leave

Please refer to the Agreement Between Executive Committee of TMCSEA and SOS-IEA-NEA.

For those employees not covered:

An eligible employee may use unpaid family and medical leave (FMLA leave), guaranteed by the federal Family and Medical Leave Act, for up to a combined total of 12 weeks each year. The U.S. Department of Labor's rules (federal rules) implementing FMLA, as they may be amended from time to time, control FMLA leave.

An eligible employee may take FMLA leave for up to a combined total of 12 weeks each 12-month period measured backward from the date an employee uses any family or medical leave.

While FMLA leave is normally unpaid, the Cooperative will substitute an employee's accrued compensatory time-off and/or paid leave for unpaid FMLA leave. All policies and rules regarding these of paid leave apply when paid leave is substituted for unpaid FMLA leave. Any employee may be permitted to work on an intermittent or reduced-leave schedule in accordance with federal rules.

Work Day/Work Year

An annual calendar is approved that provides for all staff contracted days and student attendance days. Itinerant employees shall follow the Schramm Educational Center/Rogers Academy calendar or the district where contracted or housed. A specific calendar is determined by the Program Coordinator. All employees are to be punctual, arriving and leaving work at the proper designated time. These times are dependent on the assigned work site. The certified employee work day shall not exceed 7.5 hours per day, inclusive of a minimum 30-minute duty-free lunch. The non-certified employees' work day shall not exceed 7 hours per day, inclusive of a minimum 30-minute duty-free lunch except working times during a work week may be flexed with administrative approval for reasons such as attending IEP meetings outside of normal working hours. The Administrative Office, Schramm Educational Center, and Rogers Academy follow established schedules. All employees working in excess of six (6) hours per day shall be entitled to two (2) ten-minute breaks during the work day. Part-time employees working three (3) to six (6) hours will receive one ten-minute break. All employees are required to document time & effort working in federal programs with students with disabilities. The employee work year shall not exceed the number of contracted days, unless pre-approval has been granted at the discretion of the Director.

Substitutes

It must be recognized that provision of substitutes for special education classes and programs is dependent on your assignment and immediate supervisor.

Substitutes are secured by TMCSEA through a representative of Schramm Educational Center.

All staff who require substitutes have the following responsibilities that apply to their position:

1. Lesson plans clearly marked and available
2. Schedule of the day's activities and duties
3. Substitute folders that contain information necessary to meet the needs of students, as outlined by your immediate supervisor.

Building Security

The TMCSEA/Schramm Educational Center has an integrated security system comprising access control, alarm, video surveillance and intercom systems. The access control system allows for keyless entry into the main East and South entrances to the building. All staff will have the responsibility of maintaining an individualized valid key card. The building alarm system is configured to notify staff of unauthorized entry and exit, including classrooms.

All employees assigned to Rogers Academy will have a key fob for entry to the building. All employees are responsible for possession of their individual badges/fobs. If a fob/badge is lost, it must be reported immediately to the Administrative Office. Employees may be charged for replacement key fobs/badges.

All visitors are required to report to the appropriate school office to check-in. Visitors are required to sign in and wear a visitor's badge while on school property. Any staff member may request identification from any person on school property; refusal to provide such information is a criminal act. The Director or designee shall seek the immediate removal of any person who refuses to provide requested identification.

Technology

Proper use of telephones, voicemail and email systems are essential to effective school operation. These tools are for school business purposes. Personal use should be limited in frequency and length. Telephones, voicemail and email systems are school equipment and privacy cannot be guaranteed. Inappropriate use of technology may lead to disciplinary action.

TMCSEA Administrative Office and Program Administrators utilize e-mail for the purposes of communication and notification. It is an expectation of each employee to check their email & voicemail on a daily basis.

Staff may use cell phones before and after school and during breaks as long as they do not create a distraction or disruption during student instructional time or work hours. All employees must sign the Personal Technology & Social Media; Usage & Conduct policy annually.

Refer to Policy 5:125 *Personal Technology & Social Media; Usage & Conduct* in the Appendix.

Identity Protection/Fraud Awareness

The collection, storage, use & disclosure of social security numbers by the Cooperative shall be consistent with State and federal laws.

No Cooperative employee shall collect, store, use, or disclose an individual's social security number unless specifically authorized by the Director. The Cooperative will use best efforts to comply with this Policy 4:15 Identify Protection, but this should not be construed to convey any rights to protection of information not otherwise afforded by law.

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

If any employee suspects fraud, they should report it immediately to their Program Coordinator or Director. Reports may be submitted anonymously via e-mail to tmcsea@tmcsea.org. Retaliation against employees for bringing bona fide reports or providing information about suspected fraud is prohibited.

Refer to Policy 4:15 *Identify Protection* in the Appendix.

Drug & Alcohol-Free Workplace

All employees are prohibited from engaging in any of the following activities while on Cooperative premises or while performing work for the Cooperative:

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

possession, and/or use is by a school nurse or school administrator pursuant to *Ashley's Law*, 105 ILCS 5/22-33. The Cooperative considers employees impaired by or under the influence of cannabis when there is a good faith belief that an employee manifests the specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position.

Refer to Policy *5:50 Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition* in the Appendix.

Harassment

The Cooperative expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. Cooperative employees shall not engage in harassment or abusive conduct on the basis of an individual's actual or perceived race, color, religion, national origin, ancestry, sex, sexual orientation, age, citizenship status, work authorization status, disability, pregnancy, marital status, order of protection status, military status, or unfavorable discharge from military service, nor shall they engage in harassment or abusive conduct on the basis of an individual's other protected status identified in Executive Committee policy 5:10, Equal Employment Opportunity and Minority Recruitment. Harassment of students, including, but not limited to, sexual harassment, is prohibited by Executive Committee policies 2:260, Uniform Grievance Procedure; 2:265, Title IX Grievance Procedure; 7:20, Harassment of Students Prohibited; 7:180, Prevention of and Response to Bullying, Intimidation, and Harassment; and 7:185, Teen Dating Violence Prohibited.

Refer to Policy *5:20 Workplace Harassment Prohibited* in the Appendix.

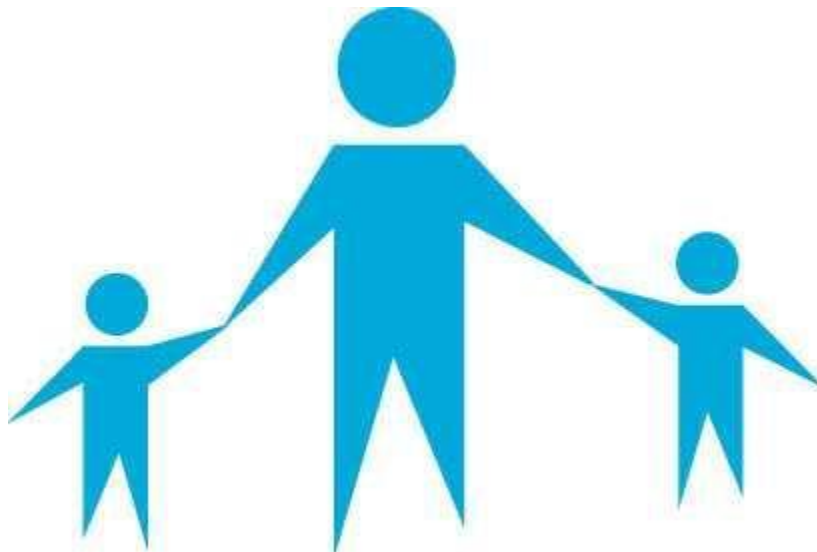
Opioid Antagonist/Narcan

Schools are required to maintain a supply of an opioid antagonist in any secure location where an individual may have an opioid overdose. All TMCSEA employees should be knowledgeable regarding what to do in the event of an opioid overdose and administration of nasal Naloxone (i.e. - Narcan) to reverse the effects of opioid overdose. Narcan will be located in the TMCSEA Administrative Office; Schramm Office; Schramm Nurse Office; Rogers Academy Office; and Rogers Nurse Office (Room 5). We will label the location for the Narcan in each office so it is accessible in case of emergencies. In the event you suspect anyone of having an opioid overdose, press the HELP button on your phone for assistance and say, "opioid overdose." Otherwise, call 911, administer CPR and Narcan as applicable. If Naloxone is administered, the [Overdose Reversal & Naloxone Administration Reporting Form](#) must be completed within 5 business days and submitted to DHS.DOPP.Coordinator@illinois.gov.

Student Services

According to the initial Public Law 94-142, and now reauthorized IDEA (Individual Disabilities Education Act), all disabled students from age three (3) through age twenty-one (21) are eligible to be provided a free and appropriate public education.

Because each child has an individual set of needs, TMCSEA has a vast array of programs and services. Our goal is to meet the needs of every special education student. TMCSEA has an experienced staff of social workers, psychologists, physical therapists, occupational therapists, speech/language therapists, health service personnel, teachers and paraprofessionals to achieve that goal.



Adaptive Physical Education Consultation Services • Assistive Listening Equipment • Assistive Technology • Audiological Evaluations • Autism Evaluation & Consultation Services • CPI Training • Educational/Behavioral Evaluation • Functional Behavior Assessment • Functional Curriculum • Functional Vision Assessment • Hearing Itinerant Services • IEP Facilitation • Low Incidence Diagnostic Services • Medical Review • Occupational & Physical Therapy Services • Orientation & Mobility Services • Psychological Services • Rogers Academy Program Placement • Schramm Educational Center Placement • Social Work Services • Speech/Language Services • Transition/STEP Services • Vision Itinerant Services

Equal Educational Opportunities

Equal educational and extracurricular opportunities shall be available for all students without regard to color, race, nationality, religion, sex, sexual orientation, ancestry, age, physical or mental disability, gender identity, status of being homeless, immigration status, order of protection status, actual or potential marital or parental status, including pregnancy. Further, the Cooperative will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except that the Cooperative remains viewpoint neutral when granting access to school facilities under policy 8:20, *Community Use of School Facilities*. Any student may file a discrimination grievance by using policy 2:260, *Uniform Grievance Procedure*.

Sex Equity

TMCSEA prohibits sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at <https://www.tmcsea.org/employees.html>.

No student shall, based on sex, sexual orientation, or gender identity be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Harassment

No person, including a Cooperative employee or agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The Cooperative will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment.

The Cooperative shall provide an educational environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. See policies 2:265, Title IX Grievance Procedure, and 2:260, Uniform Grievance Procedure.

Refer to Policy 7:20 *Harassment of Students Prohibited* in the Appendix.

Student Rights and Responsibilities

All students are entitled to enjoy the rights protected by the U.S. and Illinois Constitutions and laws for persons of their age and maturity in a school setting.

Bullying, Intimidation, and Harassment

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors and providing all students equal access to a safe, non-hostile learning environment are important Cooperative goals.

Bullying on the basis of actual or perceived race, color, national origin, military status, unfavorable discharge status from the military service, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited in each of the following situations:

1. During any school-sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school-sponsored or school-sanctioned events or activities.

3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a nonschool-related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by the Cooperative or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This paragraph (item #4) applies only when a school administrator or teacher receives a report that bullying through this means has occurred; it does not require staff members to monitor any nonschool-related activity, function, or program.

Refer to Policy 7:180 *Prevention of and Response to Bullying, Intimidation, and Harassment* in the Appendix.

Student Online Privacy & Protection Act (SOPPA)

Public Act 101-0516, the Student Online Personal Protection Act (SOPPA) protects the privacy and security of student data and personal information collected by online applications, websites, and services when used for K-12 school purposes. Parents may carry out their rights to inspect and review his/her child's covered information, request electronic or paper copies of his/her child's covered information.

Refer to Policy 6:235 *Access to Electronic Networks* in the Appendix.

Administering Medication

No Cooperative employee shall administer to any student, or supervise a student's self-administration of, any prescription or non-prescription medication until a completed and signed *School Medication Authorization Form (SMA Form)* is submitted by the student's parent/guardian.

School Wellness

Student wellness, including good nutrition and physical activity, shall be promoted in the Cooperative's educational program, school-based activities, and meal programs.

Goals for Nutrition Education and Nutrition Promotion

The goals for addressing nutrition education and nutrition promotion include the following:

- Schools will support and promote sound nutrition for students.
- Schools will foster the positive relationship between sound nutrition, physical activity, and the capacity of students to develop and learn.
- Nutrition education will be part of the Cooperative's comprehensive health education curriculum. See Executive Committee policy 6:60, *Curriculum Content*.

Goals for Physical Activity

The goals for addressing physical activity include the following:

- Schools will support and promote an active lifestyle for students.
- Physical education will be taught in all grades and shall include a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. .
- During the school day, all students will be required to engage in a daily physical education course, unless otherwise exempted.
- The curriculum will be consistent with and incorporate relevant *Illinois Learning Standards for Physical Development and Health* as established by the Illinois State Board of Education (ISBE).

Community-Based Instruction

Community-based instruction (CBI) is a planned educational experience that directly relates to a student's Individual Educational Plan. The purpose of the CBI is to allow for training in the community or naturally occurring environment in a variety of functional skills including communication, academics, appropriate behavior, sensory awareness, independent functioning, and social skills.

There must be a certified person accompanying the students into the community. It is also necessary to provide supervision to the students remaining in the classroom; therefore, paraprofessionals may remain in the class with

the students as long as there is a certified staff member available should an emergency arise. When possible, schedule CBI at a time when there will be a certified staff in the class. It is the teacher's responsibility to assure that the paraprofessional is provided adequate direction to meet the needs of the remaining students.

The CBI Transportation Request form must be completed in its entirety and submitted to the coordinator by the third Wednesday of each month. The coordinator will then approve the trip, secure transportation, and return the approved form to the teacher. Parents should sign a general permission slip for their child to participate in CBI's at the beginning of the school year.

In addition, teachers should notify the parents a few days prior to the CBI that the child will be going into the community.

A general practice for the number of times a student participates in CBI's is as follows:

Early Childhood	Once a month
Primary	Once a month
Intermediate	Once a month
Jr. High/High School	Twice a month
Secondary (18 y/o +)	Once per week

It is sometimes necessary to ask parents to send money to cover the cost of a particular purchase when going on a CBI. This should not become burdensome to the family nor should it ever be a reason to exclude a child from participation in CBI's. Should this become a problem, your coordinator should be contacted.

Facility Dog

Animal-assisted activities provide opportunities for motivation, education, recreation and/or vocation to enhance the quality of life. TMCSEA employs the use of a facility dog as an intervention in which an animal meeting specific criteria is an integral part of the educational process.

Reporting Student Progress

TMCSEA staff are required to monitor student progress as specified in their IEP. A quarterly progress report and/or regular report card will be used where applicable. TMCSEA staff are also required to fulfill State Assessment requirements. In addition, staff are encouraged to use other progress measures; i.e., work portfolio folder, anecdotal records, behavior charts and student performance data collections.

Consultation/Evaluation Services

All personnel have available consultative/evaluation services to address teacher and/or student needs. Services can be requested by completing the TMCSEA Request for Service Form, available on the website.

Available services include the following:

Adaptive Physical Education Consultation	Low Incidence Diagnostic Services
Assistive Technology	Medical Review
Assistive Listening Equipment	Occupational & Physical Therapy Services
Audiological Evaluations	Orientation and Mobility Services
Autism Evaluation & Consultation	Psychological Services
CPI Training	Rogers Academy Program Placement
Educational/Behavioral Evaluation	Schramm Educational Center Placement
Functional Behavior Assessment	Social Work Services
Functional Curriculum	Speech/Language Services
Hearing Itinerant Services	Transition
IEP Facilitation	Vision Itinerant Services

Appendix

2:105	Ethics & Gift Ban
2:260	Uniform Grievance Procedure
2:265	Title IX Grievance Procedure
4:15	Identity Protection
4:55	Use of Credit & Procurement Cards
5:10	Equal Employment Opportunity & Minority Recruitment
5:20	Workplace Harassment Prohibited
5:35	Compliance with the Fair Labor Standards Act
5:50	Drug & Alcohol-Free Workplace; E-Cigarette, Tobacco & Cannabis Prohibition
5:90	Abused & Neglected Child Reporting
5:120	Employee Ethics; Conduct & Conflict of Interest
5:125	Personal Technology & Social Media; Usage & Conduct
6:235	Access to Electronic Networks
7:10	Equal Educational Opportunities
7:20	Harassment of Students Prohibited
7:180	Prevention of & Response to Bullying, Intimidation, & Harassment
7:190	Student Behavior
7:285	Anaphylaxis Prevention, Response & Management Program
7:290	Suicide & Depression Awareness & Prevention
7:340	Student Records

*Policies are subject to change throughout the school year. Please refer to our website, www.tmcsea.org, for updated policies.

POLICY BOARD/EXECUTIVE COMMITTEE

2:105 Ethics and Gift Ban

Prohibited Political Activity

The following precepts govern political activities being conducted by Cooperative employees, Policy Board or Executive Committee members:

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

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

Limitations on Receiving Gifts

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

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

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the Policy Board or Executive Committee member or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any: (a) contribution that is lawfully made under the Election Code, or (b) activities associated with a fundraising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson,

stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.

7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other Policy Board or Executive Committee members or employees, or their spouses or immediate family members.
8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are: (a) consumed on the premises from which they were purchased or prepared; or (b) catered. Catered means food or refreshments that are purchased ready to consume, which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of a Policy Board or Executive Committee member or employee), if the benefits have not been offered or enhanced because of the official position or employment of the Policy Board or Executive Committee member or employee, and are customarily provided to others in similar circumstances.
10. Intra-governmental and inter-governmental gifts. Intra-governmental gift means any gift given to a Policy Board or Executive Committee member or employee from another Policy Board or Executive Committee member or employee, and inter-governmental gift means any gift given to a Policy Board or Executive Committee member or employee from an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

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

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

Enforcement

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

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

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

Definitions

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

Political activity means:

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

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

Prohibited source means any person or entity who:

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

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

Complaints of Sexual Harassment Made Against Policy Board and/or Executive Committee Members by Elected Officials

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

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

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

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

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

LEGAL REF.:

105 ILCS 5/22-93.

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

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

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

EXECUTIVE COMMITTEE APPROVAL: January 11, 2023

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

POLICY BOARD/EXECUTIVE COMMITTEE

2:260 Uniform Grievance Procedure

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

1. Title II of the Americans with Disabilities Act, 42 U.S.C. §12101 et seq.
2. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. §791 et seq.
3. Individuals With Disabilities Education Improvement Act of 2004, [20 U.S.C. § 1400 et seq.](#)
4. Title VI of the Civil Rights Act of 1964, 42 U.S.C. §2000d et seq.
5. Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq.
6. Sexual harassment prohibited by the State Officials and Employees Ethics Act, 5 ILCS 430/70-5(a); Illinois Human Rights Act, 775 ILCS 5/; and Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (Title IX sexual harassment complaints are addressed under policy 2:265, *Title IX Grievance Procedure*)
7. Breastfeeding accommodations for students, 105 ILCS 5/10-20.60
8. Bullying, 105 ILCS 5/27-23.7
9. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children
10. Curriculum, instructional materials, and/or programs
11. Victims' Economic Security and Safety Act, 820 ILCS 180
12. Illinois Equal Pay Act of 2003, 820 ILCS 112
13. Provision of services to homeless students
14. Illinois Whistleblower Act, 740 ILCS 174/.
15. Misuse of genetic information prohibited by the Illinois Genetic Information Privacy Act, 410 ILCS 513/; and Titles I and II of the Genetic Information Nondiscrimination Act, 42 U.S.C. §2000ff et seq.
16. Employee Credit Privacy Act, 820 ILCS 70/.

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

Right to Pursue Other Remedies Not Impaired

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

Deadlines

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

Filing a Complaint

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

For any complaint alleging bullying and/or cyberbullying of students, the Complaint Manager or designee shall process and review the complaint under Executive Committee policy 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*, in addition to any response required by this policy.

For any complaint alleging sex discrimination that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 *et seq.*), the Title IX Coordinator or designee shall process and review the complaint under Executive Committee policy 2:265, *Title IX Grievance Procedure*.

For any complaint alleging harassment on the basis of race, color, or national origin, the Nondiscrimination Coordinator or a Complaint Manager or designee shall process and review the complaint under Executive Committee policy 2:270, *Discrimination and Harassment on the Basis of Race, Color, and National Origin Prohibited*, in addition to any response required by this policy.

For any complaint alleging sexual harassment or other violation of Executive Committee policy 5:20, *Workplace Harassment Prohibited*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall process and review the complaint according to that policy, in addition to any response required by this policy, and shall consider whether an investigation under Executive Committee policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, should be initiated.

Investigation Process

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. The Complaint Manager shall ensure both parties have an equal opportunity to present evidence during an investigation. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law, this policy, or any collective bargaining agreement, (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

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

The Complaint Manager will inform, at regular intervals, the person(s) filing a complaint under this policy about the status of the investigation. Within 30 school business days after the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Director. The Complaint Manager may request an extension of time from the Director.

The Director will keep the Executive Committee informed of all complaints.

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

Decision and Appeal

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

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

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

For complaints containing allegations involving the Director or Policy Board and Executive Committee member(s), within 30 school business days after receiving the Complaint Manager's or outside investigator's report, the Executive Committee shall provide its written decision to the Complainant and the accused, as well as to the Complaint Manager. This policy shall not be construed to create an independent right to a hearing before the Director or Executive Committee. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

Appointing a Nondiscrimination Coordinator and Complaint Managers

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

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

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

Nondiscrimination Coordinator:

Adam Mangold

109 Rogers Road,

North Pekin, IL 61554

amangold@tmcsea.org

309-347-5164

Complaint Managers:

Kari Behrends	Amber Ealey	Laura Stuff	Anne Risen
109 Rogers Road,	109 Rogers Road,	300 Cedar Street,	300 Cedar St.,
North Pekin, IL 61554	North Pekin, IL 61554	Pekin, IL 61554	Pekin, IL 61554
kbehrends@tmcsea.org	aealey@tmcsea.org	lstuff@tmcsea.org	arisen@tmcsea.org
309-347-5164	309-347-5164	309-347-5164	309-347-5164

LEGAL REF.:

- 8 U.S.C. §1324a et seq., Immigration Reform and Control Act.
- 20 U.S.C. §1232g, Family Education Rights Privacy Act.
- 20 U.S.C. §1400, The Individuals with Disabilities Education Act.
- 20 U.S.C. §1681 et seq., Title IX of the Education Amendments; 34 C.F.R. Part 106.
- 29 U.S.C. §206(d), Equal Pay Act.
- 29 U.S.C. §621 et seq., Age Discrimination in Employment Act.
- 29 U.S.C. §791 et seq., Rehabilitation Act of 1973.
- 29 U.S.C. §2612, Family and Medical Leave Act.
- 42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act of 1964.
- 42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964.
- 42 U.S.C. §2000ff et seq., Genetic Information Nondiscrimination Act.
- 42 U.S.C. §11431 et seq., McKinney-Vento Homeless Assistance Act.
- 42 U.S.C. §12101 et seq., Americans With Disabilities Act; 28 C.F.R. Part 35.
- 105 ILCS 5/2-3.8, 5/3-10, 5/10-20, 5/10-20.5, 5/10-20.7a, 5/10-20.60, 5/10-20.69, 5/10-20.75, 5/10-22.5, 5/22-19, 5/24-4, 5/27-1, 5/27-23.7, and 45/1-15.
- 5 ILCS 415/10(a)(2), Government Severance Pay Act.
- 5 ILCS 430/70-5(a), State Officials and Employees Ethics Act.
- 410 ILCS 513/, Ill. Genetic Information Privacy Act.
- 740 ILCS 174/, Whistleblower Act.
- 740 ILCS 175/, Ill. False Claims Act.
- 775 ILCS 5/, Ill. Human Rights Act.
- 820 ILCS 70/, Employee Credit Privacy Act.
- 820 ILCS 112/, Equal Pay Act of 2003.

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

23 Ill.Admin.Code §§1.240, 200.40, 226.50, and 226.570.

CROSS REF.: 2:105 (Ethics and Gift Ban), 2:265 (Title IX Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:90 (Abused and Neglected Child Reporting), 6:120 (Education of Children with Disabilities), 6:140 (Education of Homeless Children), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:10 (Equal Educational Opportunities), 7:15 (Student and Family Privacy Rights), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 8:70 (Accommodating Individuals with Disabilities), 8:95 (Parental Involvement), 8:110 (Public Suggestions and Concerns)

EXECUTIVE COMMITTEE APPROVAL: September 11, 2024

POLICY BOARD APPROVAL: August 16, 2024

Tazewell-Mason Counties Special Ed Association

POLICY BOARD/EXECUTIVE COMMITTEE

2:265 Title IX Grievance Procedure

Discrimination on the basis of sex, including sex-based harassment, affects a student's ability to learn and an employee's ability to work. Providing an educational and workplace environment free from discrimination on the basis of sex is an important Cooperative goal.

The Cooperative does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations (34 C.F.R. Part 106), including against applicants for employment, students, parents/guardians, employees, and third parties.

Title IX Sex Discrimination Prohibited

Sex discrimination as defined in Title IX (Title IX Sex Discrimination) is prohibited. A Cooperative employee, agent, or student violates this prohibition whenever that person engages in conduct on the basis of sex that causes another person to be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any education program or activity operated by the Cooperative. Title IX Sex Discrimination includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and/or gender identity.

Sex-based harassment is a form of Title IX Sex Discrimination. Sex-based harassment occurs whenever a person engages in conduct on the basis of sex that satisfies one or more of the following:

1. A Cooperative employee, agent, or other person authorized by the Cooperative to provide an aid, benefit, or service under the Cooperative's education program or activity explicitly or impliedly conditions the provision of an aid, benefit, or service on a person's participation in unwelcome sexual conduct; or
2. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the Cooperative's education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 34 C.F.R. §106.2.

Definitions from 34 C.F.R. §106.2

Complainant means: (1) a student or employee who is alleged to have been subjected to conduct that could constitute Title IX Sex Discrimination; or (2) a person other than a student or employee who is alleged to have been subjected to conduct that could constitute Title IX Sex Discrimination and who was participating or attempting to participate in the Cooperative's education program or activity at the time of the alleged Title IX Sex Discrimination.

Complaint means an oral or written request to the Cooperative that objectively can be understood as a request for the Cooperative to investigate and make a determination about alleged discrimination under Title IX.

Respondent means a person who is alleged to have violated the Cooperative's prohibition on Title IX Sex Discrimination.

Retaliation means intimidation, threats, coercion, or discrimination against any person by the Cooperative, a student, or an employee or other person authorized by the Cooperative to provide aid, benefit, or service under the Cooperative's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported

information, made a Complaint, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

Making a Report

A person who wishes to make a report under this policy may make a report to the Title IX Coordinator, Nondiscrimination Coordinator, a Complaint Manager, or any employee with whom the person is comfortable speaking.

School employees who receive information about conduct that reasonably may constitute Sex Discrimination under this policy shall promptly forward the report or information to the Title IX Coordinator. An employee who fails to promptly make or forward a report or information may be disciplined, up to and including discharge.

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

Title IX Coordinator:

Adam Mangold

109 Rogers Road
North Pekin, IL 61554

amangold@tmcsea.org

309/347-5164

Processing and Reviewing a Report or Complaint

Upon receipt of a report of conduct that reasonably may constitute Title IX Sex Discrimination, the Title IX Coordinator and/or designee shall offer and coordinate supportive measures, as appropriate, for a Complainant.

Further, the Title IX Coordinator will analyze the report to identify and determine whether there is another or an additional appropriate method(s) for processing and reviewing it. For any report received, the Title IX Coordinator shall review Board policies 2:260, *Uniform Grievance Procedure*; 5:10, *Equal Employment Opportunity and Minority Recruitment*; 5:20, *Workplace Harassment Prohibited*; 5:90, *Abused and Neglected Child Reporting*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; 7:10, *Equal Educational Opportunities*; 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; 7:185, *Teen Dating Violence Prohibited*; and 7:190, *Student Behavior*, to determine if the allegations in the report require further action under those policies.

Reports of alleged Title IX Sex Discrimination will be confidential to the greatest extent practicable, subject to the Cooperative's duty to investigate and maintain an educational program or activity that is productive, respectful, and free of Title IX Sex Discrimination.

Title IX Complaint Grievance Process

The Director or designee shall implement procedures to ensure the prompt and equitable resolution of all Complaints according to a grievance process that fully complies with 34 C.F.R. §106.45. See the Cooperatives Title IX Complaint Grievance Process (Grievance Process) under administrative procedure 2:265-AP2, *Formal Title IX Complaint Grievance Process*.

When a Complaint is filed, the Title IX Coordinator will investigate it and make a determination regarding the outcome of the Complaint, or appoint a qualified person(s) to undertake the investigation and make a determination regarding the outcome of the Complaint.

Enforcement

Any Cooperative employee who is determined, at the conclusion of the Grievance Process, to have engaged in Title IX Sex Discrimination will be subject to disciplinary action up to and including discharge. Any third party who is determined, at the conclusion of the Grievance Process, to have engaged in Title IX Sex Discrimination will be addressed in accordance with the authority of the Executive Committee in the context of the relationship of the third party to the Cooperative, e.g., vendor, parent/guardian, invitee, etc. Any Cooperative student who is determined, at the conclusion of the Grievance Process, to have engaged in Title IX Sex Discrimination will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with student behavior policies. Any person making a knowingly false accusation regarding Title IX Sex Discrimination will likewise be subject to disciplinary action.

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

Retaliation Prohibited

The Cooperative prohibits any form of retaliation, including peer retaliation, in its education program or activity. Any person should report claims of retaliation using this Executive Committee policy 2:265, *Title IX Grievance Procedure*.

A student, employee, or other person authorized by the Cooperative to provide aid, benefit, or service under the Cooperative's education program or activity who retaliates against others for reporting or complaining of violations of this policy or for participating in any manner under this policy will be subject to disciplinary action, up to and including discharge, with regard to employees, or suspension and expulsion, with regard to students.

LEGAL REF.:

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

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

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

CROSS REF.: 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:200 (Terms and Conditions of Employment and Dismissal), 5:240 (Suspension), 5:290 (Employment Termination and Suspension), 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 7:10 (Equal Educational Opportunities), 7:20 (Harassment of Students Prohibited), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:190 (Student Behavior)

EXECUTIVE COMMITTEE APPROVAL: September 11, 2024

POLICY BOARD APPROVAL: August 9, 2023

OPERATIONAL SERVICES

4:15 Identity Protection

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

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

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

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

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

Treatment of Personally Identifiable Information Under Grant Awards

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

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

LEGAL REF.:

2 C.F.R. §200.303(e).

5 ILCS 179/, Identity Protection Act.

30 ILCS 708/, Grant Accountability and Transparency Act

50 ILCS 205/3, Local Records Act.

105 ILCS 10/, Illinois School Student Records Act.

CROSS REF: 2:250 (Access to Cooperative Public Records), 5:150 (Personnel Records), 7:340 (Student Records), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

EXECUTIVE COMMITTEE APPROVAL: August 16, 2024

POLICY BOARD APPROVAL: August 16, 2024

Tazewell-Mason Counties Special Ed Association

OPERATIONAL SERVICES

4:55 Use of Credit and Procurement Cards

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

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

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

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

LEGAL REF.:

105 ILCS 5/10-20.21.

23 Ill.Admin.Code §100.70(d).

CROSS REF.: 4:50 (Payment Procedures), 4:60 (Purchases and Contracts), 4:80 (Accounting and 4:55

Audits), 4:90 (Student Activity and Fiduciary Funds), 5:60 (Expenses)

EXECUTIVE COMMITTEE APPROVAL: January 11, 2023

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

General Personnel

5:10 Equal Employment Opportunity and Minority Recruitment

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

Persons who believe they have not received equal employment opportunities should report their claims to the Nondiscrimination Coordinator and/or a Complaint Manager under policy 2:260, *Uniform Grievance Procedure*. These individuals are listed below. No employee or applicant will be discriminated or retaliated against because he or she: (1) requested, attempted to request, used, or attempted to use a reasonable accommodation as allowed by the Illinois Human Rights Act, or (2) initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information.

Administrative Implementation

The Director shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the Cooperative's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Director or a Complaint Manager under policy 2:260, *Uniform Grievance Procedure*. The Nondiscrimination Coordinator also serves as the Cooperative's Title IX Coordinator.

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

Nondiscrimination Coordinator:

Adam Mangold

109 Rogers Road,
North Pekin, IL 61554

amangold@tmcsea.org

309-347-5164

Complaint Managers:

Kari Behrends

Amber Ealey

Laura Stuff

Anne Risen

109 Rogers Road
5:10

109 Rogers Road

300 Cedar St

300 Cedar St

100 Rogers Road,
North Pekin, IL 61554

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309-347-5164

309-347-5164

309-346-1186

309-347-5164

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

Minority Recruitment

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

LEGAL REF.:

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

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

29 U.S.C. §206(d), Equal Pay Act.

29 U.S.C. §218d, Fair Labor Standards Act.

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

29 U.S.C. §701 et seq., Rehabilitation Act of 1973.

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

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

42 U.S.C. §2000d et seq., Title VI of the Civil Rights Act of 1964; 34 C.F.R. Part 100.

42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964; 29 C.F.R. Part 1601.

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

42 U.S.C. §2000gg et seq., Pregnant Workers Fairness Act.

42 U.S.C. §2000e(k), Pregnancy Discrimination Act.

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

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

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

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

410 ILCS 513/25, Genetic Information Privacy Act.

740 ILCS 174/, Ill. Whistleblower Act.

775 ILCS 5/1-103, 5/2-101, 5/2-102, 5/2-103, 5/2-103.1, 5/2-104(D) and 5/6-101, Ill. Human Rights Act.

775 ILCS 35/, Religious Freedom Restoration Act.

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

820 ILCS 70/, Employee Credit Privacy Act.

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

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

820 ILCS 180/30, Victims' Economic Security and Safety Act.

820 ILCS 260/, Nursing Mothers in the Workplace Act.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:40 (Communicable and Chronic Infectious Disease), 5:50 (Drug- and Alcohol-Free Workplace; E-Cigarette, Tobacco, and Cannabis Prohibition), 5:70 (Religious Holidays), 5:180 (Temporary Illness or Temporary Incapacity), 5:200 (Terms and Conditions of Employment and Dismissal), 5:250 (Leaves of Absence), 5:270 (Employment At-Will, Compensation, and Assignment), 5:300 (Schedules and Employment Year), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 8:70 (Accommodating Individuals with Disabilities)

EXECUTIVE COMMITTEE APPROVAL: May 8, 2024

POLICY BOARD APPROVAL: August 16, 2024

Tazewell-Mason Counties Special Ed Association

General Personnel

5:20 Workplace Harassment Prohibited

The Cooperative expects the workplace environment to be productive, respectful, and free of unlawful discrimination, including harassment. Cooperative employees shall not engage in harassment or abusive conduct on the basis of an individual's actual or perceived race, color, religion, national origin, ancestry, sex, sexual orientation, age, citizenship status, work authorization status, disability, pregnancy, marital status, order of protection status, military status, or unfavorable discharge from military service, nor shall they engage in harassment or abusive conduct on the basis of an individual's other protected status identified in Executive Committee policy 5:10, *Equal Employment Opportunity and Minority Recruitment*. Harassment of students, including, but not limited to, sexual harassment, is prohibited by Executive Committee policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Grievance Procedure*; 7:20, *Harassment of Students Prohibited*; 7:180, *Prevention of and Response to Bullying, Intimidation, and Harassment*; and 7:185, *Teen Dating Violence Prohibited*.

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

Sexual Harassment Prohibited

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

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

Making a Report or Complaint

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

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

Whom to Contact with a Report or Complaint

An employee should report claims of harassment, including making a confidential report, to any of the

following: his/her immediate supervisor, Program Coordinator, the Nondiscrimination Coordinator, and/or a Complaint Manager. An employee may also report claims using Executive Committee policy 2:260, *Uniform Grievance Procedure*. If a claim is reported using Executive Committee policy 2:260, then the Complaint Manager shall process and review the claim according to that policy, in addition to any response required by this policy.

The Director shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the Cooperative's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as the Cooperative's Title IX Coordinator.

Nondiscrimination Coordinator:

Adam Mangold
109 Rogers Road,
North Pekin, IL 61554
amangold@tmcsea.org
309-347-5164

Complaint Managers:

Kari Behrends	Amber Ealey	Laura Stuff	Anne Risen
109 Rogers Road,	109 Rogers Road,	300 Cedar St.,	300 Cedar St.,
North Pekin, IL 61554	North Pekin, IL 61554	Pekin, IL 61554	Pekin, IL 61554
kbehrends@tmcsea.org	aealey@tmcsea.org	lstuff@tmcsea.org	arisen@tmcsea.org
309-347-5164	309-347-5164	309-346-1186	309-347-5164

Investigation Process

Any Cooperative employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any employee who fails to promptly forward a report or complaint may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the Cooperative's duty to investigate and maintain a workplace environment that is productive, respectful, and free of unlawful discrimination, including harassment.

For any report or complaint alleging sexual harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee shall consider whether action under policy 2:265, *Title IX Grievance Procedure*, should be initiated.

For any other alleged workplace harassment that does not require action under policy 2:265, *Title IX Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policy 2:260, *Uniform Grievance Procedure*, and/or 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*, should be initiated, regardless of whether a written report or complaint is filed.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel

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

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, *Title IX Grievance Procedure*, or policy 2:260, *Uniform Grievance Procedure*.

Enforcement

A violation of this policy by an employee may result in discipline, up to and including discharge. A violation of this policy by a third party will be addressed in accordance with the authority of the Executive Committee in the context of the relationship of the third party to the Cooperative, e.g., vendor, parent/guardian, invitee, etc. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, which for an employee may be up to and including discharge.

Retaliation Prohibited

An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing complaints or providing information about harassment is prohibited (see Executive Committee policies 2:260, *Uniform Grievance Procedure*, and 2:265, *Title IX Grievance Procedure*, and depending upon the law governing the complaint, whistleblower protection may be available under the State Officials and Employees Ethics Act (5 ILCS 430/), the Whistleblower Act (740 ILCS 174/), and/or the Ill. Human Rights Act (775 ILCS 5/).

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

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

Recourse to State and Federal Fair Employment Practice Agencies

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

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

LEGAL REF.:

42 U.S.C. §2000e et seq., Title VII of the Civil Rights Act of 1964; 29 C.F.R. §1604.11.

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

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

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

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

Vance v. Ball State Univ., 570 U.S. 421 (2013).

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

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

Oncale v. Sundowner Offshore Servs., 523 U.S. 75 (1998).

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

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

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

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

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

Porter v. Erie Foods Int, Inc., 576 F.3d 629 (7th Cir. 2009).

Williams v. Waste Mgmt., 361 F.3d 1021 (7th Cir. 2004).

Berry v. Delta Airlines, 260 F.3d 803 (7th Cir. 2001).

Sangamon Cnty. Sheriff's Dept. v. Ill. Human Rights Com'n, 233 Ill.2d 125 (Ill. 2009).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 4:60 (Purchases and Contracts), 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:20 (Harassment of Students Prohibited), 8:30 (Visitors to and Conduct on School Property)

EXECUTIVE COMMITTEE APPROVAL: August 16, 2024

POLICY BOARD APPROVAL: August 16, 2024

Tazewell-Mason Counties Special Ed Association

General Personnel

5:35 Compliance with the Fair Labor Standards Act

Job Classifications

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

Workweek and Compensation

The workweek for Cooperative employees will be 12:00 a.m. Saturday until 11:59 p.m. Friday. Non-exempt employees will be compensated for all hours worked in a workweek including overtime. For non-exempt employees paid a salary, the salary is paid for a 40-hour workweek even if an employee is scheduled for less than 40 hours. "Overtime" is time worked in excess of 40 hours in a single workweek.

Overtime

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

Suspension Without Pay

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

Implementation

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

LEGAL REF.:

820 ILCS 105/4a.

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

CROSS REF.: 5:240 (Suspension), 5:290 (Employment Termination and Suspensions)

EXECUTIVE COMMITTEE APPROVAL: August 16, 2024

POLICY BOARD APPROVAL: August 16, 2024

Tazewell-Mason Counties Special Ed Association

General Personnel

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

All Cooperative workplaces are drug- and alcohol-free workplaces.

All employees are prohibited from engaging in any of the following activities while on Cooperative premises or while performing work for the Cooperative:

1. Unlawful manufacture, dispensing, distribution, possession, or use of an illegal or controlled substance, or being impaired by or under the influence of any illegal substance or any detectible use of any illegal substance regardless of when or where the use occurred.
2. Distribution, consumption, use, possession, or being impaired by or under the influence of an alcoholic beverage; being present on Cooperative premises or while performing work for the Cooperative when alcohol consumption is detectible, regardless of when and/or where the use occurred.
3. Distribution, consumption, possession, use, or being impaired by or under the influence of cannabis; being present on Cooperative premises or while performing work for the Cooperative when impaired by or under the influence of cannabis, regardless of when and/or where the use occurred, unless distribution, possession, and/or use is by a school nurse or school administrator pursuant to *Ashley's Law*, 105 ILCS 5/22-33. The Cooperative considers employees impaired by or under the influence of cannabis when there is a good faith belief that an employee manifests specific articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position.

Upon the Director or designee's reasonable suspicion of an employee's violation of any of the prohibited activities stated above, the Director or designee may direct the employee to undergo a drug and/or alcohol test to corroborate or refute the alleged violation. State law protects the Cooperative from liability when it takes actions pursuant to a reasonable workplace drug policy, including but not limited to subjecting an employee or applicant to reasonable drug and alcohol testing, reasonable and nondiscriminatory random drug testing, discipline, termination of employment, or withdrawal of a job offer due to a failure of a drug test.

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

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

For purposes of this policy, *Cooperative premises* means workplace as defined in the Cannabis Regulation and Tax Act (CRTA) in addition to Cooperative and school buildings, grounds, and parking areas; vehicles used for school purposes; and any location used for a Policy Board or Executive Committee meeting, school athletic event, or other school-sponsored or school-sanctioned events or activities. *School grounds* means the real property comprising any school, any conveyance used to transport students to school or a school-related activity, and any public way within 1,000 feet of any school ground, designated school bus stops where students are waiting for the school bus, and school-sponsored or school-sanctioned events or activities. "Vehicles used for school purposes" means school buses or other school vehicles.

As a condition of employment, each employee shall:

1. Abide by the terms of this Executive Committee policy respecting a drug-and alcohol-free workplace; and
2. Notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the Cooperative premises or while performing work for the Cooperative, no later than five calendar days after such a conviction.

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

To make employees aware of the dangers of drug and alcohol abuse, the Director or designee shall perform each of the following:

1. Provide each employee with a copy of this policy.
2. Post notice of this policy in a place where other information for employees is posted.
3. Make available materials from local, State, and national anti-drug and alcohol-abuse organizations.
4. Enlist the aid of community and State agencies with drug and alcohol informational and rehabilitation programs to provide information to Cooperative employees.
5. Establish a drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace,
 - b. Available drug and alcohol counseling, rehabilitation, re-entry, and any employee assistance programs, and
 - c. The penalties that the Cooperative may impose upon employees for violations of this policy.

E-Cigarette, Tobacco, and Cannabis Prohibition

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

Tobacco has the meaning provided in 105 ILCS 5/10-20.5b.

Cannabis has the meaning provided in the CRTA, 410 ILCS 705/1-10.

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

Cooperative Action Upon Violation of Policy

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

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

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

Disclaimer

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

LEGAL REF.:

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

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

41 U.S.C. §8101 et seq., Drug-Free Workplace Act of 1988.

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

21 C.F.R. Parts 1100, 1140, and 1143.

30 ILCS 580/, Drug-Free Workplace Act.

105 ILCS 5/10-20.5b.

410 ILCS 82/, Smoke Free Illinois Act.

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

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

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

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

23 Ill.Admin.Code §22.20.

CROSS REF.: 5:10 (Equal Employment Opportunity and Minority Recruitment), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 8:30 (Visitors to and Conduct on School Property)

EXECUTIVE COMMITTEE APPROVAL: January 12, 2022

POLICY BOARD APPROVAL: August 10, 2022

Tazewell-Mason Counties Special Ed Association

General Personnel

5:90 Abused and Neglected Child Reporting

Any Cooperative employee who suspects or receives knowledge that a student may be an abused or neglected child or, for a student aged 18 through 22, an abused or neglected individual with a disability, shall: (1) immediately report or cause a report to be made to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873)(within Illinois); 1-217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY), and (2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Any Cooperative employee who believes a student is in immediate danger of harm, shall first call 911. The employee shall also promptly notify the Director or Program Coordinator that a report has been made. The Director or Program Administrator shall immediately coordinate any necessary notifications to the student's parent(s)/guardian(s) with DCFS, the applicable school resource officer (SRO), and/or local law enforcement.

Negligent failure to report occurs when a Cooperative employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act (ANCRA) and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to DCFS.

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

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

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

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

All Cooperative employees shall:

1. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Director or designee shall ensure that the signed forms are retained.
2. Complete mandated reporter training as required by law within three months of initial employment and at least every three years after that date.
3. Complete an annual evidence-informed training related to child sexual abuse, grooming behaviors (including *sexual misconduct* as defined in *Faith's Law*), and boundary violations as required by law and policy 5:100, *Staff Development Program*.

Alleged Incidents of Sexual Abuse: Investigations

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

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

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

Special Director Responsibilities

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

When the Director has reasonable cause to believe that a license holder (1) committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child under ANCRA or an act of sexual misconduct under *Faith's Law*, and (2) that act resulted in the license holder's dismissal or resignation from the Cooperative, the Director shall notify the State Superintendent and the Regional Superintendent in writing, providing the Ill. Educator Identification Number as well as a brief description of the misconduct alleged. The Director must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the license holder.

The Director shall develop procedures for notifying a student's parents/guardians when a Cooperative employee, contractor, or agent is alleged to have engaged in sexual misconduct with the student as defined in *Faith's Law*. The Director shall also develop procedures for notifying the student's parents/guardians when the Board takes action relating to the employment of the employee, contractor, or agent following the investigation of sexual misconduct. Notification shall not occur when the employee, contractor, or agent alleged to have engaged in sexual misconduct is the student's parent/guardian, and/or when the student is at least 18 years of age or emancipated.

The Director shall execute the recordkeeping requirements of *Faith's Law*.

Special Policy Board/Executive Committee Member Responsibilities

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

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

When the Policy Board or Executive committee learns that a licensed teacher was convicted of any felony, it must promptly report it to the State agencies listed in policy 2:20, *Powers and Duties of the Policy Board*.

LEGAL REF.:

20 U.S.C. §7926, Elementary and Secondary Education Act.

105 ILCS 5/10-21.9, 5/10-23.13, 5/21B-85, 5/22-85.5, and 5/22-85.10.

20 ILCS 1305/1-1 et seq., Department of Human Services Act.

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

720 ILCS 5/12C-50.1, Criminal Code of 2012.

CROSS REF.: 2:20 (Powers and Duties of the Policy Board; Indemnification), 3:40 (Director), 3:50 (Administrative Personnel Other Than the Director), 4:60 (Purchases and Contracts), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:150 (Personnel Records), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Termination and Suspensions), 6:120 (Education of Children with Disabilities), 6:250 (Community Resource Persons and Volunteers), 7:20 (Harassment of Students Prohibited), 7:150 (Agency and Police Interviews)

EXECUTIVE COMMITTEE APPROVAL: June 14, 2023

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

General Personnel

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

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

The Director or designee shall provide this policy to all Cooperative employees and students and/or parents/guardians in their respective handbooks, and ensure its posting on the Cooperative's website, if any.

Professional and Appropriate Conduct

Professional and appropriate employee conduct are important Executive Committee goals that impact the quality of a safe learning environment and the school community, increasing students' ability to learn and the Cooperative's ability to educate. To protect students from sexual misconduct by employees, and employees from the appearance of impropriety, State law also recognizes the importance for Cooperative employees to constantly maintain professional and appropriate relationships with students by following established expectations and guidelines for employee-student boundaries. Many breaches of employee-student boundaries do not rise to the level of criminal behavior but do pose a potential risk to student safety and impact the quality of a safe learning environment. Repeated violations of employee-student boundaries may indicate the grooming of a student for sexual abuse. As bystanders, employees may know of concerning behaviors that no one else is aware of, so their training on: (1) preventing, recognizing, reporting, and responding to child sexual abuse and grooming behavior; (2) this policy; and (3) federal and state reporting requirements is essential to maintaining the Executive Committee's goal of professional and appropriate conduct.

The Director or designee shall identify employee conduct standards that define appropriate employee-student boundaries, provide training about them, and monitor the Cooperative's employees for violations of employee-student boundaries. The employee conduct standards will require that, at a minimum:

1. Employees who are governed by the *Code of Ethics for Illinois Educators*, adopted by the Ill. State Board of Education (ISBE), will comply with its incorporation by reference into this policy.
2. Employees are trained on educator ethics, child abuse, grooming behaviors, and employee-student boundary violations as required by law and policies 2:265, *Title IX Grievance Procedure*; 4:165, *Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors*; 5:90, *Abused and Neglected Child Reporting*; and 5:100, *Staff Development Program*.
3. Employees maintain professional relationships with students, including maintaining employee-student boundaries based upon students' ages, grade levels, and developmental levels and following District-established guidelines for specific situations, including but not limited to:
 - a. Transporting a student;
 - b. Taking or possessing a photo or video of a student; and
 - c. Meeting with a student or contacting a student outside the employee's professional role.
4. Employees report prohibited behaviors and/or boundary violations pursuant to Board policies 2:260, *Uniform Grievance Procedure*; 2:265, *Title IX Grievance Procedure*; and 5:90, *Abused and Neglected Child Reporting*.
5. Discipline up to and including dismissal will occur for any employee who violates an employee

conduct standard or engages in any of the following:

- a. Violates expectations and guidelines for employee-student boundaries.
- b. Sexually harasses a student.
- c. Willfully or negligently fails to follow reporting requirements of the Abused and Neglected Child Reporting Act (325 ILCS 5/), Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), or the Elementary and Secondary Education Act (20 U.S.C. § 7926).
- d. Engages in *grooming* as defined in 720 ILCS 5/11-25.
- e. Engages in grooming behaviors. Prohibited grooming behaviors include, at a minimum, *sexual misconduct*. *Sexual misconduct* is any act, including but not limited to, any verbal, nonverbal, written, or electronic communication or physical activity, by an employee with direct contact with a student, that is directed toward or with a student to establish a romantic or sexual relationship with the student. Examples include, but are not limited to:
 - i. A sexual or romantic invitation.
 - ii. Dating or soliciting a date.
 - iii. Engaging in sexualized or romantic dialog.
 - iv. Making sexually suggestive comments that are directed toward or with a student.
 - v. Self-disclosure or physical exposure of a sexual, romantic, or erotic nature.
 - vi. A sexual, indecent, romantic, or erotic contact with the student.

Statement of Economic Interests

The following employees must file a *Statement of Economic Interests* as required by the Ill. Governmental Ethics Act:

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

Ethics and Gift Ban

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

Prohibited Interests; Conflict of Interest; and Limitation of Authority

In accordance with 105 ILCS 5/22-5, "no school officer or teacher shall be interested in the sale, proceeds, or profits of any book, apparatus, or furniture used or to be used in any school with which such officer or teacher may be connected," except when the employee is the author or developer of instructional materials listed with ISBE and adopted for use by the Executive Committee. An employee having an interest in instructional materials must file an annual statement with the Executive Committee Secretary.

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

1. A member of the employee's immediate family;
2. An employee's partner; or
3. An entity that employs or is about to employ the employee or one of the individuals listed in one or two above.

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

Guidance Counselor Gift Ban

Guidance counselors are prohibited from intentionally soliciting or accepting any gift from a *prohibited source* or any gift that would be in violation of any federal or State statute or rule. For guidance counselors, a *prohibited source* is any person who is (1) employed by an institution of higher education, or (2) an agent or spouse of or an immediate family member living with a person employed by an institution of higher education. This prohibition does not apply to:

1. Opportunities, benefits, and services available on the same conditions as for the general public.
2. Anything for which the guidance counselor pays market value.
3. A gift from a relative.
4. Anything provided by an individual on the basis of a personal friendship, unless the guidance counselor believes that it was provided due to the official position or employment of the guidance counselor and not due to the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the guidance counselor must consider the circumstances in which the gift was offered, including any of the following:
 - a. The history of the relationship between the individual giving the gift and the guidance counselor, including any previous exchange of gifts between those individuals.
 - b. Whether, to the actual knowledge of the guidance counselor, the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift.
 - c. Whether, to the actual knowledge of the guidance counselor, the individual who gave the gift also, at the same time, gave the same or a similar gift to other school district employees.
5. Bequests, inheritances, or other transfers at death.
6. Any item(s) during any calendar year having a cumulative total value of less than \$100.
7. Promotional materials, including, but not limited to, pens, pencils, banners, posters, and pennants.

A guidance counselor does not violate this prohibition if he or she promptly returns the gift to the prohibited source or donates the gift or an amount equal to its value to a 501(c)(3) tax-exempt charity.

Outside Employment

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

Incorporated

by reference: 5:120-E (Code of Ethics for Ill. Educators)

LEGAL REF.:

U.S. Constitution, First Amendment.

2 C.F.R. §200.318(c)(1).

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

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

30 ILCS 708/, Grant Accountability and Transparency Act.

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

105 ILCS 5/10-22.39, 5/10-23.13, 5/22-5, 5/22-85.5, and 5/22-93.

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

720 ILCS 5/11-25, Criminal Code of 2012.

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

23 Ill.Admin.Code Part 22, Code of Ethics for Ill. Educators.

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

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

CROSS REF.: 2:105 (Ethics and Gift Ban), 2:265 (Title IX Grievance Procedure), 4:60 (Purchases and Contracts), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:90 (Abused and Neglected Child Reporting), 5:100 (Staff Development Program), 5:125 (Personal Technology and Social Media; Usage and Conduct), 5:200 (Terms and Conditions of Employment and Dismissal), 5:290 (Employment Termination and Suspensions), 7:20 (Harassment of Students Prohibited)

EXECUTIVE COMMITTEE APPROVAL: January 11, 2023

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

General Personnel

5:125 Personal Technology and Social Media; Usage and Conduct

Definitions

Includes - Means "includes without limitation" or "includes, but is not limited to."

Social media - Media for social interaction, using highly accessible web-based and/or mobile technologies that allow users to share content and/or engage in interactive communication through online communities. This includes, but is not limited to, services such as *Facebook, LinkedIn, Twitter, Instagram, TikTok, Snapchat, and YouTube*.

Personal technology - Any device that is not owned or leased by the Cooperative or otherwise authorized for Cooperative use and: (1) transmits sounds, images, text, messages, videos, or electronic information, (2) electronically records, plays, or stores information, or (3) accesses the Internet, or private communication or information networks. This includes computers, tablets, smartphones and other devices.

Usage and Conduct

All Cooperative employees who use personal technology and/or social media shall:

1. Adhere to the high standards for **Professional and Appropriate Conduct** required by policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest* at all times, regardless of the ever-changing social media and personal technology platforms available. This includes Cooperative employees posting images or private information about themselves or others in a manner readily accessible to students and other employees that is inappropriate as defined by policies 5:20, *Workplace Harassment Prohibited*; 5:100, *Staff Development Program*; 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*; 6:235, *Access to Electronic Networks*; and 7:20, *Harassment of Students Prohibited*; and the Ill. Code of Educator Ethics, 23 Ill.Admin.Code §22.20.
2. Choose a Cooperative-provided or supported method whenever possible to communicate with students and their parents/guardians.
3. Not interfere with or disrupt the educational or working environment, or the delivery of education or educational support services.
4. Inform their immediate supervisor if a student initiates inappropriate contact with them via any form of personal technology or social media.
5. Report instances of suspected abuse or neglect discovered through the use of social media or personal technology pursuant to a school employee's obligations under policy 5:90, *Abused and Neglected Child Reporting*.
6. Not disclose confidential information, including but not limited to school student records (e.g., student work, photographs of students, names of students, or any other personally identifiable information about students) or personnel records, in compliance with policy 5:130, *Responsibilities Concerning Internal Information*. For Cooperative employees, proper approval may include implied consent under the circumstances.
7. Refrain from using the Cooperative's logos without permission and follow policy 5:170, *Copyright*, and all Cooperative copyright compliance procedures.
8. Use personal technology and social media for personal purposes only during non-work times or hours. Any duty-free use must occur during times and places that the use will not interfere with

job duties or otherwise be disruptive to the school environment or its operation.

9. Assume all risks associated with the use of personal technology and social media at school or school-sponsored activities, including students' viewing of inappropriate Internet materials through the Cooperative employee's personal technology or social media. The Executive Committee expressly disclaims any responsibility for imposing content filters, blocking lists, or monitoring of its employees' personal technology and social media.
10. Be subject to remedial and any other appropriate disciplinary action for violations of this policy ranging from prohibiting the employee from possessing or using any personal technology or social media at school to dismissal and/or indemnification of the Cooperative for any losses, costs, or damages, including reasonable attorney fees, incurred by the Cooperative relating to, or arising out of, any violation of this policy.

Director Responsibilities

The Director shall:

1. Inform Cooperative employees about this policy during the in-service on educator ethics, teacher-student conduct, and school employee-student conduct required by policy 5:120, *Employee Ethics; Code of Professional Conduct; and Conflict of Interest*.
2. Direct Program Coordinators to annually:
 - a. Provide their building staff with a copy of this policy.
 - b. Inform their building staff about the importance of maintaining high standards in their school relationships.
 - c. Remind their building staff that those who violate this policy will be subject to remedial and any other appropriate disciplinary action up to and including dismissal.
3. Build awareness of this policy with students, parents, and the community.
4. Ensure that neither the Cooperative, nor anyone on its behalf, commits an act prohibited by the Right to Privacy in the Workplace Act, 820 ILCS 55/10; i.e., the *Facebook Password Law*.
5. Periodically review this policy and any implementing procedures with Cooperative employee representatives and electronic network system administrator(s) and present proposed changes to the Executive Committee.

LEGAL REF.:

105 ILCS 5/21B-75 and 5/21B-80.

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

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

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

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

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

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

CROSS REF.: 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:30 (Hiring Process and Criteria), 5:100 (Staff

Development Program), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 5:130 (Responsibilities Concerning Internal Information), 5:150 (Personnel Records), 5:170 (Copyright), 5:200 (Terms and Conditions of Employment and Dismissal), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:340 (Student Records)

EXECUTIVE COMMITTEE APPROVAL: June 14, 2023

POLICY BOARD APPROVAL: August 9, 2023

Tazewell-Mason Counties Special Ed Association

INSTRUCTION

6:235 Access to Electronic Networks

Electronic networks are a part of the Cooperative's instructional program and serve to promote educational excellence by facilitating resource sharing, innovation, and communication.

The term *electronic networks* includes all of the Cooperative's technology resources, including, but not limited to:

1. The Cooperative's local-area and wide-area networks, including wireless networks (Wi-Fi), Cooperative-issued Wi-Fi hotspots, and any Cooperative servers or other networking infrastructure;
2. Access to the Internet or other online resources via the Cooperative's networks or to any Cooperative-issued online account from any computer or device, regardless of location;
3. Cooperative-owned or Cooperative-issued computers, laptops, tablets, phones, or similar devices.

The Director shall develop an implementation plan for this policy and appoint system administrator(s).

The Cooperative is not responsible for any information that may be lost or damaged, or become unavailable when using the network, or for any information that is retrieved or transmitted via the Internet. Furthermore, the Cooperative will not be responsible for any unauthorized charges or fees resulting from access to the Internet.

Curriculum and Appropriate Online Behavior

The use of the Cooperative's electronic networks shall: (1) be consistent with the curriculum adopted by the Cooperative as well as the varied instructional needs, learning styles, abilities, and developmental levels of the students, and (2) comply with the selection criteria for instructional materials and library resource center materials. As required by federal law and Board policy 6:60, *Curriculum Content*, students will be educated about appropriate online behavior, including but not limited to: (1) interacting with other individuals on social networking websites and in chat rooms, and (2) cyberbullying awareness and response. Staff members may, consistent with the Director's implementation plan, use the Internet throughout the curriculum.

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

Acceptable Use

All use of the Cooperative's electronic networks must be: (1) in support of education and/or research, and be in furtherance of the goals stated herein, or (2) for a legitimate school business purpose. Use is a privilege, not a right. Users of the Cooperative's electronic networks have no expectation of privacy in any material that is stored on, transmitted, or received via the Cooperative's electronic networks. General rules for behavior and communications apply when using electronic networks. The Cooperative's administrative procedure, *Acceptable Use of the Cooperative's Electronic Networks*, contains the appropriate uses, ethics, and protocol. Electronic communications and downloaded material, including files deleted from a user's account but not erased, may be monitored or read by school officials.

Internet Safety

Technology protection measures shall be used on each Cooperative computer with Internet access. They shall include a filtering device that protects against Internet access by both adults and minors to visual depictions that are: (1) obscene, (2) pornographic, or (3) harmful or inappropriate for students, as defined by federal law and as determined by the Director or designee. The Director or designee shall enforce the use of such filtering devices. An administrator, supervisor, or other authorized person may disable the filtering device for bona fide research or other lawful purpose, provided the person receives prior permission from the Director or system administrator. The Director or designee shall include measures in this policy's implementation plan to address the following:

1. Ensure staff supervision of student access to online electronic networks,
2. Restrict student access to inappropriate matter as well as restricting access to harmful materials,
3. Ensure student and staff privacy, safety, and security when using electronic communications,
4. Restrict unauthorized access, including "hacking" and other unlawful activities, and
5. Restrict unauthorized disclosure, use, and dissemination of personal identification information, such as, names and addresses.

Authorization for Electronic Network Access

Each staff member must sign the *Authorization for Access to the Cooperative's Electronic Networks* as a condition for using the Cooperative's electronic network.

Confidentiality

All users of the Cooperative's computers to access the Internet shall maintain the confidentiality of student records. Reasonable measures to protect against unreasonable access shall be taken before confidential student information is loaded onto the network.

Violations

The failure of any user to follow the terms of the Cooperative's administrative procedure, *Acceptable Use of the Cooperative's Electronic Networks*, or this policy, will result in the loss of privileges, disciplinary action, and/or appropriate legal action.

LEGAL REF.:

20 U.S.C. §7131, Elementary and Secondary Education Act.

47 U.S.C. §254(h) and (l), Children's Internet Protection Act.

47 C.F.R. Part 54, Subpart F, Universal Service Support for Schools and Libraries.

115 ILCS 5/14(c-5), Ill. Educational Labor Relations Act.

720 ILCS 5/26.5.

CROSS REF.: 5:100 (Staff Development Program), 5:170 (Copyright), 6:260 (Complaints About Curriculum, Instructional Materials, and Programs), 7:130 (Student Rights and Responsibilities), 7:190 (Student Behavior), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

EXECUTIVE COMMITTEE APPROVAL: August 11, 2021

POLICY BOARD APPROVAL: August 11, 2021

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:10 Equal Educational Opportunities

Equal educational and extracurricular opportunities shall be available for all students without regard to color, race, nationality, religion, sex, sexual orientation, ancestry, age, physical or mental disability, gender identity, status of being homeless, immigration status, order of protection status, actual or potential marital or parental status, including pregnancy. Further, the Cooperative will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except that the Cooperative remains viewpoint neutral when granting access to school facilities under policy 8:20, *Community Use of School Facilities*. Any student may file a discrimination grievance by using policy 2:260, *Uniform Grievance Procedure*.

Sex Equity

No student shall, based on sex, sexual orientation, or gender identity be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Any student may file a sex equity complaint by using policy 2:260, *Uniform Grievance Procedure*. A student may appeal the Executive Committee's resolution of the complaint to the Regional Superintendent (pursuant to 105 ILCS 5/3-10) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8).

Administrative Implementation

The Director shall appoint a Nondiscrimination Coordinator, who also serves as the Cooperative's Title IX Coordinator. The Director and Program Coordinators shall use reasonable measures to inform staff members and students of this policy and related grievance procedures.

LEGAL REF.:

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

29 U.S.C. §791 et seq., Rehabilitation Act of 1973; 34 C.F.R. Part 104.

42 U.S.C. §2000d, Title VI of the Civil Rights Act of 1964; 34 C.F.R. Part 100.

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

Good News Club v. Milford Central Sch., 533 U.S. 98 (2001).

Ill. Constitution, Art. I, §18.

105 ILCS 5/3.25b, 5/3.25d(b), 5/10-20.12, 5/10-20.60, 5/10-20.63, 5/10-22.5, and 5/27-1.

775 ILCS 5/1-101 et seq., Illinois Human Rights Act.

775 ILCS 35/5, Religious Freedom Restoration Act.

23 Ill.Admin.Code §1.240 and Part 200.

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 6:65 (Student Social and Emotional Development), 7:20 (Harassment of Students Prohibited), 7:130 (Student Rights and Responsibilities), 7:160 (Student Appearance), 7:180 (Prevention of and

Response to Bullying, Intimidation, and Harassment), 7:185 (Teen Dating Violence Prohibited), 7:250 (Student Support Services), 7:340 (Student Records), 8:20 (Community Use of School Facilities)

EXECUTIVE COMMITTEE APPROVAL: August 16, 2024

POLICY BOARD APPROVAL: August 16, 2024

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:20 Harassment of Students Prohibited

No person, including a Cooperative employee, agent, or student, shall harass, intimidate, or bully a student on the basis of actual or perceived: race; color; national origin; military status; unfavorable discharge status from military service; sex; sexual orientation; gender identity; gender-related identity or expression; ancestry; age; religion; physical or mental disability; order of protection status; status of being homeless; actual or potential marital or parental status, including pregnancy; physical appearance; socioeconomic status; academic status; association with a person or group with one or more of the aforementioned actual or perceived characteristics; or any other distinguishing characteristic. The Cooperative will not tolerate harassing, intimidating conduct, or bullying whether verbal, physical, sexual, or visual, that affects the tangible benefits of education, that unreasonably interferes with a student's educational performance, or that creates an intimidating, hostile, or offensive educational environment. Examples of prohibited conduct include name-calling, using derogatory slurs, stalking, sexual violence, causing psychological harm, threatening or causing physical harm, threatened or actual destruction of property, or wearing or possessing items depicting or implying hatred or prejudice of one of the characteristics stated above.

Sexual Harassment Prohibited

The Cooperative shall provide an educational environment free of verbal, physical, or other conduct or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law. See policies 2:265, *Title IX Grievance Procedure*, and 2:260, *Uniform Grievance Procedure*.

Making a Report or Complaint

Students are encouraged to promptly report claims or incidents of bullying, intimidation, harassment, sexual harassment, or any other prohibited conduct to the Nondiscrimination Coordinator, a Complaint Manager, or any employee with whom the student is comfortable speaking. A student may choose to report to an employee of the student's same gender.

Reports under this policy will be considered a report under Executive Committee policy 2:260, *Uniform Grievance Procedure*, and/or Executive Committee policy 2:265, *Title IX Grievance Procedure*. The Nondiscrimination Coordinator and/or Complaint Manager or designee shall process and review the report according to the appropriate grievance procedure.

The Director shall insert into this policy the names, office addresses, email addresses, and telephone numbers of the Cooperative's current Nondiscrimination Coordinator and Complaint Managers. The Nondiscrimination Coordinator also serves as the Cooperative's Title IX Coordinator.

Nondiscrimination Coordinator:

Name:

Adam Mangold

Address:

109 Rogers Road,

North Pekin, IL 61554

Email:

7:20

amangold@tmcsea.org

Telephone:

309-347-5164

Complaint Managers:

Name:	Name:	Name:	Name:
Kari Behrends	Amber Ealey	Laura Stuff	Anne Risen
Address:	Address:	Address:	Address:
109 Rogers Road, North Pekin, IL, 61554	109 Rogers Road, North Pekin, IL 61554	300 Cedar Street Pekin, IL, 61554	300 Cedar St., Pekin, IL 61554
Email:	Email:	Email:	Email:
kbehrends@tmcsea.org	aealey@tmcsea.org	lstuff@tmcsea.org	arisen@tmcsea.org
Telephone:	Telephone:	Telephone:	Telephone:
309-347-5164	309-347-5164	309-346-1186	309-347-5164

The Director shall use reasonable measures to inform staff members and students of this policy by including:

1. For students, age-appropriate information about the contents of this policy in the Cooperative's student handbook(s), on the Cooperative's website, and, if applicable, in any other areas where policies, rules, and standards of conduct are otherwise posted in each school.
2. For staff members, this policy in the appropriate employee handbook(s), if applicable, and/or in any other areas where policies, rules, and standards of conduct are otherwise made available to staff.

Investigation Process

Any Cooperative employee who receives a report or complaint of harassment must promptly forward the report or complaint to the Nondiscrimination Coordinator or a Complaint Manager. Any employee who fails to promptly comply may be disciplined, up to and including discharge.

Reports and complaints of harassment will be confidential to the greatest extent practicable, subject to the Cooperative's duty to investigate and maintain an educational environment that is productive, respectful, and free of unlawful discrimination, including harassment.

For any report or complaint alleging sex-based harassment that, if true, would implicate Title IX of the Education Amendments of 1972 (20 U.S.C. §1681 et seq.), the Nondiscrimination Coordinator or designee shall consider whether action under policy 2:265, *Title IX Grievance Procedure*, should be initiated.

For any other alleged student harassment that does not require action under policy 2:265, *Title IX Grievance Procedure*, the Nondiscrimination Coordinator or a Complaint Manager or designee shall consider whether an investigation under policies 2:260, *Uniform Grievance Procedure*, and/or 7:190,

Student Behavior, should be initiated, regardless of whether a written report or complaint is filed.

Reports That Involve Alleged Incidents of Sexual Abuse of a Child by School Personnel

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

Any complaint alleging an incident of sexual abuse shall be processed and reviewed according to policy 5:90, *Abused and Neglected Child Reporting*. In addition to reporting the suspected abuse, the complaint shall also be processed under policy 2:265, *Title IX Grievance Procedure*, or policy 2:260, *Uniform Grievance Procedure*.

Enforcement

Any Cooperative employee who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action up to and including discharge. Any third party who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be addressed in accordance with the authority of the Executive Committee in the context of the relationship of the third party to the Cooperative, e.g., vendor, parent/guardian, invitee, etc. Any Cooperative student who is determined, after an investigation, to have engaged in conduct prohibited by this policy will be subject to disciplinary action, including but not limited to, suspension and expulsion consistent with the behavior policy. Any person making a knowingly false accusation regarding prohibited conduct will likewise be subject to disciplinary action.

Retaliation Prohibited

Retaliation against any person for bringing complaints or providing information about harassment is prohibited (see policies 2:260, *Uniform Grievance Procedure*, and 2:265, *Title IX Grievance Procedure*).

Students should report allegations of retaliation to the Schramm Program Coordinator, an administrator, the Nondiscrimination Coordinator, and/or a Complaint Manager.

LEGAL REF.:

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

29 U.S.C. §791 et seq., Rehabilitation Act of 1973; 34 C.F.R. Part 104.

42 U.S.C. §2000d, Title VI of the Civil Rights Act of 1964; 34 C.F.R. Part 100.

105 ILCS 5/10-20.12, 5/10-22.5, 5/10-23.13, 5/27-1, and 5/27-23.7.

775 ILCS 5/1-101 et seq., Illinois Human Rights Act.

23 Ill.Admin.Code §1.240 and Part 200.

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

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

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

West v. Derby Unified Sch. Dist. No. 260, 206 F.3d 1358 (10th Cir. 2000).

CROSS REF.: 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 4:165 (Awareness and Prevention of Child Sexual Abuse and Grooming Behaviors), 5:20 (Workplace Harassment Prohibited), 5:90 (Abused and Neglected Child Reporting), 5:120 (Employee Ethics; Code of Professional Conduct; and Conflict of Interest), 7:10 (Equal Educational Opportunities), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:190 (Student Behavior)

EXECUTIVE COMMITTEE APPROVAL: September 11, 2024

POLICY BOARD APPROVAL: August 16, 2024

Tazewell-Mason Counties Special Ed Association

STUDENTS

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

Bullying, intimidation, and harassment diminish a student's ability to learn and a school's ability to educate. Preventing students from engaging in these disruptive behaviors and providing all students equal access to a safe, non-hostile learning environment are important Cooperative goals.

Bullying on the basis of actual or perceived race, color, religion, sex, national origin, ancestry, physical appearance, socioeconomic status, academic status, pregnancy, parenting status, homelessness, age, marital status, physical or mental disability, military status, sexual orientation, gender-related identity or expression, unfavorable discharge from military service, order of protection status, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic **is prohibited** in each of the following situations:

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

Definitions 105 ILCS 5/27-23.7

Bullying includes *cyberbullying* and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward a student or students that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student or students in reasonable fear of harm to the student's or students' person or property;
2. Causing a substantially detrimental effect on the student's or students' physical or mental health;
3. Substantially interfering with the student's or students' academic performance; or
4. Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

Bullying may take various forms, including without limitation one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

Cyberbullying means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic

system, or photo-optical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. *Cyberbullying* includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of *bullying*. *Cyberbullying* also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of *bullying*.

Restorative measures means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and restore relationships among students, families, schools, and communities, (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school, and (vii) increase student accountability if the incident of bullying is based on religion, race, ethnicity, or any other category that is identified in the Ill. Human Rights Act.

School personnel means persons employed by, on contract with, or who volunteer in a Cooperative, including without limitation school and Cooperative administrators, teachers, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

Bullying Prevention and Response Plan

The Director or designee shall develop and maintain a bullying prevention and response plan that advances the Cooperative's goal of providing all students with a safe learning environment free of bullying and harassment. This plan must be consistent with the requirements listed below.

1. The Cooperative uses the definition of *bullying* as provided in this policy.
2. Bullying is contrary to State law and the policy of this Cooperative. However, nothing in the Cooperative's bullying prevention and response plan is intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 of Article I of the Illinois Constitution.
3. Students are encouraged to immediately report bullying. A report may be made orally or in writing to the Nondiscrimination Coordinator, Program Coordinator, a Complaint Manager, or any staff member with whom the student is comfortable speaking. Anyone, including staff members and parents/guardians, who has information about actual or threatened bullying is encouraged to report it to the Cooperative named officials or any staff member. The Cooperative named officials and all staff members are available for help with a bully or to make a report about bullying. Anonymous reports are also accepted; however, this shall not be construed to permit formal disciplinary action solely on the basis of an anonymous report.

Nondiscrimination Coordinator:

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309-347-5164

Complaint Managers:

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4. Consistent with federal and State laws and rules governing student privacy rights, the parents/guardians of all students involved in an alleged incident of bullying will be notified of such, along with threats, suggestions, or instances of self-harm determined to be the result of bullying, within 24 hours after the school's administration is made aware of the student's involvement in the incident. As appropriate, the school's administration shall also discuss the availability of social work services, counseling, school psychological services, other interventions, and restorative measures. The school shall make diligent efforts to notify a parent or legal guardian, utilizing all contact information the school has available or that can be reasonably obtained within the 24-hour period.
5. The Director or designee shall promptly investigate and address reports of bullying, by, among other things:
 - a. Making all reasonable efforts to complete the investigation within 10 school days after the date the report of a bullying incident was received and taking into consideration additional relevant information received during the course of the investigation about the reported bullying incident.
 - b. Involving appropriate school support personnel and other staff persons with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process.
 - c. Notifying the Program Coordinator or designee of the reported incident of bullying as soon as possible after the report is received.
 - d. Consistent with federal and State laws and rules governing student privacy rights, providing parents/guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the Program Coordinator or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying.

The Director or designee shall investigate whether a reported incident of bullying is within the permissible scope of the Cooperative's jurisdiction and shall require that the Cooperative provide the victim with information regarding services that are available within the Cooperative and community, such as counseling, support services, and other programs.

6. The Director or designee shall use interventions to address bullying, that may include, but are not limited to, school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, and community-based services.
7. A reprisal or retaliation against any person who reports an act of bullying **is prohibited**. Any person's act of reprisal or retaliation will be subject to disciplinary action, up to and including discharge with regard to employees, or suspension and/or expulsion with regard to students.

8. A student will not be punished for reporting bullying or supplying information, even if the Cooperative's investigation concludes that no bullying occurred. However, a person who is found to have falsely accused another of bullying, as a means of retaliation, as a means of bullying, or provided false information will be treated as either: (a) *bullying*, (b) student discipline up to and including suspension and/or expulsion, and/or (c) both (a) and (b) for purposes of determining any consequences or other appropriate remedial actions.
9. The Cooperative's bullying prevention and response plan is based on the engagement of a range of school stakeholders, including students and parents/guardians.
10. The Director or designee shall post this policy on the Cooperative's publicly accessible website, if any, and include it in the student handbook, and, where applicable, post it where other policies, rules, and standards of conduct are currently posted. The policy must be distributed annually to parents/guardians, students, and school personnel (including new employees when hired), and must also be provided periodically throughout the school year to students and faculty.
11. Pursuant to State law and policy 2:240, *Board Policy Development*, the Executive Committee monitors this policy every two years by conducting a review and re-evaluation of this policy to make any necessary and appropriate revisions. The Director or designee shall assist the Executive Committee with its re-evaluation and assessment of this policy's outcomes and effectiveness. Updates to this policy will reflect any necessary and appropriate revisions. This process shall include, without limitation:
 - a. The frequency of victimization;
 - b. Student, staff, and family observations of safety at a school;
 - c. Identification of areas of a school where bullying occurs;
 - d. The types of bullying utilized; and
 - e. Bystander intervention or participation.

The evaluation process may use relevant data and information that the Cooperative already collects for other purposes. Acceptable documentation to satisfy the re-evaluated policy submission include one of the following:

- 1) An updated version of the policy with the amendment/modification date included in the reference portion of the policy;
- 2) If no revisions are deemed necessary, a copy of executive committee minutes indicating that the policy was re-evaluated and no changes were deemed to be necessary; or
- 3) A signed statement from the Executive Committee Chairperson indicating that the Executive Committee re-evaluated the policy and no changes to it were necessary.

The Director or designee must post the information developed as a result of the policy re-evaluation on the Cooperative's website, or if a website is not available, the information must be provided to school administrators, Policy Board and Executive Committee members, school personnel, parents/guardians, and students. Reviews and re-evaluations in years they are due must be submitted to ISBE by September 30.

12. The Cooperative's bullying prevention plan must be consistent with other policies.

LEGAL REF.:

105 ILCS 5/10-20.14, 5/10-22.6(b-20), 5/24-24, and 5/27-23.7.

405 ILCS 49/, Children's Mental Health Act.

775 ILCS 5/1-103, Ill. Human Rights Act.

23 Ill.Admin.Code §§1.240, 1.280, and 1.295.

CROSS REF.: 2:240 (Board Policy Development), 2:260 (Uniform Grievance Procedure), 2:265 (Title IX Grievance Procedure), 4:170 (Safety), 5:230 (Maintaining Student Discipline), 6:65 (Student Social and Emotional Development), 6:235 (Access to Electronic Networks), 7:20 (Harassment of Students Prohibited), 7:190 (Student Behavior), 7:230 (Misconduct by Students with Disabilities), 7:285 (Anaphylaxis Prevention, Response, and Management Program), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools)

EXECUTIVE COMMITTEE APPROVAL: August 16, 2024

POLICY BOARD APPROVAL: August 16, 2024

Tazewell-Mason Counties Special Ed Association

STUDENTS

7:190 Student Behavior

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

When and Where Conduct Rules Apply

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

1. On, or within sight of, school grounds before, during, or after school hours or at any time;
2. Off school grounds at a school-sponsored activity or event, or any activity or event that bears a reasonable relationship to school;
3. Traveling to or from school or a school activity, function, or event; or
4. Anywhere, if the conduct interferes with, disrupts, or adversely affects the school environment, school operations, or an educational function, including, but not limited to, conduct that may reasonably be considered to: (a) be a threat or an attempted intimidation of a staff member; or (b) endanger the health or safety of students, staff, or school property.

Prohibited Student Conduct

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

1. Using, possessing, distributing, purchasing, or selling tobacco or nicotine materials, including without limitation, electronic cigarettes.
2. Using, possessing, distributing, purchasing, or selling alcoholic beverages. Students who are under the influence of an alcoholic beverage are not permitted to attend school or school functions and are treated as though they had alcohol in their possession.
3. Using, possessing, distributing, purchasing, selling, or offering for sale:
 - a. Any illegal drug or controlled substance, or cannabis (including marijuana, hashish, and medical cannabis unless the student is authorized to be administered a medical cannabis infused product under *Ashley's Law*).
 - b. Any anabolic steroid unless it is being administered in accordance with a physician's or licensed practitioner's prescription.
 - c. Any performance-enhancing substance on the Illinois High School Association's most current banned substance list unless administered in accordance with a physician's or licensed practitioner's prescription.
 - d. Any prescription drug when not prescribed for the student by a physician or licensed practitioner, or when used in a manner inconsistent with the prescription or prescribing physician's or licensed practitioner's instructions. The use or possession of medical cannabis, even by a student for whom medical cannabis has been prescribed, is prohibited unless the student is authorized to be administered a medical cannabis infused

product under *Ashley's Law*

- e. Any inhalant, regardless of whether it contains an illegal drug or controlled substance: (a) that a student believes is, or represents to be capable of, causing intoxication, hallucination, excitement, or dulling of the brain or nervous system; or (b) about which the student engaged in behavior that would lead a reasonable person to believe that the student intended the inhalant to cause intoxication, hallucination, excitement, or dulling of the brain or nervous system. The prohibition in this section does not apply to a student's use of asthma or other legally prescribed inhalant medications.
- f. Any substance inhaled, injected, smoked, consumed, or otherwise ingested or absorbed with the intention of causing a physiological or psychological change in the body, including without limitation, pure caffeine in tablet or powdered form.
- g. *Look-alike* or counterfeit drugs, including a substance that is not prohibited by this policy, but one: (a) that a student believes to be, or represents to be, an illegal drug, controlled substance, or other substance that is prohibited by this policy; or (b) about which a student engaged in behavior that would lead a reasonable person to believe that the student expressly or impliedly represented to be an illegal drug, controlled substance, or other substance that is prohibited by this policy.
- h. Drug paraphernalia, including devices that are or can be used to: (a) ingest, inhale, or inject cannabis or controlled substances into the body; and (b) grow, process, store, or conceal cannabis or controlled substances.

Students who are under the influence of any prohibited substance are not permitted to attend school or school functions and are treated as though they had the prohibited substance, as applicable, in their possession.

4. Using, possessing, controlling, or transferring a *weapon* as that term is defined in the **Weapons** section of this policy, or violating the **Weapons** section of this policy.
5. Using or possessing an electronic paging device. Using a cellular telephone, video recording device, personal digital assistant (PDA), or other electronic device in any manner that disrupts the educational environment or violates the rights of others, including using the device to take photographs in locker rooms or bathrooms, cheat, or otherwise violate student conduct rules. Prohibited conduct specifically includes, without limitation, creating, sending, sharing, viewing, receiving, or possessing an indecent visual depiction of oneself or another person through the use of a computer, electronic communication device, or cellular phone. Unless otherwise banned under this policy or by the Director, all electronic devices must be kept powered-off or silenced during the regular school day unless: (a) the supervising teacher grants permission; (b) use of the device is provided in a student's individualized education program (IEP); (c) it is used during the student's lunch period, or (d) it is needed in an emergency that threatens the safety of students, staff, or other individuals.
6. Using or possessing a laser pointer unless under a staff member's direct supervision and in the context of instruction.
7. Disobeying rules of student conduct or directives from staff members or school officials. Examples of disobeying staff directives include refusing a Cooperative's staff member's request to stop, present school identification, or submit to a search.
8. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, using a writing service and/or generative artificial intelligence technology in place of original work unless specifically authorized by staff, wrongfully giving or receiving help during an academic examination, altering report cards, and wrongfully obtaining test copies or scores.
9. Engaging in hazing or any kind of bullying or aggressive behavior that does physical or psychological harm to a staff person or another student, or urging other students to engage in

such conduct. Prohibited conduct specifically includes, without limitation, any use of violence, intimidation, force, noise, coercion, threats, stalking, harassment, sexual harassment, public humiliation, theft or destruction of property, retaliation, hazing, bullying, bullying using a school computer or a school computer network, or other comparable conduct.

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

For purposes of this policy, the term *possession* includes having control, custody, or care, currently or in the past, of an object or substance, including situations in which the item is: (a) on the student's person; (b) contained in another item belonging to, or under the control of, the student, such as in the student's clothing, backpack, or automobile; (c) in a school's student locker, desk, or other school property; or (d) at any location on school property or at a school-sponsored event.

Efforts, including the use of positive interventions and supports, shall be made to deter students, while at school or a school-related event, from engaging in aggressive behavior that may reasonably produce physical or psychological harm to someone else. The Director or designee shall ensure that the parent/guardian of a student who engages in aggressive behavior is notified of the incident. The failure to provide such notification does not limit the Executive Committee's authority to impose discipline, including suspension or expulsion, for such behavior.

No disciplinary action shall be taken against any student that is based totally or in part on the refusal of the student's parent/guardian to administer or consent to the administration of psychotropic or psychostimulant medication to the student.

Disciplinary Measures

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

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

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

Corporal punishment is prohibited. *Corporal punishment* is defined as slapping, paddling, or prolonged maintenance of students in physically painful positions, or intentional infliction of bodily

harm. Corporal punishment does not include reasonable force as needed to maintain safety for students, staff, or other persons, or for the purpose of self-defense or defense of property.

Isolated Time Out, Time Out, and Physical Restraint

Neither isolated time out, time out, nor physical restraint shall be used to discipline or punish a student. These methods are only authorized for use as permitted in 105 ILCS 5/10-20.33, State Board of Education rules (23 Ill.Admin.Code §§ 1.280, 1.285), and the Cooperative's procedure(s).

Weapons

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

1. A *firearm*, meaning any gun, rifle, shotgun, or weapon as defined by Section 921 of Title 18 of the United States Code (18 U.S.C. § 921), firearm as defined in Section 1.1 of the Firearm Owners Identification Card Act (430 ILCS 65/), or firearm as defined in Section 24-1 of the Criminal Code of 2012 (720 ILCS 5/24-1).
2. A knife, brass knuckles, or other knuckle weapon regardless of its composition, a billy club, or any other object if used or attempted to be used to cause bodily harm, including *look-alikes* of any *firearm* as defined above.

The expulsion requirement under either paragraph one or two above may be modified by the Director, and the Director's determination may be modified by the Executive Committee on a case-by-case basis. The Director or designee may grant an exception to this policy, upon the prior request of an adult supervisor, for students in theatre, cooking, ROTC, martial arts, and similar programs, whether or not school-sponsored, provided the item is not equipped, nor intended, to do bodily harm.

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

Re-Engagement of Returning Students

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

Required Notices

A school staff member shall immediately notify the office of the Director in the event that he or she: (1) observes any person in possession of a firearm on or around school grounds; however, such action may be delayed if immediate notice would endanger students under his or her supervision, (2) observes or has reason to suspect that any person on school grounds is or was involved in a drug-related incident, or (3) observes a battery committed against any staff member or is subject to a battery. *School grounds* includes modes of transportation to school activities and any public way within 1000 feet of the school, as well as school property itself.

Upon receiving a report of (1), above, the Program Coordinator or designee shall immediately notify local law enforcement. In addition, upon receiving a report on any of the above (1)-(3), the Program Coordinator or designee shall notify the Director or designee and any involved student's

parent/guardian.

Upon receiving a report on any of the above (1)-(3), the Director or designee shall immediately notify local law enforcement. The Director or designee shall also report incidents involving battery against staff members to the Ill. State Board of Education through its web-based School Incident Reporting System as they occur during the year and no later than August 1 for the preceding school year.

Delegation of Authority

Each teacher, and any other school personnel when students are under his or her charge, is authorized to impose any disciplinary measure, other than suspension, expulsion, corporal punishment, or in-school suspension, that is appropriate and in accordance with the policies and rules on student discipline. Teachers, other certificated [licensed] educational employees, and other persons providing a related service for or with respect to a student, may use reasonable force as needed to maintain safety for other students, school personnel, or other persons, or for the purpose of self-defense or defense of property. Teachers may temporarily remove students from a classroom for disruptive behavior.

The Director or designee, is authorized to impose the same disciplinary measures as teachers and may suspend students guilty of gross disobedience or misconduct from school (including all school functions) and from riding the school bus, up to 10 consecutive school days, provided the appropriate procedures are followed. The Executive Committee may suspend a student from riding the bus in excess of 10 school days for safety reasons.

Student Handbook

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

A student handbook, including the Cooperative disciplinary policies and rules, shall be distributed to the students' parents/guardians within 15 days of the beginning of the school year or a student's enrollment.

Incorporated

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

LEGAL REF.:

20 U.S.C. §7971, Pro-Children Act of 2004.

20 U.S.C. §7961 et seq., Gun Free Schools Act.

105 ILCS 5/10-20.5b, 5/10-20.14, 5/10-20.28, 5/10-20.36, 5/10-21.7, 5/10-21.10, 5/10-22.6, 5/10-27.1A, 5/10-27.1B, 5/22-33, 5/24-24, 5/26-12, 5/27-23.7, and 5/31-3.

105 ILCS 110/3.10, Critical Health Problems and Comprehensive Health Education Act.

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

410 ILCS 647/, Powdered Caffeine Control and Education Act.

430 ILCS 66/, Firearm Concealed Carry Act.

23 Ill.Admin.Code §§ 1.280, 1.285.

7:190

CROSS REF.: 2:150 (Committees), 2:240 (Board Policy Development), 5:230 (Maintaining Student Discipline), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 7:70 (Attendance and Truancy), 7:130 (Student Rights and Responsibilities), 7:140 (Search and Seizure), 7:150 (Agency and Police Interviews), 7:160 (Student Appearance), 7:170 (Vandalism), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:200 (Suspension Procedures), 7:210 (Expulsion Procedures), 7:230 (Misconduct by Students with Disabilities), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:270 (Administering Medicines to Students), 7:310 (Restrictions on Publications; Elementary Schools), 7:315 (Restrictions on Publications; High Schools), 8:30 (Visitors to and Conduct on School Property)

EXECUTIVE COMMITTEE APPROVAL: August 16, 2024

POLICY BOARD APPROVAL: August 16, 2024

Tazewell-Mason Counties Special Ed Association

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7:285 Anaphylaxis Prevention, Response, and Management Program

School attendance may increase a student's risk of exposure to allergens that could trigger anaphylaxis. Students at risk for anaphylaxis benefit from a Executive Committee policy that coordinates a planned response in the event of an anaphylactic emergency. Anaphylaxis is a severe systemic allergic reaction from exposure to allergens that is rapid in onset and can cause death. Common allergens include animal dander, fish, latex, milk, shellfish, tree nuts, eggs, insect venom, medications, peanuts, soy, and wheat. A severe allergic reaction usually occurs quickly; death has been reported to occur within minutes. An anaphylactic reaction can also occur up to one to two hours after exposure to the allergen.

While it is not possible for the Cooperative to completely eliminate the risks of an anaphylactic emergency when a student is at school, an Anaphylaxis Prevention, Response, and Management Program using a cooperative effort among students' families, staff members, students, health care providers, emergency medical services, and the community helps the Cooperative reduce these risks and provide accommodations and proper treatment for anaphylactic reactions.

The Director or designee shall develop and implement an Anaphylaxis Prevention, Response, and Management Program for the prevention and treatment of anaphylaxis that:

1. Fully implements the Ill. State Board of Education (ISBE)'s model policy required by the School Code that: (a) relates to the care and response to a person having an anaphylaxis reaction, (b) addresses the use of epinephrine in a school setting, (c) provides a full food allergy and prevention of allergen exposure plan, and (d) aligns with 105 ILCS 5/22-30 and 23 Ill.Admin.Code §1.540.
2. Ensures staff members receive appropriate training, including: (a) an in-service training program for staff who work with students that is conducted by a person with expertise in anaphylactic reactions and management, and (b) training required by law for those staff members acting as *trained personnel*, as provided in 105 ILCS 5/22-30 and 23 Ill.Admin.Code §1.540.
3. Implements and maintains a supply of undesignated epinephrine in the name of the Cooperative, in accordance with policy 7:270, *Administering Medicines to Students*.
4. Follows and references the applicable best practices specific to the Cooperative's needs in the Centers for Disease Control and Prevention's *Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs* and the *National Association of School Nurses Allergies and Anaphylaxis Resources/Checklists*.
5. Provides annual notice to the parents/guardians of all students to make them aware of this policy.
6. Complies with State and federal law and is in alignment with Executive Committee policies.

Monitoring

Pursuant to State law and policy 2:240, *Board Policy Development*, the Executive Committee reviews and makes any necessary updates to this policy at least once every three years. The Director or designee shall assist the Executive Committee with its review and any necessary updates.

LEGAL REF.:

105 ILCS 5/2-3.190, 5/10-22.39, and 5/22-30.

23 Ill.Admin.Code §1.540.

Anaphylaxis Response Policy for Illinois Schools, published by ISBE.

CROSS REF.: 4:110 (Transportation), 4:120 (Food Services), 4:170 (Safety), 5:100 (Staff Development Program), 6:120 (Education of Children with Disabilities), 6:240 (Field Trips and Recreational Class Trips), 7:180 (Prevention of and Response to Bullying, Intimidation and Harassment), 7:250 (Student Support Services), 7:270 (Administering Medicines to Students), 8:100 (Relations with Other Organizations and Agencies)

EXECUTIVE COMMITTEE APPROVAL: August 16, 2024

POLICY BOARD APPROVAL: August 16, 2024

Tazewell-Mason Counties Special Ed Association

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7:290 Suicide and Depression Awareness and Prevention

Youth suicide impacts the safety of the school environment. It also affects the school community, diminishing the ability of surviving students to learn and the school's ability to educate. Suicide and depression awareness and prevention are important Executive Committee goals.

Suicide and Depression Awareness and Prevention Program

The Director or designee shall develop, implement, and maintain a suicide and depression awareness and prevention program (Program) that advances the Executive Committee's 's goals of increasing awareness and prevention of depression and suicide. This program must be consistent with the requirements of *Ann Marie's Law* listed below; each listed requirement, 1-6, corresponds with the list of required policy components in the School Code Section 5/2-3.166(c)(2)-(7). The Program shall include:

1. Protocols for administering youth suicide awareness and prevention education staff. Implementation will incorporate Association policy 5:100, *Staff Development Program*, and teacher's institutes under 105 ILCS 5/3-14.8 (requiring coverage of the warning signs of suicidal behavior).
2. Procedures for methods of suicide prevention with the goal of early identification and referral of students possibly at risk of suicide. Implementation will incorporate:
 - a. The training required by 105 ILCS 5/10-22.39 for all Cooperative staff who work with students to identify the warning signs of suicidal behavior in youth along with appropriate intervention and referral techniques, including methods of prevention, procedures for early identification, and referral of students at risk of suicide; and
 - b. Ill. State Board of Education (ISBE)-recommended guidelines and educational materials for staff training and professional development, along with ISBE-recommended resources for students containing age-appropriate educational materials on youth suicide and awareness, if available pursuant to *Ann Marie's Law* on ISBE's website.
3. Methods of intervention, including procedures that address an emotional or mental health safety plan for use during the school day and at school-sponsored events for a student identified as being at increased risk of suicide including those students who: (A) suffer from a mental health disorder; (B) suffer from a substance abuse disorder; (C) engage in self-harm or have previously attempted suicide; (D) reside in an out-of-home placement; (E) are experiencing homelessness; (F) are lesbian, gay, bisexual, transgender, or questioning (LGBTQ); (G) are bereaved by suicide; or (H) have a medical condition or certain types of disabilities. Implementation will incorporate paragraph number 2, above, along with Executive Committee policies:
 - a. 6:65, *Student Social and Emotional Development*, implementing the goals and benchmarks of the Ill. Learning Standards and 405 ILCS 49/15(b) (requiring student social and emotional development in the Cooperative's educational program);
 - b. 6:120, *Education of Children with Disabilities*, implementing special education requirements for the District;
 - c. 6:270, *Guidance and Counseling Program*, implementing guidance and counseling program(s) for students, and 105 ILCS 5/10-22.24a and 22.24b, which allow a qualified guidance specialist or any licensed staff member to provide school counseling services;
 - d. 7:10, *Equal Educational Opportunities*, and its implementing administrative procedure and exhibit, implementing supports for equal educational opportunities for students who are LGBTQ;

- e. 7:50, *School Admissions and Eligibility for Services*, implementing State law requirements related to students who are in foster care;
 - f. 7:250, *Student Support Services*, implementing the Children's Mental Health Act, 405 ILCS 49/ (requiring protocols for responding to students with social, emotional, or mental health issues that impact learning ability); and
 - g. State and/or federal resources that address emotional or mental health safety plans for students who are possibly at an increased risk for suicide, if available on the ISBE's website pursuant to *Ann Marie's Law*.
4. Methods of responding to a student or staff suicide or suicide attempt. Implementation of this requirement shall incorporate building-level Student Support Committee(s) established through Executive Committee policy 7:250, *Student Support Services*.
 5. Reporting procedures. Implementation of this requirement shall incorporate policy 6:270, *Guidance and Counseling Program*, and Executive Committee policy 7:250, *Student Support Services*, in addition to other State and/or federal resources that address reporting procedures.
 6. A process to incorporate ISBE-recommended resources on youth suicide awareness and prevention programs, including current contact information for such programs in the Cooperative's Suicide and Depression Awareness and Prevention Program.

Illinois Suicide Prevention Strategic Planning Committee

The Director or designee shall attempt to develop a relationship between the Cooperative and the Illinois Suicide Prevention Strategic Planning Committee, the Illinois Suicide Prevention Coalition Alliance, and/or a community mental health agency. The purpose of the relationship is to discuss how to incorporate the goals and objectives of the Illinois Suicide Prevention Strategic Plan into the Cooperative's Suicide Prevention and Depression Awareness Program.

Monitoring

The Executive Committee's will review and update this policy pursuant to *Ann Marie's Law* and Executive Committee policy 2:240, *Executive Committee Policy Development*.

Information to Staff, Parents/Guardians, and Students

The Director shall inform each cooperative employee about this policy and ensure its posting on the Cooperative's website. The Director or designee shall provide a copy of this policy to the parent or legal guardian of each student enrolled in the Cooperative. Student identification (ID) cards, the Cooperative's website, and student handbooks and planners will contain the support information as required by State law.

Implementation

This policy shall be implemented in a manner consistent with State and federal laws, including the Student Confidential Reporting Act, 5 ILCS 860/, Children's Mental Health Act, 405 ILCS 49/, Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/, and the Individuals with Disabilities Education Act, 42 U.S.C. §12101 *et seq.*

The Cooperative, Executive Committee, and its staff are protected from liability by the Local Governmental and Governmental Employees Tort Immunity Act. Services provided pursuant to this policy: (1) do not replace the care of a physician licensed to practice medicine in all of its branches or a licensed medical practitioner or professional trained in suicide prevention, assessments and counseling services, (2) are strictly limited to the available resources within the Cooperative, (3) do not extend beyond the school day and/or school-sponsored events, and (4) cannot guarantee or ensure

the safety of a student or the student body.

LEGAL REF.:

42 U.S.C. §1201 et seq., Individuals with Disabilities Education Act.

105 ILCS 5/2-3.166, 105 ILCS 5/2-3.139, 5/3-14.8, 5/10-20.76, 5/10-20.81, 5/10-22.24a, 5/10-22.24b, 5/10-22.39, 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02b, 5/27-7.

5 ILCS 860/, Student Confidential Reporting Act.

405 ILCS 49/, Children's Mental Health Act.

740 ILCS 110/, Mental Health and Developmental Disabilities Confidentiality Act.

745 ILCS 10/, Local Governmental and Governmental Tort Immunity Act.

CROSS REF.: 2:240 (Board Policy Development), 5:100 (Staff Development Program), 6:65 (Student Social and Emotional Development), 6:120 (Education of Children with Disabilities), 6:270 (Guidance and Counseling Program), 7:180 (Prevention of and Response to Bullying, Intimidation, and Harassment), 7:250 (Student Support Services)

EXECUTIVE COMMITTEE APPROVAL: August 16, 2024

POLICY BOARD APPROVAL: August 16, 2024

Tazewell-Mason Counties Special Ed Association

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7:340 Student Records

School student records are confidential. Information from them shall not be released other than as provided by law. A school student record is any writing or other recorded information concerning a student and by which a student may be identified individually that is maintained by a school or at its direction by a school employee, regardless of how or where the information is stored, except as provided in State or federal law as summarized below:

1. Records kept in a staff member's sole possession.
2. Records maintained by law enforcement officers working in the school.
3. Video and other electronic recordings (including without limitation, electronic recordings made on school buses) that are created in part for law enforcement, security, or safety reasons or purposes. The content of these recordings may become part of a school student record to the extent school officials create, use, and maintain this content, or it becomes available to them by law enforcement officials, for disciplinary or special education purposes regarding a particular student.
4. Any information, either written or oral, received from law enforcement officials concerning a student less than the age of 18 years who has been arrested or taken into custody.

State and federal law grants students, parents/guardians, and when applicable, the Ill. Dept. of Children and Family Services' Office of Education and Transition Services, certain rights, including the right to inspect, copy, and/or challenge school student records. A student or the student's parent/guardian may request, in writing, that scores received on college entrance examinations be included on the student's academic transcript. The information contained in school student records shall be kept current, accurate, clear, and relevant. All information maintained concerning a student receiving special education services shall be directly related to the provision of services to that child. The Cooperative may release directory information as permitted by law, but a parent/guardian shall have the right to opt-out of the release of directory information regarding his or her child. The Cooperative will comply with State or federal law with regard to release of a student's school records, including, where applicable, without notice to, or the consent of, the student's parent/guardian or eligible student. Upon request, the Cooperative discloses school student records without parent consent to the official records custodian of another school in which a student has enrolled or intends to enroll, as well as to any other person as specifically required or permitted by State or federal law.

The Director shall fully implement this policy and designate an *official records custodian* for each school who shall maintain and protect the confidentiality of school student records, inform staff members of this policy, and inform students and their parents/guardians of their rights regarding school student records.

LEGAL REF.:

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

50 ILCS 205/7, Local Records Act.

105 ILCS 5/10-20.12b, 5/10-20.40, and 5/14-1.01 et seq. 105 ILCS 10/, Ill. School Student Records Act.

105 ILCS 85/, Student Online Personal Protection Act.

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

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

23 Ill.Admin.Code Parts 226 and 375.

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

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

CROSS REF.: 5:100 (Staff Development Program), 5:130 (Responsibilities Concerning Internal Information), 7:15 (Student and Family Privacy Rights), 7:345 (Use of Educational Technologies; Student Data Privacy and Security)

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Tazewell-Mason Counties Special Ed Association
