

State Recognition Updates
Information for School Leaders
August 17, 2017

Each year changes are made in the probe. This document compares August of 2013 probe to October of 2016 probe.

It is likely that changes have been made since your school was last visited. It is important that your school is up to date on these changes because:

- a. Whether scheduled for a visit or not, you submit application for renewal of state recognition each fall. The application is a checklist of all the items currently included in the probe. Check mark for each item indicates school is up to date on that item. Integrity demands that items not be checked unless up to date.
- b. You will be fully prepared for the next state visit. (You will not need to be catching up on all sorts of things.)

See the NONPUBLIC SCHOOL EVALUATION INSTRUMENT GLOSSARY (the Bible for State Recognition), <https://www.isbe.net/Documents/np-eval-inst-glossary.pdf> for additional information.

Be sure to note:

- Items are not included unless there has been a basic change or related information is needed.
- **Notes in red are things you need to have done or be aware of to ensure you are up to date.**
- **Items in green are sample policies.**

#1

Section IB, 2013 Probe

“The school offers an academic term of at least 176 days of pupil attendance annually, with at least five clock hours of instruction daily or at least 880 clock hours of instruction annually.”

Section IB, 2016 Probe

“The school offers an academic term of at least 176 days of pupil attendance annually, with at least five clock hours of instruction daily or at least 880 clock hours of instruction annually.

Total number of days with at least 5 hours of instruction each: _____

Total number of hours of instruction per year: _____”

Note: The information is essentially the same. Dr. Gary Greene, Principal Consultant, Illinois State Board of Education, reminds us to subtract any devotion time, study halls,

homerooms, and any passing time – that is, any non-instructional time – when calculating calendar. Religion classes where there is a teacher, as opposed to clergy, as well as a curriculum, tests, and grading, does count as instructional time.

#2

Section 1C, 2016 Probe (This item not in 2013 Probe)

“The school’s RCDT code ends in -01 or -19 and has adopted a compliant bullying policy, and the team sees evidence that the policy is

- communicated to students and parents/guardians annually;
- updated biennially,
- on file with the Illinois State Board of Education,
- and being fully implemented by the school.”

Note: Our schools’ RCDT codes do not end in -01 or -19 and our schools are not required to have a bullying policy. Mark NA. (However, highly advisable to have a bullying policy, just do not need to run it past the state. When Dr. Greene does a visit, the school gets a commendation for having the policy when it is not required.)

#3

Section 1C, 2013 Probe

“The school requires students who are enrolled to attend daily during the entire regular school term.”

Section 1D, 2016 Probe

“The school requires students who are enrolled to attend DAILY during the entire regular school term.”

Note: iD of 2016 Probe is same as Section 1C of the 2013 probe excepting that DAILY is capitalized in the 2016 probe. This is to remind us that regular attendance is not the same as daily attendance. Your policy is to state DAILY or EVERY DAY. It is suggested that your school calendar also specify this.

#4

Section IE 1-3, 2016 Probe (Essentially replaces ID in the 2013 Probe)

“Specific Required Policies

1. The school complies with applicable federal and State laws prohibiting discrimination, including, but not limited to:
 - a. Title IX of the *Education Amendments* of 1972 (20 USC 1681 et seq.)
 - b. The *Individuals with Disabilities Education Improvement Act* (20 USC 1400 et seq.)—cf. Glossary
 - c. The *Age Discrimination in Employment Act of 1967* (29 USC 621 et seq.)

- d. Title VI of the *Civil Rights Act of 1964* (42 USC 2000d et seq.)
 - e. Title VII of the *Civil Rights Act of 1964* (42 USC 2000e et seq.)
 - f. The *Americans with Disabilities Act* of 1990 (42 USC 12101 et seq.)
2. The school maintains a written description of its methods or procedures for complying with the applicable nondiscrimination requirements identified in E.1.
3. The school has written policies to ensure general compliance with
- a. Applicable sections of the Illinois School Code [105 ILCS 5], and
 - b. Relevant case law including *Plyler v. Doe*, 457 U.S. 202, 102 S.Ct. 2382 (1982)
 - c. 1.23 ILL. Admin. Code Part 425"

Note:

Item IE1b Since our schools do not receive federal funding, they are not bound by IDEA federal requirements that would apply if federal funding was present; this item could then be N/A. This would only be N/A if the school is not doing them. A school could voluntarily take on the requirements of a statute that they are not required to follow.

The following sample non-discrimination policy meets the requirements of IE1-3, 2016 probe.

Policy of Non – Discrimination

_____ serves the entire community.
 _____ does not discriminate on the basis of age, race, color, sex, disability, immigration status, or national ethnic origin in admission of students; in the right to privileges, programs, and activities generally made available to students in the school; in administration of educational and employment policies; and in administration of athletic or other school administered programs.

The Non-Discrimination Policy of _____ complies with Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.); the Individuals with Disabilities Education Improvement Act (20 U.S.C. 1400 et seq.); The Age Discrimination Employment Act of 1967 (29 U.S.C. 621 et. seq); Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq., 2000e et seq.); the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and the Illinois School Code {105 ILCS 5, and relevant case law including *Plyler v. Doe*. 457 U.S. 202, 102 S. Ct. 2382 (1982).

_____ takes its non-discrimination policy seriously. The School Board of _____ is responsible for implementation of the non-discrimination policy and addresses any concerns in this area.

(The final paragraph satisfies IE2. This is but one example of satisfactory policy.)

#5

Section IF, 2016 Probe (Essentially replaces IE in the 2013 Probe)

- “1. School personnel are informed that they are mandated reporters of child abuse and neglect. All school personnel hired on or after July 1, 1986 have signed the mandated reporter statement required by the Department of Children and Family Services acknowledging this obligation.
2. The school has a written system/procedure in place that flags records requests for any current or former student reported as a missing person by the Illinois State Police.
3. The school maintains certified copies of birth certificates for each student enrolled. The school notifies the parents or guardians that such documentation must be submitted within 30 days of enrolling the student.
4. Certified copies of transfer students' records must be requested within 14 days of enrollment; the school sends unofficial records of students transferring to other schools within 10 days of the request.”

Note:

IF1 - It is not enough to have the signed Mandated Reporter Status forms on file. Your policies must specifically state that all school personnel are mandated reporters of child abuse and neglect. The purpose of this is so that parents are informed.

IF2 - Although this is not new, some schools have had questions about it. Requirement could be met using the following policy.

Missing Student Reporting

When a student is transferred in or out of the school, the school checks to confirm that the student is not listed as missing. Procedure is to go to <http://www.isp.state.il.us/crime/missing.cfm>, and click on Missing Children from Illinois. This leads to a data base that covers missing children nationwide. Enter student's name under search. If listed, give notice of this by email to the Department of State Police at missing@isp.state.il.us, and to the local police department. If a child is listed as missing that the school believes should not be listed as missing, the administrator gives notice of this by email to the Department of State Police at missing@isp.state.il.us, and to the local police department.

Note; 1F4 -

There is no change. However, Dr. Greene reminds us that birth certificates must be government issued as opposed to issued by a hospital. If a child from another country does not have a birth certificate, a government issued document (such as a passport) indicating child's name, date of birth, and place of birth will meet this requirement

Also be reminded that policy must include that student is excluded from school if certified copy of birth certificate is not received within 30 days of enrollment.

#6

Item IG1&2 in 2016 Probe essentially replaces Item IH in the 2013 Probe.
Item IH1-4 in 2016 Probe essentially replaces items IF and 1G in the 2013 Probe.

Note:

IH2 in 2016 Probe includes notification of parents or guardians of students in possession of firearms on school grounds.

The following procedures could be followed to satisfy requirements of IG and IH, 2016 Probe.

Incident Reporting - Battery of School Personnel

The chief school administrator

1. Immediately notifies local law enforcement officials of written complaints from school personnel concerning instance of battery committed against school personnel.
2. Notifies the Illinois State Police within 3 days of each incident.

Incident Reporting - Firearms and Drugs

The chief school administrator

1. Immediately notifies a local law enforcement agency of firearm incidents at the school.
2. Immediately notifies the parents or guardians of students in possession of firearms on school grounds, which include the real property comprising any school, on a public way within 1,000 feet of a school, or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity within 48 hours of becoming aware of the incident.
3. Notifies the municipal police department or the office of the county sheriff of verified incidents involving drugs occurring in a school, on the real property comprising any school, on a public way within 1,000 feet of a school, or in any conveyance owned, leased, or contracted by a school to transport students to or from school or a school related activity within 48 hours of becoming aware of the incident.
4. Notifies the Illinois State Police of such incidents.

#7**Section IIB in the 2013 Probe**

“The school provides instruction in American patriotism, the principles of representative government, as enunciated in the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois, and the proper use and display of the American flag, and shall require pupils to recite the Pledge of Allegiance daily. (Sections 27- and 27-4 of the School Code 10 I CS /27- and 27-4) Not less than one hour per week, or the equivalent, shall be devoted to the study of this subject matter in the 7th and 8th grades or their equivalent and in all high school grades.

No student shall receive a certificate of graduation from the 8th grade or from high school without passing an examination on these subjects. No student shall be graduated from the 8th grade unless he or she has received instruction in the history of the United States and has given evidence of a comprehensive knowledge of the subject (Section 27-21 of the School Code 10 I CS /27-1)”

Section IIB in the 2016 Probe

“The school is supported or maintained wholly or in part by public funds. **If not, check here ____ and proceed to item C.**

1. The school provides instruction in
 - a. American patriotism,
 - b. The principles of representative government, as enunciated in the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois,
 - c. The proper use and display of the American flag, and
 - d. The method of voting in elections by means of the Australian ballot system.
2. The school requires pupils to recite the Pledge of Allegiance daily [105 ILCS 5/27-3 and 27-4].
3. The school requires not less than one hour per week, or the equivalent, to be devoted to the study of this subject matter in the 7th and 8th grades or their equivalent and in all high school grades.
4. No student shall receive a certificate of graduation from the 8th grade or from high school without passing an examination on these subjects.
5. No student shall be graduated from the 8th grade unless he or she has received instruction in the history of the United States and has given evidence of a comprehensive knowledge of the subject [105 ILCS 5/27-21].”

Note that all of this is only required in schools supported or maintained wholly or in part by public funds. Reimbursement programs, such as free and reduced lunch programs and Illinois Action for Children, that are a benefit for the students for which the school is an agent, would not constitute sustaining or maintaining the school via public funds as the school itself, as an entity, gets no benefit—only the students benefit. This whole item, therefore, will be N/A for most nonpublic schools. Just check the one box indicating this and go on to Part C. Dr. Greene suggests that a way to determine whether or not public funds are involved is to ask whether or not the school receives a check for

services. If school does not receive a check, it is not the recipient of public funds.

Note that nonpublic schools seek to meet or exceed expectations of public schools, and are therefore, even if not receiving public funds, encouraged to meet all the requirements of section IIB. When Dr. Greene does a visit, the school gets a commendation for meeting the requirements of section IIB even though it is not required.

If the school is supported by public funds meaning these items are required, then one might also find these topics studied in a civics or government class or as a unit within an American history class; however, some topics might be covered in a world history class (looking at ancient Athens, for example) or even a literature class (looking at Puritan government in *The Scarlet Letter*, for example). “Australian ballot” is another term for a secret ballot, which is to say, the ballot system used in the United States.

#8

Section IIC in the 2013 Probe

“The school provides health education as required by the Critical Health Problems and Comprehensive Health Education Act (105 ILCS 110).”

Section IIC in the 2016 Probe

“The school provides health education as required by the Critical Health Problems and Comprehensive Health Education Act (105 ILCS 110]. **All of the following are required topics** in grades K-12 (except where otherwise specified), so all must be checked for the school to be in compliance.

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

including instruction in grades 6 through 12 on the prevention, transmission, and spread of AIDS.

Age-appropriate sexual abuse and assault awareness and prevention education in grades pre-kindergarten through 12.

Public and environmental health, consumer health, safety education, and disaster survival.

Mental health and illness. Personal health habits.

Alcohol, drug use, and abuse including the medical and legal ramifications of alcohol, drug, and tobacco use.

Abuse during pregnancy, evidence-based and medically accurate information regarding sexual abstinence, tobacco, nutrition, and dental health.

The program shall also provide course material and instruction to advise pupils 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”

Note the 2016 Probe is made far more specific than the 2013 Probe by enumerating the requirements of the Health Education Act. All of the indicated subjects are required.

- However, the school has some flexibility in this regard. All are required at the elementary level, for example, but not in all elementary grade levels; the school can decide which topics to cover at which grade levels. If the school is K-12, then a topic would not have to be covered in the elementary grades and then covered again in 9-12.

- Also, these are “topics” and not “courses” that are required, so a school may elect to cover some items in a health class, some in a science class, some in religion, etc.

- Lastly, the school may exercise good instructional judgment in tackling these topics in an age appropriate manner

#9

Section IIIA, IIIB, and IIIC of 2013 Probe

“A. A fingerprint-based criminal history records check has been conducted for each certified and non-certified employee hired on or after July 1, 2007. The school has not knowingly employed an individual for whom a criminal history records check has not been initiated (Section 2-3.25o of the School Code [105 ILCS 5/2-3.25o (c-5)].”

“B. The school has performed a check of the Statewide Sex Offender Database, as authorized by the Sex Offender Community Notification aw, for each applicant for employment, after July 1, 2007, to determine whether the applicant has been adjudicated a sex offender. The school has not knowingly employed an individual,

hired after July 1, 2007, for whom a check of the Statewide Sex Offender Database has not been initiated.”

“C The school has not knowingly employed an individual, hired after July 1, 2007, who has been convicted for committing attempted first degree murder or for committing or attempting to commit a Class X felony or any one or more of the offenses enumerated in 105 ILCS 5/21-23(a).”

Section IIIA of 2016 Probe

“The school conducts required criminal background checks.

Personnel records check: All ____ Sampling ____

1. A fingerprint-based criminal history records check has been conducted for each certified and non-certified employee hired on or after July 1, 2007.
2. The school has not knowingly employed an individual on or after July 1, 2007, for whom a criminal history records check has not been initiated [105 ILCS 5/2-3.25o (c-5)].
3. The school can document that it has performed a check of the Statewide Sex Offender Database, as authorized by the Sex Offender Community Notification Law, for each applicant for employment, after July 1, 2007, to determine whether the applicant has been adjudicated a sex offender.
4. The school has not knowingly employed an individual, hired after July 1, 2007, for whom a check of the Statewide Sex Offender Database has not been initiated.
5. The school has not knowingly employed an individual, hired after July 1, 2007, who has been convicted for committing attempted first degree murder or for committing or attempting to commit a Class X felony or any one or more of the offenses enumerated in 105 ILCS 5/21-23(a).”

Note that section IIIA of 2016 Probe essentially replaces sections II!A, II!B, and II!C of 2013 Probe. The criminal background check is to cover state and federal levels. Item 3 requires evidence that the Sex Offender file has been checked. A printout from sex offender file for each staff member is commonly used.

#9**Section IIID of 2013 Probe**

“The school requires of each new employee evidence of freedom from communicable disease, including tuberculosis. This evidence shall consist of a tuberculin skin test and, if appropriate, an x-ray, performed by a physician licensed in Illinois or any other state to practice medicine in all its branches, an advanced practice nurse who has a written collaborative agreement with a collaborating physician that authorizes the nurse to perform health examinations, or a physician assistant who has been delegated the authority to perform health examinations by his or her supervising physician not more than 90 days preceding the date on which the report of the test results is presented to the school’s chief administrator.”

Section IIIB of 2016 Probe

“The school requires of each new employee evidence of freedom from communicable diseases.”

Note that Section IIIB of 2016 Probe essentially replaces Section IIID of the 2013 Probe. The requirement is only for new employees. However, a school wishing to do due diligence may wish to ensure that it has such documentation for all staff. The 2016 Probe does not specify the tuberculin skin test. The nature of the required evidence is not specified in statute, so it could be as simple as a brief note or as involved as a report on a complete physical. “Communicable diseases” for purposes of this question is defined by the Department of Public Health. The health professional supplying the evidence should know what ailments fall under this heading.

#10**Section IIIE of 2013 Probe**

“The school’s personnel policies require:

1. Monitoring the performance of each employee who provides or assists with instruction or has other instructional responsibilities (e.g., teachers, teacher aides, administrators, department chairs).
2. Formal evaluation at least every two years in terms of proficiency and competency.”

Section IIIC of 2016 Probe

“The school’s personnel policies require:

1. Monitoring the performance of each employee who provides or assists with

instruction or has other instructional responsibilities (e.g., teachers, teacher aides, administrators, department chairs).

2. Formal evaluation at least every two years in terms of proficiency and competency. This requirement shall include the principal and other instructional administrators.”

Note that IIC of 2016 Probe essentially replaces IIIE of 2013 Probe. The only difference is that the 2016 Probe specifies that principal and other administrators be evaluated. Though not noted here, requirement for evaluation also applies to teacher aides --- all persons involved in the instructional side of the program.

#11

Section IVB of 2013 Probe

“If the school provides food service, the nutrition program and the facilities used comply with the Richard B. Russell National School Lunch Act (42 SC 17 1 et seq.), the Child Nutrition Act of 1 66 (42 SC 1771 et seq.), and the School Breakfast and lunch Program Act [105 ILCS 125].”

Section IVC of 2016 Probe

“Compliance with 23 Illinois Administrative Code 305.10 The school participates only in the state meal program (IL Free Breakfast and/or Lunch) and claims only state reimbursement. **If no*, skip to item 2 below.**

1. The school maintains an accurate record of the number of breakfasts and lunches served each day to children eligible for free meals. **Skip to Section D.**
2. The school participates in a federal meal program, thus providing food service under the Richard B. Russell National School Lunch Act (42 USC 1751 et seq.), the Child Nutrition Act of 1966 (42 USC 1771 et seq.), and the School Breakfast and Lunch Program Act [105 ILCS 125]. **If no*, skip to Section D.**
 - a. Compliance with 23 Illinois Administrative Code 305.15(b)(c): The school has students in grades 9-12. **If no*, skip to Section D.**
 - I. The school sells food and/or beverages to students outside of the reimbursable meal, during the school day and on the school campus. **If no*, skip to Section D.**
 - II. The school has a policy within the local wellness policy stating procedures to be used to request an exempted fundraising day and the process and criteria to review and approve or deny a request.
 - III. School allows for no more than nine (9) exempted fundraising days

per school year.

- IV. School maintains for no less than three years a listing of the exempted fundraising days held.
- V. Compliance with 23 Illinois Administrative Code 305.15(d): The school ensures that all revenue from the sale of any food and/or beverage inside the food service area during the meal period accrues to the nonprofit school lunch account.
 - b. Compliance with 23 Illinois Administrative Code 305.20: The school allows student workers in the food service area. **If no*, skip to Section D. L I.**
 - I. Parental/Guardian written consent is obtained.
 - II.No student is required to work for his/her meals.
 - III. Student worker meals are claimed in the eligibility category of student.”

Note that massive Section IVC in 2016 Probe essentially replaces the much smaller Section IVB in 2013 Probe. Exempted fundraising days are referenced in the 2016 Probe. Suggest contact ISBE if there are questions specific to your school.

#12

Section IVE5 of 2016 Probe refers to Fire Marshall Report (Annual Compliance Review Report).

Note that Dr. Greene REPORTED ON 6/12/17: The State Fire Marshal’s office has changed its annual reporting) slightly to help make things easier for you. You will find that the form can now be submitted electronically. Go to:

<https://www2.illinois.gov/sites/sfm/SFMDocuments/Documents/PrivateSchoolAnnualReviewComplianceReport.pdf#search=sch> Just click to submit – no signature is required.

Note Tornado drills should not put kids in a hallway as danger due to tunnel effect from the two doors - should be washroom, locker room, basement

#13

Section IVH of 2016 Probe - This item is not found in the 2013 Probe.

“The school allows

1. Self-administration and self-carry of asthma medication and/or epinephrine auto-injectors.
2. Administration of undesignated epinephrine auto-injectors or opioid antagonists.”

Note that the school must have policies that allow for both of these situations.

#14, Look for a new section coming on concussions.

