

**IASB POLICY REFERENCE MANUAL  
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## Instruction

### Educational Philosophy and Objectives

The District's educational program will seek to provide an opportunity for each child to develop to his or her maximum potential. The objectives for the educational program are:

- To foster self-discovery, self-awareness, and self-discipline.
- To stimulate intellectual curiosity and growth.
- To provide fundamental career concepts and skills.
- To help the student develop sensitivity to the needs and values of others and a respect for individual and group differences.
- To help each student strive for excellence and instill a desire to reach the limit of his or her potential.
- To develop the fundamental skills which will provide a basis for life long learning.
- To be free of any sexual, cultural, ethnic, or religious bias.

The administrative staff is responsible for apprising the School Board of the educational program's current and future status. The Superintendent should prepare an annual report that includes:

- A review and evaluation of the present curriculum;
- A projection of curriculum and resource needs;
- A plan for new or revised instructional program implementation; and
- A review of present and future facility needs.

## Instruction

### School Accountability <sup>1</sup>

According to the Illinois General Assembly, the primary purpose of schooling is the transmission of knowledge and culture through which students learn in areas necessary to their continuing development and entry into the world of work. <sup>2</sup> To fulfill that purpose, the State Board of Education prepared State Goals for Learning with accompanying Illinois Learning Standards. <sup>3</sup>

The School Board gives priority in the allocation of resources, including funds, time, personnel, and facilities, to fulfilling this purpose.

### Quality Assurance

The School Board continuously monitors student achievement and the quality of the District's work. The Superintendent shall supervise the following quality assurance components, in accordance with State Board of Education rules, by:

1. Preparing each school's annual recognition application <sup>4</sup> and quality assurance appraisal, whether internal or external, to monitor each school's process for continuous school improvement. <sup>5</sup>
2. Submitting School Improvement Plans for Board approval that comply with State law and contain: <sup>6</sup>
  - District student learning objectives;
  - Assessment systems for measuring students' progress in the fundamental learning areas; and
  - Reporting systems for informing the community and the State of assessment results.
3. If applicable, preparing and implementing a No Child Left Behind Act plan, according to federal law, and seeking the School Board's approval where necessary or advisable. <sup>7</sup>
4. Continuously monitoring whether the District and its schools are making adequate yearly progress as defined by State law. <sup>8</sup> If the District and/or any of its schools fail to make adequate yearly progress, the Superintendent shall take the actions provided in State law as well as other responses designed to increase the likelihood that the District and/or schools will make adequate yearly progress the following year. The Superintendent shall seek the School Board's approval where necessary or advisable.
5. Publishing a school report card in accordance with State law. <sup>9</sup>

The Superintendent shall make regular assessment reports to the Board, including projections whether the District and each school is or will be making adequate yearly progress as defined in State law.

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<sup>1</sup> State or federal law controls this policy's content. This policy concerns an area in which the law is unsettled.

<sup>2</sup> 105 ILCS 5/27-1.

<sup>3</sup> 23 Ill. Admin. Code §27, Appendix D.

<sup>4</sup> 105 ILCS 5/2-3.25, 5/2-3.25a, and 5/2-3.25b, as amended by P.A. 93-470; 23 Ill. Admin. Code §1.20.

<sup>5</sup> 23 Ill. Admin. Code §1.10(a).

<sup>6</sup> 105 ILCS 5/2-3.25d, 5/2-3.63, 105 ILCS 5/27-1, and 23 Ill. Admin. Code §1.10(b).

<sup>7</sup> Omit this item if the district does not receive Title I funds. 20 U.S.C. §6312 contains the required components which include almost all NCLBA's compliance requirements. Administrative Procedure 6:170-AP3, *No Child Left Behind Checklist*, provides a source around which to organize a plan.

<sup>8</sup> 105 ILCS 5/2-3.25a and 5/2-3.25b, as amended by P.A. 93-470.

<sup>9</sup> 105 ILCS 5/10-17a, as amended by P.A. 92-604.

The Superintendent shall seek Board approval for each District and/or school improvement plan and otherwise when necessary or advisable. 10

School Choice for Students Enrolled in a School Identified for Improvement, Corrective Action, or Restructuring 11

This section applies to only those students enrolled in a school identified by the School Board for school improvement, corrective action, or restructuring according to federal law. 12 Those students may transfer to another public school within the District, if any, that has not been so identified. 13 If there are no District schools available into which a student may transfer, the Superintendent or designee shall, to the extent practicable, establish a cooperative agreement with other districts in the area. 14 A student who transfers to another school under this policy may remain at that school until the student completes the highest grade at that school. 15 The District shall provide transportation only until the end of the school year in which the transferring school ceases to be identified for school

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10 105 ILCS 5/2-3.25d, as amended by P.A. 93-470, requires the school board to approve revised school improvement plans for the district and/or any schools placed on academic early warning or watch status.

11 The provisions in this section are required by §1116 of the No Child Left Behind Act (20 U.S.C. §6316). Districts that do not receive Title I funds should omit this section. Note that sample policy 7:30, *School Assignment*, covers the State law requirement that all districts have a policy governing student transfers within the district.

12 For a school identified for school improvement, see 20 U.S.C. §6316(b)(1)(E)(i) and 34 C.F.R. §200.32; for corrective action, see 20 U.S.C. §6316(b)(7)(C)(i) and 34 C.F.R. §200.42; for restructuring, see 20 U.S.C. §6316(b)(8)(A)(i) and 34 C.F.R. §200.43.

13 Districts must attempt to reconcile State and federal law regarding schools of choice. 105 ILCS 5/10-21.3a, as added by P.A. 92-604, provides limitations on transfers. These limitations are quoted below followed by citations to and comments on federal law.

“Any request by a parent or guardian to transfer his or her child from one attendance center to another within the school district pursuant to Section 1116 ... must be made no later than 30 days after the parent or guardian receives notice of the right to transfer pursuant to that law.”

The U.S. Dept. of Education’s Public School Choice Draft Non-Regulatory Guidance, D-4, states that the LEA shall set a reasonable deadline by which parents must respond; the Illinois General Assembly took this responsibility upon itself.

“A student may not transfer to ... (1) An attendance center that exceeds or as a result of the transfer would exceed its attendance capacity.”

U.S. Dept. of Education regulations state: “An LEA may not use lack of capacity to deny students the option to transfer under paragraph (a)(1) of this section” [34 C.F.R. §200.44(d)]. It also states: “The LEA must offer the option to transfer described in this section unless it is prohibited by State law... .” [34 C.F.R. §200.44(a)(5), see also U.S. Dept. of Education’s Public School Choice Draft Non-Regulatory Guidance, E-8]. Thus, the question is how to interpret Illinois law prohibiting transfers resulting in a school exceeding its attendance capacity. ISBE has not promulgated rules on this issue; in its “Overview of Public School Choice for Illinois Schools,” ISBE does not address capacity issues other than to suggest local districts have procedures on attendance capacity that are consistent with “State law and data provided to ISBE on school construction.”

“A student may not transfer to ... (2) An attendance center that has established academic criteria for enrollment if the student does not meet the criteria, provided that the transfer must be permitted if the attendance center is the only attendance center serving the student’s grade that has not been identified for school improvement, corrective action, or restructuring under Section 1116 of the federal Elementary and Secondary Education Act.”

The U.S. Dept. of Education’s Public School Choice Draft Non-Regulatory Guidance, E-4 states that districts do not need to disregard academic entrance requirements.

“A student may not transfer to ... (3) Any attendance center if the transfer would prevent the school district from meeting its obligations under a State or federal law, court order, or consent decree applicable to the school district.”

The U.S. Dept. of Education has not made this broad an exception to the requirement to provide choice. The closest pronouncement concerns desegregation plans [34 C.F.R. 200.44(c)].

14 20 U.S.C. §6316(b)(11). In its “Overview of Public School Choice for Illinois Schools,” ISBE suggests that a “good faith effort” requires a district to send a letter to superintendents of surrounding districts asking if they would be interested in participating in an intergovernmental agreement and to keep copies of the letter and any responses it receives.

15 20 U.S.C. §6316(b)(13).

improvement or subject to corrective action or restructuring. <sup>16</sup> All transfers and notices provided to parents/guardians and transfer requests are governed by State and federal law. <sup>17</sup>

If any District school or the District itself is identified for improvement, the Superintendent or designee shall identify, develop, or revise a school and/or District plan for improvement in accordance with federal law. <sup>18</sup> This school and/or District plan shall be presented to the Board for approval. <sup>19</sup>

Students from low-income families shall be provided supplemental educational services as provided in federal law if they attend any District school that: (1) failed to make adequate yearly progress for 3 consecutive years, or (2) is subject to corrective action or restructuring. <sup>20</sup>

LEGAL REF.: No Child Left Behind Act, §1116, 20 U.S.C. §6316.  
34 C.F.R. §§200.32, 200.33, 200.42, and 200.43.  
105 ILCS 5/2-3.63, 5/2-3.64, 5/10-21.3a, and §5/27-1.  
23 Ill. Admin. Code §§1.10, 1.20, and 1.30.

CROSS REF.: 6:170 (Title I Programs), 6:340 (Student Testing and Assessment Program), 7:10 (Equal Educational Opportunities)

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<sup>16</sup> 20 U.S.C. §6316(b)(9) and (b)(13).

<sup>17</sup> The lowest achieving children from low-income families must receive transfer priority 20 U.S.C. §6316(b)(1)(E)(ii). Federal law provides that transferring students “shall be enrolled in classes and other activities in the public school to which the students transfer in the same manner as all other children at the public school.”

<sup>18</sup> For school improvement status, see 34 C.F.R. §200.41; for district improvement status, see 34 C.F.R. §200.52.

<sup>19</sup> 20 U.S.C. §6316(b)(3)(B) and (b)(3)(E). The district must supply technical assistance as provided in 20 U.S.C. §6316(b)(4).

<sup>20</sup> 20 U.S.C. §6316(b)(5)(B), (b)(7)(iii), and (b)(8)(A)(ii). The definition of, and requirements for, supplemental education services are found in 20 U.S.C. §6316(e). Only students from low-income families must receive supplemental education services 20 U.S.C. §6316(e)(12)(A).

## Instruction

### Administrative Procedure – Consequences for a SCHOOL Missing Adequate Yearly Progress

This procedure covers the District’s school(s) requirement to make AYP separate from that of the District itself. It also covers the consequences to a school for its failure to make AYP. The administrative procedure 6:15-AP2, *Consequences for a DISTRICT Missing Adequate Yearly Progress*, must also be implemented if the District misses AYP.

#### Introduction

AYP is the abbreviation for adequate yearly progress. It represents the annual academic performance targets that the State, school districts, and schools must reach to be considered on track for 100% proficiency by school year 2013-14. All students and subgroups of 40 or more within schools, school districts, and the State are calculated for AYP. The required subgroups are: White, Black, Hispanic, Asian, American Indian, mixed racial/ethnic, Limited English Proficiency, students with disabilities, and low income. Schools begin facing State and/or NCLB sanctions after failing to make AYP for 2 consecutive years.

In order for a school to make AYP:

1. Each of 10 student groups (a composite group and 9 subgroups) must meet the 95% participation rate for the math assessment.
2. Each of 10 student groups (a composite group and 9 subgroups) must meet the 95% participation rate for the language arts assessment.
3. Each of 10 student groups (a composite group and 9 subgroups) must meet/exceed the performance target for the math assessment.
4. Each of 10 student groups (a composite group and 9 subgroups) must meet/exceed the performance target for the language arts assessment.
5. Must meet targets for graduation or attendance rates.

A safe harbor provision allows districts and schools to still make AYP if each subgroup that misses AYP reduces its percentage of students not meeting standards by 10% of the previous year’s percentage, plus the subgroup meets the attendance rate or graduation rate targets.

A district may use additional academic assessments or any other academic indicators as described in its plan. 34 C.F.R. §200.30(c). These may be used to identify additional schools for school improvement, but may not be used to change the identity of schools that would otherwise be identified for school improvement.

This procedure integrates State and federal consequences for missing AYP. Federal requirements are all beneath the heading, “**Title I Schools.**” Another way to differentiate a State requirement from a federal one is to check the legal citation. A citation to either U.S.C. or C.F.R. is to a federal requirement. U.S.C. is the abbreviation for *United States Code*. This publication contains all federal laws; Title 20 contains the NCLBA. C.F.R. is the abbreviation for *Code of Federal Regulations*. This publication contains all regulations promulgated by a U.S. administrative agency; Title 34 contains the regulations promulgated by the U.S. Dept. of Education to implement the NCLBA. ILCS is the abbreviation for *Illinois Compiled Statutes*. This publication contains all Illinois statutes. Chapter 105 contains The School Code. The responsibilities listed in this procedure are not necessarily in chronological order.

#### **After FIRST Year of Missing AYP:**

| Actor | Responsibility  |
|-------|---|
| ISBE  | <p><b>State Law:</b></p> <p>Makes available technical assistance, including, without limitation, assistance with curriculum evaluation, the instructional process, student performance, school environment, staff effectiveness, school and community relations, parental involvement, resource management, leadership, data analysis processes and tools, school improvement plan guidance and feedback, information regarding scientifically based research-proven curriculum and instruction, and professional development opportunities for teachers and administrators. 105 ILCS</p> |

## Instruction

### School Year Calendar and Day 1

#### School Calendar

The School Board, upon the Superintendent's recommendation and subject to State regulations, annually establishes the dates for opening and closing classes, teacher institutes and in-services, the length and dates of vacations, and the days designated as legal school holidays. <sup>2</sup> The school calendar shall have a minimum of 185 days to ensure 176 days of actual student attendance. <sup>3</sup>

#### Commemorative Holidays

The teachers and students shall devote a portion of the school day on each commemorative holiday designated in The School Code to study and honor the commemorated person or occasion. <sup>4</sup> The Board may, from time to time, designate a regular school day as a commemorative holiday.

#### School Day

The Board establishes the length of the school day with the recommendation of the Superintendent and subject to State law requirements. <sup>5</sup> The Superintendent or designee shall ensure that observances required by State law are followed during each day of school attendance. <sup>6</sup>

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

<sup>1</sup> State or federal law controls this policy's content. This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right.

<sup>2</sup> State-mandated school holidays are found in 105 ILCS 5/24-2, amended by P.A. 96-640. See policy 5:330, *Sick Days, Vacation, Holidays, and Leaves*, for a holiday listing. P.A. 96-640 allows a school board to hold school or schedule teachers' institutes, parent-teacher conferences, or staff development on five identified school holidays if: (1) the school board first holds a public hearing on the proposal, and (2) the person or persons honored by the holiday are recognized through instructional activities conducted on the school holiday or on the first school day preceding or following the school holiday. This is an item on which collective bargaining may be required, and a board that wishes to implement this law should consult its attorney.

A State mandated school holiday on "Good Friday" is unconstitutional according to Metzl v. Leininger, 57 F.3d 618 (7th Cir., 1995). Closing school on religious holidays may still be permissible for those districts able to demonstrate (e.g., through surveys) that remaining open would be a waste of educational resources due to widespread absenteeism. Also, districts may be able to close school on Good Friday by adopting a "spring holiday" rationale or ensuring that it falls within spring break. School districts should discuss all of these options, and collective bargaining implications with their board attorneys.

If the county board or board of election commissioners chooses a school to be a polling place, the school district must make the school available; however, for the election day, a school district may choose to keep the school open or hold a teachers' institute (10 ILCS 5/11-4.1).

<sup>3</sup> The school calendar must have a minimum 185 days to ensure 176 days of actual pupil attendance (105 ILCS 5/10-19 and 5/24-1; 23 Ill.Admin.Code §1.420). Schools must be closed during county institute (105 ILCS 5/24-3). The school calendar may be a mandatory subject of collective bargaining. The calendar for the school term and any changes must be submitted to and approved by the regional superintendent before the calendar or changes may take effect (105 ILCS 5/10-19).

<sup>4</sup> 105 ILCS 5/24-2, amended by P.A. 96-640, lists the following as commemorative holidays: Jan. 28 (Christa McAuliffe Day commemorating space exploration), Feb. 15 (Susan B. Anthony), March 29 (Viet Nam War Veterans' Day), the school day immediately preceding Veterans' Day (Korean War Veterans' Day), Oct. 1 (Recycling Day), and Dec. 7 (Pearl Harbor Veterans' Day). Other commemorative holidays include: Arbor and Bird Day on the last Friday in April (105 ILCS 5/27-18), Leif Erickson day on Oct 9 if a school day and otherwise on a school day nearest the date (105 ILCS 5/27-19), American Indian Day on the 4th Friday of Sept. (105 ILCS 5/27-20), Ill. Law Week during the first full school week in May (105 ILCS 5/27-20.1), "Just Say No" Day on a school day in May (105 ILCS 5/20.2), a Day of Remembrance on Sept. 11 (5 ILCS 490/86), and Ronald Reagan Day on Feb. 6 (5 ILCS 490/2).

LEGAL REF.: 105 ILCS 5/10-19, 5/10-24.46, 5/18-8.05, 5/18-12, 5/18-12.5, 5/24-2, 5/27-3, 5/27-18, 5/27-19, 5/27-20, 5/27-20.1, 5/27-20.2, and 20/1.  
23 Ill.Admin.Code §1.420(f).  
Metzl v. Leininger, 850 F.Supp. 740 (N.D. Ill., 1994), *aff'd* by 57 F.3d 618 (7th Cir., 1995).

CROSS REF.: 2:20 (Powers and Duties of the School Board), 5:200 (Terms and Conditions of Employment and Dismissal), 5:330 (Sick Days, Vacation, Holidays, and Leaves), 6:60 (Curriculum Content), 6:70 (Teaching About Religions), 7:90 (Release During School Hours)

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<sup>5</sup> A school day must consist of a minimum 5 clock hours under the direct supervision of a teacher or non-teaching volunteer providing non-teaching or supervisory duties as specified in 105 ILCS 5/10-22.34(a), in order to qualify as a full day for calculating state aid entitlement (105 ILCS 5/18-8.05(F), amended by P.A. 96-640), 23 Ill.Admin.Code §1.420(f). Students in attendance for fewer than two hours of school work are not counted for calculating average daily attendance (23 Ill.Admin.Code §1.420(f)(4). Contrast 105 ILCS 5/18-12, amended by P.A. 96-734. It allows a partial day of attendance to be counted as a full day when: (1) the school district has provided at least one hour of instruction prior to the closure of the school building; (2) a school building has provided at least one hour of instruction prior to the closure of the school building; or (3) the normal start time of the school district is delayed. P.A. 96-734 also outlines the process to claim attendance prior to providing any instruction when a school district must close a building or buildings, but not the entire district, after consultation with a local emergency response agency or due to a condition beyond the control of the district. Additionally, 105 ILCS 5/18-12.5, added by P.A. 96-689 outlines the process for claiming attendance when a school district must close a building or buildings, but not the entire district, specifically because of a public health emergency. Attendance for such days may only be claimed if the school building(s) was scheduled to be in operation on those days.

Alternative education programs may provide fewer than 5 hours under certain circumstances (105 ILCS 5/2-3.33a and 5/13B-50). Exceptions also exist for kindergarten, teaching hospitalized or homebound students, first-grade, disabled children less than 6 years old, the opening and closing days of the school term, in-service training for teachers in accordance with 105 ILCS 5/10-22.39, parent-teacher conferences, and days when the Prairie State Achievement Examination is administered (105 ILCS 5/18-8.05(F), amended by P.A. 96-640).

<sup>6</sup> 105 ILCS 5/27-3 requires the Pledge of Allegiance to be recited every day in elementary and secondary schools. Note that the Illinois statute does not require every student to recite the Pledge – that kind of mandatory participation would violate the U.S. Constitution. Schools may not coerce a student into saying the Pledge, nor may they punish students for refusing to participate in any aspect of the flag ritual, including standing, saluting the flag, and reciting the Pledge. West Virginia State Board of Education v. Barnette, 319 U.S. 624 (1943); Sherman v. Community Consolidated School District 21 of Wheeling Township, 980 F.2d 437 (7th Cir. 1992). Consider using permissive rather than mandatory language to introduce the recitation of the Pledge, such as, “You may now stand to recite the Pledge.” Schools may, of course, require that non-participants maintain order and decorum appropriate to the school environment.

On 10-11-07, an Illinois law went into effect requiring a mandatory *brief period of silence* for all Illinois public school students (Silent Reflection and Student Prayer Act, 105 ILCS 20/1). A student filed a federal lawsuit alleging that the *brief period of silence* law was unconstitutional because it is too vague and violates the First Amendment. Sherman v. THSD 214 and Koch, 624 F.Supp.2d 907 (N.D.Ill., 2007). The court issued a preliminary injunction to prevent the plaintiff-student’s school district from implementing the Act and State Superintendent Koch from enforcing it. The court granted plaintiff’s request to make the lawsuit a class action – the defendant class comprising all Illinois public school districts. After the case’s merits are heard, the preliminary injunction may be made permanent or be rescinded. School districts must follow court orders and the State Superintendent’s instructions.

105 ILCS 5/10-24.46, amended by P.A. 96-84, requires a moment of silence to recognize veterans during any type of event held at a district school on November 11. See f/n 2 above for more discussion.

## Instruction

### Organization of Instruction

The School District has instructional levels for grades birth through 12. The elementary school offers grades birth through 6. The junior high school offers grades 7 and 8. The high school offers grades 9 through 12. The Superintendent shall annually present to the School Board a plan for organizing instructional levels and assigning them to school facilities in order to:

1. Support the District's educational program,
2. Maximize facility usage without undue overcrowding, and
3. Provide substantially comparable instructional programs across the District.

Students, for instructional purposes, may be placed in groups within a school that do not necessarily follow grade level designations. For purposes of attendance reporting and other records, however, each student is assigned a grade-level placement.

### Kindergarten

The District maintains a full-day kindergarten with an instructional program that fulfills the District's curriculum goals and objectives and the requirements of the State law. The District also offers a half-day kindergarten for those parents/guardians who request a half-day program.

LEGAL REF.: 105 ILCS 5/10-20.19a, 5/10-20.37, and 5/10-22.18.  
23 Ill.Admin.Code §1.420.

CROSS REF.: 6:40 (Curriculum Development), 6:170 (Title I Programs), 7:30 (Student Assignment), 7:50 (School Admissions and Student Transfers To and From Non-District Schools), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students)

## Instruction

### Curriculum Development <sup>1</sup>

#### Adoption <sup>2</sup>

The Superintendent shall recommend a comprehensive curriculum that is aligned with:

1. The District's educational philosophy and goals,
2. Student needs as identified by research, demographics, and student achievement and other data,
3. The knowledge, skills, and abilities required for students to become life-long learners,
4. The minimum requirements of State and federal law and regulations for curriculum and graduation requirements, <sup>3</sup>
5. The curriculum of non-District schools that feed into or from a District school, provided that the necessary cooperation and information is available, <sup>4</sup>
6. The Illinois State Learning Standards and any District learning standards, and
7. Any required State or federal student testing.

The School Board will adopt, upon recommendation of the Superintendent, a curriculum that meets the above criteria. <sup>5</sup>

#### Experimental Educational Programs and Pilot Projects <sup>6</sup>

The Superintendent may recommend experimental educational programs and/or pilot projects for Board consideration. Proposals must include goals, material needs, anticipated expenses, and an evaluation process. The Superintendent shall submit to the Board periodic progress reports for programs that exceed one year in duration and a final evaluation with recommendation upon the program's completion.

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The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

<sup>1</sup> State or federal law controls this policy's content.

<sup>2</sup> This section is not dictated by State or federal law, but reflects board work regarding curriculum. Each board should dwell over this section to ensure it articulates the board's intent.

<sup>3</sup> State law mandates certain courses of study, but local school boards may set requirements exceeding State law-mandated courses of study (105 ILCS 5/10-20.8 and 5/27-1 et seq.).

<sup>4</sup> Alternative for unit districts:

5. The curriculum District-wide and articulated across all grade levels.

<sup>5</sup> The following is an alternative for boards that do not want the sample language's degree of delegation:

The School Board will consider the Superintendent's recommendation and adopt a curriculum that meets the above criteria.

<sup>6</sup> Experimental educational programs may require the approval of the State Board of Education and an agreement with the affected exclusive bargaining agent (105 ILCS 5/10-19). State law addresses pilot programs for teachers in relation to clinical schools, restructuring, and providing special assistance and support to beginning teachers (105 ILCS 5/2-3.52A).

### Single-Gender Classes and Activities <sup>7</sup>

The Superintendent may recommend a program of nonvocational single-gender classes and/or activities to provide diverse educational opportunities and/or meet students' identified educational needs. Participation in the classes or activities must be voluntary, both genders must be treated with substantial equality, and the program must otherwise comply with State and federal law and with Board policy 7:10, *Equal Educational Opportunities*. The Superintendent must periodically evaluate any single-gender class or activity to ensure that: (1) it does not rely on overly broad generalizations about the different talents, capabilities, or preferences of either gender, and (2) it continues to comply with State and federal law and with Board policy 7:10, *Equal Educational Opportunities*.

### Development <sup>8</sup>

The Superintendent shall develop a curriculum review program to monitor the current curriculum and promptly suggest changes to make the curriculum more effective, to take advantage of improved teaching methods and materials, and to be responsive to social change, technological developments, student needs, and community expectations.

The Superintendent shall report to the Board as appropriate, the curriculum review program's efforts to:

1. Regularly evaluate the curriculum and instructional program.
2. Ensure the curriculum continues to meet the stated adoption criteria.
3. Include input from a cross-section of teachers, administrators, parents/guardians, and students, representing all schools, grade levels, disciplines, and specialized and alternative programs.
4. Coordinate with the process for evaluating the instructional program and materials.

### Curriculum Guides and Course Outlines

The Superintendent shall develop and provide subject area curriculum guides to appropriate staff members.

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The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

<sup>7</sup> The U.S. Dept. of Education (DOE) amended its Title IX regulation to make it easier for schools to have single-sex classes and extracurricular activities (eff. 11-24-06, 34 C.F.R. Part 106). Title IX generally protects students from discrimination on the basis of sex. However, citing recent research suggesting that some students benefit in single-sex classes, the DOE added flexibility to its rules on single-sex classes and activities. The rules are very specific and should be consulted when designing single-sex classes or activities.

<sup>8</sup> The last two sections of this policy provide a process for the board to monitor the extent that its ends for curriculum development are being pursued. However, a board may be concerned that these sections offend the board's efforts to delegate authority to the superintendent to manage the district. If so, these sections should be deleted. See the IASB's "Foundational Principles of Effective Governance," [http://www.iasb.com/pdf/found\\_prin.pdf](http://www.iasb.com/pdf/found_prin.pdf).

LEGAL REF.: 34 C.F.R. Part 106.  
105 ILCS 5/10-20.8 and 5/10-19.

CROSS REF.: 6:60 (Curriculum Content), 6:65 (Student Social and Emotional Development), 6:70 (Teaching About Religions), 6:80 (Teaching About Controversial Issues), 6:100 (Using Animals in the Educational Program), 6:110 (Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program), 6:120 (Education of Children with Disabilities), 6:130 (Program for the Gifted), 6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:150 (Home and Hospital Instruction), 6:160 (English Language Learners), 6:170 (Title I Programs), 6:180 (Extended Instructional Programs), 7:15 (Student and Family Privacy Rights)

## Instruction

### School Wellness 1

Student wellness, including good nutrition and physical activity, shall be promoted in the District's educational program, school activities, and meal programs. This policy shall be interpreted consistently with Section 204 of the Child Nutrition and WIC Reauthorization Act of 2004.

### Goals for Nutrition Education 2

The goals for addressing nutrition education include the following:

- Schools will support and promote good nutrition for students.
- Schools will foster the positive relationship between good nutrition, physical activity, and the capacity of students to develop and learn.
- Nutrition education will be part of the District's comprehensive health education curriculum. See School Board policy 6:60, *Curriculum Content*. 3

### Goals for Physical Activity 4

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. See Board policy 6:60, *Curriculum Content*. 5

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<sup>1</sup> State or federal law requires this subject matter to be covered in policy and controls its content. The federal Child Nutrition and WIC Reauthorization Act of 2004 requires school districts participating in a program authorized by the National School Lunch Act or the Child Nutrition Act to have a school wellness policy (PL 108-265, Sec. 204). State law required ISBE to "establish a State goal that all school districts have a wellness policy," (105 ILCS 5/2-3.139). ISBE complied in October 2007 by "instruct[ing] all public school districts to establish a School Wellness Policy." The federal and State laws list mandatory topics for the policy. The second sentence of this policy should be deleted if the district does not participate in the National School Lunch Act or the Child Nutrition Act.

See ISBE's numerous resources at [www.isbe.net/nutrition/htmls/wellness\\_policy.htm](http://www.isbe.net/nutrition/htmls/wellness_policy.htm). Action for Healthy Kids is a national organization dedicated to overcoming the "epidemic of overweight, undernourished and sedentary youth by focusing on changes in schools;" see its resources at [www.actionforhealthykids.org/index.php](http://www.actionforhealthykids.org/index.php).

This sample policy seeks to be both legally compliant and consistent with good governance principles. Both federal and State laws allow each school district to determine how the required topics are addressed. Good governance principles suggest that the board should establish goals with community and stakeholder input. The administration should determine how to achieve the goals. The board should monitor this policy by requesting and reviewing periodic implementation data.

The Ill. Dept. of Agriculture and ISBE are directed to create the Farm Fresh Schools Program (30 ILCS 105/5.719, added by 96-153). They are also directed to administer a grant program to further the Program's intent of "reduc[ing] obesity and improve[ing] nutrition and public health, as well as strengthen[ing] local agricultural economies by increasing access to and promoting the consumption of locally grown fruits and vegetables in schools and increasing physical activities and programs that promote pupil wellness."

<sup>2</sup> This is a required topic, but the local board may determine what goals are appropriate (PL 108-265, Sec. 204(a)(1); 105 ILCS 5/2-3.139(a)(2).

<sup>3</sup> 105 ILCS 110/3 and 23 Ill.Admin.Code §1.420(n). ISBE's rules for Comprehensive Health Education found at 23 Ill.Admin.Code Part 253 were repealed effective 10/3/05.

<sup>4</sup> This is a required topic, but the local board may determine what goals are appropriate (PL 108-265, Sec. 204(a)(1); 105 ILCS 5/2-3.139(a)(2).

<sup>5</sup> 105 ILCS 5/27-5 and 27-6.

- During the school day, all students will be required to engage in a daily physical education course, unless otherwise exempted. See Board policy 6:60, *Curriculum Content*. 6
- 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. 7

#### Nutrition Guidelines for Foods Available in Schools During the School Day 8

Students will be offered and schools will promote nutritious food and beverage choices consistent with the current Dietary Guidelines for Americans and Food Guidance System published jointly by the U.S. Department of Health and Human Services and the Department of Agriculture. In addition, in order to promote student health and reduce childhood obesity, the Superintendent or designee shall control food sales that compete with the District's non-profit food service in compliance with the Child Nutrition Act. Food service rules shall restrict the sale of foods of minimal nutritional value, as defined by the U.S. Department of Agriculture, in the food service areas during the meal periods and comply with all applicable rules of the Illinois State Board of Education. 9

#### Guidelines for Reimbursable School Meals 10

Reimbursable school meals served shall meet, at a minimum, the nutrition requirements and regulations for the National School Lunch Program and/or School Breakfast Program. 11

#### Monitoring 12

The Superintendent or designee shall provide periodic implementation data and/or reports to the Board concerning this policy's implementation sufficient to allow the Board to monitor and adjust the policy.

#### Community Input 13

The Superintendent or designee will invite suggestions and comments concerning the development, implementation, and improvement of the school wellness policy from community members, including

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**6** Id.

7 Schools must "set student learning objectives which meet or exceed goals established by the State," (105 ILCS 5/2-3.63). The Learning Standards can be found on ISBE's website, [www.isbe.state.il.us/ils](http://www.isbe.state.il.us/ils).

8 The policy must include the nutrition guidelines selected by the board for "all foods available during the school day with the objective of promoting student health and reducing childhood obesity," (PL 108-265, Sec. 204(a)(2); 105 ILCS 5/2-3.139(a)(1)).

9 Districts must prohibit the sale of foods of minimal nutritional value, as defined by federal rule, in the food service areas during the lunch periods (42 U.S.C. §1779; 7 C.F.R. §210.11; 7 C.F.R. Part 210, App. B). The sale of other competitive foods is allowable in the food service area during the lunch period only if all income from the sale of such foods accrues to the benefit of the nonprofit school food service, the school, or student organizations approved by the school (Id.). ISBE's rule limits the types and amounts of food and beverages that may be sold to students in grades 8 or below before school or during the regular school day in any school that participates in the School Breakfast Program or the National School Lunch Program (23 Ill.Admin.Code §305.15). A board may place additional limitations on the sale of minimally nutritious or junk foods.

10 Inclusion in the policy is required for only those districts that participate in a program authorized by the National School Lunch Act or the Child Nutrition Act (PL 108-265, Sec. 204(a)(3)).

11 Child Nutrition Act of 1966 (42 U.S.C. §1771 *et seq.*) and National School Lunch Act (42 U.S.C. §1758).

12 The policy must establish "a plan for measuring implementation of the local wellness policy, including designation of 1 or more persons within the local educational agency at each school, as appropriate, charged with operational responsibility for ensuring that the school meets the local wellness policy," (PL 108-265, Sec. 204(a)(4); 105 ILCS 5/2-3.139(a)(4)).

13 A board must establish a policy that "involves parents, students, and representatives of the school food authority, the board, school administrators, and the public in the development of the school wellness policy," (PL 108-265, Sec. 204(a)(5); 105 ILCS 5/2-3.139(a)(3)). This requirement's awkward wording notwithstanding, a board may take compliance steps by seeking community input during this policy's adoption and monitoring phases. See 2:240, *Board Policy Development*.

parents, students, and representatives of the school food authority, school administrators, and the public.

LEGAL REF.: Child Nutrition and WIC Reauthorization Act of 2004, PL 108-265, Sec. 204.  
Child Nutrition Act of 1966, 42 U.S.C. §1771 et seq.  
National School Lunch Act, 42 U.S.C. §1758.  
42 U.S.C. §1779, as implemented by 7 C.F.R. §210.11.  
105 ILCS 5/2-3.139.  
23 Ill.Admin.Code Part 305, Food Program.  
ISBE's "School Wellness Policy" Goal, adopted Oct. 2007.

CROSS REF.: 4:120 (Food Services)

## Instruction

### Curriculum Content 1

The curriculum shall contain instruction on subjects required by State statute or regulation as follows:

1. In kindergarten through grade 8, subjects include: (a) language arts, (b) reading, (c) other communication skills, (d) science, (e) mathematics, (f) social studies, (g) art, (h) music, <sup>2</sup> and (i) drug and substance abuse prevention. <sup>3</sup>
2. In grades 9 through 12, subjects include: (a) language arts, (b) writing intensive course, (c) science, (d) mathematics, (e) social studies including U.S. history, (f) foreign language, (g) music, (h) art, (i) driver and safety education, and (j) vocational education. <sup>4</sup>

Students otherwise eligible to take a driver education course must receive a passing grade in at least 8 courses during the previous 2 semesters before enrolling in the course. The Superintendent or designee may waive this requirement if he or she believes a waiver to be in the student's best interest. <sup>5</sup> The course shall include classroom instruction on distracted driving as a major traffic safety issue. <sup>6</sup> Automobile safety instruction covering traffic regulations and highway safety must include instruction on the consequences of alcohol consumption and the operation of a motor vehicle. <sup>7</sup> The eligibility requirements contained in State law for the receipt of a certificate of completion from the Secretary of State shall be provided to students in writing at the time of their registration. <sup>8</sup>

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<sup>1</sup> Districts must have a policy on physical education (23 Ill.Admin.Code §1.420(p)). Policies on the remaining topics in this policy are optional. State or federal law controls this policy's content.

<sup>2</sup> 23 Ill.Admin.Code §1.430.

<sup>3</sup> 105 ILCS 5/27-13.2.

<sup>4</sup> 23 Ill.Admin.Code §1.440, 105 ILCS 5/27-22 and 5/27-23. The General Assembly encouraged school boards to implement American sign language courses into the school foreign language curriculum (105 ILCS 5/10-20.46, added by P.A. 96-843).

<sup>5</sup> 105 ILCS 5/27-23 and 5/27-24.2.

<sup>6</sup> 105 ILCS 5/27-24.2.

<sup>7</sup> 105 ILCS 5/27-17.

<sup>8</sup> The Ill. Vehicle Code, 625 ILCS 5/6-408.5, contains these requirements; they are paraphrased below and may be added to the policy or otherwise disseminated.

Before a certificate of completion will be requested from the Secretary of State, a student must receive a passing grade in at least 8 courses during the 2 semesters last ending before requesting the certificate. A certificate of completion will not be requested for any person less than 18 years of age who has dropped out of school unless the individual provides:

1. Written verification of his or her enrollment in a GED or alternative education program or a GED certificate;
2. Written verification that before dropping out, the individual had received passing grades in at least 8 courses during the 2 previous semesters last ending before requesting a certificate;
3. Written consent from the individual's parent/guardian and the Regional Superintendent; or
4. Written waiver from the Superintendent of the School District in which the individual resides or resided at the time he or she dropped out of school, or from the chief school administrator with respect to a dropout who attended a non-public high school. A waiver may be given if the Superintendent or chief administrator deems it to be in the individual's best interests.

3. In grades 7 through 12, as well as in interscholastic athletic programs, steroid abuse prevention must be taught. <sup>9</sup>
4. In grades 4 through 12, provided it can be funded by private grants or the federal government, violence prevention and conflict resolution must be stressed, including: (a) causes of conflict, (b) consequences of violent behavior, (c) non-violent resolution, and (d) relationships between drugs, alcohol, and violence. <sup>10</sup>
5. In grades 3 or above, the curriculum contains a unit on Internet safety, the scope of which shall be determined by the Superintendent or designee. <sup>11</sup>
6. In all grades, character education must be taught including respect, responsibility, fairness, caring, trustworthiness, and citizenship in order to raise students' honesty, kindness, justice, discipline, respect for others, and moral courage. <sup>12</sup>
7. In all schools, citizenship values must be taught, including: (a) patriotism, (b) democratic principles of freedom, justice, and equality, (c) proper use and display of the American flag, (d) the Pledge of Allegiance, and (e) the voting process. <sup>13</sup>
8. In all grades, physical education must be taught including a developmentally planned and sequential curriculum that fosters the development of movement skills, enhances health-related fitness, increases students' knowledge, offers direct opportunities to learn how to work cooperatively in a group setting, and encourages healthy habits and attitudes for a healthy lifestyle. Unless otherwise exempted, all students are required to engage daily during the school day in a physical education course. For exemptions and substitutions, see policies 6:310, *Credit for Alternative Courses and Programs, and Course Substitution*, and 7:260, *Exemption from Physical Activity*. <sup>14</sup>

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<sup>9</sup> 105 ILCS 5/27-23.3.

<sup>10</sup> 105 ILCS 5/27-23.4.

<sup>11</sup> 105 ILCS 5/27-13.3, amended by P.A. 95-509 and P.A. 95-869. The statute recommends 7 topics for the unit on Internet safety. The statute specifically uses the conjunction *or*; arguably *or* indicates an alternative thus allowing districts to begin including the unit on Internet safety after third grade.

The Ill. General Assembly found that “the Internet is used by sexual predators and other criminals to make initial contact with children and other vulnerable residents in Illinois; and \*\*\* education is an effective method for preventing children from falling prey to online predators, identity theft, and other dangers,” 105 ILCS 5/27-13.3. It required ISBE to “make available resource materials for educating children regarding child online safety;” and invited schools to “adopt an age-appropriate curriculum for Internet safety instruction of students in grades kindergarten through 12.” A board that shares this concern may add the following option: “In grades kindergarten through 12, age-appropriate Internet safety must be taught.”

<sup>12</sup> 105 ILCS 5/27-12. The Ill. General Assembly invited boards to “make suitable provisions for instruction in bullying prevention and gang resistance education and training in all grades and include such instruction in the courses of study regularly taught therein,” 105 ILCS 5/27-23.7(c). A board that shares this concern may add the following option: “In addition, in all grades, bullying prevention and gang resistance education and training must be taught.”

<sup>13</sup> 105 ILCS 5/27-3 requires the Pledge of Allegiance to be recited every day in elementary and secondary schools. Requirements for displaying a U.S. flag at each school and in each classroom are found in 5 ILCS 465/3 and 465/3a.

Note that the Illinois statute does not require every student to recite the Pledge – that kind of mandatory participation would violate the U.S. Constitution. Schools may not coerce a student into saying the Pledge, nor may they punish students for refusing to participate in any aspect of the flag ritual, including standing, saluting the flag, and reciting the Pledge. West Virginia State Board of Education v. Barnett, 319 U.S. 624 (1943); Sherman v. Community Consolidated School Dist. 21 of Wheeling Township, 980 F.2d 437 (7th Cir. 1992). Consider using permissive rather than mandatory language to introduce the recitation of the Pledge, such as, “You may now stand to recite the Pledge.” Schools may, of course, require that non-participants maintain order and decorum appropriate to the school environment.

<sup>14</sup> 105 ILCS 5/27-5 requires school boards to provide for students' physical education and allows the P.E. course offered in grades 5 through 10 to include the health education courses required by State law.

105 ILCS 5/27-6 describes when students may be excused from daily P.E. See also 23 Ill.Admin.Code §1.420(p). 105 ILCS 5/27-7 describes the goals and requirements for P.E. courses; these are re-stated in this sample policy.

9. In all schools, health education must be stressed, including: (a) proper nutrition, (b) physical fitness, (c) components necessary to develop a sound mind in a healthy body, and (d) dangers and avoidance of abduction. The Superintendent shall implement a comprehensive health education program in accordance with State law. **15**
10. In all schools, career/vocational education must be taught, including: (a) the importance of work, (b) the development of basic skills to enter the world of work and/or continue formal education, (c) good work habits and values, (d) the relationship between learning and work, and (e) if possible, a student work program that provides the student with work experience as an extension of the regular classroom. A career awareness and exploration program must be available at all grade levels. **16**
11. In grades 9 through 12, consumer education must be taught, including: financial literacy; installment purchasing; budgeting, savings, and investing; banking; simple contracts; income taxes; personal insurance policies; the comparison of prices; homeownership; and the roles of consumers interacting with agriculture, business, labor unions, and government in formulating and achieving the goals of the mixed free enterprise system. **17**
12. In all schools, conservation of natural resources must be taught, including: (a) home ecology, (b) endangered species, (c) threats to the environment, and (d) the importance of the environment to life as we know it. **18**
13. In all schools, United States history must be taught, including: (a) the principles of representative government, (b) the Constitutions of the U.S. and Illinois, (c) the role of the U.S. in world affairs, (d) the role of labor unions, and (e) the role and contributions of ethnic groups, including but not limited to, the African Americans, Albanians, Asian Americans, Bohemians, Czechs, French, Germans, Hispanics (including the events related to the forceful removal and illegal deportation of Mexican-American U.S. citizens during the Great Depression), Hungarians, Irish, Italians, Lithuanians, Polish, Russians, Scots, and Slovaks in the history of this country and State. **19**

In addition, all schools shall hold an educational program on the United States Constitution on Constitution Day, each September 17, commemorating the September 17, 1787 signing of the Constitution. However, when September 17 falls on a Saturday, Sunday, or holiday, Constitution Day shall be held during the preceding or following week. **20**

14. In grade 7 and all high school courses concerning U.S. history or a combination of U.S. history and American government, students must view a Congressional Medal of Honor film

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105 ILCS 5/27-6 contains an exception to the daily P.E. requirement for schools engaged in block scheduling; if this is applicable, substitute this sentence for the last sentence in this paragraph:

Unless otherwise exempted, all students are required to engage daily during the school day, except on block scheduled days for those schools in block scheduling, in a physical education course.

**15** 105 ILCS 5/27-13.2 and 110/3; 23 Ill.Admin.Code §1.420(n). Health education program content is described in administrative procedure 6:60-AP, *Comprehensive Health Education Program*; this administrative procedure requires the development of a family life and sex education program. The State Police and ISBE must develop instruction on child abduction prevention (20 ILCS 2605/2605-480).

**16** 23 Ill.Admin.Code §1.420(i). See 105 ILCS 435/ for the Vocational Education Act.

**17** 105 ILCS 5/27-12.1, as amended by P.A. 95-863; 23 Ill.Admin.Code §1.420(k).

**18** 105 ILCS 5/27-13.1 and 23 Ill.Admin.Code §1.420(l).

**19** 105 ILCS 5/27-21, amended by P.A. 96-629 (eff. 1-1-10), and 23 Ill.Admin.Code §1.420(r).

**20** Section 111 of Division J of Pub. L. 108-447, the Consolidated Appropriations Act, 2005, Dec. 8, 2004; 118 Stat. 2809, 3344-45 (Section 111). Section 111(b) states: “[e]ach educational institution that receives Federal funds for a fiscal year shall hold an educational program on the U.S. Constitution on September 17 of such year . . . .”

made by the Congressional Medal of Honor Foundation, provided there is no cost for the film. <sup>21</sup>

15. In all schools, the curriculum includes a unit of instruction on the Holocaust and crimes of genocide, including Nazi atrocities of 1933-1945, Armenian Genocide, the Famine-Genocide in Ukraine, and more recent atrocities in Cambodia, Bosnia, Rwanda, and Sudan. <sup>22</sup>
16. In all schools, the curriculum includes a unit of instruction on the history, struggles, and contributions of women. <sup>23</sup>
17. In all schools, the curriculum includes a unit of instruction on Black History, including the history of the African slave trade, slavery in America, and the vestiges of slavery in this country, as well as the struggles and contributions of African-Americans. <sup>24</sup>
18. In all schools offering a secondary agricultural education program, the curriculum includes courses as required by 105 ILCS 5/2-3.80. <sup>25</sup>
19. In all schools, instruction during courses as determined by the Superintendent or designee on disability history, awareness, and the disability rights movement. <sup>26</sup>

- LEGAL REF.: 5 ILCS 465/3 and 465/3a.  
20 ILCS 2605/2605-480.  
Public Law 108-447, Section 111 of Division J.  
105 ILCS 5/2-3.80(e) and (f), 5/27-3, 5/27-3.5, 5/27-5, 5/27-6, 5/27-7, 5/27-12, 5/27-12.1, 5/27-13.1, 5/27-13.2, 5/27-20.3, 5/27-20.4, 5/27-20.5, 5/27-21, 5/27-22, 5/27-23, 5/27-23.3, 5/27-23.4, 5/27-23.7, 5/27-23.8, 5/27-24.2, 435/, and 110/3.  
625 ILCS 5/6-408.5.  
23 Ill.Admin.Code §§1.420, 1.430, and 1.440.
- CROSS REF.: 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:70 (Teaching About Religions), 7:190 (Student Discipline); 7:260 (Exemption from Physical Activity)

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<sup>21</sup> 105 ILCS 5/27-3.5, added by P.A. 96-99. The Congressional Medal of Honor film is available on ISBE's website for no cost at [www.isbe.net/curriculum/html/medal\\_of\\_honor.htm](http://www.isbe.net/curriculum/html/medal_of_honor.htm).

<sup>22</sup> 105 ILCS 5/27-20.3 requires the curriculum to include a *unit of instruction* on this subject but does not specify the amount of time that constitutes a *unit of instruction*.

<sup>23</sup> 105 ILCS 5/27-20.5 requires the curriculum to include a *unit of instruction* on this subject but does not specify the amount of time that constitutes a *unit of instruction*.

<sup>24</sup> 105 ILCS 5/27-20.4 requires the curriculum to include a *unit of instruction* on this subject but does not specify the amount of time that constitutes a *unit of instruction*.

<sup>25</sup> 105 ILCS 5/2-3.80(e) or (f).

<sup>26</sup> 105 ILCS 5/27-23.8, added by P.A. 96-191, eff. 1-1-10. The statute requires the school board to determine the minimum amount of instructional time. The sample policy complies by delegating this responsibility to the superintendent or designee. The statute requires that the instruction be founded on the principle that all students, including students with disabilities, have the right to exercise self-determination. It urges districts to request individuals with disabilities to assist with the development and delivery of this instruction and allows instruction to be supplemented by knowledgeable guest speakers.

## Instruction

### Administrative Procedure - Comprehensive Health Education Program

The major educational areas of the District's comprehensive health education program are described below:

1. In all elementary and secondary schools the health program shall include human ecology and health; human growth and development; the emotional, psychological, physiological, hygienic, and social responsibilities of family life (including sexual abstinence until marriage); prevention and control of disease, and course material and instruction to advise students of the Abandoned Newborn Infant Protection Act. The program shall include information about cancer, including without limitation, types of cancer, signs and symptoms, risk factors, the importance of early prevention and detection, and information on where to go for help. <sup>1</sup>
2. The grades 6-12 health program shall include the prevention, transmission and spread of AIDS; public and environmental health; consumer health; safety education and disaster survival; mental health and illness; personal health habits; alcohol and drug use and abuse (including the medical and legal ramifications of alcohol, drug, and tobacco use, abuse during pregnancy); sexual abstinence until marriage; tobacco; nutrition; and dental health. <sup>2</sup> Secondary schools shall include sexual assault awareness. <sup>3</sup>
3. The following areas may also be included as in the curricula: basic first aid (including cardiopulmonary resuscitation and the Heimlich maneuver); heart disease; diabetes; stroke; the prevention of child abuse, neglect, and suicide; and teen dating violence in grades 8 through 12. <sup>4</sup>
4. In grades 5-12, the health program shall include instruction on alcohol and drug use and abuse, including the consequences of drug and substance abuse. <sup>5</sup>
5. In grades K-8, students should be provided with age-appropriate information about the dangers of drug abuse. The District's educational program shall offer drug education units that are integrated into the curricula and are designed to promote effective methods for the prevention and avoidance of drug and substance abuse. <sup>6</sup>
6. In grades 7-12, the program shall include the prevention of abuse of anabolic steroids. In addition, coaches and sponsors of interscholastic athletic programs shall provide instruction on steroid abuse prevention to students participating in these programs. <sup>7</sup>
7. The family life and sex education program shall be developed in a sequential pattern and related in depth and scope to the students' physical, emotional, and intellectual maturity level. Family life courses offered in grades 6-12, shall include information regarding the

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The footnotes should be removed before the material is used.

<sup>1</sup> Required by 105 ILCS 110/3, amended by P.A. 96-128 (eff. 1-1-10).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.* 105 ILCS 5/22-22 defines *secondary education* as the curriculum offered by a school district or an attendance center or centers serving grades 9 through 12 or grades 10 through 12.

<sup>4</sup> 105 ILCS 5/27-17; and 110/3, amended by P.A. 96-128 (eff. 1-1-10) and P.A. 96-383 (eff. 1-1-10).

<sup>5</sup> *Id.*

<sup>6</sup> 105 ILCS 5/27-13.2.

<sup>7</sup> Required by 105 ILCS 5/27-23.3, as implemented by 23 Ill.Admin.Code §1.420(u).

alternatives to abortion and information regarding the prevention, transmission, and spread of AIDS. Course content shall be age-appropriate. <sup>8</sup>

Class sessions which deal exclusively with human sexuality may be conducted separately for males and females.

8. The health program in grades K-8 shall include annual instruction on the danger of and how to avoid abduction as part of the District's regular curriculum. Students shall be given, as appropriate, information on child sexual abuse. <sup>9</sup>
9. Students shall be provided parenting education in grades 6-12. <sup>10</sup>
10. Students shall be provided safety education in all grades. <sup>11</sup>
11. All students shall receive age-appropriate instruction on motor vehicle safety and litter control. <sup>12</sup>
12. Students in grades 9 or 10 shall receive instruction on donations and transplants of organs/tissue and blood. <sup>13</sup>

No student shall be required to take or participate in any class or course on AIDS, family life instruction, sex abuse, or organ/tissue transplantation, if his or her parent/guardian submits a written objection to the Building Principal. Parents/guardians of students in grades kindergarten through 8 shall be given at least 5 days written notice before instruction on avoiding sex abuse begins. Refusal to take or participate in any such course or program shall not be reason for disciplinary action or academic penalty. <sup>14</sup>

Parents/guardians shall be provided the opportunity to preview all print and non-print materials used for instructional purposes. <sup>15</sup>

LEGAL REF.: 105 ILCS 5/27-9.1, 5/27-9.2, 5/27-13.2, 5/27-17, 5/27-23, 5/27-23.1, 5/27-23.3, 5/27-23.5, 5/27-26, and 110/3.

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The footnotes should be removed before the material is used.

<sup>8</sup> Course requirements are mandated by 105 ILCS 5/27-9.1 and 5/27-9.2, but offering the course is optional.

<sup>9</sup> The first sentence is required by 105 ILCS 5/27-13.2 and 23 Ill.Admin.Code §1.420(t). The second sentence is optional according to 105 ILCS 5/27-13.2.

<sup>10</sup> Course requirements are mandated by 105 ILCS 5/27-23.1, but offering the course is optional.

<sup>11</sup> Optional according to 105 ILCS 5/27-17.

A repealed statute required ISBE to develop a model program for "reduction of self-destructive behavior" and invited districts to include such instruction in their curriculum (105 ILCS 5/27-23.2, repealed by P.A. 95-793). ISBE never developed the program but any district that includes such instruction may add this provision, amending it to reflect its program: "Students in grades 6-12 shall receive instruction for decreasing self-destructive behavior, including methods for increasing life-coping skills, self-esteem, and parenting skills of adolescents and teenagers as a deterrent to their acceptance or practice of self-destructive actions."

<sup>12</sup> Required by 105 ILCS 5/27-23.

<sup>13</sup> Optional according to 105 ILCS 5/27-23.5.

<sup>14</sup> Required by 105 ILCS 5/27-9.1, 5/27-13.2, and 5/27-23.5.

<sup>15</sup> Id.

## Instruction

### Student Social and Emotional Development 1

Student social and emotional development shall be incorporated in the District's educational program and shall be consistent with the social and emotional development standards to be contained in the Illinois Learning Standards. <sup>2</sup> The objectives for addressing the needs of students for social and emotional development through the educational programs are to: <sup>3</sup>

1. Enhance students' school readiness, academic success, and use of good citizenship skills;
2. Foster a safe, supportive learning environment where students feel respected and valued;
3. Teach social and emotional skills to all students;
4. Partner with families and the community to promote students' social and emotional development; and
5. Prevent or minimize mental health problems in students.

LEGAL REF.: Children's Mental Health Act of 2003, 405 ILCS 49/1 et seq.

CROSS REF.: 6:270 (Guidance and Counseling Program), 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students), 7:250 (Student Support Services)

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The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

<sup>1</sup> State law requires this subject matter be covered by policy; it required districts to submit it to ISBE by 8/31/04.

<sup>2</sup> Required by the Children's Mental Health Act of 2003, 405 ILCS 49/1 et seq. ISBE incorporated social and emotional development standards into the Illinois Learning Standards, [www.isbe.net/il/social\\_emotional/standards.htm](http://www.isbe.net/il/social_emotional/standards.htm). 105 ILCS 5/2-3.142, added by P.A. 95-558, created the Ensuring Success in School Task Force. Supervised by ISBE, this task force will develop policies, procedures, and protocols for school boards to adopt to address the education and related needs of students who are parents, expectant parents, or victims of domestic or sexual violence; the goal is to encourage these students to stay in school, stay safe while in school, and successfully complete their education. School boards and superintendents may want to create their own study group to prepare for implementing of the task force's policies, procedures, and protocols. A report of the task force's findings is due to the General Assembly on or before January 1, 2009.

<sup>3</sup> The objectives are a matter of local school board discretion.

## Instruction

### Teaching About Religions <sup>1</sup>

The School District's curriculum may include the study of religions as they relate to geography, history, culture, and the development of various ethnic groups. The study of religions shall give neither preferential nor derogatory treatment to any single religious belief or to religion in general. The study of religions shall be treated as an academic subject with no emphasis on the advancement or practice of religion. <sup>2</sup>

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The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

<sup>1</sup> State or federal law controls this policy's content.

<sup>2</sup> Conducting or sponsoring religious practices in public schools violates the First Amendment to the U.S. Constitution. A school district may not provide for religious instruction on public school property. (McCollum v. Board of Educ., 333 U.S. 203 (1948); reciting a prayer (Engel v. Vitale, 370 U.S. 421 (1962); bible reading and prayer (School Dist. of Abington Twp v. Schempp, 374 U.S. 203 (1963) and Chamberlin v. Dade Co. Board of Public Instruction, 377 U.S. 402 (1964); posting of the Ten Commandments (Stone v. Graham, 449 U.S. 39 (1980); a moment of silence for "meditation and prayer." (Wallace v. Jaffree, 472 U.S. 38 (1985).

See also Kitzmiller v. Dover Area School Dist., 400 F.Supp.2d 707 (M.D.Pa., 2005). This decision struck a policy on the teaching of intelligent design in high school biology class. The policy required students to hear a statement mentioning intelligent design as an alternative to Darwin's theory of evolution. The court held that it amounted to an endorsement of religion in violation of the Establishment Clause and violated the Establishment Clause.

The Establishment clause, however, permits teaching about religion as part of a balanced, secular education. Thus, the study of the Bible or religion is permissible when presented objectively as part of a secular education. School Dist. of Abington v. Schempp, 374 U.S. 203 (1963).

Generally, holiday observations will survive constitutional scrutiny if they advance society's cultural and religious heritage or provide an opportunity for students to perform a full range of music, poetry, and drama that is likely to interest the students and their audience. Florey v. Sioux Falls School District, 619 F.2d 1311 (8th Cir. 1980), approved a school board policy concerning holiday observations. That policy acknowledged that the school district would not promote a religious belief or non-belief. The policy allowed the historical and contemporary values and origins of religious holidays to be explained in an unbiased and objective manner. Furthermore, it permitted the use of religious music, art, literature, and symbols if presented in an objective manner and as part of the cultural and religious heritage of the particular holiday. The Court believed that Christmas programs, including Christmas carols, allowed students to learn about this country's customs and cultural heritage. Of course, a student who objects to participating in such programs must be accommodated.

Public schools are prohibited from appearing to endorse or promote religion through religious holiday displays. Whether a particular display endorses or promotes religion will depend upon the particular context in which it appears. A display that is purely religious and located prominently may send the message that the school is endorsing religion. Mixing secular symbols with the religious symbols and injecting cultural and historical messages into the holiday display will more likely make it acceptable. Allegheny County v. Pittsburgh ACLU, 446 A.2d 334, appeal after remand, 471 A.2d 128, cert. denied, 488 U.S. 815 (1989).

See also Skoros v. City of New York, 437 F.3d 1 (2d Cir., 2006). This decision upheld a holiday display policy restricting displays to "secular" symbols, including Christmas trees, menorahs, and the star and crescent, but not allowing displays of a crèche or nativity scene. The ruling was not on the question of whether a public school ever could include a crèche in a display. Instead, the case upheld the board's decision to classify Christmas trees, menorahs, and the star and crescent as either secular or as being both religious and secular, whereas a crèche "is solely a religious symbol."

LEGAL REF.: School District of Abington Twp v. Schempp, 374 U.S. 203 (1963).  
Allegheny County v. ACLU Pittsburgh Chapter, 492 U.S. 573, 109 S.Ct. 3086, 106  
L.Ed.2d 472 (1989).

CROSS REF.: 6:20 (School Year Calendar and Day), 6:40 (Curriculum Development), 6:60  
(Curriculum Content), 6:255 (Assemblies and Ceremonies)

## **Instruction**

### **Administrative Procedure - Teaching About Religions**

The following are guidelines for teaching about religions:

1. Instruction must be age appropriate to ensure that students will not believe the District is sponsoring religion.
2. Instruction may expose students to religious views, but may not impose any particular views.
3. Instruction must be informational, not indoctrination.
4. Instruction must be academic, not devotional.
5. Instruction may study what people believe, but may not teach a student what to believe.
6. Instruction should strive for student awareness of a variety of religions, but should not press for student acceptance of any one religion.

Within the parameters of the academic study of religion, teachers may display objects, artifacts, and symbols that illustrate a variety of religious customs, beliefs, and expressions. Any classroom and school display presented as a part of religious studies or holiday activities must meet the following criteria:

1. The display will be exhibited on a temporary basis.
2. The display will be constructed in a manner that presents no endorsement, favoritism, or promotion of a single religion or religious belief.
3. The display will include non-secular as well as secular symbols.
4. The display will include appropriate descriptive labels attached to the symbols.

Individual student participation in the preparation of a religious study display or a religious holiday display is strictly voluntary. If the display is a class activity, any student who wishes not to participate must be given an alternative assignment.

## Instruction

### Teaching About Controversial Issues <sup>1</sup>

The Superintendent shall ensure that all school-sponsored presentations and discussions of controversial or sensitive topics in the instructional program, including those made by guest speakers, are:

- Age-appropriate. Proper decorum, considering the students' ages, should be followed.
- Consistent with the curriculum and serve an educational purpose.
- Informative and present a balanced view.
- Respectful of the rights and opinions of everyone. Emotional criticisms and hurtful sarcasm should be avoided.
- Not tolerant of profanity or slander. Disruptive conduct is prohibited and may subject a student to discipline.

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

CROSS REF.: 6:40 (Curriculum Development), 6:255 (Assemblies and Ceremonies)

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The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

<sup>1</sup> This policy contains an item on which collective bargaining may be required. Any policy that impacts upon wages, hours, and terms and conditions of employment, is subject to collective bargaining upon request by the employee representative, even if the policy involves an inherent managerial right. Before adopting this policy, a school board should review the scope of any clause on academic freedom contained in a collective bargaining agreement.

While this sample policy and its contents are discretionary with each board, its implementation should respect the constitutional rights of students and teachers to free speech and free association. The intent of this policy is to inform students, staff members, and the community that the board has established standards for the teaching and discussion of controversial topics in order to avoid culture wars from being fought in school.

## Instruction

### Using Animals in the Educational Program <sup>1</sup>

Animals may be brought into school facilities for educational purposes according to procedures developed by the Superintendent assuring: (a) the animal is appropriately housed, humanely cared for, and properly handled, and (b) students will not be exposed to a dangerous animal or an unhealthy environment. <sup>2</sup>

Experiments on living animals are prohibited; however, behavior studies that do not impair an animal's health or safety are permissible. <sup>3</sup> The dissection of dead animals or parts of dead animals shall be allowed in the classroom only when the dissection exercise contributes to or is a part of an illustration of pertinent study materials. All dissection of animals shall be confined to the classroom and must comply with The School Code.

Students who object to performing, participating in, or observing the dissection of animals are excused from classroom attendance without penalty during times when such activities are taking place. <sup>4</sup> No student will be penalized or disciplined for refusing to perform, participate in, or observe a dissection. The Superintendent or designee shall inform students of: (1) their right to refrain from performing, participating in, or observing dissection, and (2) which courses contain a dissection unit and which of those courses offers an alternative project. <sup>5</sup>

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

CROSS REF.: 6:40 (Curriculum Development)

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The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

<sup>1</sup> State or federal law controls this policy's content.

<sup>2</sup> This paragraph is optional and is not controlled by State or federal statute or rule.

<sup>3</sup> This sentence's first clause is required by 105 ILCS 5/27-14; the clause after the semi-colon is a reasonable interpretation that will allow the use of mouse-mazes.

<sup>4</sup> State law prohibits schools from penalizing a student who refuses to perform, participate in, or observe dissection (105 ILCS 112/25).

<sup>5</sup> The State Board of Education is required by 105 ILCS 112/20 to develop guidelines to help schools give notice to students. State law does not require that objecting students receive an alternative project. Instead, it says that the student may be given an alternative project that provides the student, through means other than dissection, with knowledge similar to that expected to be gained during the dissection project.

## Instruction

### Administrative Procedure - Dissection of Animals

| Actor                            | Action  | Time   |
|----------------------------------|---|--|
| Curriculum Director              | Determine which, if any, courses contain a dissection project.<br>"Dissection" includes cutting, killing, preserving, or mounting of living or dead animals or animal parts for scientific study; it does not include the cutting, preserving, or mounting of: (1) meat or other animal products that have been processed for use as food or in the preparation of food, or (2) wool, silk, glue, or other commercial or artistic products derived from animals (105 ILCS 112/10).<br>School Board policy, 6:100, <i>Using Animals in the Educational Program</i> , permits students who object to performing, participating in, or observing a dissection to be excused from classroom attendance without penalty. | Throughout the curriculum development process.                                 |
| Curriculum Director              | Determine alternative projects, if any, to dissection for those courses that contain a dissection project. Report to the Building Principal which, if any, courses contain a dissection project and the availability, if any, of an alternative.  | Annually before course offerings and descriptions are distributed to students. |
| Building Principal               | Ensure that course descriptions indicate which courses contain a dissection unit. For such courses, indicate that objecting students have the right to refrain, and the availability, if any, of an alternative.  | Annually when course offerings and descriptions are distributed to students.   |
| Guidance Counselors and Teachers | Inform students to consider the expectations and requirements of the post-secondary schools they may be interested in attending (105 ILCS 112/20(b)).   | Whenever a student may choose between dissection and an alternative program.   |
| Students                         | If dissection is objectionable, ask the teacher to be excused from the dissection project and request an alternative project, if one is available.  | Within the first 10 days of the course, if possible.                           |
| All Staff Members                | Do not penalize or discriminate against a student in any way for refusing to perform, participate in, or observe dissection.  | Continuously   |

LEGAL REF.: 105 ILCS 112/1 et seq.

## Instruction

### Programs for Students At Risk of Academic Failure and/or Dropping Out of School and Graduation Incentives Program <sup>1</sup>

The Superintendent or designee shall develop, maintain, and supervise a program for students at risk of academic failure or dropping out of school. The program shall include education and support services addressing individual learning styles, career development, and social needs, and may include:

- Parent-teacher conferences
- Counseling services by social workers and/or guidance counselors
- Counseling services by psychologists
- Psychological testing
- Truants' alternative and optional education program <sup>2</sup>
- Alternative school placement
- Community agency services
- Alternative learning opportunities program, in conformity with the Alternative Learning Opportunities Law, as it may be amended from time to time <sup>3</sup>
- Graduation incentives program <sup>4</sup>
- Illinois Hope and Opportunity Pathways through Education (IHOPE) Program

Any student who is below the age of 20 years is eligible to enroll in a graduation incentives program if he or she: <sup>5</sup>

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

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<sup>1</sup> State or federal law controls this policy's content.

<sup>2</sup> 105 ILCS 5/2-3.66 authorizes the ISBE to award grants to school districts, ROEs, and community college districts.

<sup>3</sup> 105 ILCS 5/13B-1 *et seq.* Districts are not required to establish an alternative learning opportunities program. However, if they do, State law requires that the program "provide a flexible standards-based learning environment, innovative and varied instructional strategies, a student-centered curriculum, social programs, and supplemental social, health, and support services to improve the educational achievement of students at risk of academic failure" (105 ILCS 5/13B-20). The program must also meet the requirements in 105 ILCS 5/13B-45. Alternative learning opportunities programs "may include without limitation evening high school, in-school tutoring and mentoring programs, in-school suspension programs, high school completion programs to assist high school dropouts in completing their education, support services, parental involvement programs, and programs to develop, enhance, or extend the transition for students transferring back into the regular school program, an adult education program, or a post-secondary education program" (105 ILCS 5/13B-20.5). See 105 ILCS 5/13B-25.10, as well as other requirements for general State aid, for additional requirements to receive State funds for creating this program.

<sup>4</sup> Required by 105 ILCS 5/26-16.

<sup>5</sup> Required by 105 ILCS 5/26-16. Graduation incentives programs are entitled to claim general State aid. A school district must ensure that its graduation incentives program receives supplemental general State aid, transportation reimbursements, and special education resources, if appropriate, for students enrolled in the program.

Illinois Hope and Opportunity Pathways through Education (IHOPE) Program <sup>6</sup>

The Superintendent or designee shall develop the required partnerships necessary to build a comprehensive plan to re-enroll high school dropouts in the District through the IHOPE Program. The IHOPE Program shall include all components required by State law and regulations. Any student who wishes to earn a high school diploma must meet the prerequisites to receiving a high school diploma in policy 6:300, *Graduation Requirements*.

LEGAL REF.: 105 ILCS 5/2-3.41, 5/2-3.66, 5/2-3.66b, 5/13B-1 et seq., 5/26-2a, 5/26-13, 5/26-14, and 5/26-16.

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

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<sup>6</sup> Optional. 105 ILCS 5/2-3.66b, added by P.A. 96-106, authorizes ISBE to award Illinois Hope and Opportunity Pathways through Education (IHOPE) Program grants to ROEs that partner with school districts and community colleges to re-enroll high school drop-outs in programs that will enable them to earn their high school diploma. Alternatively, an ROE can contract with a school district (and create a sub-grant) to operate the IHOPE Program. An ROE or school district that enrolls students who receive qualifying services in a program funded by the IHOPE Program may claim general State aid.

Veterans of World War II, the Korean Conflict, or the Vietnam Conflict<sup>9</sup>

Upon application, an honorably discharged veteran of World War II, the Korean Conflict, or the Vietnam Conflict will be awarded a diploma, provided that he or she: (1) resided within an area currently within the District at the time he or she left high school, (2) left high school before graduating in order to serve in the U.S. Armed Forces, and (3) has not received a high school diploma or General Educational Development (GED) diploma.

LEGAL REF.: 105 ILCS 5/2-3.64, 5/22-27, 5/27-3, 5/27-22, and 5/27-22.10.  
23 Ill.Admin.Code §1.440.

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

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<sup>9</sup> Optional. 105 ILCS 5/22-27, amended by P.A. 96-88, does not designate a time requirement for when the veteran "resided within an area currently within the district." Thus, a reasonable interpretation may be adopted locally. The sample policy designates "at the time he or she left high school" as the pertinent time for residence. See 6:300-E, *Application for a Diploma for Veterans of WWII, the Korean Conflict, or the Vietnam Conflict*.