

OFFICE OF THE SUPERINTENDENT

Millburn Public Schools

INFORMATION ITEM

July 6, 2010

To: Board of Education Members

From: Ellen E. Mauer, PhD

Subject: First Reading-Staff Development Program-5:100

Changes to this policy are language regarding the training of ADD/ADHD, the application of behavioral interventions, and the use of certain medications for children. It also requires training on educator ethics, teacher/student conduct, and school employee-student conduct.

We ask that you use this as your first reading period and then put this on the next BOE meeting agenda for a second reading and approval.

## General Personnel

### Staff Development Program <sup>1</sup>

The Superintendent or designee shall implement a staff development program. The goal of such program shall be to update and improve the skills and knowledge of staff members in order to achieve and maintain a high level of job performance and satisfaction. Additionally, the development program for certificated staff members shall be designed to effectuate the District and School Improvement Plans so that student learning objectives meet or exceed goals established by the District and State.

The staff development program shall provide, at a minimum, at least once every 2 years, the in-service training of certificated school personnel and administrators on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school-age children. <sup>2</sup>

The staff development program shall provide, at a minimum, once every 2 years, the in-service training of all District staff on educator ethics, teacher-student conduct, and school employee-student conduct. <sup>3 4</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 law requires the subject matter in paragraph 2 to be covered by policy. State or federal law controls this policy's content. A school board may set and enforce professional growth requirements (105 ILCS 5/24-5). Failure to meet professional growth requirements is considered remediable. *Morris v. ISBE*, 555 N.E.2d 725 (Ill.App.3, 1990).

105 ILCS 5/2-3.60 directs ISBE to require that districts provide a continuing education program for teachers. This policy applies the rationale behind that requirement to all staff. Note that determining the program's goals is board work.

<sup>2</sup> This paraphrases 105 ILCS 5/10-20.36. The topic covered in this paragraph must be in a board policy (Id.). A school medical staff, an individualized educational program team, or a professional worker (as defined in Section 14-1.10) may recommend that a student be evaluated by an appropriate medical practitioner. School personnel may consult with the practitioner, with the consent of the student's parent/guardian.

<sup>3</sup> 105 ILCS 5/10-22.39 (e), amended by P.A. 96-431, requires boards to conduct this in-service, but the language of this paragraph is not required to be in board policy. This is an opportunity for each board and the superintendent to examine all current policies, collective bargaining agreements, and administrative procedures on this subject. Each board may then want to have a conversation with the superintendent and direct him or her to develop a curriculum for the in-service that instructs all district staff to maintain boundaries and act appropriately, professionally and ethically with students. See also 5:120, *Ethics* and footnote 8 in 4:110, *Transportation*. These expectations will be most effective when they reflect local conditions and circumstances. Employee conduct issues may be subjects of mandatory collective bargaining, therefore consulting the board attorney should be a part of this process. A district would commit an unfair labor practice by implementing new employee conduct rules without first offering to negotiate them with the applicable exclusive bargaining representative.

<sup>4</sup> Following are 2 optional paragraphs that paraphrase in-services that The School Code requires school districts to provide its entire staff but are not required to be in board policy. 105 ILCS 5/10-22.39 lists other in-service training requirements that are not required to be in policy. They include training to acquire a basic knowledge of matters relating to acquired immunodeficiency syndrome (AIDS) and in grades 7-12, training to identify the warning signs of suicidal behavior in adolescents and teens along with appropriate intervention and referral techniques.

The first optional paragraph lists 2 ways of stating that an in-service training must occur for school personnel who work with students who are parents, expectant parents, or victims of domestic or sexual violence; these in-services are required at least every 2 years. 105 ILCS 10-22.39(d), amended by P.A. 95-558.

- LEGAL REF.: 105 ILCS 5/2-3.60, 5/10-22.39, 5/10-23.12, 5/24-5, and 110/3.  
745 ILCS 49/, Good Samaritan Act.
- CROSS REF.: 3:40 (Superintendent), 3:50 (Administrative Personnel Other Than the Superintendent), 4:160 (Environmental Quality of Buildings and Grounds), 5:90 (General Personnel - Abused and Neglected Child Reporting), 5:120 (Ethics), 5:250 (Leaves of Absence), 6:15 (School Accountability), 6:20 (School Year Calendar and Day)
- ADMIN PROC.: 4:170-AP6 (Plan for Responding to a Medical Emergency at an Indoor Physical Fitness Facility), 5:100-AP (Staff Development Program), 5:150-AP (Personnel Records), 7:250-AP1 (Measures to Control the Spread of Head Lice at School)

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Alternate 1: At least every 2 years, the Superintendent or designee must arrange an in-service for school personnel who work with students; the in-service shall be conducted by persons with expertise in domestic and sexual violence and the needs of expectant and parenting youth. The in-service shall include: (a) communicating with and listening to youth victims of domestic or sexual violence and expectant and parenting youth, (b) connecting youth victims of domestic or sexual violence and expectant and parenting youth to appropriate in-school services and other agencies, programs and services as needed, and (c) implementing the School District's policies, procedures, and protocols with regard to such youth, including confidentiality.

Alternate 2: At least every 2 years, the Superintendent or designee shall arrange an in-service to train school personnel, at a minimum, to understand, provide information and referrals, and address issues pertaining to youth who are parents, expectant parents, or victims of domestic or sexual violence.

The second optional paragraph restates 105 ILCS 5/3-11, 105 ILCS 110/3, and 77 Ill.Admin.Code §527.800:

An opportunity shall be provided for all staff members to acquire, develop, and maintain the knowledge and skills necessary to properly administer life-saving techniques and first aid, including the Heimlich maneuver, cardiopulmonary resuscitation, and the use of an automated external defibrillator, in accordance with a nationally recognized certifying organization. Physical fitness facilities' staff must be trained in cardiopulmonary resuscitation and use of an automated external defibrillator.

Persons performing CPR are generally exempt from civil liability if they are certified in CPR (745 ILCS 49/10); persons performing automated external defibrillation are generally exempt from civil liability if they were trained and acted according to the standards of the American Heart Association (745 ILCS 49/12).

105 ILCS 5/3-11 contains requirements that the regional superintendents must include during teachers institutes. P.A. 95-969 added instruction on prevalent student chronic health conditions beginning in school year 2009-2010, and P.A. 96-431 added training committed to educator ethics and teacher-student conduct.

## **General Personnel**

### **Staff Development Program**

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All staff members are encouraged to acquire, develop, and maintain the knowledge and skills necessary to properly administer life-saving techniques, including the Heimlich maneuver and rescue breathing, in accordance with a nationally recognized certifying organization. The staff development program may include training and services of experts in life-saving techniques to instruct teachers and other school personnel.

LEGAL REF.: 105 ILCS 5/2-3.60, 5/2-3.64, 5/10-22.39, and 110/3.  
745 ILCS 49/1 et seq. (Good Samaritan Act).

ADOPTED: May 20, 2002