# *2025 School Administrators' Conference*

October 8, 2025

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# SCHOOL ADMINISTRATORS' CONFERENCE
## October 8, 2025

## AGENDA

| | |
|---|---|
| **8:00 a.m. – 8:30 a.m.** | **REGISTRATION/BREAKFAST** |
| **8:30 a.m. – 10:00 a.m.** | **GENERAL SESSION** |
| Grand Ballroom A/B | An Uncertain Future: Continued Shifts in the Interpretation and Enforcement of Federal Laws<br>*Presented by: Joseph J. Perkoski and Caroline A. Roselli* |
| **10:00 a.m. – 10:15 a.m.** | Break / Switch Rooms |
| | ***PLEASE SELECT ONE TOPIC TO ATTEND*** |
| **10:15 a.m. – 11:15 a.m.** | **Session 1** |
| Grand Ballroom A | The Laws, They Are a-Changin': Updates for the School HR Office<br>*Presented by: Catherine R. Locallo and Matthew M. Swift* |
| Grand Ballroom B | From Classroom to Courtroom: Lessons from Recent Disability Discrimination Cases<br>*Presented by: Laura M. Sinars and Jessica T. Carbonaro* |
| Cyprus Room, Floor 12 | Construction Case Study Part 1: Laying the Foundation – Strategic Planning, Risk Management, and Legal Readiness Before Breaking Ground<br>*Presented by: Howard A. Metz, Christopher R. Gorman, and Danielle B. McNamara* |
| **11:15 a.m. – 11:30 a.m.** | Break / Switch Rooms |
| **11:30 a.m. – 12:30 p.m.** | **Session 2** |
| Grand Ballroom A | Teacher Evaluation Process: Refresher on Legal Requirements and Best Practices to Ensure Compliance<br>*Presented by: Thomas C. Garretson and Aaron J. Kacel* |
| Grand Ballroom B | Construction Case Study Part 2: Building Beyond the Blueprint – Oversight, Dispute Management, and Legal Remedies Through Project Completion<br>*Presented by: Kenneth M. Florey and Matthew J. Gardner* |
| Santorini Room, Floor 2 | Lunch 1 |
| **12:30 p.m. – 12:45 p.m.** | Break / Switch Rooms |
| **12:45 p.m. – 1:45 p.m.** | **Session 3** |
| Grand Ballroom A | Tricky Parent Scenarios, Student Surprises, and the Unexpected: How to Handle Questions and Concerns Arising in Student Matters<br>*Presented by: Zaria N. Udeh, Hannah M. May, and Anne L. Blackbourn* |
| Santorini Room, Floor 2 | Lunch 2 |
| **1:45 p.m. – 2:00 p.m.** | Break / Switch Rooms |
| **2:00 p.m. – 3:00 p.m.** | **Session 4** |
| Grand Ballroom A | Striking the Balance: Fair and Effective Employee Discipline<br>*Presented by: Kevin P. Noll and Elizabeth J. Becker* |
| Grand Ballroom B | Navigating Nuance: Supporting Confidentiality in Sensitive Situations<br>*Presented by: Michelle L. Weber and Claire E. Bufalino* |
| Cyprus Room, Floor 12 | Looking Ahead: Protecting School Revenue in a Shifting Property Tax Landscape<br>*Presented by: Scott L. Ginsburg and Katie DiPiero* |

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# An Uncertain Future: Continued Shifts in the Interpretation and Enforcement of Federal Laws

## October 8, 2025


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# Introduction



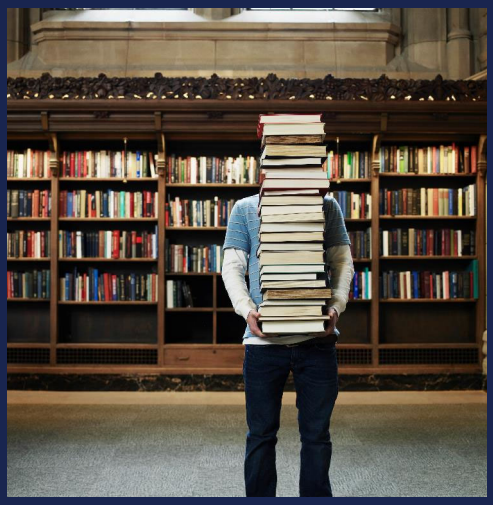
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# Agenda

1. Areas of Significant Shifts in the K-12 Education Landscape
2. Gender and Race Related Executive Orders and OCR Decisions Under the Trump Administration
3. Court Decisions
4. Enforcement and Effects on School Districts
5. Q&A

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# Areas of Significant Shifts in the K-12 Education Landscape

Through an unprecedented use of Executive Orders and control of federal funding, the Trump Administration has effectuated significant changes in educational policy. Areas impacted include:

- Gender Identity and Transgender Accommodations (Title IX)
- Limiting DEI (Title IV, Title VI, and Title VII)
- Dismantling of the Department of Education and Reorienting of the Office of Civil Rights



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# What is an Executive Order?

Legally binding directive from the President to the executive branch of the federal government.

Provides direction as to policy and enforcement priorities for federal agencies.

Does not create new laws or regulations.

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## Legal Powers and Limits of Executive Orders

- Constitutional protections
- Statutory authorization
- Administrative Procedure Act
- Future presidents




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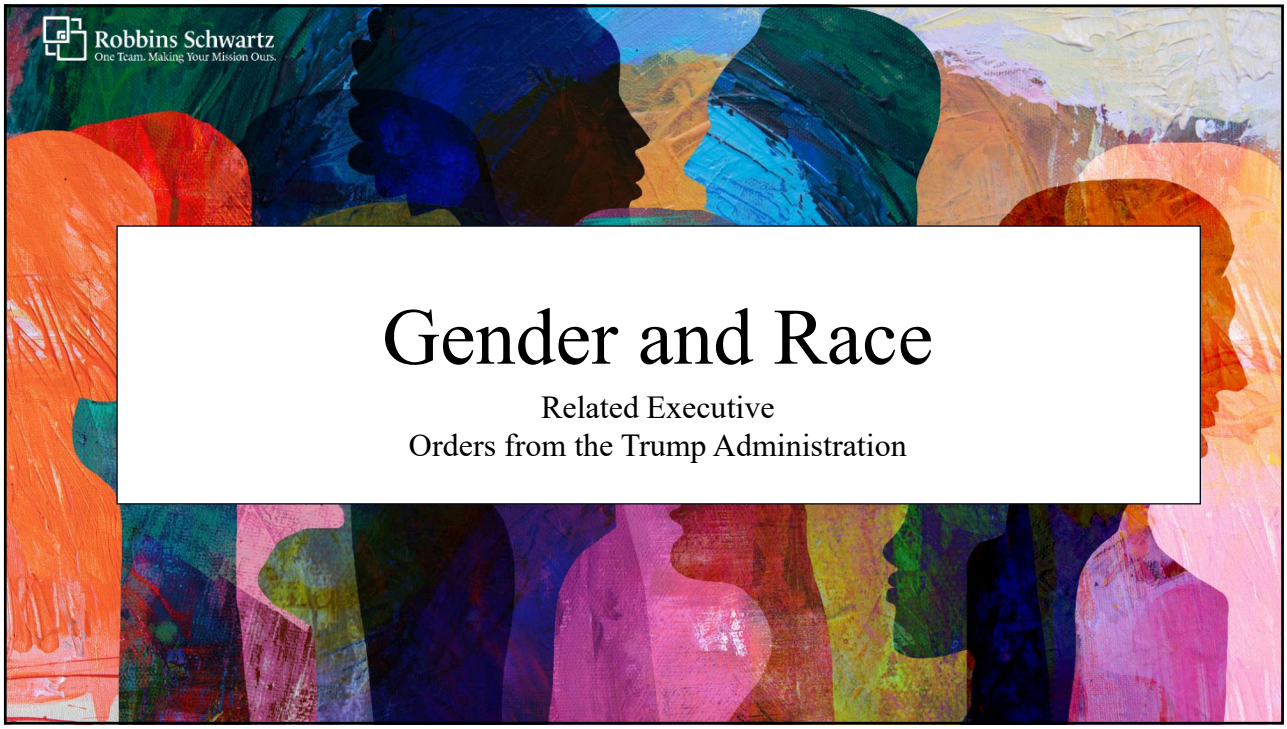
## Changes in Federal Education Policy

Education Laws Impacted by the Executive Orders and Other Federal Actions:

1. Title IV- Authorizes the federal government to address equal protection violations in public education, particularly related to race, color, sex, religion, or national origin.
2. Title VI- Prohibits discrimination based on race, color, or national origin in programs and activities receiving federal financial assistance.
3. Title VII- Prohibits employment discrimination based on race, color, religion, sex, or national origin.
4. Title IX- Prohibits sex-based discrimination in any education program or activity receiving federal financial assistance.
5. Illinois Human Rights Act- Prohibits discrimination in Illinois in employment, housing, public accommodations, and financial credit based on protected characteristics such as race, sex, gender identity, sexual orientation, age, disability, and more.

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## Title IX and Title VII/Gender

Defending Women from Gender Ideology Extremism and Restoring Biological Truth to the Federal Government

EO 14168

- Signed January 20, 2025
- Directs the federal government to recognize two distinct sexes—male and female—as defined by biological sex at conception.
- Defines sex as an "immutable biological classification" that does not include a concept of gender identity.



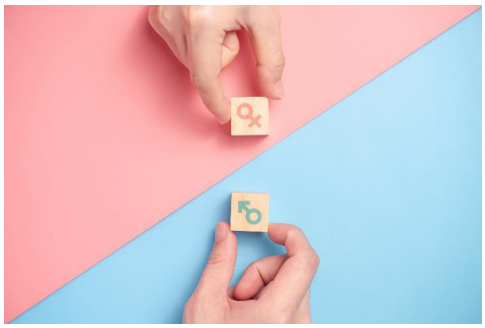
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# Title IX and Title VII/Gender

## EO 14168

- Directs heads of federal agencies to rescind inconsistent guidance, align government-issued identification to the order, and "correct the misapplication" of *Bostock v. Clayton County.*
  - The Supreme Court in *Bostock v. Clayton County* held that an employer who terminates an employee on the basis of being gay or transgender violates Title VII of the Civil Rights Act because an individual's sex is a protected characteristic.
- Note Conflict with Illinois Human Rights Act
  - IHRA provides protections from discrimination based on gender identity and sexual orientation.
  - Flashpoint: use of bathrooms and locker rooms.



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# Title IX/Gender

## Keeping Men Out of Women's Sports

## EO 14201

- Issued February 5, 2025
- Requires the Secretary of Education to act to "protect all-female athletic opportunities and all-female locker rooms"
- Directs Secretary to prioritize Title IX enforcement against educational institutions and athletic associations that require female students "to compete with or against or to appear unclothed before males"
- Repeats the definitions of sex used in prior executive orders: there are only two distinct sexes, male and female, as defined by a person's biological sex at conception, and does not include the concept of gender identity
- Note conflict with IHRA and IHSA rules



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# Ending Racial Indoctrination in K-12 Schooling

## EO 14190

- Directs federal agencies to develop policies and strategies to end indoctrination and terminate federal funding for schools that promote gender ideology and discriminatory equity ideology.
- This EO may potentially lead to heightened monitoring of services and curricula that address race, national origin, and gender as this EO targets concepts the administration deems to be "anti-American" and "harmful."
- Also reestablishes the President's 1776 Commission to promote patriotic education.



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# Title VI/DEI

## Ending Radical and Wasteful Government DEI Programs and Preferencing

## EO 14151

- Issued: January 20, 2025
- Termination Provision: Directs federal agencies to terminate all "discriminatory programs, including illegal DEI and 'diversity, equity, inclusion, and accessibility' (DEIA) mandates, policies, programs, preferences, and activities in the Federal Government," including related grants or contracts.
- Deadline: within 60 days of issuance
- OMB Memorandum M-25-13, January 27, 2025: "Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs."
  - Memo rescinded January 29, 2025, but EO "will be rigorously implemented."



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## Title VI / DEI Dear Colleague Letter



- Office for Civil Rights (OCR) Dear Colleague letter (Feb. 14, 2025)
  - Refers to *Students for Fair Admissions v. Harvard (SFFA)* decision to interpret legal obligations under Title VI.
  - *SFFA* applies broadly: admissions, hiring, promotion, compensation, financial aid, scholarships, prizes, administrative support, discipline, housing, graduation ceremonies, and all other aspects of student, academic and campus life.
  - Emphasis on "overt and covert racial discrimination" "under the banner of" DEI.
  - Department intends to take appropriate measures to address compliance, based on the interpretations in this letter, within 14 days.

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## Title VI / DEI Dear Colleague Letter...FAQ

- OCR followed up letter with FAQs (Feb. 28, 2025)
- Recognizes that not all DEI efforts violate Title VI but makes clear all must be free to participate and attend.
  - Examples: affinity groups, mentorship programs, and cultural events celebrating the diversity and history of certain groups.
- "Extreme" DEI practices still create a risk of liability.
  - Examples: "privilege walks," different assignments based on race.
- Indicates that if OCR finds a violation, it will offer a Resolution Agreement before pursuing enforcement action to pull federal funding.




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# Title VI/DEI

## Reinstating Commonsense School Discipline Policies

## EO 14280



- Reinstates commonsense discipline to avoid racial discrimination in the application of school discipline under the federal civil rights law.
- Through this EO, the administration is emphasizing compliance with Title VI protections against racial discrimination and preferencing.
- The current administration is currently working through guidance related to this EO.
- No litigation or recent OCR opinions have been released related to this EO.

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# Department of Ed Closure

## EO 14242

- *Improving Education Outcomes by Empowering Parents, States, and Communities*
- Signed March 20, 2025
- Directs the Secretary of Education to take "all necessary steps to facilitate the closure of the Department of Education," to the extent permitted by law.
- Directs the Secretary to also ensure that DOE funds are compliant with Federal law and policy, including the requirement that "any program or activity receiving Federal assistance terminate illegal discrimination obscured under the label 'diversity, equity, and inclusion' or similar terms and programs promoting gender ideology."
- Currently unclear which agencies will take over various functions.
  - E.g., civil rights to DOJ, student loans to Small Business Administration




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# Typical Title VI and Title IX Enforcement

- Department of Education's Office of Civil Rights ("OCR") administratively enforces regulations.
- OCR investigations are conducted in response to complaints filed by students or members of the public.
- OCR requests documentation and a narrative response to the allegations.
- OCR may conduct interviews and/or site visits.
- OCR enters into Resolution Agreements with institutions for corrective action.
- Individuals can file lawsuits instead.



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## Recent Title VI and Title IX Enforcement

- "Directed investigations" of high-profile entities
- Public communications about investigations
- Freezes on funding
- Threats of civil or criminal prosecution
- Enforcement by/with other agencies
  - HHS/ED investigations, USDA funding freeze for Maine DOE (Title IX)
  - ED/DOJ Title IX Special Investigations Team



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## OCR Decisions

- Maine Department of Education, Maine Principals' Association, and Greely High School Investigation
  - OCR investigated whether these groups discriminated on the basis of sex by allowing males to compete in sports for females
    - Found these groups were in violation of Title IX
  - OCR cited to the "Keeping Men Out of Women's Sports" EO and found these groups were in violation of Title IX.
  - Result: USDA decision to freeze funding to Maine Department of Education for school nutrition programs
    - *Temporary injunction was issued and settlement reached*

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# OCR Decisions



- Denver School District Investigation
  - OCR investigated Denver Public Schools for allegedly violating Title IX by implementing regulations to convert a female restroom into an all-gender restroom in its largest high school.
  - During their investigation OCR found a document titled "Denver Public Schools LGBTQ+ Toolkit"
    - This document stated that transgender, non-binary, and gender non-conforming students could use the bathroom which matched their gender as consistently expressed at school.
  - As a result of their investigation OCR concluded that the District's conversion of a restroom to an all-gender restroom and its policies contained in the toolkit violated Title IX's prohibition against sex discrimination.
  - Resolution Agreement

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# OCR Decisions

- Northern Virgina School District Investigation
  - OCR investigated five Northern Virginia school districts based on complaints alleging that the school districts have anti-discrimination policies pertaining to transgender-identifying students.
  - The Northern Virginia school districts had similar policies in place which allowed students to access sex-segregated facilities based on the students' gender identity.
  - Based on its investigation OCR proposed a Resolution Agreement requiring the school districts:
    - Rescind the policies that allow students access to facilities based on their gender identity and issue a memo to each school within their district explaining that future policies related to these facilities must be consistent with Title IX; and
    - Adopt biology-based definitions of the words "male" and "female" in all practices and policies relating to Title IX.

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# OCR Investigations in Illinois

- Illinois Department of Education, Chicago Public Schools, and Deerfield Public School District 109
  - Complaints filed by the Liberty Justice Center and Defense of Freedom Institute
  - Office for Civil Rights investigation on alleged Title IX violations related to locker room access for transgender students.



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# OCR Investigations in Illinois

- Evanston Skokie School District 65
  - Title VI race discrimination investigation based on DEI efforts.
  - Directing staff and students to participate in racially segregated "privilege walks";
  - Sponsoring "affinity groups" for both students and staff that are formally restricted on the basis of race, including one for staff divided between "individuals of color" and those who identify as "White";
  - Training seminars to increase "racial literacy," including one that employed racial stereotypes including concepts such as "white talk" and "color commentary" to describe how those of different races communicate. "White talk" is characterized as "loud, authoritative...[and] controlling," while "color commentary" is described as "silent respect... and disconnect";

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## Title IX / Gender Identity

- *U.S. v. Skrmetti*, U.S. Supreme Court, June 18, 2025
  - Supreme Court upheld Tennessee's ban on gender affirming care for minors.
    - Hormone treatments, gender-transition surgeries
  - Concluded that ban did not violate the Equal Protection Clause of the 14th Amendment.
  - Trump Administration is relying on this case for Title IX arguments to exclude transgender students from sports.
  - Concurring opinion by Justice Thomas (Justice Coney Barrett joining) arguing that *Bostock v. Clayton County* should not apply to the Equal Protection Clause analysis

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## Title IX / Gender Identity

- *D. P. v. Mukwonago Area School District (7th Cir. June 2025)*
  - Seventh Circuit reversed its earlier decision upholding lower court's injunction against a school district's bathroom policy prohibiting transgender students from using facilities consistent with their gender identity.
  - Reversal came after the Supreme Court ruling in *Untied States v. Skrmetti*, which ruled that Tennessee's ban on use of hormone therapy for minors did not violate the Equal Protection rights of minors.
  - Parties asked to submit new briefs on the issue. Case hinged on interpretation of the 14th Amendment's Equal Protection Clause and Title IX in light of the Supreme Court's decision.
  - However, the court allowed the Plaintiff to have the preliminary injunction previously granted in its favor to be dissolved such that the Seventh Circuit would not overturn its precedent.

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## Title IX / Gender Identity



- *Kluge v. Brownsburg (7th Cir. Aug. 2025)*
  - Seventh Circuit denied summary judgment for school district in case involving religious accommodation request by teacher, who was required by District policy to refer to students by preferred name and pronoun.
  - Case highlights a heightened standard for Title VII religious accommodation cases.

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## Title IX / Gender Identity

- *A.C v. Metropolitan School District of Martinsville (4th Cir. September 2025)*
  - Supreme Court upheld a ruling by the federal court of appeals requiring a South Carolina school district to allow a transgender student to use facilities consistent with their gender identity while the student pursues litigation challenging the South Carolina law.
  - Supreme Court did not rule on the underlying merits of the case, and only on the issue of whether an "emergency" existed, which would require the Court to overturn the decision of the federal court of appeals.
  - Supreme Court did not opine on the underlying merits of the case or constitutionality of the South Carolina law.
  - A determination by the Supreme Court on transgender bathroom rights under the Equal Protection Clause remains pending and prior Seventh Circuit precedent remains intact.

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## First Amendment/Religious Freedom

- *Mahmoud v. Taylor, U.S. Supreme Court*, June 27, 2025
  - Elementary English curriculum at a district included LGBTQ+ books.
  - Initially provided parents notice and the ability to "opt-out" their child from lessons based on religious accommodation.
  - District removed parent notice and ability to "opt-out."
  - *Issue: whether the removal of parental notice and ability to "opt-out" burdened religious freedom?*
    - Supreme Court concluded in favor of the parents, noting, "A government burdens the religious exercise of parents when it requires them to submit their children to instruction that poses 'a very real threat of undermining' the religious beliefs and practices that the parents wish to instill."

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## September 8, 2025 DOJ Memo

- Issued by Attorney General, Pam Bondi
- Addressing racial and gender ideology in public schools and the suppression of dissenting viewpoints
- Cites parents' fundamental right to direct the moral and religious education of children and the *Mahmoud v. Taylor* case related to parental exemptions/opt outs
- Directive to OCR to enforce violations of parental rights and 1st Amendment liberties in educational settings
  - Calling on U.S. Attorneys to work with federal, state, and local partners
- Suggestions that criminal prosecutions may be pursued for conspiring to violate constitutional rights where school board members, administrators and other governmental officials threaten "law abiding parents"

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# Indemnification Against Potential Claims

- Illinois School Code 5/10-20.20
  - To indemnify and protect school districts, members of school boards, employees, volunteer personnel, mentors of certified staff, and student teachers against ***civil rights damage claims and suits, constitutional rights damage claims and suits and death and bodily injury and property damage claims and suits, including defense thereof***, when damages are sought for negligent or wrongful acts alleged to have been ***committed in the scope of employment or under the direction of the board*** or related to any mentoring services provided to certified staff of the school district.
- Local Government and Governmental Employees Tort Immunity Act 745 ILCS 10/1 *et seq.*
  - Protects local public entities and public employees from liability arising from the operation of government
  - Grants only immunities and defenses

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# Indemnification Against Potential Claims

FAQ: How do these indemnification provisions affect insurance coverage for claims?

FAQ: What about indemnification for criminal prosecution?

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# Recent Enforcement Action: Chicago Public Schools' Grants

- September 23, 2025: Trump Administration pulled $5.8 million in Magnet School Assistance Program from CPS
  - $17.5 million would be pulled from the remaining years of the grants
- Why?
  - CPS' Black Student Success Plan and Black Student Achievement Committee
  - CPS continues to maintain compliance with the IHRA on transgender student access to bathrooms and locker rooms
- CPS' General Counsel Response: Department failed to cite any violations of law, provide evidence of harm to students, and disregards federal department's formal process and procedures



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# What to Watch Out for Next.....



- Two Transgender Athlete Cases on Supreme Court's 2025-2026 Docket:
  - *Little v. Hecox*
    - Idaho passed HB500 banning transgender women and girls' participation in any public-school funded women's sports, enforced by subjecting all participants in female athletics to an intrusive sex verification process
    - The 9th Circuit upheld an injunction against the law, meaning the state has to stop enforcing the law….for now
  - *West Virginia v. B.P.J.*
    - Transgender student challenging West Virginia's Save Women's Sports Act
    - The 4th Circuit found in favor of the transgender student that the Act violates Title IX, and the state appealed

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# What to Watch Out for Next



***U.S. v. Maine Department of Education***

The Federal government filed a civil lawsuit on April 16, 2025, against Maine DOE based on allowing transgender students to participate in women's sports

Currently Pending



**Findings in other OCR Investigations**

Illinois State Board of Education, Chicago Public Schools, and Deerfield Public School District 109

Evanston Skokie School District 65

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# Practical Guidance

| | |
|---|---|
|  | Avoid unequal distribution of resources based on race, national origin or other immutable characteristics. |
|  | Avoid use of federal funding to promote gender ideology. |
|  | Balance adherence to Illinois Human Rights Act with compliance with Title IX. |
|  | Continue to monitor enforcement actions by the federal government. |

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# The Laws, They Are a-Changin': Updates for the School HR Office

## October 8, 2025


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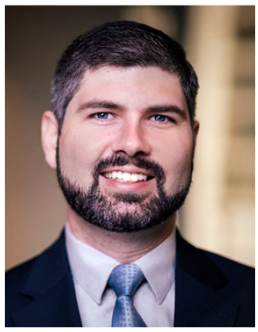
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# Introduction



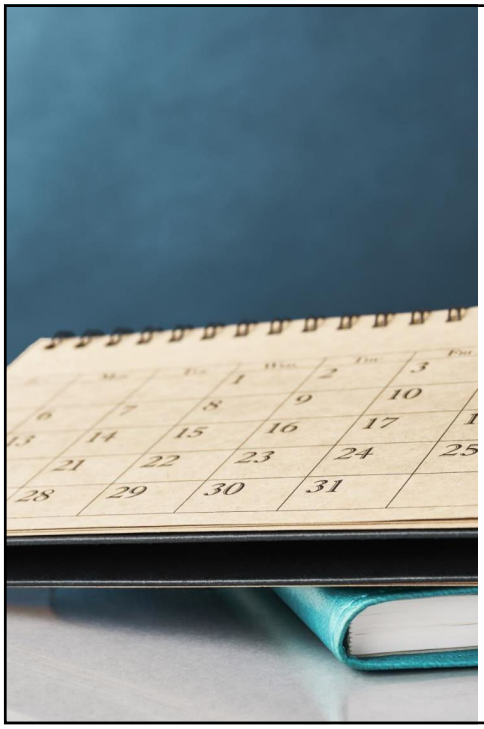
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# Agenda

- Employee Leaves and Protections
- Legislative Grab-Bag: Trick or Treat?
- Pay Updates and Reminders

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# Employee Leaves and Protections



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## P.A. 104-0193: Part-Time Organ Donor Leave
### Effective date: January 1, 2026

- Amends the Employee Blood and Organ Donation Leave Act.
- Adds part-time employees to the paid leave requirements of the Act.
- Part-time employees may use the same amount of leave as full-time employees.
  - Up to one hour every 56 days for blood donation.
  - Up to 10 days in any 12-month period for organ donation.
- Part-time employees using leave for organ donation will receive their daily average pay based on the previous 2 months of employment.



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# P.A. 104-0259: NICU Leave

Effective date: January 1, 2026

- Creates the Neonatal Intensive Care Leave Act.
- Requires employers with 16+ employees to provide unpaid leave to an employee while their child is a NICU patient.
  - Up to 10 days for employers with 16-50 employees.
  - Up to 20 days for employers with 51+ employees.

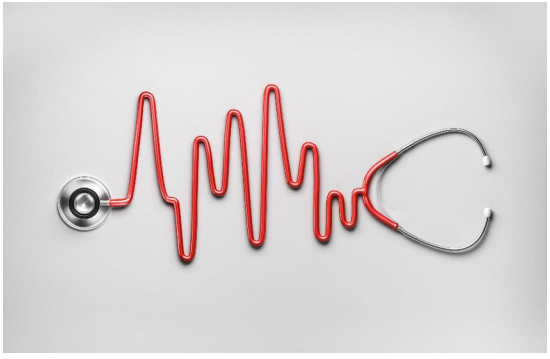
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# P.A. 104-0259: NICU Leave

Effective date: January 1, 2026

- Children include biological, adopted, or foster children, stepchildren, legal wards, or children of a person standing in loco parentis.
- NICU leave is in addition to FMLA leave, if the employee is eligible for both.
  - An employer must not require the employee to use any paid leave instead of NICU leave.
  - Employees may substitute other paid or unpaid leave for NICU leave.



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# P.A. 104-0259: NICU Leave

Effective date: January 1, 2026

- The employee is entitled to be restored to their position or a substantially equivalent one, with no loss of benefits.
- Health insurance benefits must be maintained during NICU leave as if the employee had not taken leave.
- An employer may require reasonable verification of the child's length of stay in the NICU, but not any information protected by HIPAA.
- Employers must not engage in discrimination or retaliation against employees exercising rights under the Act or opposing perceived violations.

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# P.A. 104-0259: NICU Leave

Effective date: January 1, 2026

- Illinois Department of Labor will adopt rules and enforce the Act.
- IDOL may impose civil penalties and supervise payment of unpaid wages and damages to an employee.
- Employees may file a complaint with IDOL or a lawsuit within 60 days after the last alleged violation.
- Penalties for violating the Act are up to $5,000.

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# P.A. 104-0078: Military Funeral Honors Leave
## Effective date: August 1, 2025



- Renames and amends the ~~Family~~ Military Leave Act.
- Creates a new paid leave requirement for employers with 51+ employees.
- Eligible employees may take up to 8 hours per month (40 hours per calendar year) to participate in an honor guard detail at a veteran's funeral.
  - The funeral honors detail involves at least two members of the U.S. Armed Forces and performs a ceremony that includes folding the U.S. flag and playing "Taps."

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# P.A. 104-0078: Military Funeral Honors Leave
## Effective date: August 1, 2025

- The employee must have been employed for at least 12 months and for at least 1,250 hours of service in the 12-month period immediately before starting the leave.
- The employee must be trained to participate in a funeral honors detail and be either:
  - A retired or active member of the U.S. Armed Forces or National Guard, or
  - An authorized provider that supports the rendering of military funeral honors.
- The employee must give the employer reasonable notice, as practicable.

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# P.A. 104-0078: Military Funeral Honors Leave
## Effective date: August 1, 2025

- Employees may take this leave in lieu of other leave and without having exhausted other leave.
- The employer must pay the employee's regular rate of pay.
- An employer may request confirmation from a veterans service organization or any official notice that can be used as proof.
- As with family military leave, the employee is entitled to be restored to their position with equal pay and benefits.



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# P.A. 104-0076: Paid Breaks for Nursing Mothers
## Effective date: January 1, 2026



- Amends the Nursing Mothers in the Workplace Act.
- Continues to require "reasonable break time" for each time an employee needs to express breast milk for a nursing infant child.
- Requires the break time to be paid at the employee's regular rate of compensation.
- Prohibits employers from requiring the employee to use paid leave or otherwise reducing their compensation during the break time.

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# P.A. 104-0171: VESSA Amendment

Effective date: January 1, 2026

- VESSA includes unpaid leave and protections related to employees when they or a family or household member is a victim of domestic violence, sexual violence, gender violence or any other "crime of violence."
- Amendment adds protections related to personal use of employer-provided electronic devices.
- Employers must not discriminate or retaliate against employees based on their use (or attempted use) of employer-issued equipment to record crimes under VESSA that were committed against the employee or a family or household member.

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# P.A. 104-0171: VESSA Amendment

Effective date: January 1, 2026



- Employers must not deprive employees of employer-issued equipment solely because they used or attempted to use it to record crimes under VESSA.
- Employers must grant the employee access to any relevant photos, recordings, digital documents, or communications.
- These requirements do not relieve an employee of obligations to comply with reasonable employment policies or to perform the essential functions of employment.

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# Legislative Grab-Bag: Trick or Treat?



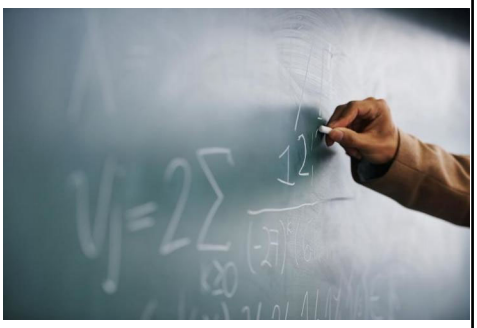
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# P.A. 104-0012: Dual Credit Amendments

## Effective date: June 30, 2025

- Amends the Dual Credit Quality Act.
- Adds minimum academic credentials for dual credit instructors:
  - A master's degree in the discipline to be taught, OR
  - A master's degree in any other discipline and a minimum of, but not more than, 18 graduate hours in the discipline to be taught.
- Adds that the required evaluation of the instructor by the college must be completed within the same school year as the course is taught.
- Requires the college and school district to "work together to provide seamless communication about the student's eligibility for disability services and dual credit course progress."



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# P.A. 104-0012: Dual Credit Amendments

## Effective date: June 30, 2025

- Adds an appeal process related to colleges disapproving course requests, instructors, or course documentation or withdrawing approvals.
  - A college has 30 calendar days to notify the school district of any disapproval or withdrawal of approval.
  - If the college wins, the school district may not approach an alternative postsecondary institution with the same proposal.
  - If the school district wins, the college may still decline to offer the course or approve the instructor or documentation, in which case the school may approach an alternative postsecondary institution.




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# P.A. 104-0020: Teacher and Principal Evaluations

## Effective date: July 1, 2025

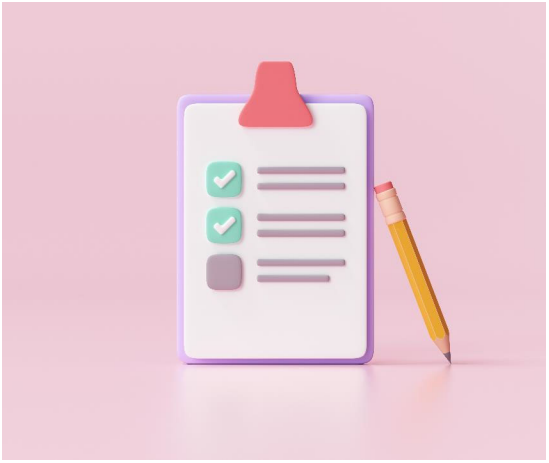
- Beginning July 1, 2025, each school district may, in good faith cooperation with its teachers (or their union) incorporate the use of data and indicators on student growth as a factor in rating teaching performance, into its evaluation plan for all teachers.
  - Does not automatically eliminate student growth from current evaluation plans.
  - Deletes default to model evaluation plan if parties do not agree within 180 days.
  - Maintains requirement for joint committee to meet at least annually to assess and review the effectiveness of the district's evaluation plan.
- A school district may use an annual State assessment as a measure of student growth for purposes of teacher or principal evaluations.

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# P.A. 104-0020: Teacher and Principal Evaluations
## Effective date: July 1, 2025

- Beginning July 1, 2025, principal evaluations may provide for the use of data and indicators on student growth as a factor in rating performance.
- Principal evaluations must be conducted by the superintendent, their designee, or an individual appointed by the Board with an active PEL and principal endorsement or general administrative endorsement.
- The principal evaluation must align with the Illinois Professional Standards for School Leaders or research-based standards established by administrative rule.



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# P.A. 104-0430: MOUs for SROs
## Effective date: August 20, 2025

- Beginning July 1, 2026, an MOU with a local law enforcement agency is required for any school district that uses a school resource officer (SRO).
- The MOU must include provisions that:
  - Define the role, duties, and responsibilities of an SRO
  - Specify procedures to ensure that an SRO has been trained or received a waiver, including specific training on working with students with disabilities
  - Specify that the SRO is prohibited from issuing tickets or citations on school property
  - Outline a process for data collection and reporting of "referrals to law enforcement," regardless of whether official action is taken
  - Provide for regular review and evaluation of the SRO program, including community and stakeholder input

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# P.A. 104-0198: Safety Training for Substitutes

## Effective date: January 1, 2026

- Adds requirements to the School Safety Drill Act
- Requires training on evacuation drills and law enforcement lockdown drills for "all school personnel serving in a substitute capacity."
  - Training shall be provided in person "when available."
  - For those with a short-term substitute teaching license, this may be included in the training program for those teachers (which must include information on curriculum, classroom management techniques, school safety, and district and building operations).
- Requires implementing recommendations, including:
  - maps indicating all school exits are prominently displayed in every classroom; and
  - the information packet given to full-time-equivalent employees includes district-approved materials outlining evacuation and lockdown procedures.

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# P.A. 104-0373: Notice of ISBE Investigation

## Effective date: January 1, 2026



- The State Superintendent or designee may notify a license holder's current or most recent (educational) employer that the license holder is being investigated for an alleged act of misconduct that constitutes a threat to the safety of students, including:
  - serious physical injury,
  - sexual misconduct as defined in Section 22-85.5 (Faith's Law), or
  - a sex or other offense as defined in Section 21B-80 (disqualifying criminal offense)

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# P.A. 104-0293: Employee Info to Statewide Union

Effective date: August 15, 2025

- Amends the Illinois Educational Labor Relations Act
- Requires providing a copy of information provided to the exclusive representative to the statewide labor organization with which the local union is affiliated.
- Reminder: Employers must provide unions "information about employees in the bargaining units they represent," including an editable digital file with specified work and personal contact information, for all bargaining unit employees:
  - within 10 days of the beginning of each school term and every 30 days thereafter, and
  - unless otherwise mutually agreed upon, within 10 days of the date of hire.

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# Pay Updates and Reminders



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# P.A. 104-0316: Student Teacher Pay

Effective date: August 15, 2025

- Amends the Illinois School Code.
- Colleges are now prohibited from requiring student teaching to be unpaid.
- School districts still may provide a salary and determine the amount to pay.
  - Unpaid intern or employee?



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# P.A. 104-0135: Wage Payment Amendments

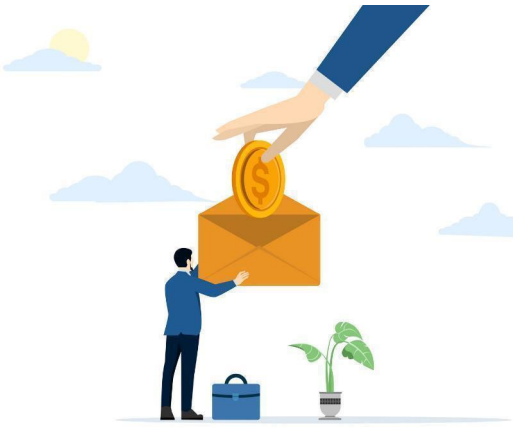
Effective date: August 1, 2025

- Changes to remedies are considered procedural and retroactive.
- Damages of 5% of underpayment accrue each month that underpayments remain unpaid until 35 days after issuance of the IDOL final order and decision (when payment becomes a debt due and owed to the State).
- Failing to comply after an IDOL or court order incurs penalty to IDOL of 20% of the amount found owing, plus 1% penalty to the employee for each calendar day until 35 days after issuance of the IDOL final order and decision.
- Administrative fees increase ($500, $750, or $1,250 depending on wages owed)

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# Illinois Minimum Wage Law



**Minimum Wage**

- $15.00 per hour for employees aged 18 or older (as of 2025)

**FLSA Sec. 14(c) Subminimum Wages**

- All IDOL certificates issued for employment of workers with disabilities at subminimum wages will expire on December 31, 2029.

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# P.A. 103-0953: Pay Stubs

## Effective date: January 1, 2025

- Pay stubs required to include hours worked, rate of pay, overtime pay and hours, gross wages earned, deductions, YTD wages and deductions
- Employer shall maintain copies of pay stubs for at least three years from date of payment
- Must provide copy of pay stubs within 21 days of request
- Employees may request pay stubs twice per 12 months



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# P.A. 103-0539: Pay Transparency
## Effective date: January 1, 2025

- Covered employers (with at least 15 employees) must include the pay scale and benefits for a position in any job posting which is posted on or after January 1, 2025.
  - Employers are not required to make a job posting.
  - Linking to a public webpage that includes the relevant and up-to-date pay scale and benefits would satisfy the requirement.
  - "See collective bargaining agreement" without a link is not sufficient.
- If an employer uses a third party to publish a job posting, the employer must provide the pay scale and benefit information (or a hyperlink) to the third party.

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# P.A. 103-0539: Pay Transparency
## Effective date: January 1, 2025

- IDOL guidance (subject to future rulemaking)
  - The pay transparency requirement applies to both internal and external job postings.
  - An acceptable range should include the lowest to the highest pay the employer actually believes it might pay in good faith. A range's bottom and top should not include open-ended phrases.
  - The benefits description should include health care, retirement benefits, paid days off, and any other benefits that would be reportable to tax authorities.
  - While an employer must describe at least the nature of the benefits and what they provide, they do not need to provide specific details, terms and conditions, or dollar values.
  - The law does not prohibit an employer from offering or paying at a rate different from what the job posting said or modifying the benefits package.

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# P.A. 103-0539: Pay Transparency

## Effective date: January 1, 2025

- Employers must announce, post, or otherwise make known to all current employees all opportunities for promotion no later than 14 calendar days after making an external job posting for the position.
- Upon request, employers must disclose pay scale and benefits to an applicant for a job, promotion, transfer, or other employment opportunity, if a posting was not made available to the applicant.
  - The disclosure must occur prior to making an offer or discussing compensation.



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# P.A. 103-0539: Pay Transparency

## Effective date: January 1, 2025

- The job posting, pay scale, and benefits for each position are added to the list of records an employer is required to make and preserve for at least five (5) years.
- Violations can incur civil penalties that depend upon whether the posting is active or inactive at the time IDOL issues a notice of violation and whether it is an employer's first, second, or third or subsequent offense.
  - For first and second offenses, if the posting is still active, employers will have 14 or 7 days to remedy the violation.

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# From Classroom to Courtroom: Lessons from Recent Disability Discrimination Cases

## October 8, 2025


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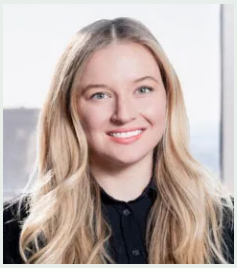
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# Introduction



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# Agenda

- Defining Discrimination Under the Law
- Case Study 1: *Royan v. Chicago State University*
- Case Study 2: *A. J. T. v. Osseo Area Schools, Independent Sch. Dist. No. 279*
- What's Next?

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# Defining Discrimination Under the Law

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## Applicable Laws

**Section 504 of the Rehabilitation Act**

- Prohibits Districts from excluding individuals with disabilities from participating in or benefitting from any district program or activity.

**Title II of the Americans with Disabilities Act.**

- Prohibits public bodies from discriminating against persons with disabilities.

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# Defining Discrimination

Section 504 of the Rehabilitation Act

Title II of the Americans with Disabilities Act.

Evidence of Discrimination under Section 504 and Title II of the ADA is philosophically the same.

Evidence of Discrimination :

- Use of criteria that unnecessarily "screen out" or "tend to screen out" individuals with disabilities from the use and enjoyment of educational services.
- Failure to make nonfundamental, reasonable modifications of "policies, practices, or procedures" when such modification is necessary to accommodate individuals with disabilities.
- Failure to take necessary steps "to ensure that no individual with a disability is excluded, denied services, segregated, or otherwise treated differently than other individuals."

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# What is a Disability under the ADA & 504?

Ask:

- Does the student have a condition that constitutes an impairment under the law?
  - An impairment is "[a]ny physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal ... cardiovascular...."
- Whether the activity the student claims is impaired constitutes a major life activity; and
- Whether the impairment substantially limits the performance of that major life activity.

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# What does Disability Discrimination look like?

1. Disparate Treatment
2. Disparate Impact
3. Failure to Accommodate

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# Discrimination for All Protected Characteristics

**Disparate Treatment**

Any intentional differential treatment of an individual based on the person's actual or perceived protected characteristic that:

**Disparate Impact**

When a policy or practice that appears to be neutral results in a disproportionate impact on a protected group or individual that:

- Excludes the individual from participation in;
- Denies them the benefits of; or
- Otherwise adversely affects their participation in a program or activity

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# Disability Discrimination: **Failure to Accommodate**

- Failure to provide reasonable accommodations to students with disabilities
- Exceptions:
  - Fundamental alteration
  - Undue burden




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# Elements to Prove Disability Discrimination

The student suffers from a disability as defined in the statutes

The student is qualified to participate in the program in question

The student was either excluded from participating in or denied the benefit of that program based on his or her disability

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# Case Study #1: *Royan v. Chicago State University*

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## Facts

- Royan, a student with clinical depression and an eating disorder was a student in Chicago State University's (CSU) Doctor of Pharmacy program.
- CSU had accommodated Royan's conditions by granting exam and assignment extensions and a yearlong medical leave.
- Royan failed two clinical rotations
- Royan was dismissed from the program

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# Timeline

**The District Court for the Northern District of Illinois**

Granted summary judgment in favor of CSU, finding that Royan failed to present sufficient evidence that her dismissal was solely based on her disability, CSU had accommodated her disabilities, and applied its academic standards without discrimination.

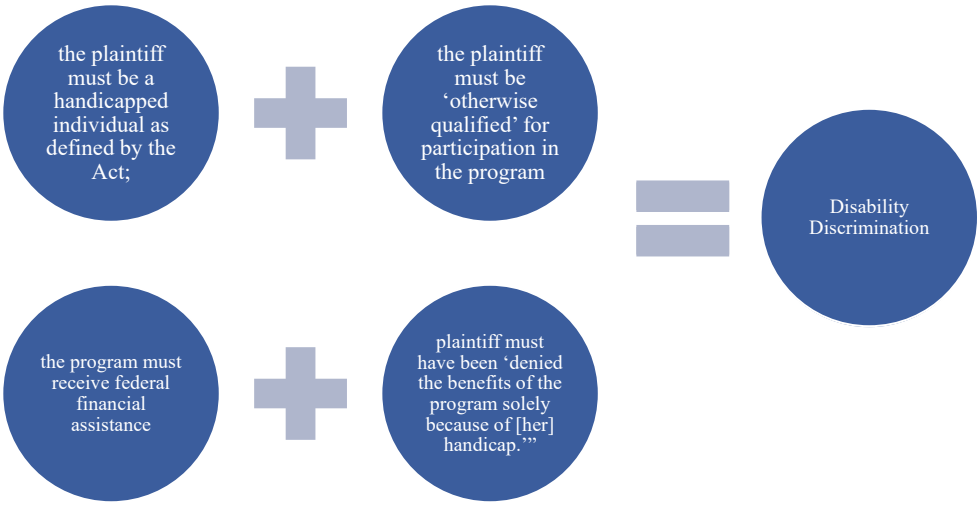
Affirmed decision, Royan was not "otherwise qualified" for the program as she failed to meet the academic requirements, no evidence of pretext in CSU's stated reasons for her dismissal, no reasonable jury could find that CSU dismissed Royan solely because of her disabilities.

**The 7th Circuit**

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# Test Applied:




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# Holding

- Royan failed to present evidence from which a reasonable jury could find that CSU dismissed her solely based on her disability.
- Even when the evidence is viewed in the light most favorable to Royan, it shows that CSU repeatedly accommodated her disabilities and applied its academic standards without discrimination.
- Royan has not presented sufficient evidence to support a reasonable inference that CSU's stated reason for her dismissal—her repeated academic failures—was pretextual.
- The Rehabilitation Act protects individuals with disabilities from discrimination based on those disabilities. It does not, however, exempt students from meeting legitimate academic standards.
- Nor does it require institutions that reasonably accommodate a student's disabilities to lower those standards.

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# Takeaways

- Thoughtfully accommodate a student's disability – work through the process with the disabled student/parent.
- Offer targeted accommodations to address the needs resulting from the disability.
- Establish clear, nondiscriminatory academic requirements for courses or programs.
- Establish clear nondiscriminatory criteria/expectations for participation in a program or benefit.

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# Takeaways

- Publish course or activity expectations in the course selection guide, student handbook, course syllabus.
- Carefully evaluate the student's performance and document the results of that performance.
- Where possible, have more than one staff member evaluate the student's performance.
- If dismissing from a program/denying access to an activity or benefit, clearly document the evidence that the student failed to meet clearly established criteria

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# Case Study #2: *A. J. T. v. Osseo Area Schools, Independent Sch. Dist.*

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# Facts

- A teenage aged student had a rare form of epilepsy which prevented her from being available to learn until noon.
- She attended a public school in Kentucky where the District provided her with in-school instruction from 12:00 pm to 6:00 p.m. and at-home instruction in the evenings.
- Then her family moved to Minnesota where she attended fourth grade at Osseo Area Public Schools, School District 279 ("Osseo").



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# Facts

- Parent requested evening instruction be added to her IEP.
- The District denied providing evening instruction, but did provide accommodations, including one-on-one instruction, a slightly extended school day, and summer home instruction sessions.
- In 4th and 5th grade, the student received only 4.25 hours of instruction daily, compared to the typical 6.5-hour school day for nondisabled students.

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# Facts

- Ahead of 6th grade, the student's parents again requested evening instruction.
- The District declined.
- Parent's proposed maintaining the same length of the instructional day the student received in elementary school.
- The District declined.



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# Timeline

**Due Process Hearing**

An Administrative Law Judge ruled in favor of A.J.T., finding that the school district violated the IDEA and ordered compensatory education and evening instruction.

**District Court**

Then, A.J.T. and her parents sued under the ADA and the Rehabilitation Act to seek monetary damages and a permanent injunction.

The District Court granted summary judgment for the school.

**The Eighth Circuit**

Affirmed, stating that a plaintiff must prove bad faith or gross misjudgment by school officials to establish a prima facie case of discrimination.

**Supreme Court**

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## Question before the Court:

Does the Americans with Disabilities Act of 1990 and Rehabilitation Act of 1973 require children with disabilities to satisfy a "bad faith or gross misjudgment" standard when seeking relief for discrimination relating to their education?



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## Why Did the Supreme Court Take on This Question?

- There was a split of among the appellate circuit courts for the standard applied when students sought relief for disability discrimination under the ADA and the Rehabilitation Act of 1973:
  - Some have applied a "bad faith or gross misjudgment" standard, a higher standard.
  - Some have applied a "deliberate indifference" standard, a lower standard.
    - 7th Circuit applied this standard.

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# What is the difference between the standards?

**Bad Faith or Gross Misjudgment**

- Higher standard
- Prove that the defendant had personal ill will or animosity toward the disabled person.

**Deliberate Indifference**

- Lower standard
- Prove the defendant had (1) knowledge that a harm to a federally protected right is substantially likely and (2) a failure to act upon that likelihood.

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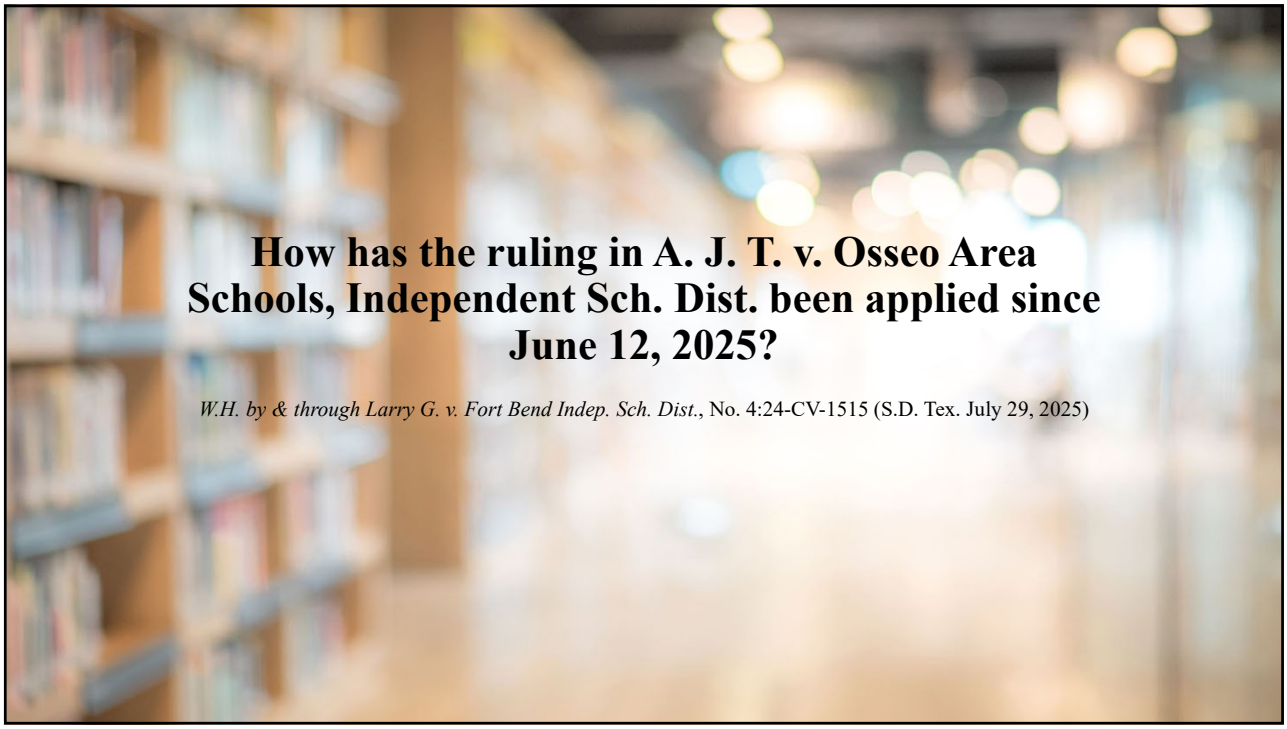
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# Unanimous Holding

- "Schoolchildren bringing ADA and Rehabilitation Act claims related to their education are not required to make a heightened showing of 'bad faith or gross misjudgment' but instead are subject to the same standards that apply in other disability discrimination contexts."
  - Rejected the "bad faith or gross misjudgment" standard to "any person" alleging discrimination, without distinction based on the type of claim.
  - Confirmed the standard deliberate indifference required in other disability contexts.

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## *W.H. v. Fort Bend Indep. Sch. Dist.*

- 16-year-old student in Texas identified to receive special education as a student with a specific learning disability.
- In addition to partially appealing a due process decision, the student brought a claim under Section 504 of the Rehabilitation Act of 1973.
- The student's 504 claim was based on the District's failure to provide a free appropriate public education.
  - Both the District and Student argued if the student was provided FAPE in all aspects, the 504 claim would fail.
  - As a matter of law, the Court found the 504 claim failed because the student was provided a FAPE.

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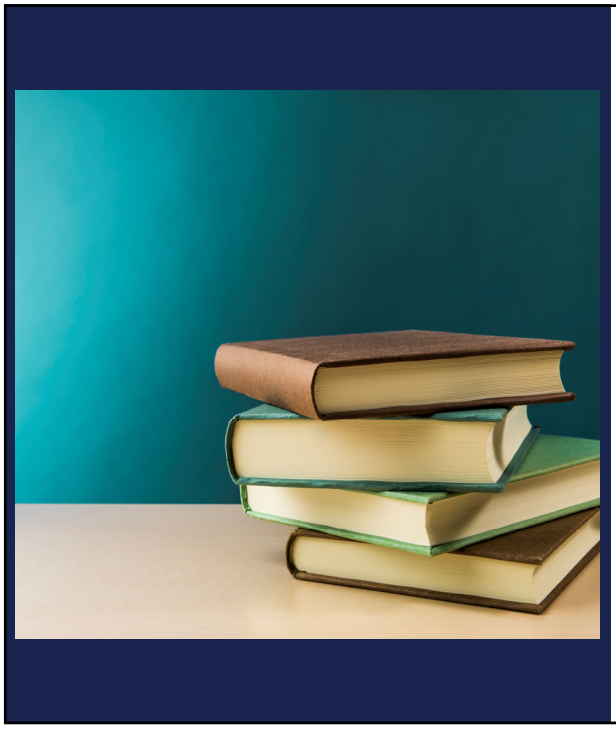
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## *W.H. v. Fort Bend Indep. Sch. Dist.*

- Even still, the 504 claim failed under the deliberate indifference standard.
- To prove disability discrimination due to the District's failure to make reasonable accommodations for disability, the student must show that:
  - (1) his disability and limitations were known by the District;
  - (2) the District failed to make reasonable accommodations for the known limitations; and
  - (3) the failure was intentional.
    - Applying *A.J.T. v. Osseo*, the "intentional" element of the claim can be satisfied by evidence establishing deliberate indifference.
- The Court held the District was not deliberately indifferent because the District made its placement decision regarding with the student's education as its priority.

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## What's Next?

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# Key Takeaways

- Outline and distribute clear academic standards.
- Academic standards can be applied to a student with a disability . . . so long as you offer and implement reasonable accommodations.

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# Key Takeaways: Keep the Tests in Mind!

## First ask:

- Does the student suffer from a disability as defined in the statutes?
- Was the student qualified to participate in the program in question?
- Was that student either excluded from participating in or denied the benefit of that program based on his or her disability?

## Was the discrimination intentional under the "deliberate indifference" standard:

- Did the District have knowledge that it was substantially likely that the student would suffer harm to his or her federally protected rights?
  - In other words, was the District aware disability discrimination was **substantially likely?**
    - **Consider the possibility of discrimination based on disparate treatment, disparate impact or failure to accommodate**.
- Did the District fail to act upon that likelihood?

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# Disability Discrimination Safeguards

- Outline and distribute clear standards.
  - Review standard to prevent disparate treatment.
  - Apply those standards in a manner that has no disparate impact.
- Train staff to recognize when they are on notice of a disability.
- Once the District had knowledge of a disability:
  - Promptly evaluate.
  - Make thoughtful data driven decisions in developing a plan that includes reasonable accommodations.
  - Implement the plan with fidelity across all parts of the student's day.

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# What is on the Horizon?



- Wait and see but for now there is an increased risk of litigation.
- Parents may attempt to leverage the recent supreme court case to pursue monetary damages in situations where monetary damages have not typically been available.
  - Consider situations where a Parent may argue the District's decisions (or lack thereof) to evaluate for, design, and/or implement accommodations were deliberately indifferent or evidence of disability discrimination.
  - Consider situations a Parent may argue that where denial of an activity or benefit or dismissal from an activity or benefit may be due to disability discrimination.

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# Construction Case Study Part 1: Laying the Foundation – Strategic Planning, Risk Management, and Legal Readiness Before Breaking Ground

## October 8, 2025


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## Case Study

**Client: RS CUSD #1**

**Project: New Kindergarten Center**

**Details:**

- Property Acquisition - New Construction/ Renovation
- Locally Funded
- Design Team Uncertain

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# Project Assumptions

- School Board is supportive
- Administrative team has approved
- Programming has been determined
- Community has been informed
  - Previous Referendum Failed in 2023
  - No Room for Expansion of Current Buildings



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# Referendum Requirement
# 105 ILCS 5/10-22.36

- A referendum is required to build or purchase a building for school classroom or instructional purposes.
- A referendum is not required to build an addition on an existing building.
- A referendum is not required to build or purchase a building for non-instructional purposes (Administrative Center, Maintenance/Transportation Facility, etc.).

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# Exceptions to Referendum Requirement

A Referendum is not required to build or purchase a building for instructional purposes if:

- The purchase occurs while the building is being leased by the district.
- The purchase is paid with (A) funds derived from the sale or disposition of other buildings, land, or structures of the district or (B) funds received (i) as a grant under the School Construction Law or (ii) as gifts or donations, provided that no funds to purchase, construct, or build such building, other than lease payments, are derived from the district's bonded indebtedness or the tax levy of the district.
- Beginning September 1, 2024, no referendum shall be required if, prior to the building or purchase of the building, the board determines, by resolution, that the building or purchase will result in an increase in pre-kindergarten or kindergarten classroom space in the district.

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# Project Start

- RS CUSD #1 has no available land on which to construct
- A big box store in town sits empty after going out of business and is available for buildout
- A parcel large enough to support the District's needs is available.

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# Preliminary Construction Considerations

**Land/Property Acquisition**

- New Construction
- Renovation

**Intergovernmental Issues – to be negotiated**

- Zoning Codes
- Storm Water Requirements
- Site Access
- Utility Permits and Connections

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## Preliminary Construction Considerations

- Project Financing: Paying the Bill
  - Cash on Hand
  - Issuing Bonds and Incurring Debt
  - Specialty Consultants
  - Grant Funding



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## Project Start

- While the Board is considering its options, it learns that the municipality intends to keep the big box location zoned for commercial use.
- The Board has sufficient financing options to acquire new land and construct new.
- The Board elects to acquire the land and build new so that it can incorporate new, innovative design…now what?

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## You Need a Good Construction Team!

- Selecting Project Team
  - Architect
  - Construction Manager
  - General Contractor
  - Owner's Representative
  - Commissioning Agent
  - Specialty Consultants



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## Local Government Professional Services Selection Act – 50 ILCS 510-0.01

- RFQ process required for the selection of Architects, Engineers & Land Surveyors.
- RFQ can be solicited by posting notice on website, publication or sending notice to firms who have a current statement of qualifications with the public body.
- RFQ not required if the public body has a previous satisfactory relationship with the firm.
- RFQ not required for contracts less than $40,000 or in emergency situations.
  - This amount shall be increased annually by a percentage equal to the annual unadjusted percentage increase, if any, as determined by the consumer price index-u.

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# Local Government Professional Services Selection Act – 50 ILCS 510-0.01

- The District may evaluate responding firms based on factors that the District specifies in its notice documents. At this point in the process, the District cannot seek estimates of cost or compensation from the service provider.
- After evaluations, the District selects the three most qualified firms and ranks them in terms of qualifications. District shall negotiate with most qualified firm and attempt to reach an agreement.
- If the District cannot negotiate a satisfactory contract, the District shall terminate negotiations and shall begin negotiations with second ranked firm.

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# Delivery Method

- Traditional Design/Bid/Build
- Construction Manager
  - Advisor
  - At-Risk
- Owner's Representative
- Commissioning Agents
- Specialty Consultants



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# Design Team and Delivery Method Selection

- The Board's current architect of record has no experience working with industrial tech centers, so the Board elects to issue an RFQ under the Local Government Professional Services Selection Act, selecting the firm of KCA.
- The Board has not worked with a construction manager before and is comfortable with the traditional design-bid-build method.
- The Board asks the Superintendent to ensure that the project goes smoothly and does not pose a risk to the District's finances or reputation.

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# Addressing Risk for Construction Projects




Risk Management

- Bid Bonds
- Performance/Payment Bonds
- Insurance
  - General Liability/Auto/Worker's Comp
  - Professional Liability
  - Builder's Risk

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# Preconstruction Activities

Because the District has opted to use the traditional design-bid-build method delivery method, much of the programming and preconstruction work falls on KCA.

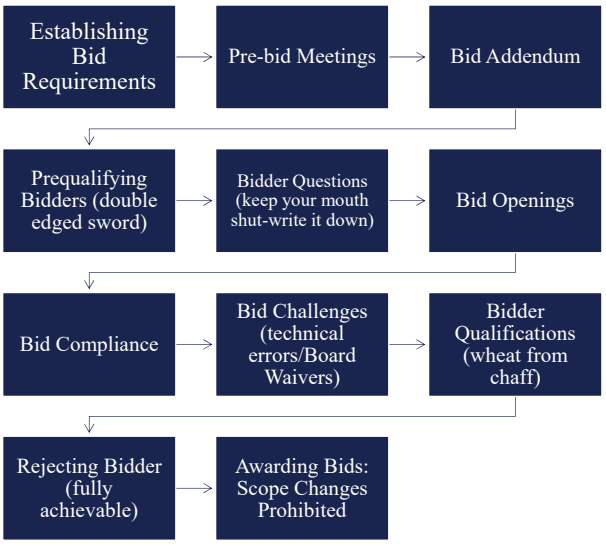
Once programming is complete, KCA presents its final program to the Board and receives approval to move forward.

Working with the architect, the District's team gets ready to bid the project.

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## Public Bidding-Required Steps




# Bidding for Public Construction Projects

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# Bidding for Public Construction Projects

- Bidding Documents
  - Advertisement
  - Instructions to Bidders
  - Bidder Qualification Criteria
  - General and Special Conditions
  - Contract Form
  - Bond Forms



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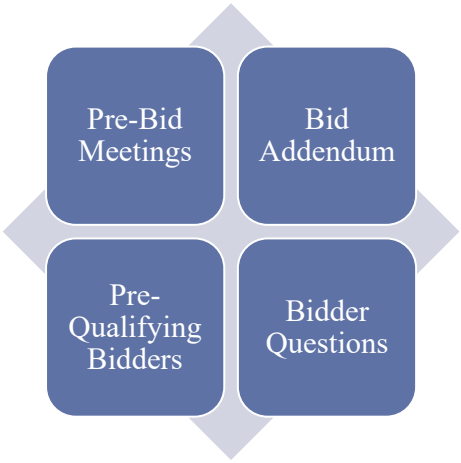
# Establishing Bid Requirements

- Bid Specifications
- Alternates
- Substitutions

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# Pre-Bid Communications




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# Bid Opening

- Sealed Bids
- Electronic Bids
- Late Bids



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# Dealing with Bidding Issues

- After opening of the bids, the lowest bidder failed to include a bid bond.
- The second lowest bid is a contractor that performed poorly on the District's last project and receives generally poor references.
- The District notices that the third lowest bidder, Big Money Contractor, did not attend a mandatory pre-bid meeting.

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# Awarding the Bid

- Low Bid
  - Alternate Bids
- Responsive
  - Material Variances – Non-Waivable
  - Non-Material Variances- Waivable
- Responsible



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# Selection

The District decides to waive the non-material variance of Big Money Contractor and awards it the contract

The land acquisition has been completed, and all necessary permits have been secured

Ground is broken and the project begins on time and within budget

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# Teacher Evaluation Process: Refresher on Legal Requirements and Best Practices to Ensure Compliance

## October 8, 2025

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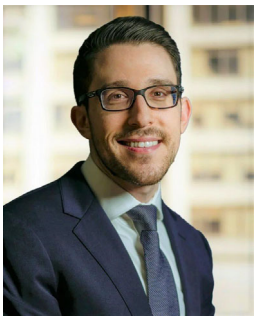
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# Introduction



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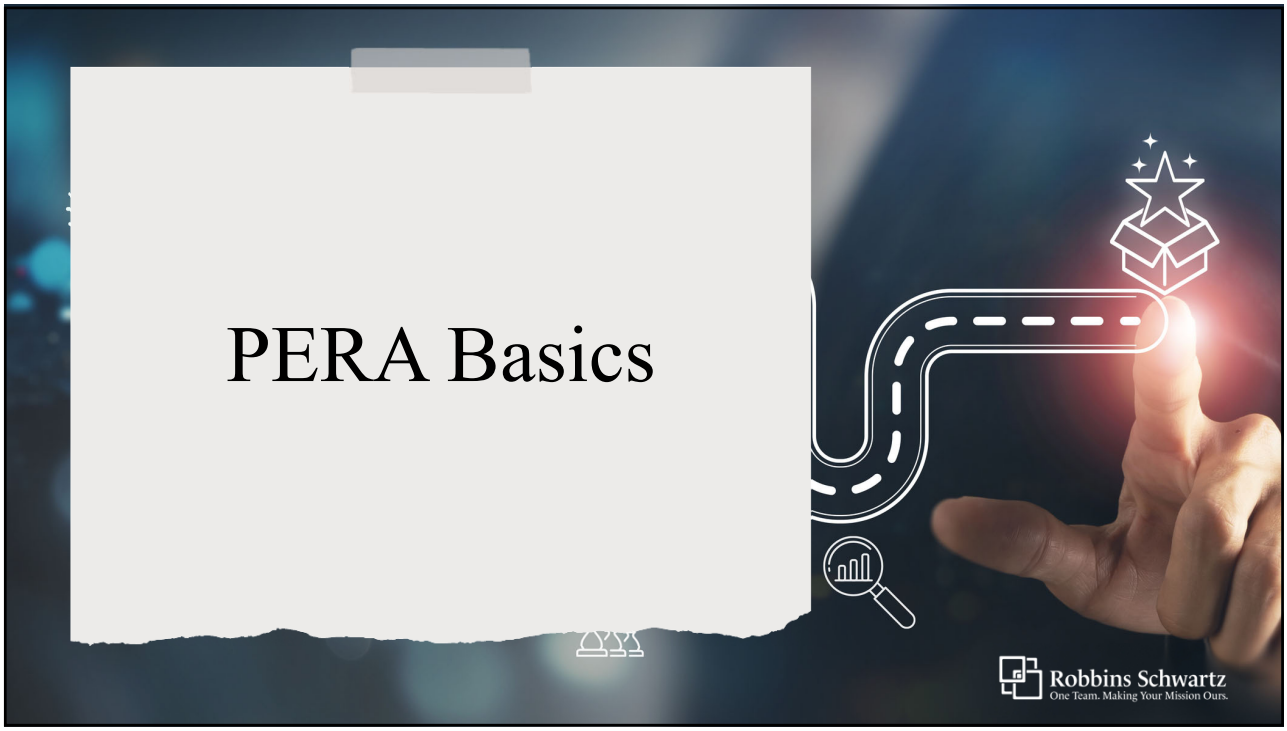
## Roadmap for Today



- PERA Basics
- Student Growth Component
- Evaluation Tips
- Appeals Process for Unsatisfactory Rating
- Hypotheticals

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## PERA Basics

The Performance Evaluation Reform Act

What does PERA require?

| | |
|---|---|
| Evaluations of teachers, principals, and assistant principals by trained evaluators | Evaluations must be rated Excellent, Proficient, Needs Improvement, or Unsatisfactory |

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# Frequency of Evaluations



- Non-tenured teachers must be evaluated every school year
- Tenured teachers generally must be evaluated at least once every two or three school years
  - Teachers rated as Excellent or Proficient are evaluated at least once every three school years, with an informal observation at least once in the course of two school years after receipt of the rating.
  - Teachers rated as Needs Improvement or Unsatisfactory must be evaluated in the next school year after receipt of the rating.

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# Tenure Rights

- Teachers acquire tenure rights based upon the outcome of their performance evaluations
- For those teachers employed on or after July 1, 2023, teachers receive tenure if they have completed three consecutive school terms of employment and earned a Proficient rating or better in their second and third school terms.
- Accelerated tenure – if employed on or after July 1, 2023 and received two consecutive "Excellent" evaluation ratings.
- Portable tenure – allows teacher who has earned tenure in one district to transfer status to another district if they have completed two consecutive years and received Excellent rating for both years.

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## Consequences of Evaluations?

- Needs Improvement – Professional Development Plan.
- Unsatisfactory – Remediation Plan (and dismissed if not completed with a rating of Proficient or better).
- If a required evaluation is not conducted, the rating automatically defaults to Proficient.
- A non-tenured teacher must be dismissed if they are not eligible for tenure at the end of the probationary period based upon evaluation ratings.

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## Non-Renewal Requirements

- In order to non-renew the employment of a non-tenured teacher, written notice of non-renewal must be provided on or before April 15th.
- For teachers in their final year of probationary service, specific reasons for non-reemployment must be provided.



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## Importance of Evaluations

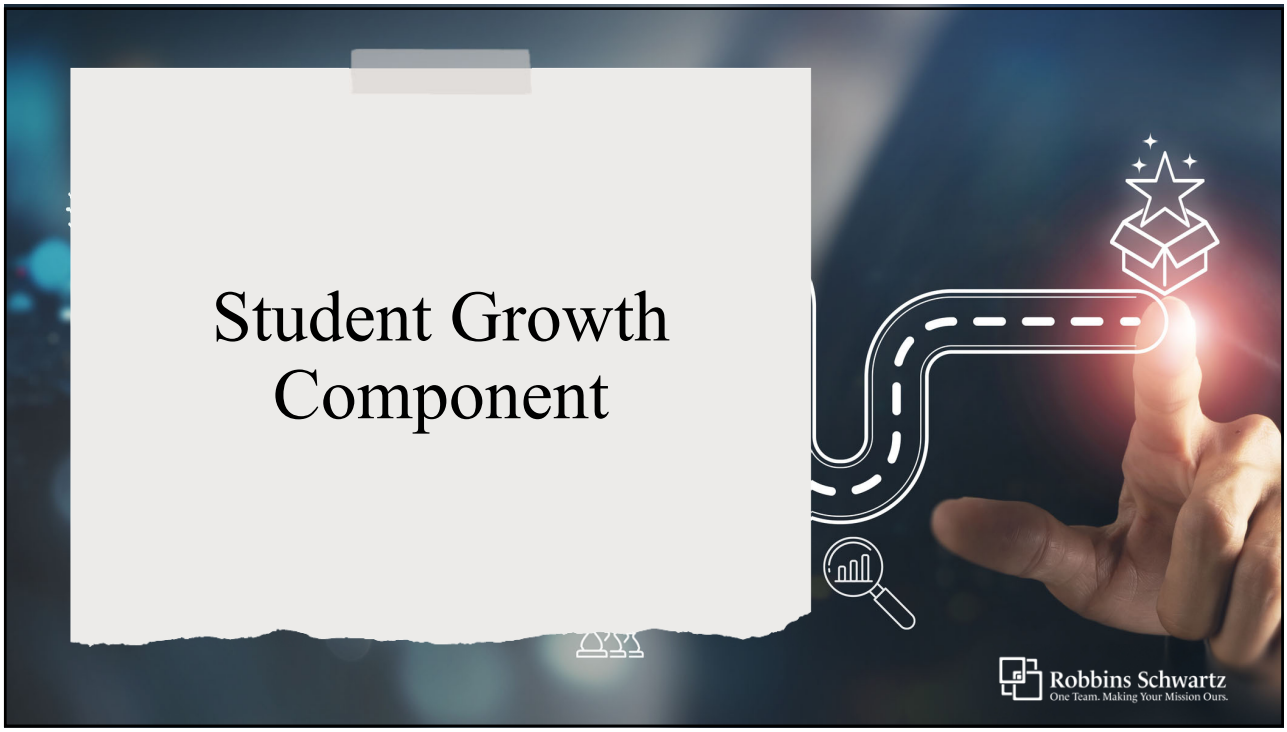
- Placement on SOD list for RIFs.
- Contract non-renewal = adverse employment action.
  - We internally need legitimate, non-discriminatory reasons to support any non-renewal decision in order to defend against any discrimination, harassment, or retaliation claims.



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# Student Growth Component



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# Student Growth Component



- Public Act 104-0020
- Signed into law on June 30, 2025.
- Effective July 1, 2025.
- Amends various provisions of *The School Code* regarding future use of data and indicators on student growth for rating teacher performance.

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# Student Growth Component

- Amendments remove any reference to student growth data being used as a "significant" factor in rating teaching performance after July 1, 2025.
  - "Significant factor" previously defined as representing at least 30% of the performance evaluation rating assigned.

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# Student Growth Component

"Beginning July 1, 2025, each school district **may**, in good faith cooperation with its teachers or, where applicable, with the exclusive bargaining representative of its teachers, incorporate the use of data and indicators on student growth as a factor in rating teaching performance into its evaluation plan for all teachers in contractual continued service and teachers not in contractual continued service."



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# Student Growth Component

- In order to incorporate the use of student growth data/indicators as a factor (not a significant one!) in rating teacher performance into the evaluation plan, the district shall use a joint committee composed of equal representation selected by the district and its teachers or, where applicable, the teachers' bargaining representative.
  - Joint committee still required to meet no less than one time annually to assess and review the effectiveness of the evaluation plan.
- P.A. 104-0020 removes provision providing that district is to implement the model evaluation plan if the committee does not reach an agreement within 180 days as to how to incorporate the use of student data as a significant factor.

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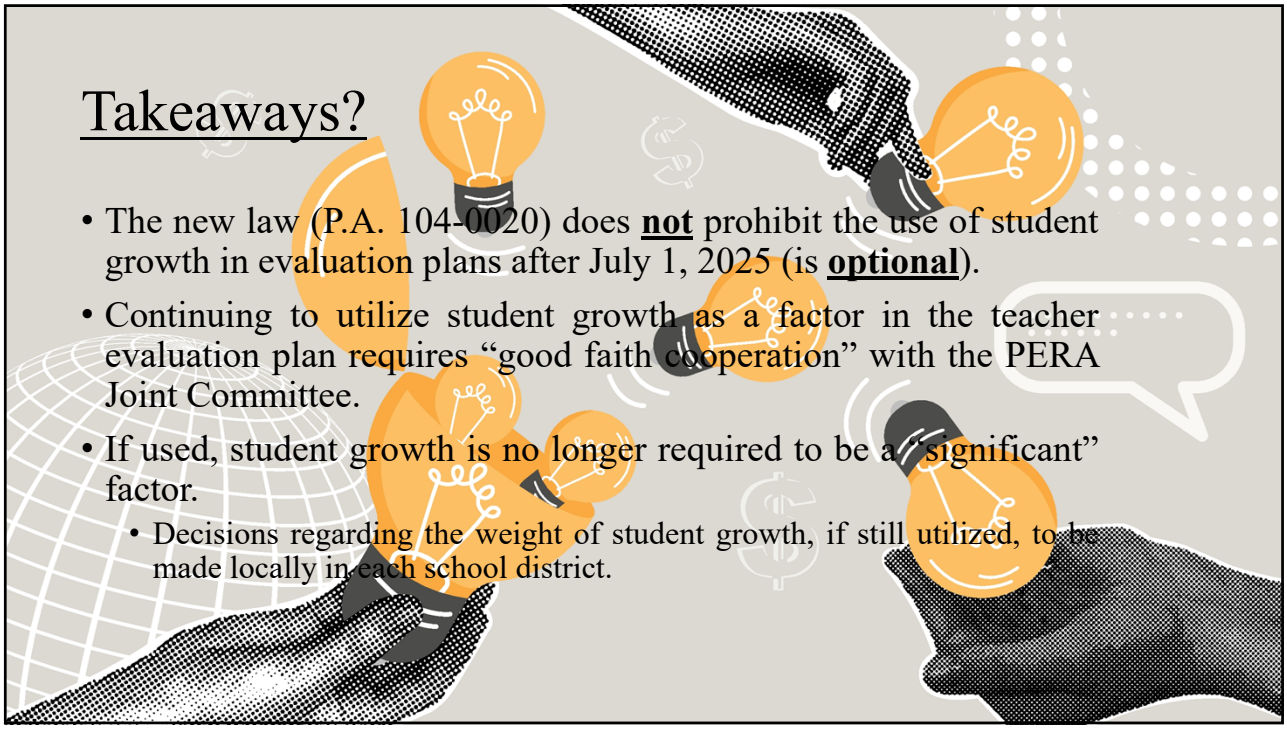
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# Public Act 104-0020

- Principal and AP evaluations must be performed, in the absence of a principal, superintendent, or designee, by an individual appointed by the school board who holds an active PEL with a principal endorsement or general administrative endorsement (replaces reference to Type 75 certificate).
- Removes reference to a principal/assistant principal's "duties" being considered as part of the evaluation (references to responsibilities, management, and competence remain).
- Adds requirement that principal's evaluation aligns with **the Illinois Professional Standards for School Leaders** or research-based standards established by administrative rule.
- After July 1, 2025, principal and assistant principal evaluations **may** provide for the use of data/indicators of student growth as a factor in rating performance.

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# Takeaways?

- The new law (P.A. 104-0020) does **not** prohibit the use of student growth in evaluation plans after July 1, 2025 (is **optional**).
- Continuing to utilize student growth as a factor in the teacher evaluation plan requires "good faith cooperation" with the PERA Joint Committee.
- If used, student growth is no longer required to be a "significant" factor.
  - Decisions regarding the weight of student growth, if still utilized, to be made locally in each school district.

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## Documenting Employee Performance

- Communicate the expectations regularly and clearly.
- Advantages of thoroughly documenting performance issues and expectations:
  - Improves compliance with the expectations.
  - Provides fair notice to employees of any deficiencies.
  - Minimizes employee complaints and grievances.
- Consequences of inadequate documentation?
  - Adversely impacts ability to issue corrective action and/or discipline.
  - May adversely impact the defense to complaints and grievances.



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# Constructive Comments

- Identify the facts.
- Label the behavior, not the person.
- Provide specific examples to support statements.
- Attach copies of documents that support your comments.
- Do not be afraid to be honest.

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# Ineffective Comments



**"Bonnie is not a team player."**

- This statement is of little value to the employee unless specific facts are provided to support this statement.
- Crucial facts and chronologies will be forgotten if not documented.

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# Effective Comments

**"Bonnie failed to assist Joe when he was ill . . ."**

- Even better: **"I asked Bonnie on September 1 to phone Joe, who was at home sick, to find out if he needed assistance completing the budget projections. Bonnie said she would but never called. Subsequently, the budget was not completed on time."**



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# Describe the Behavior

**"Bonnie is a poor word processor."**

- Instead: **"Bonnie's word processing skills need improvement. At the present time she inputs approximately 55 words per minute with an average of 15 mistakes. This should be improved to at least 70 words per minute with an average of five mistakes."**

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# Provide Specifics

- "Bonnie's offer letter contained numerous typographical and factual errors that delayed the on-boarding process for the new hire."
  - "Attached to the warning are copies of the offer letter with errors."



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# Appeals Process for Unsatisfactory Rating



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# Appeals Process for Unsatisfactory Rating

- In 2019, Public Act 101-591 was signed into law which requires:
  - the creation of a local appeals process for "unsatisfactory" ratings issued to teachers (not principals); and
  - that districts, "in good faith cooperation" with its teachers or through "good faith bargaining" with its teachers' unions, develop and implement an appeals process.
- The appeals process must have been in place beginning with the 2020-2021 school year.
- The appeals process applies to both tenured and non-tenured teachers.

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# Appeals Process for Unsatisfactory Rating

- PERA Joint Committee Responsibilities:
  - Determines who will serve on the panel of qualified evaluators to assess a teacher's appeal of an "unsatisfactory" rating.
  - The panel has the power to revoke an "unsatisfactory" rating it deems to be "erroneous".
  - Responsible for determining the criteria for successful appeals of an "unsatisfactory" rating.
  - Determine what rating should be issued to replace an "unsatisfactory" rating that has been deemed to be erroneous.

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# Appeals Process for Unsatisfactory Rating

Composition of the Panel of Qualified Evaluators

- Number not set by statute, but use of the term "panel" and plural form of "evaluator" clearly suggests that the panel must consist of more than one person.
- Qualified administrators employed by the school district, employed by another school district, or retired administrators who are "qualified evaluators" as defined in *The School Code*.
- Avoid administrator who issued the unsatisfactory rating and peer teacher evaluators.

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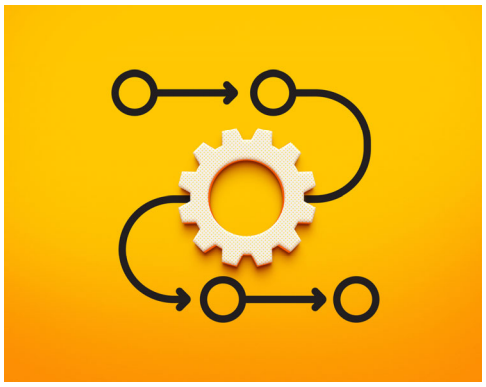
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# Appeals Process for Unsatisfactory Rating

Criteria for Successful Appeals

The Panel's assessment should focus on answering two questions:

1. Were there errors in the summative rating?
2. Did the errors matter (*i.e.*, would the teacher have received a higher rating)?



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# Appeals Process for Unsatisfactory Rating

Types of Errors

- Computational Errors: tabulating and compiling scores
- Procedural Errors: failure to meet deadlines, CBA, or ISBE regulations, using the wrong forms, using evidence during informal observation in determining summative without evidence being documented, failing to give advance notice that evidence may result in an NI or Unsatisfactory rating
- Misinterpretation or Misapplication of the Professional Practice Rubric: avoid decisions based on differences in opinion on close calls

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# Hypothetical #1

Sarah is a building Principal. Sarah and Brad, her AP, are discussing potentially non-renewing the employment of a first-year Science teacher. The two are debating whether they have "enough" to non-renew the teacher. Sarah is not so sure, noting that the teacher received a Proficient summative rating. Brad says it does not matter what the teacher's rating was, saying, "we can get rid of him for any reason."

Is Brad right? Why/why not?

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# Hypothetical #2

Jim, a non-tenured teacher, received a Needs Improvement rating in his first year. However, due to shortages and wanting to provide Jim with an opportunity to improve, Jim's employment was not non-renewed and he returned for Year 2. In Year 2, Jim received another Needs Improvement rating. The building principal acknowledges the concerns with Jim's performance but wants him to return for Year 3 due to staffing issues.

Can Jim return for Year 3 due to his evaluation ratings in Years 1 and 2?

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# Construction Case Study Part 2: Building Beyond the Blueprint – Oversight, Dispute Management, and Legal Remedies Through Project Completion

## October 8, 2025

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# Agenda

Post Bid Award Considerations

Project Oversight Preliminary Considerations

Hypotheticals

- Unforeseen Conditions and Change Orders
- Contractor in Default and Termination
- Defective Work and Payment Claims

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# Post Award Considerations

- Sign AIA contracts and assignment of trade contracts to construction manager.
  - Do you need a formal assignment agreement?
- Confirm insurance and bonds.
  - Collect performance and payment bonds from selected contractor (may not need to do this if using a construction manager)
  - Check validity of bonds
  - Confirm that the school district is listed as an additional insured and that certificate of insurance indicates proper coverage
- Notice to proceed and confirm that any time sensitive equipment/materials have been ordered.

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# Project Oversight – Preliminary Considerations

## Change orders

- Contingency
- Board resolution authorizing President or other officer to approve change orders to keep project moving

## Staying on budget

- Bids should be firm for the work subject to unforeseen conditions
- Construction manager should be updating control estimate as project proceeds

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# Hypothetical #1 – Subsurface Conditions

- Fact Scenario – As Big Money Contractor (BMC) is getting ready to break ground and perform site work on the New Kindergarten Center project, BMC discovers that there are subsurface problems (poor soil conditions, excess concrete, underground storage tanks).
- Now BMC wants a change order to remove the soil/concrete/tanks, and an increase in contract prices and time for completion.



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# Hypothetical #1 – Subsurface Conditions

| | |
|---|---|
| Testing to confirm subsurface conditions | |
| Who is at fault? | |
| Did the District perform any geotechnical or soil testing? | If so, District can try to recover from that engineer if they were negligent and did not |
| Need to keep project moving. | |

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# Hypothetical #1 – Subsurface Conditions

- **§ 3.7.4 Concealed or Unknown Conditions**

If the Contractor encounters conditions at the site that are (1) subsurface or otherwise concealed physical conditions that differ materially from those indicated in the Contract Documents or (2) unknown physical conditions of an unusual nature that differ materially from those ordinarily found to exist and generally recognized as inherent in construction activities of the character provided for in the Contract Documents, the Contractor shall promptly provide notice to the Owner and the Architect before conditions are disturbed and in no event later than 14 days after first observance of the conditions. The Architect will promptly investigate such conditions and, if the Architect determines that they differ materially and cause an increase or decrease in the Contractor's cost of, or time required for, performance of any part of the Work, will recommend that an equitable adjustment be made in the Contract Sum or Contract Time, or both. If the Architect determines that the conditions at the site are not materially different from those indicated in the Contract Documents and that no change in the terms of the Contract is justified, the Architect shall promptly notify the Owner and Contractor, stating the reasons. If either party disputes the Architect's determination or recommendation, that party may submit a Claim as provided in Article 15.

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# Hypothetical #1 – Subsurface Conditions

- Change Order
  - **§ 7.1.4** No Change Order shall be approved or paid unless preceded by a written direction for the Change Order is provided by the Owner. This requirement cannot be waived by conduct, custom, or practice with respect to this Project or other projects. There shall be no implied or constructive change orders. (Robbins Schwartz added language)
- Change Directive
  - **§ 7.3.2** A Construction Change Directive shall be used in the absence of total agreement on the terms of a Change Order for the purposes of defining the change and/or how payment shall be calculated, but not for the purpose of approving payment.

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# Hypothetical #1 – Subsurface Conditions

## Change Order Considerations

- Criminal Code 720 ILCS 5/33E-9: Any change order or series of change order which increases or decreases:
  - **Contact sum by $25,000 or more (effective 1/23/23; used to be $10,000 or more); or**
  - **Time of completion by 180 days or more (effective 1/23/23; used to be 30 days or more).**
  - Requires written determination by public body or its designee of one of the following:
    - Germane to original contract
    - Not reasonably foreseeable

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# Hypothetical #1 – Subsurface Conditions

## Change Order Bid Considerations

- Illinois School Code, 105 ILCS 5/10-20.21(a)(v)
  - Must rebid if change order exceeds 10% of "contract price"
    - "Contracts for materials and work which have been awarded to the lowest responsible bidder after due advertisement, but due to unforeseen revisions, not the fault of the contractor for materials and work, must be revised causing expenditures not in excess of 10% of the contract price"
  - What if the additional work was foreseeable or the fault of the contractor? Bidding implications?
- Public Works Change Order Act, 50 ILCS 525/1, *et seq*.:
  - Must rebid any change order which increases:
    - A contract price by 50% or more of original contract; or
    - A subcontract price by 50% or more of the original subcontract.

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# Hypothetical #1 – Subsurface Conditions

## Change Order Considerations

- Bidding Requirements Under the School Code
  - When does bidding apply to change orders?
    - "Contracts for materials and work which have been awarded to the lowest responsible bidder after due advertisement, but due to unforeseen revisions, not the fault of the contractor for materials and work, must be revised causing expenditures not in excess of 10% of the contract price. 105 ILCS 5/10-20.21(a)(v)
  - Emergency Bid Exception?
    - "Where funds are expended in an emergency and such emergency expenditure is approved by 3/4 of the members of the board." 105 ILCS 5/10-20.21(a)(xiv)

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# Hypothetical #2 – BMC is in Default

- Fact Scenario – BMC has been less than stellar and the School District has been very frustrated. The project is behind schedule, BMC has had a number of change order requests, and the District's architect has identified a number of concerns about the quality of BMC's work.
- What should the District do?



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# Hypothetical #2 – BMC is in Default

- What should owners think about before exercising the nuclear option of termination?
  - Are there other options such as taking over portions of the work?
  - Can a new contractor complete the work?
    - Will it cost more? Will the bond cover the additional cost? Will it take longer? Will it be the same quality or better/worse? Bidding requirements?
    - Warranties with multiple contractors on site?
    - Potential litigation?
  - Will the current contractor ever be able to complete the work?
    - Will it be good workmanship? Create dangers/hazards?
    - Trustee of public money – does the contractor deserve to be able to finish and be paid?

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# Hypothetical #2 – BMC is in Default

- The District should take a number of steps before exercising either option
  - Consult with architect and attorney, and contact insurers (if defects exist)
  - Document defective conditions (photographs, inspections, sensors), and provide adequate notice to BMC, subcontractors and surety about ability to attend inspection.
  - Look at the contract to confirm the District's rights and BMC's contractual obligations.
  - Review performance bond to confirm requirements for notice to surety who likely has the right to request a meeting between surety, District, and BMC.

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# Hypothetical #2 – BMC is in Default

- **§ 2.5 Owner's Right to Carry Out the Work**

If the Contractor defaults or neglects to carry out the Work in accordance with the Contract Documents or approved construction schedules, and fails within a five-day period after receipt of written notice from the Owner to commence and continue correction of such default or neglect with diligence and promptness, the Owner may, without prejudice to other remedies the Owner may have, correct such default, neglect or failure. In such case an appropriate Change Order shall be issued deducting from payments then or thereafter due the Contractor the reasonable cost of correcting such deficiencies, including Owner's expenses and reasonable attorneys' fees, and compensation for the Architect's additional services made necessary by such default, neglect or failure. If payments then or thereafter due the Contractor are not sufficient to cover such amounts, the Contractor shall pay the difference to the Owner within thirty (30) days after a request by the Owner.



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# Hypothetical #2 – BMC is in Default

- **§ 14.2 Termination by the Owner for Cause**
  - **§ 14.2.1** The Owner may upon seven (7) days' notice to the Contractor terminate its contract with the Contractor or cause the Contractor to terminate any Subcontract with any Subcontractor or Sub-subcontractor if:
    - ….
    - **4.2.1.8** the Contractor or Subcontractor otherwise violates any material provision of the Contract Documents
  - Upon termination as provided herein, Owner may take possession of the Project and of all materials, equipment, tools, construction equipment and machinery thereon owned by the Contractor and accept assignment of Subcontracts and may complete the Work by whatever reasonable method the Owner may deem expedient. If requested by the Owner, the Contractor shall remove any part or all of his equipment, machinery and supplies from the Project within seven (7) days from the date of such request, and in the event of the Contractor's failure to so, the Owner shall have the right to remove or store, or remove and store, such equipment, machinery and supplies at the Contractor's expense. In case of such termination, the Contractor shall not be entitled to receive any further payment for Work performed by the Contractor through the date of termination until final completion of the Work.
  - The termination rights under this Subparagraph 14.2.1 shall be in addition to and not in limitation of any rights or remedies, contractual, statutory or otherwise.

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# Hypothetical #3 – Payment Claims and Defects

- Fact Scenario – The District terminates BMC from the project. BMC claims that its work is not defective and demands payment. BMC serves a lien on funds. Meanwhile, the District believes that the work was defective and a portion of the new kindergarten center needs to be replaced.
- What should the District do?



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# Hypothetical #3 – Payment Claims and Defects

**Evidence of Defects**: How are you going to prove your case? What evidence do you have?

- The more documents (including photographs, videos, sensor data, etc.) the better likelihood of success.
- Use correct procedure and forms for consistency (change orders in writing, AIA forms, etc.)
- Maintain organization to keep discovery costs low.

**Inspections, Tests, or Repairs**: Consult with legal counsel first!

- Performing any inspections, testing, or repairs of defective conditions could result in spoliation of evidence or at least another round of said inspections/testing.
- Spoliation of evidence claim or defense can prevent the owner from using the defective conditions as evidence.

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# Hypothetical #3 – Payment Claims and Defects

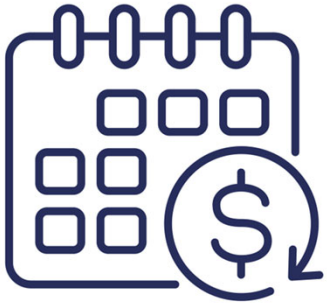
- How long do you have to file a lawsuit? 735 ILCS 5/13-214
  - Statute of Limitations (735 ILCS 5/13-214(a)): Any action related to construction shall be commenced within 4 years from the time the person knew or reasonably should have known of the defendant's act or omission.
  - Statute of Repose (735 ILCS 5/13-214(b)): Any action related to construction shall be commenced within 10 years from the time of the defendant's act or omission.
    - "Discovery Rule" – Plaintiff shall have an additional 4 years to file lawsuit if discovered within the 10-year period.
  - Contractual Limitations: The parties can contractually agree to shorten the limitations period.
  - Tolling Agreements – Agreement with contractors, design professionals, and other potential defendants to toll or stop the running of all statutes of limitations, repose, or other time limitation defenses.

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# Hypothetical #3 – Payment Claims and Defects

- General Litigation Considerations:
  - Who is included in the lawsuit?
  - The role of experts
  - Alternative dispute resolution (ADR)
    - Arbitration or mediation?
  - What are the recoverable damages?



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# Questions & Answers




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# Tricky Parent Scenarios, Student Surprises, and the Unexpected: How to Handle Questions and Concerns Arising in Student Matters

## October 8, 2025


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# Agenda

Scenario 1: Sammy
*Residency, Separated Parents, School Records*

Scenario 2: Alex
*Discipline and Special Education*

Scenario 3: Jeremiah
*Health Plan and Tort Immunity*

Scenario 4: Celia
*Parents and Social Media*

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# Scenario 1:

Sammy

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## Scenario 1: Sammy

- Parents enroll Sammy in kindergarten. However, they do not provide a birth certificate for Sammy. Must the District require them to provide the birth certificate?
- What about the student's enrollment status in the interim?



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## Scenario 1: Sammy

- After first grade, Sammy's Parents get divorced. Sammy's Mom moves outside of the school district; Sammy's Dad enrolls Sammy in school for second grade and provides the District a 50/50 joint custody agreement. However, Mom drops Sammy off every day for the first week of school.
- Should the District challenge Sammy's residency and ask that the Parents enroll Sammy in Mom's resident district?
- Alternatively, if Mom requests the District does not enroll the student, must the District comply?

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## Trivia Question:

What documents should be requested when divorced/separated families are enrolling a student?

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# Scenario 1: Sammy



- When Sammy starts fourth grade, Dad states that there is an order of protection against Mom for Sammy. Dad asks that none of Sammy's school records be shared with Mom and she not be invited to any Parent/teacher meetings for Sammy.
  - Can they ask for a copy of the order of protection?
  - What if Dad won't provide a copy of the order of protection?
  - What if the emergency order of protection is expired?
  - What if Mom comes to school, says that Dad is conspiring against her and the order of protection is a lie - can Mom be invited to Parent/teacher conferences?

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# Trivia Question:

What state and/or federal law governs whether confidential student information can be shared with an outside agency?

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## Scenario 1: Sammy

- When Sammy is in fifth grade, DCFS calls the school and asks to speak to school staff related to the Dad's complaints of neglect against Mom.
  - Should the principal speak to DCFS?
  - What should the school's response be if a DCFS representative comes to the school to interview the student? Request all student records?
  - What should the school do if a guardian ad litem (attorney for the student) requests to discuss the student with staff?

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## Scenario 2:

Alex

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# Trivia Question:

What is the Senate Bill number that significantly revised the student discipline section of the school code adding the "continuing presence, threat and disruption" language?

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# Scenario 2: Alex

- Alex, a sixth-grade student, frequently engages in disruptive class behavior. Alex makes loud jokes to disrupt the class, throws pencils and tears up her papers. When Alex isn't disrupting the class, she does well in her academics. As the school year progresses, Alex's disruption becomes more significant, and she frequently engages in verbal aggression towards peers in the hallway. Alex is frequently disciplined and receives a few in-school suspensions, one two-day out-of-school suspension, and one four-day out-of-school suspension in sixth grade. Alex's Parent challenges the suspensions.
  - Is the discipline Alex has received appropriate?
  - What other information would assist in assessing this situation?
  - What questions will your attorneys ask you when you call them about this matter?

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# Trivia Question:

What must a student receive if they are suspended from school?

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# Scenario 2: Alex

- Alex's disruptive behavior continues into seventh grade. One month into seventh grade, Alex picks a fight with the wrong kid and the two students get into a physical altercation in the lunchroom. Backpacks are thrown, Alex pulls out a braid from the other student's head, they punch each other. Ultimately, the other student ends up in the hospital with a broken nose. Someone records and puts the fight on snapchat and a witness shares a recording of the snapchat with the Dean. The school recommends Alex be expelled for the rest of the school year.
  - Is this an appropriate recommendation?

  Because Alex is a smart student, she hasn't received any tiered intervention supports.
  - What must the district show at an expulsion hearing in order to expel Alex?



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# Scenario 2: Alex

- Situation 1 – The principal gets a call from local law enforcement and states that charges have been pressed against Alex for criminal assault, so they need the records of the investigation done by the District, as well as security camera footage related to the incident.
  - Should the District provide the records?
  - The Parent gets wind of law enforcement going to the school and is furious. Parent shows up the following day and demands that the school does not release the records to the police. How does the school respond?
  - Does the school have to provide a copy of the footage to the Parent?

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# Trivia Question:

What must school districts have in place concerning reciprocal reporting with law enforcement?

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# Scenario 2: Alex

- Situation 2 – In discussing the recommendation for expulsion with the Parent, the Parent shares that Alex's therapist quit over the summer and Parent has been struggling to find a new provider. Three days before the expulsion hearing, the Parent sends the Dean a report documenting a diagnosis of Oppositional Defiance Disorder and ADHD for Alex.
  - What should the Dean do with the ODD and ADHD diagnosis?
  - Can the school move forward with a recommendation for expulsion and expulsion hearing?



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# Trivia Question:

When is a school required to hold an MDR?

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# Scenario 3:

Jeremiah

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## Scenario 3: Jeremiah

- Jeremiah has just started freshman year of high school and joined the football team. The freshman football team must travel approximately 15 minutes via bus to the football practice field.
- Jeremiah's Parent fills out an allergy action plan and signs authorization for Jeremiah to self-carry his epi-pen. However, Parent shares concerns that Jeremiah is immature and worries that he will lose or misplace his epi-pen throughout the day. Parent shared that in eighth grade, there were multiple instances where Jeremiah would leave his epi-pen in his locker at school. Parent is also nervous that if Jeremiah were to experience anaphylactic shock, he would panic and not be able to administer the medication himself.
- In the school building, there are trained personnel to administer emergency medication for students experiencing anaphylactic shock that would be able to reach Jeremiah within 60-seconds. At football practice, all athletic trainers are trained to administer the medication.
- Parent requests that the bus driver for the freshman football team be trained to administer the emergency medication.

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# Scenario 3: Jeremiah

Is it reasonable for the Parent to have concerns about allowing the student to self-carry, and require a trained staff member on the bus for football practice?

How does the school respond to the Parent's request?

Does the school need to have additional personnel on the bus who are trained?




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# Trivia Question:

Would a student with a severe allergy and an allergy action plan be eligible for 504 protections?

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## Scenario 3: Jeremiah

- Later in the school year, during a passing period, Jeremiah begins to show symptoms of an allergic reaction in the hallway. Jeremiah drops his backpack and the epi-pen falls on the floor. Jeremiah makes hand gestures indicating he can't breathe.
- A secretary walks by and sees Jeremiah and the epi-pen on the ground. The secretary grabs the epi-pen and administers this in Jeremiah's leg.

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# Trivia Question:

What is the liability standard for district employees under the Tort Immunity Act?

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## Scenario 3: Jeremiah

- Turns out, Jeremiah was choking on a snack, not having an allergic reaction.
- The Parent is furious that a non-trained staff member administered Jeremiah's epi-pen and wants to sue the secretary for damages.
  - Is the secretary liable? Is the District?
  - What if the epi-pen administered had been undesignated medication?

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# Trivia Question:

What are the notification requirements of a school after undesignated medication is administered?

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# Scenario 4:

Celia

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## Scenario 4: Celia

Celia is a third-grade student in Ms. Smith's class. Celia's Parent used to be a teacher within the District but gave up the job in order to take care of an ailing family member. Parent remains friends with many of her old colleagues.

Celia begins to fall behind in reading towards the end of third grade. Parent makes a request for a special education evaluation, but the District denies the request for an evaluation and implements tiered interventions for Celia.

During partner reading, Celia is distracted and shows a peer the pocket knife she brought to school, can the school refer her to law enforcement for a ticket?

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# Trivia Question:

True or False: A school district must provide a written response to a Parent request for a special education evaluation?

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# Scenario 4: Celia



The Parent is frustrated that the District denied her request and feels the school overreacted about the pocket knife. Parent begins to post on social media about her frustration.



Overtime, the posts become targeted and state, “Ms. Smith is sooooo bad at her job.” “Ms. Smith ignores her students and wouldn’t notice a kid with dyslexia if it slapped her in the face.”



Despite having a good relationship with Celia, Ms. Smith is uncomfortable working with Celia because she sees all of the Parent’s posts. Ms. Smith doesn’t want to have Parent/teacher conferences with Celia’s Parent. What should the school do?

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## Scenario 4: Celia

After the principal has a talk with the Parent about how she cannot speak to Ms. Smith in that manner, Parent posts on social media, "Principal is a coward and doesn't know what they're doing." "Ms. Smith should be fired already." "Ms. Smith is discriminating against my daughter with a disability." "This District needs to be investigated! They're denying my daughter her rights!"

- What are the next steps?



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## Scenario 4: Celia

Now, every time Parent picks Celia up from school, she walks into the office and states she is recording. When she sees the Principal, she yells at the Principal. She even took a pencil off the desk and snapped it in half, right in Principal's face.

- What are the next steps now?
- Should the school send Parent a Cease and Desist letter?



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# Summary

- Students' familial status may evolve and affect student attendance and academic life throughout the school years.
- View student behavior, discipline, and the potential consideration of support services through a broad lens.
- Multiple areas of the law and considerations may intersect when dealing with student issues as they arise.

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# Striking the Balance: Fair and Effective Employee Discipline

# October 8, 2025


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# Agenda



1. The Basics
2. The Starting Point: Employee Status
3. How to Issue Fair Discipline
4. How to Issue Effective Discipline
5. Key Considerations

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# Discipline: The Basics



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The Basics:

What is Discipline?

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**What is Discipline?**

"Employee discipline is a process by which an employer takes corrective action to enforce organizational rules and policies to address employee conduct that violates these rules and policies. The purpose is to promote compliance with organizational standards and to improve employee behavior and performance." – *U.S. Office of Personnel Management*

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The Basics:

Why Discipline Matters

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**Why Discipline Matters**

- Maintains workplace standards
- Protects students and staff
- Limits district liability
- Encourages improvement through corrective action

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## The Basics:

## Steps to Minimize the Need for Discipline

**What Can We Do Proactively to Avoid the <u>Need to Discipline Employees?</u>**

- Communicate clear performance standards
- Communicate clear conduct expectations
- Provide regular and consistent feedback on performance
- Take advantage of probationary periods
- Lead by example

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## The Basics:

## Discipline is Inevitable

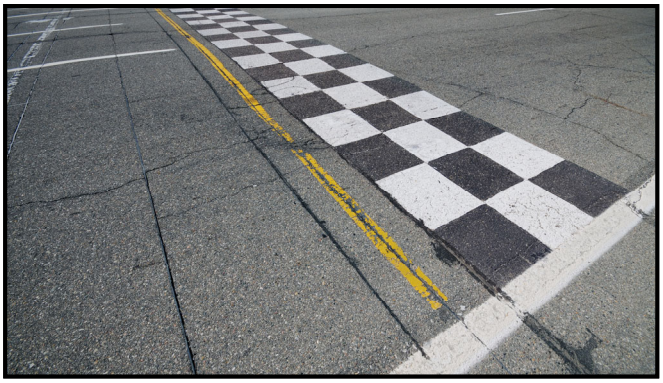
**<u>But… We Need to Be Realistic</u>**

- "The brain is a wonderful organ; it starts working the moment you get up in the morning and does not stop until you get into the office." – *Robert Frost*
- **<u>Takeaway</u>**: employees will experience lapses in professional judgment and experience performance issues – it is inevitable, and discipline will be needed.

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# The Starting Point: Employee Status



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## The Starting Point: Employee Status

- The first question: what is the employee's status?
  - Bargaining unit employee?
  - At-will employee?
  - Individual employment contract?
  - Tenured vs. non-tenured?
- **Takeaway:** An employee's status impacts the disciplinary process.

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## The Starting Point: Employee Status

- Bargaining unit employees
  - Covered by a collective bargaining agreement.
  - Review the "Discipline" Article.
    - Check for procedural requirements.
    - Generally, a "just cause" standard exists.
  - Probationary employees versus non-probationary employees within the bargaining unit.
  - The union may challenge a disciplinary decision through the Grievance Procedure.

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## The Starting Point: Employee Status

- At-will employees
  - Employees not covered by a collective bargaining agreement and not covered by an individual employment agreement.
  - Generally, no "just cause" standard.
  - PRESS Policy 5:270: Unless otherwise provided, employment is at-will and terminable at the discretion of the district for any lawful reason.
  - Discipline cannot be discriminatory or retaliatory.

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## The Starting Point: Employee Status

- Employees under an employment contract.
  - Certain administrators.
  - Review the terms of the employment contract:
    - "Just cause" standard may exist.
    - Check for procedural requirements.
    - Check for other obligations, *e.g.*, written charges, board hearing.

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## The Starting Point: Employee Status

- Tenured vs. non-tenured
  - Section 24-11 of the School Code sets forth tenure requirements for "teachers."
  - Teachers = all school district employees regularly required to be licensed under the laws relating to the licensure of teachers.
  - Tenured status offers disciplinary protections.
    - Notice of Remedial Warning.
    - Right to a Dismissal Hearing.

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# Issuing Fair Discipline



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# Fair Discipline

## "Just Cause"

- "Just cause" is a standard which requires the district to substantiate the validity of its reasons and procedures for issuing discipline.
- Seven elements:
  - Fair notice
  - Reasonable rule
  - Sufficient investigation
  - Fair and objective investigation
  - Substantial evidence
  - Consistent enforcement
  - Proportional discipline
- **Takeaway**: Just cause ensures that the discipline is fair.

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# Fair Discipline

## "Just Cause"

- Common just cause attacks against a discipline decision from the union:
  - **Inconsistent enforcement**. The district issues a Level 1 Warning to a paraprofessional for using their cell phone during work hours. The union points to several examples of others, including administrators, using their cell phones during work hours without consequence.
  - **Lack of fair notice**. The district issues a Level 1 Warning to a maintenance employee for listening to the radio in the maintenance shop. The union asks to see the rule or directive that prohibits listening to the radio in the maintenance shop.

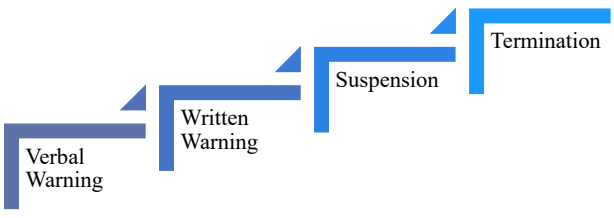
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# Fair Discipline

## Progressive Discipline

- Progressive discipline is a series of increasingly severe disciplinary sanctions for employee misconduct with termination as the final step.




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## Fair Discipline:

## Progressive Discipline

- Progressive discipline strengthens the district's defenses when the discipline decision is challenged.
- Progressive discipline reduces grievances or charges.
  - Reduces inconsistent enforcement and discrimination claims.
  - Demonstrates to the employee (and the union) that the misconduct is a pattern.

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## Fair Discipline:

## Progressive Discipline

- Progressive discipline acts as a *guide*, however circumstances may require the district to bypass steps or issue summary discharge:
  - Theft
  - Insubordination
  - Fighting
  - Use of illegal drugs
  - Sexual or other unlawful harassment

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# Fair Discipline:

# Progressive Discipline

- Considerations for bypassing steps:
  - Assess the impact on the district's operation, students, employees, and the community
  - Assess safety concerns
  - Consider the totality of the circumstances
  - Consider CBA provisions
  - Consider tenure rights

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# Effective Discipline



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## Effective Discipline

- Memorialize all discipline.
- Identify the level of discipline in the subject line.
- Label the level of discipline consistent with the named steps in the collective bargaining agreement (or historically used for non-bargaining unit employees).
- Include a notation of carbon copy to the personnel file.
- Require the employee to acknowledge receipt of the document.

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## Effective Discipline

- Summarize the misconduct.
- Summarize the procedural steps taken.
- Identify the policies or rules violated.
- Reference prior directives or discipline.
- Include specific directives that must be followed moving forward.
- Include a warning that the employee may be issued further discipline if additional misconduct occurs.

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# Effective Discipline

- When providing the employee with directives to remedy the conduct:
  - Focus on the problem, not the person.
  - Provide objective directives.
- Bad: Steve is immature. He needs to act like an adult in his classroom.
- Good: Steve's professionalism with his students needs to improve. Steve must refrain from excessive personal conversations with students, including but not limited to conversations about sports and video games. When the conversation is initiated by a student, Steve must use his training to redirect the conversation to a productive and professional conversation.

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# Key Considerations



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## Key Considerations:

## Common Pitfalls

**Be on the Lookout**



- Is there a nexus between the recent misconduct and the previously-cited misconduct?
- Has there been significant passage of time between the previous misconduct and the current misconduct?
- Has the district represented that the previous misconduct has been remedied?
- Has the district properly documented the previous discipline?

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## Key Considerations:

## The Need for a Nexus

- What to do when there is not a nexus between the recent misconduct and misconduct at issue in the previous discipline?
  - Separate progressive discipline tracks.
  - Documentation is critical.

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## Key Considerations:

## The Need for a Nexus

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**Example**

- Human Resources issues an employee a Level 1 Warning following his excessive tardiness.
- The Level 1 Warning directs the employee to "Arrive to school by 7:00 a.m. unless otherwise instructed. Continued tardiness may lead to further discipline, up to and including termination."
- Two months later, the employee sends his direct supervisor an unprofessional email after the supervisor gave the employee negative feedback on an assignment.
- Should the District follow progressive discipline and issue a Level 2 Warning citing to the previously-issued Level 1 Warning?
- If not, how should the District proceed?

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## Key Considerations:

## The Non-Renewal

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**The Non-Renewal**

- The board may non-renew non-tenured teachers by April 15.
- Some districts recognize a non-tenured teacher's issues throughout the school year and merely plan to non-renew the teacher rather than issue discipline.
- Districts should still proceed with discipline prior to the non-renewal. Doing so protects the district in the event the teacher claims the non-renewal decision was discriminatory or retaliatory. A discipline record will help show the non-discriminatory, non-retaliatory basis for the non-renewal.

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## Key Considerations:

## Tenure Protections

- Tenure discipline protection – pre-dismissal.
- Section 24-12 of the School Code governs the dismissal of tenured teachers.
- The Notice of Remedial Warning requirement:

> Before setting a hearing on charges stemming from causes that are considered remediable, a board must give the teacher reasonable warning in writing, stating specifically the causes that, if not removed, may result in charges; however, no such written warning is required if the causes have been the subject of a remediation plan pursuant to Article 24A of this Code.

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## Key Considerations:

## Tenure Protections

- If the misconduct in question is remediable, *the board* must issue a notice of remedial warning prior to dismissal.
- Notify the teacher that the misconduct constitutes cause which, if repeated, will result in notice of charges for their dismissal.
- Clearly describe the incidents of misconduct which must be remedied.
- Provide specific directives to address and remedy the deficient conduct.

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## Key Considerations:

## Tenure Protections

- Tenure discipline protection – dismissal hearing.
- Section 24-12(d) of the School Code provides tenured teachers with a right to a hearing before an independent hearing officer.

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# Navigating Nuance: Supporting Confidentiality in Sensitive Situations

## October 8, 2025


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# Introduction



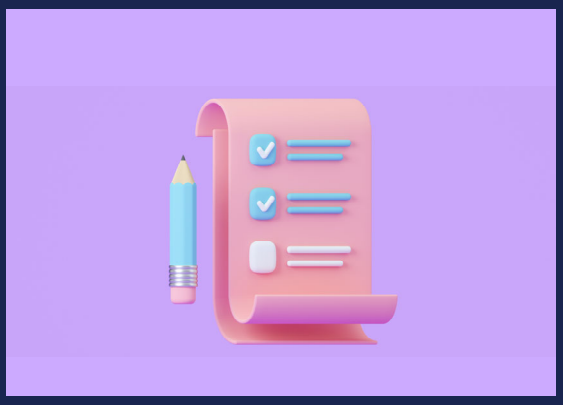
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# Agenda

- Overview of Relevant Confidentiality Laws
- Practical Guidance for Common Areas of Concern
    1. Gender Identity
    2. Pregnancy
    3. Risk of Harm
- General Tips and Strategies for Navigating Sensitive Situations

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## Relevant Student Confidentiality Laws

- *FERPA* (20 U.S.C. § 1232g)
- *ISSRA* (105 ILCS 10/)
- *Mental Health and Developmental Disabilities Confidentiality Act* (740 ILCS 110/)
- *Consent by Minors to Health Care Services Act* (410 ILCS 210)
- *Illinois School Code,* Article 26A




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## *Family Educational Rights and Privacy Act* and *Illinois School Student Records Act*

20 U.S.C. § 1232g; 105 ILCS 10/

Parents of students under 18 have the right to inspect and review all of the student's education records

*ISSRA only – right to copy records

Does not require consent of the student

Rights transfer to student when they turn 18 or, for FERPA, enroll in post-secondary education

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## *Mental Health and Developmental Disabilities Confidentiality Act*

740 ILCS 110

- Grants minors 12 years and older control over their mental health records.
- "Record" means any record kept by a therapist or by an agency in the course of providing mental health or developmental disabilities service to a recipient concerning the recipient and the services provided.
- "Therapist" means a psychiatrist, physician, psychologist, social worker, or nurse providing mental health or developmental disabilities services or any other person not prohibited by law from providing such services or from holding himself out as a therapist if the recipient reasonably believes that such person is permitted to do so.

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## *Mental Health and Developmental Disabilities Confidentiality Act*
740 ILCS 110

- Records may not be shared with a parent or guardian unless the student (who is 12 or older) is informed and does not object, the therapist finds there are no compelling reasons to deny access, or a court orders access to the record
- General Exceptions:
  - Access to information related to current physical and mental condition, diagnosis, treatment needs, services provided, and services needed, including any medication
  - Imminent risk of serious physical or mental injury or disease or death
- Limited applicability in school setting – social worker, counselors, psychologists

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## *Consent by Minors to Health Care Services Act*
410 ILCS 210

- Allows minor consent and confidentiality related to certain health care services, including counseling, related to:
  - Pregnancy-related care
  - STIs (12 and older) - must obtain consent before disclosing to parent
  - HIV (12 and older)
    - Must inform parent of positive test if in minor's best interest and attempts to persuade minor to disclose are unsuccessful
  - Criminal sexual assault or abuse
  - Substance use disorder (12 and older)
    - May only disclose if necessary to protect safety of minor or others
- Limited applicability in school setting – consider nursing services

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*Illinois School Code,* Article 26A

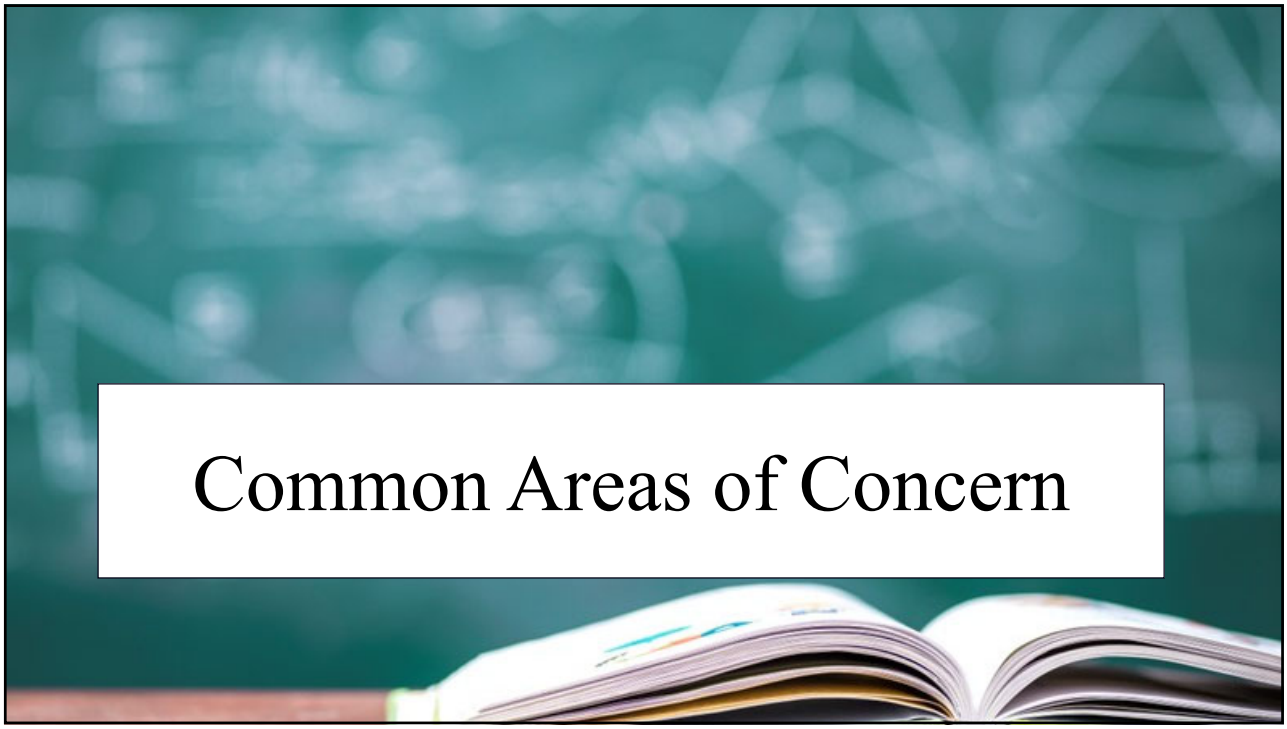
Children and Students who are Parents, Expectant Parents, or Victims of Domestic or Sexual Violence

105 ILCS 5/26A-30

- Requires that all documentation, records, or other evidence that a student has requested or received assistance, support, or services pursuant to this section be held confidentially
- Prior to disclosing information to parent or guardian about student's status as parent, expectant parent, or victim of domestic or sexual violence, must notify student and discuss and address any safety concerns related to disclosure

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# Gender Identity

## Particular considerations for gender identity confidentiality

- ISBE guidance related to applicability of *Illinois Human Rights Act*
- DOE guidance regarding parental rights under FERPs and PPRA
- Some limited federal case law related to student privacy rights related to gender identity

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## Gender Identity State and Federal Guidance

- ISBE 2020 Guidance
  - The protections of the Illinois Human Rights Act against discrimination based on gender identity apply regardless of parental involvement or consent
  - DOE Student Privacy Policy March 2025 Officer Dear Colleague Letter
  - Under FERPA and the Protection of Pupil Rights Amendment, schools must allow parents to review all education records of their student, including any document related to the student's gender identity
  - Open investigation into California and Maine Departments of Education regarding policies prohibiting parent access to records related to child's gender identity

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# **Gender Identity**
## Case Law

*Vesely v. Illinois Sch. Dist. 45*
669 f. Supp. 3d 706 (N.D. Ill. 2023)

- Divorced parents, father objected to provision of support consistent with student's gender identity
- Argued that district violated his fundamental right to direct the education and upbringing of the child
- Court found no violation – emphasized district's interest in maintaining non-discriminatory environment and protecting student privacy

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# **Gender Identity** – Case Law

- Case law in other Federal circuits is mixed with regard to parental notification
  - Addressing policies that prohibit affirmatively notifying the parent without student consent when student requests use of preferred name and pronouns at school
- Parents argue:
  - Failure to notify them violates right to direct the care and upbringing of their child
  - Acts by staff are proactive, coercive interference with the parent-child relationship
- The 1st Circuit and a number of district courts have found no violation of parental rights
  - Distinguish between school officials passively recognizing students by preferred identities and proactive interference with parent-child relationship
- Wisconsin Circuit Court found parents' rights were violated
  - Found this is a medical and healthcare issue that infringes on right to direct the care of the child

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## Gender Identity
Practical Guidance

- Contrast between current Illinois and federal positions
  - ISBE guidance indicates absolute right to provide equal educational opportunities consistent with gender identity regardless of parent knowledge or consent
  - Federal enforcement priorities center on parents' decision-making authority – with a focus on access to records
  - No clearly established affirmative duty to communicate to parents a student's decision about their gender expression or identity

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## Gender Identity
Practical Guidance

- Consider student requests for confidentiality on a case-by-case basis
  - What is the student's age and developmental status?
  - Is there any indication that the student is at risk of harm to themselves? Risk of experiencing abuse in their household?
- Avoid response that may be considered coercive
  - Affirmatively encouraging or discouraging minor students' gender identity expression
  - Engaging in substantive counseling and/or therapy without the knowledge of parents

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# Pregnancy and Sexual Health

Particular considerations for confidentiality of student pregnancy

- Power of minors to consent to some mental health and sexual health care services
- Confidentiality of 26A status
- Potential Title IX or ANCRA reporting obligations
- Intersection of obligations under 26A, Title IX, and ANCRA

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## Pregnancy and Sexual Health
### Minor Consent to Services

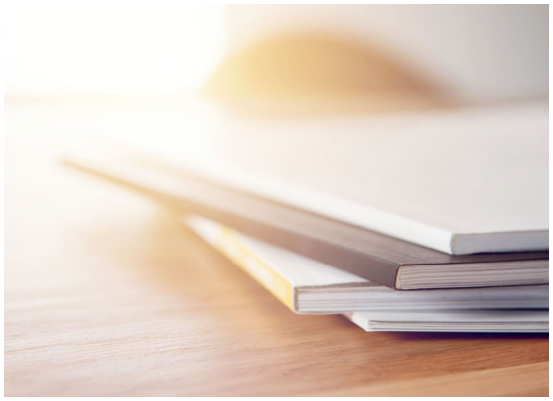
- Minors 12+ may consent to certain care without parental notice or consent
  - STI testing/treatment
  - Pregnancy-related care, including testing
  - Limited mental health counseling
- In general, records kept confidential unless another law requires disclosure
  - FERPA (consider personal notes exception)
  - Title IX/ANCRA reporting

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# Pregnancy and Sexual Health
## Illinois School Code, Article 26A

- 26A and Board Policy 7:255 protect students who are parents, expectant parents, or victims of domestic or sexual violence.
- Under 26A, no explicit requirement to notify parents, though discretion to disclose is implied.
- Under 26A, must notify the student before disclosing to the parent the student's 26A status.
  - Must discuss and address safety concerns prior to disclosure.
  - Except as otherwise permitted by ANCRA, ISSRA, or FERPA.



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# Pregnancy and Sexual Health
## Title IX and ANCRA Reporting

- Title IX Reporting Obligations – for allegations of Title IX sexual harassment
  - Quid Pro Quo
  - Specific Act – Sexual Assault, Dating Violence, Domestic Violence or Stalking
  - Hostile Environment – Severe, pervasive, objectively offense
- ANCRA Reporting obligations – reasonable cause to suspect sexual abuse or neglect

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# Pregnancy and Sexual Health
## Title IX and ANCRA Reporting

- Title IX Disclosure to Parents
  - Staff must report sexual harassment to Title IX Coordinator
  - Disclosure to parents not automatically required under Title IX, BUT consider:
    - Title IX regs require that nothing in Title IX be read to derogate rights of parents/guardians
- ANCRA Disclosure to Parents
  - Staff should not inform parents before or instead of DCFS
  - Defer to DCFS and law enforcement regarding whether to inform parents following report when the report is not against parents

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# Pregnancy and Sexual Health
## Practical Guidance

- Focus on maintaining safe and supportive environment when student discloses
  - Be open with students about the limits of confidentiality
- Discuss with Title IX Coordinator and legal counsel when suspected sexual assault or abuse
- Consider standard for liability – deliberate indifference
  - Is it unreasonable in light of the known circumstances to not inform parents?

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# Risk of Harm

Confidentiality considerations when there is a known risk of harm to self or others

- Minor consent to mental health services
- Clear and present danger reporting obligations
- Illinois wrongful death case law

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## **Risk of Harm**
## Minor Consent to Mental Health Services

- Minors 12 and older can consent to limited mental health services.
  - Providers may disclose to parents if in student's best interest.
  - Additional exception permitting disclosure "to protect the recipient or other person against a clear, imminent risk of serious physical or mental injury or disease or death."

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## Risk of Harm
### Clear and Present Danger Reporting

School Administrator Reporting of Mental Health Clear and Present Danger Determinations Law.

- Requires school administrators to report to Illinois State Police if a person is determined to "pose a clear and present danger to himself, herself, or to others," within 24 hours of the determination.
- Also provides immunity for reporting, "except for willful or wanton misconduct."

*Firearm Owners Identification Card Act* defines "clear and present danger" to include:

- A person who demonstrates threatening physical or verbal behavior, such as violent, suicidal, or assaultive threats, actions, or other behavior as determined by a physician, clinical psychologist, qualified examiner, school administrator or law enforcement official.



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## Risk of Harm
### Case Law

Immunity under *in loco parentis* doctrine or Tort Immunity Act for ordinary negligence

- Must show willful and wanton conduct – actual or deliberate intention to cause harm or that shows utter indifference or conscious disregard

Courts look for breach of a statutory duty

- Such as *Ann Marie's Law* – requires suicide awareness and prevention
- Where statute is permissive rather than mandatory, less likely to be considered willful and wanton



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# Risk of Harm
## Case Law

- Foreseeability
  - Courts require specific facts pointing to a school's notice that a student posed risk.
  - *Marshall v. Evanston-Skokie School District 65*, 2015 IL App (1st) – Student's mental health diagnoses alone did not put school on notice of imminent suicidal risk.
  - *Walgren v. Heun,* N.D. Ill. Jan. 17, 2019 – no outward signs of student's fragile mental state and no history of harming himself.
    - Legal liability required conduct "so extreme as to go beyond all possible bounds of decency and to be regarded as intolerable in a civilized community.

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# Risk of Harm
## Practical Guidance

- Train staff on mandatory duties under Illinois law, Board Policies, and threat assessment/ROH procedures
- Document and assess all threats or warning signs
  - Take any indication of risk seriously and use structure risk assessment tools
  - Record all relevant observations, statements, dates, risk assessment outcomes, and responsive actions taken
- When significant and imminent risk, promptly notify parents
  - And, when applicable, the Illinois State Police and local law enforcement

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# Practical Guidance for All Sensitive Situations

- Focus first on building trust with student and providing immediate support
  - Encourage parent involvement to the greatest extent possible and offer support to students in communicating with parents
  - Develop timeline by which student will communicate to parents or school personnel will

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# Practical Guidance for All Sensitive Situations

- Balance student confidentiality rights with factors such as:
  - Age
  - Developmental status
  - Risk to physical or emotional health and safety
    - Risk of harm to themselves?
    - Risk of harm in the household?
- Avoid withholding student records or communicating inaccurate or false information to parents

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# Looking Ahead: Protecting School Revenue in a Shifting Property Tax Landscape

# October 8, 2025


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# Why This Matters – Protecting the Tax Base

- Exemptions reduce EAV and shift the tax burden onto remaining taxpayers
- School districts rely heavily on property taxes and have limited options for backfilling lost revenue
- Improper exemptions can impact district budgets for years
- Administrators play a key role by flagging applications early and involving counsel

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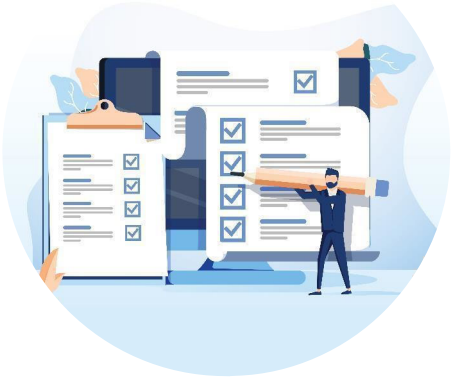
# Exempt or Not Exempt . . .

## A Practical Look at Property Tax Exemptions and What They Mean for Your District

**Purpose:** Help school administrators understand how property tax exemptions impact local revenues

**Topics covered:**

- Illinois exemption standards
- Case law and agency rulings
- Real-world examples (exempt vs. not exempt)
- What to watch for when you receive an exemption notice



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# The Legal Framework

**Illinois Constitution – Article IX, Section 6**

- All property is subject to taxation unless exempt by law
- Legislature may exempt property only if used exclusively for:
  - School, religious, cemetery, or charitable purposes
- Burden is on the taxpayer to prove eligibility for exemption



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# Statutory Standard for Exemption

Exemption is governed by the Property Tax Code and interpreted by courts

↓

Must meet both:
- Ownership requirement (e.g., charitable organization)
- Use requirement (actual, exclusive, and primary use must be charitable)

↓

Strictly construed in favor of taxation
- Courts presume property is taxable unless proven otherwise

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# The Turning Point – Provena Changes the Landscape

- Prior to *Provena*, courts and the Department of Revenue often granted exemptions with minimal scrutiny, especially for hospitals and nonprofits.
- There was a disconnect between the constitutional standard and how exemptions were applied in practice.
- The Illinois Supreme Court's 2010 decision in Provena reaffirmed the actual and exclusive use test:
  - Exemptions are not based on mission statements or nonprofit status
  - Property must truly operate as a gift to the public and reduce local government burden
- Since Provena, courts and the Department have taken a harder look at exemption claims — particularly those involving mixed or commercial use — resulting in a legal landscape that better reflects the strict constitutional standard.

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# How Courts Apply the Standard – The *Provena* Case

- **Fact Overview**: Provena Covenant Medical Center sought exemption but provided minimal charity care.
- The Illinois Supreme Court denied exemption because the hospital failed to provide meaningful charity care.
- Only 302 out of 110,000 patients received free or discounted care — just 0.7% of revenue at cost.
- The Court held that community benefit is not the test; the focus is on actual, exclusive charitable use.
- Provena:
  - Operated like a for-profit entity
  - Billed patients, pursued collections
  - Claimed discounts that still resulted in surpluses
- The Court explicitly rejected:
  - Medicaid/Medicare shortfalls as charity
  - Bad debt and community programs as qualifying use
- **Key takeaway**: Exemption requires real, measurable charity care that relieves a burden on local taxing bodies

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# Exemption Denied – Calvary Temple

- **Fact Overview:** Church used for revenue-generating recreation and food sales.
- **Case:** *Dept. of Revenue v. Calvary Temple*.
- Claimed: Religious and educational exemption.
- **Outcome:** Exemption denied. The use was not primarily for religious or educational purposes.

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# Exemption Denied – Bright Horizons

- **Fact Overview:** University leased to a for-profit daycare not directly tied to its academic mission.
- **Case:** University of Chicago v. Bright Horizons (PT 18-06)
- A for-profit day care leased space from the University.
- **Finding:** The daycare was not necessary to accomplish the university's educational mission.
- **Outcome:** Exemption denied.

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# Exemption Denied – Heartland Community College

- **Fact Overview:** College leased its stadium to a for-profit baseball team.
- **Case:** IL DOR v. Heartland Community College (PT 12-11)
- Exclusive possession and profit motive were found.
- **Outcome:** Exemption denied. Lease viewed as not incidental to educational purpose.

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# Exemption Denied – American Academy of Pediatrics

- **Fact Overview:** AAP headquarters in Itasca operated as a membership organization with fees and limited public access.
- **Case:** American Academy of Pediatrics v. IDOR (2022 IL App 1st 220758-U)
- AAP, a 501(c)(3), claimed exemption based on public education and advocacy.
- Court found the property primarily benefited members and functioned like a trade association.
- Significant dues and fees were charged for services.
- **Outcome:** Exemption denied. The use did not meet the exclusive charitable use standard.

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# Exemption Granted – Housing Authority

- **Fact Overview:** Exempt housing authority leased land for affordable housing development.
- **Case:** Housing Authority of Champaign County (PT 19-01)
- Exempt housing authority leased land to for-profit partnership to build low-income housing.
- Court found the exempt entity retained interest and qualified under specific statutory provisions.
- **Outcome:** Exemption granted.



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# Exemption Granted – College Solar Panels

**Fact Overview:** College licensed rooftop space for solar panels to power its own campus.

College licensed roof space to solar provider for panels.

No exclusive possession or profit use.

Panels served energy needs of exempt college.

**Outcome:** No threat to exemption; agreement likely a license, not a lease.

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# Municipal Property is Exempt by Statute

- Statute: 35 ILCS 200/15-60
- All property owned by a municipality within its incorporated limits is tax exempt.
- Applies even if property generates revenue.
- **Example:** Village-owned ice skating rink that charges admission and earns profit is still exempt.
- **Lease Exception:** Leasehold interest may be taxed under Section 9-195, but not the real estate itself.

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# Summary Table – Exemption Outcomes

| Case | Exemption Claimed | Reason for Denial/Approval | Outcome |
|---|---|---|---|
| **Calvary Temple** | Religious/Educational | Commercial use dominated | Denied |
| **Bright Horizons (UChicago)** | Educational | Not integral to university's mission | Denied |
| **Heartland CC Stadium** | Educational | Exclusive lease, profit use | Denied |
| **AAP** | Charitable | Member focus, high fees, trade group | Denied |
| **Housing Authority** | Public Housing | Qualifies under specific statute | Granted |
| **CLC Solar Panels** | Educational | Non-exclusive license, incidental use | Granted |

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# Tips for School Administrators

- When you receive a notice of exemption application:
  - Flag and forward immediately to legal counsel
  - Check whether the use:
    - Involves payments or commercial activity
    - Appears to benefit the broader public or just a specific group
    - Is actually used by a charitable/religious entity on a daily basis
  - Ask: Would a tax exemption here shift the burden onto the school district?

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# Red Flags to Watch

- Property leased to for-profit tenants
- Mixed use (commercial + charitable)
- Vacant land held for future use
- Recreational uses charging membership or event fees
- Use for private benefit or limited access



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# What Happens If an Exemption Is Granted?

- The assessed value drops to $0
- District must make up the revenue loss through higher rates or reduced services
- Can have multi-year retroactive effect if the exemption is backdated
- Other taxpayers may follow suit



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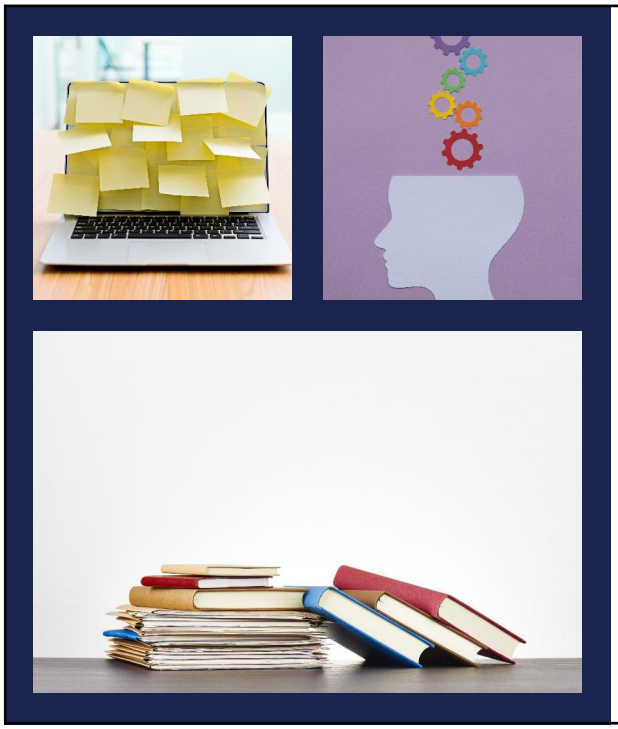
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# What We Can Do

- Intervene to oppose improper exemptions
- Submit comments, request hearings, or coordinate with County officials
- Consider cost-sharing with other taxing districts
- Stay in touch with counsel for monitoring and response

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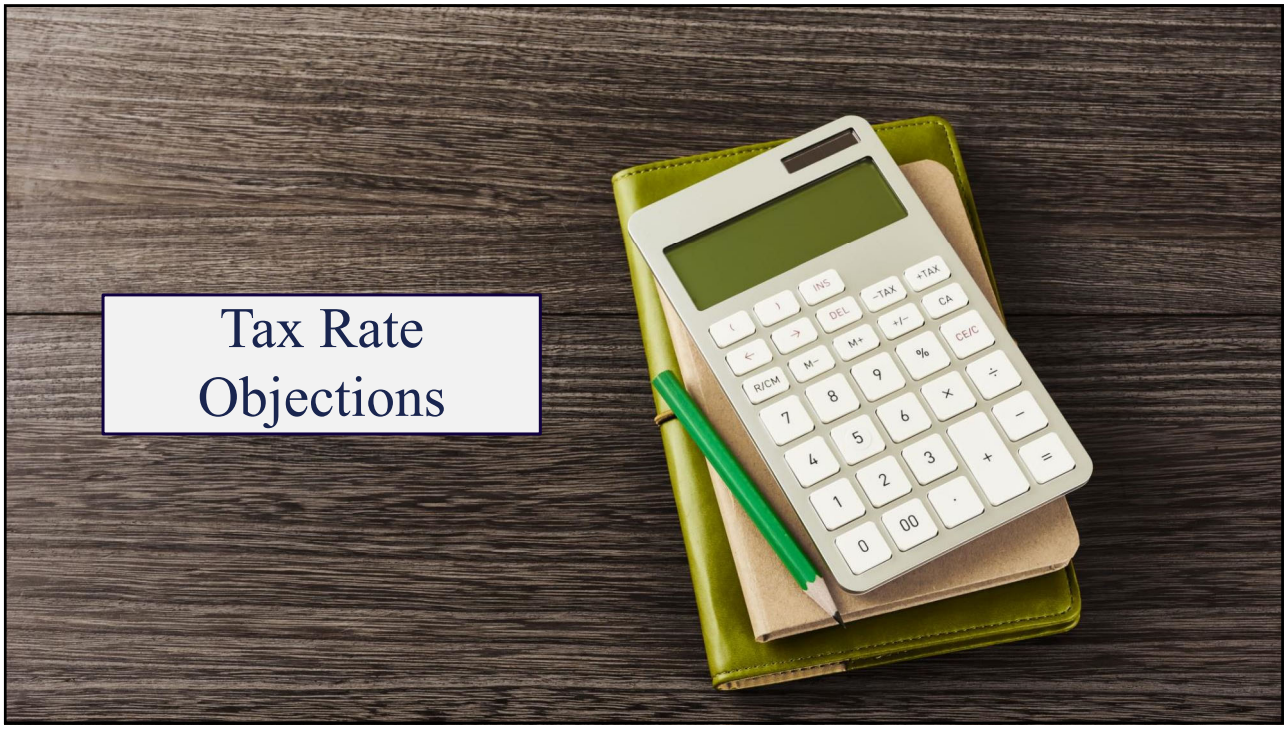


# Final Thoughts

- Exemptions can significantly impact your tax base
- Early detection and coordinated response are critical
- Legal standard is strict—many applicants do not qualify
- Reach out if you have any questions or need guidance on a specific case

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# Tax Rate Objections

- A would-be objector must
  - pay its entire tax bill within 60 days after the 1st penalty date for the final installment of taxes for that year, and
  - file its objection complaint within 75 days after the 1st penalty date for the final installment – typically, in October or early November, in counties other than Cook.

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# Defending or Otherwise Resolving Tax Objections – Recommended First Steps

| Upon receiving notice | Factors to consider | Analyze total refund claim |
|---|---|---|
| When objections are filed to one or more of your district's tax levies, forward copies of the objections to district legal counsel. | Include the legal merit or lack of merit of the objections, as well as the total estimated amount of the objectors' refund claim for each objection. | Amount for any objection is equal to the aggregate EAV of the taxpayers who have filed the objection, multiplied by the tax rate complained of cited in the objection. |

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# Common Objections – "Excessive Accumulation"

Doing the CIPS v. Miller math:

- Compute "available assets" of the fund, by adding together the fund balance at the end of the FY preceding the challenged tax levy, plus prior year taxes still to be received.
- Compute the fund's average annual expenditure for the three FYs preceding the levy.
- Divide available assets by three-year average annual expenditure. If the resulting "funds/average expenditure" ratio is > 2.0, objector may have a prima facie case.



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# Common Objections – "Excessive Accumulation"

Typically assert that the challenged levy resulted in an excess accumulation of assets in the levied-for fund because, at the time the levy was made, the fund's available assets exceeded two times its average annual expenditure.

Excess accumulation claims are analyzed according to the guidelines set out in *Central Illinois Public Service Co. v. Miller*, 42 Ill.2d 542, 248 N.E.2d 89 (1969) ("*CIPS v. Miller*").

If available assets of that magnitude are shown, the taxing body can defeat the objection by presenting credible evidence as to why it needed to make an additional levy.

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# Relevant Legislative Update

- The School Code now explicitly requires a calculation of "the *combined*, annual average expenditures of its operational funds for the previous 3 fiscal years" and a calculation of that district's "*combined* cash reserve balance of its operational funds." See 105 ILCS 5/17-1.10.
- Operational funds include:
  - educational,
  - transportation, and
  - operations and maintenance.
- If the combined cash reserve balance of operational funds exceeds 2.5 times the combined three-year average annual expenditures of operational funds, the District must adopt and file an operational funds reserve reduction plan with ISBE.
- Not yet litigated.

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# Common Objections – Improper Expenditures of "Tort" funds

- Allege that taxing district financial records show that it made "improper expenditures" from proceeds of levies for tort/liability insurance purposes, and that the tort levy should be reduced by the amount by which the fund would be replenished if reimbursed for the alleged wrongful "diversions of assets".
- To support plaintiffs' allegations, the text of these objections often cite budget line items for unemployment compensation and workers compensation.

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# Common Objections – Loss in Collection



- Allege that County Clerk improperly added % for anticipated loss in collection when historical collection rate did not justify the additional tax.
- Taxing Districts should evaluate potential collection loss in light of current events.

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# Protecting Your Property Tax Base and Revenue:

- Property Tax Appeal Process
- Impact and Implementation of Refund Recapture
- Tax Rate Objections
- New PTELL Law
- Management of Fund Balances and Transfers
- Property Tax Exemptions

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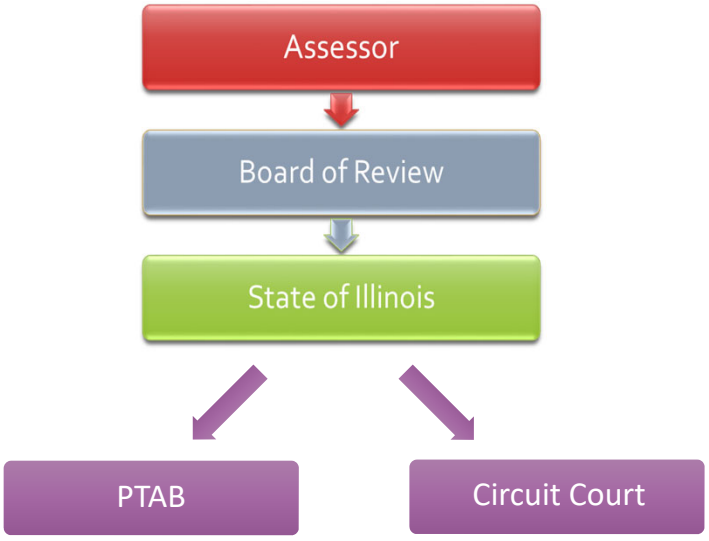
# Property Tax Appeal Process




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## Property Tax Assessment Appeals




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# School District Intervention in Assessment Appeals

*Taxing District intervention in assessment process is anticipated and supported by the Supreme Court, the Property Tax Code and the PTAB's Rules*

- Get to the Reasonable Value
- Settle Property Tax Appeal Board ("PTAB") Appeals
- Minimize Refunds
- Long-Term Settlement



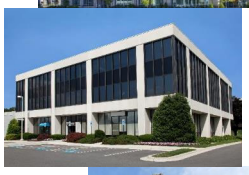

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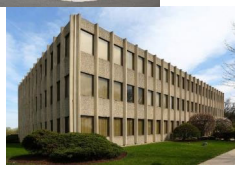
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# Protecting the Tax Base via Participation in PTAB and Assessment Appeals

- Defending the assessments of the highest valued properties prevents a cascading depreciation of lower valued properties.







with intervention

**Final Assessment**
- Class A valued at $95/sf
- Class B valued at $85/sf
- Class C valued at $65/sf

without intervention

**Final Assessment**
- Class A valued at $75/sf
- Class B valued at $55/sf
- Class C valued at $35/sf

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# Management of Fund Balances and Transfers



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# How Can We Spend District Funds?

- Recaptured refunds are distributed by county to separate fund or pro-rata
- Excessive accumulation concerns
- Fund transfers
- Permissible transfers under 17-2A
  - Educational to Operations and Maintenance (O&M)
  - Educational to Transportation
  - O&M to Educational
  - O&M to Transportation
  - Transportation to Educational
  - Transportation to O&M
  - Tort to O&M
- Sunset extended – After June 30, 2026 transfer must be to meet one-time, non-recurring expense.



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# How Can We Spend District Funds?

- ISBE Rule 100.10
- Transfers to Capital Projects Fund:
  - "When revenues or other sources of funds are pledged to pay for a capital project or acquisition, the moneys shall be transferred into the Capital Projects Fund."
  - "All other inter-fund transfers shall be accomplished in accordance with the applicable provision of Section 17-2A of the School Code."
- ISBE Audit Form Account Number 8840 – "Fund balance transfer to pay for Capital Projects."
- Statutory authority for ISBE Rule 100.10 is unclear
- ***Safe approach is to transfer to O&M under 17-2A***

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# Biographies

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## PRACTICE AREAS

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Labor & Employment
Litigation
Municipal
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## EDUCATION

J.D., The Ohio State University, The Mortiz College of Law

M.A., The Ohio State University

B.A., *with honors*, The Ohio State University

Joseph J. Perkoski has devoted his 30-year legal career to representing educational institutions and public sector employers primarily in the areas of labor and employment law, as well as public board and executive leadership matters. Known for his experience in labor and employment issues, including collective bargaining, grievance arbitration, and contract interpretation, Joseph is a trusted counselor to his clients.

While an effective advocate in any adversarial proceeding, Joseph finds immense satisfaction in counseling clients to help them achieve their goals and objectives. His strengths as an attorney lie in understanding his clients' objectives and helping them achieve their goals. As a first-generation college graduate and lawyer, Joseph's choice to specialize in education law is rooted in his strong belief in the fundamental importance of education in the overall success of our society.

Joseph's excellence in his field is underscored by prestigious accolades, including being recognized as a Fellow of The College of Labor & Employment Lawyers and consistently listed in Illinois Super Lawyers annually from 2008 through the present. He has also been named an Illinois Leading Lawyer in Employment, Labor, and School Law. Joseph's contributions to his field extend beyond his legal counsel role to include his leadership role as Managing Partner of Robbins Schwartz. Through his leadership, Robbins Schwartz has become the largest and most talented education law firm in Illinois.

**Awards**

Fellow, The College of the Labor & Employment Lawyers
Illinois Super Lawyers, 2008-2026
Illinois Leading Lawyer, Employment, Labor and School Law

**Recent Publications**

Contributing author, "Bargaining Implications of Statutory Leave Rights for Public Sector Employees," State and Local Government Bargaining & Employment Law Committee Midwinter Meeting, American Bar Association (2024)

Contributing author, "Labor Issues in the Transactional Side of the Project," Construction Law: Transactional Considerations, IICLE (2017)

Contributing author, "Labor Relations: Contract Administration Including ULPs," Illinois School Law: Personnel and Student Issues, IICLE (2010, 2012, and 2015)

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U.S. Court of Appeals for the Seventh Circuit

U.S. District Court for the Northern District of Illinois

U.S. District Court for the Eastern District of Wisconsin

U.S. District Court for the Western District of Wisconsin

Supreme Court of Illinois

Supreme Court of Wisconsin

Superior Court for the District of Columbia

## ORGANIZATIONS

American Bar Association

Fellow, College of Labor and Employment Lawyers

Council of School Attorneys

Federal Bar Association

Illinois Association of School Business Officials

Illinois Bar Association

National School Boards Association

Wisconsin Bar Association

"Finding a New Way: Subcontracting Revisited," *UPDATE Magazine,* Illinois ASBO (2011)

Contributing author, "Labor Issues in the Transactional Side of the Project," *Construction Law – Transaction Practice,* IICLE (2010)

**Recent Presentations**

*Please Proceed in an Orderly Fashion: Responding (or not) to Executive Orders,* ED-RED Member Meeting (February 2025)

*Which Hat Am I Wearing? Board Member Conundrums*, IASB / IASA / IASBO Joint Annual Conference (November 2024)

*What Anti-Woke Laws Have Meant for Public Employees and Their Representatives,* ABA 18th Annual Section of Labor and Employment Law Conference (November 2024)

*The Nuts and Bolts of Employee Sexual Misconduct and Grooming Investigations,* Large Unit District Association Winter Conference (January 2024)

*Legal Update,* Illinois Community College Chief Financial Officers Spring Conference (April 2022)

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Special Education
Student Rights

## EDUCATION

J.D., *cum laude*, Loyola University Chicago School of Law

B.A., University of Notre Dame

## ADMITTED TO PRACTICE

Supreme Court of the United States

U.S. District Court for the Northern District of Illinois

Supreme Court of Illinois

Caroline A. Roselli is a dedicated attorney specializing in education law, higher education, special education, and student rights related issues. Her unwavering commitment is to ensure educational institutions receive the support, advocacy and collaboration they require to deliver quality education to students throughout their programs.

In her practice, Caroline provides invaluable counsel to K-12 school districts and higher education institutions on a broad spectrum of student-related matters. This includes advising on Title IX, discrimination, free speech, student discipline, student records, and related policy development. Caroline's expertise also extends to representation of schools in responding to complaints filed with regulatory bodies such as the Illinois State Board of Education, the Office of Civil Rights and the Illinois Department of Human Rights.

One of the areas where Caroline excels is representing public school districts at various critical special education proceedings. These include Individualized Education Program (IEP) meetings, due process hearings, and alternative dispute proceedings, such as mediations and resolution sessions. Her track record is notable for successfully defending school district decisions and prevailing at due process hearings, particularly on issues related to eligibility, residential placements, transition programming and denial of Free Appropriate Public Education (FAPE) claims. Her work on disability related claims extends to representation of higher education institutions on accommodation requests and discrimination complaints.

Caroline also performs extensive work with educational institutions to ensure compliance with Title IX and related laws in all aspects of employment and education, including admissions, academic programs, athletics and extracurricular access, and facilities access. Caroline also works with educational institutions to ensure Title IX compliance in light of the changing regulations.

Caroline's commitment to the field is further highlighted by her active involvement in the education community. She is a member of the Illinois Counsel for School Attorneys Executive Committee and has been a speaker at annual conferences for both the Illinois Association for School Boards and the Illinois Alliance of Administrators of Special Education. She is also the author and co-author of multiple publications, contributing her expertise to the legal education of her peers and the broader community.

## ORGANIZATIONS

Chicago Bar Association

Illinois Bar Association

Illinois Council of School Attorneys

National School Attorneys Association

Caroline frequently conducts workshops and in-service programs on various education related topics. Her dedication to educating others within the field demonstrates her passion for promoting a comprehensive understanding of the legal issues facing education institutions.

Caroline grew up in a supportive environment that emphasized the value of education and community service. Her mother, a dedicated teacher, instilled in her a love for learning and a commitment to helping others. Meanwhile, her father served as a school board member and attorney, which further highlighted the importance of education policy and advocacy in their household. This background not only shaped Caroline's academic pursuits but also inspired her to engage actively in her community, fostering a passion for both teaching and leadership.

**Awards**

Illinois Leading Lawyers, School Law

Illinois Emerging Lawyer, School Law (2017-2018)

Illinois *"Rising Star,"* Super Lawyers Magazine, Schools and Education Law (2012-2017)

**Recent Publications**

Co-Author, "Special Education," 2024 Edition School Law Personnel and Student Issues, *Illinois Institute of Continuing Legal Education*

**Recent Presentations**

*Anxiety and School Refusal Post COVID: Constructing the Path Back to School*, Large Unit District Association 2025 Winter Conference (February 2025)

*ABCs, FAQs, and More on Three Bills about Bullying, Racism, and Tenure*, ED-RED Member Meeting (September 2024)

*Hot Topics in Special Education Law,* Loyola University Chicago School of Law Education Law: A Year in Review Seminar (June 2024)

*Transition Programming: Preparing Students with Disabilities for Life After High School*, Illinois Alliance of Administrators of Special Education 2024 Winter Conference (February 2024)

*Accommodating the High Achieving Student: Where to Draw the Line under 504*, Illinois Alliance of Administrators of Special Education 2023 Fall Conference (October 2023)

*Navigating the IEP Process when DCFS is Involved*, Illinois Alliance of Administrators of Special Education 2023 Winter Conference (February 2023)

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Construction Law
Education Law
Energy Law
Litigation
Mediation
Municipal Law
Public Finance & Taxation
Real Estate Development
Zoning, Planning & Land Use

## EDUCATION

J.D., DePaul University College of Law; *Managing Editor, DePaul Journal of Art and Entertainment Law*

B.A., University of Illinois at Urbana Champaign

Ken Florey concentrates his practice representing public and private clients, including municipalities, school districts, community colleges, townships, libraries, private owners, contractors and design professionals regarding land use, municipal law, construction, tax, finance and litigation. Ken has also started offering his services as a mediator with an emphasis on construction disputes.

Ken was the Chair of the DuPage County Bar Association's Local Government Committee. He was appointed Special Assistant Attorney General to prosecute and defend construction litigation claims on behalf of the Illinois Capital Development Board. Ken is also a member of the Illinois ASBO Service Associate Advisory Committee. He served as a Trustee for the Village of Lombard for eight years and is a member of the Lombard Fire and Police Commission.

**Mediator Certificate:** Northwestern University 2017

**Awards**

Illinois Leading Lawyer, Construction Law; Governmental, Municipal, Lobbying & Administrative Law; Land Use, Zoning & Condemnation Law; and School Law

Illinois Association of School Business Officials, Above and Beyond Award

Illinois Institute for Local Government Law, Litigation Award

**Recent Publications**

Contributing author, "Competency in ADR: Assuring Ethical Practice through Competency and Communication," *DCBA Brief,* The Journal of the DuPage County Bar Association (2024)

Contributing author, "Navigating Construction Disputes: *T*he inevitable construction disputes can be navigated with a combination of knowledge, preparation, and outside guidance," School Business Affairs (November 2023)

Contributing author, "Diving into ADR Ethics: Exploring the Ethical Obligation of Attorneys as Advisors, Advocates, and Third-Party Neutrals," *DCBA Brief* (November 2023)

Contributing author, "Joint Purchasing Everything You Want to Know but Are Afraid to Ask!" *UPDATE Magazine,* Illinois ASBO (2019)

## ADMITTED TO PRACTICE

U.S. District Court for the Northern District of Illinois

Supreme Court of Illinois

Contributing author, "How Far Does the Law Allow Schools to Go?" *UPDATE Magazine,* Illinois ASBO (2018)

Contributing author, "Top 11 Public Bidding Questions & Solutions" *UPDATE Magazine,* Illinois ASBO (2018)

Co-author, "School Construction from Start to Finish: A Project Checklist," *School Business Affairs Magazine,* ASBO (2018)

Contributing author, "Top 11 Public Bidding Questions," *UPDATE Magazine,* Illinois ASBO (2018)

Contributing author, "Top 11 Public Bidding Questions," *UPDATE Magazine,* Illinois ASBO (2018)

Contributing author, "Meditation a Win-Win for Clients and their Attorneys in Construction Litigation," Chicago Daily Law Bulletin (2018)

**Recent Presentations**

*Construction 101: Understanding Money from Start to Finish*, Illinois ASBO Rising Leaders in School Business (July 2025)

*Mastering the Complex World of Public Bidding,* Illinois ASBO Annual Conference (April 2025)

*Eminent Domain – Key Challenges; Advanced Development Agreement Drafting Techniques; and Legal Ethics*, National Business Institute National Seminar (February 2025)

*Taking Action: Administration Red Flags During Construction*, IASB/IASA/IASBO Joint Annual Conference (November 2024)

*Contract Pitfalls to Avoid,* Emerging SBO Summit (July 2024)

*Building Better Bid and RFP Documents*, Illinois ASBO Annual Conference (April 2024)

*Alternative Dispute Resolution Section MCLE Program,* DuPage County Bar Association (February 2023)

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# MATTHEW J. GARDNER


Partner, Chicago
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## PRACTICE AREAS

Commercial Transactions
Construction
Public Finance & Taxation
Real Estate Development

## EDUCATION

J.D., University of Wisconsin Law School

B.A., University of Utah

## ADMITTED TO PRACTICE

U.S. District Court for the Northern District of Illinois

Supreme Court of Illinois

Supreme Court of Utah

Supreme Court of Wisconsin

Matthew J. Gardner is a partner at Robbins Schwartz, where he specializes in construction, commercial transactions, real estate, public finance, and board governance. Matt represents public and private project owners, contractors, subcontractors, and material suppliers over the course of construction projects. He regularly counsels clients through the public bid and procurement process, including drafting bid packets to comply with the assortment of laws impacting public project owners. He also drafts and negotiates a variety of construction contracts involving project owners, architects and design professionals, contractors and construction managers, and project general conditions. Additionally, Matt works with project owners throughout the project to quickly resolve any problems or conflicts that often arise on construction projects to help the project continue smoothly without delays or cost overruns. If a project does go wrong, Matt regularly represents clients on mechanics lien matters, construct defect cases, and other construction-related litigation.

Matt's commercial real estate practice involves representing public and private clients in a wide variety of real estate and land use matters. He represents clients throughout the purchase or sale of property, from drafting and negotiating a purchase and sale agreement, due diligence review of lease, environmental, and title matters, zoning, and ultimately through closing. Throughout the process, Matt seeks to ensure a smooth closing to fulfill the parties' desired goals, while at the same time keeping his client fully informed of any nuances and risks, and making sure his client's interests are protected. Matt also represents clients on commercial and education-related leases, large and small, and other land use issues such as licenses and easements, zoning, impact fees, or title disputes.

In addition to construction and real estate, Matt represents school districts, colleges, and private companies on a wide assortment of commercial transactions, including drafting and negotiating data privacy agreements, software license agreements, and service agreements. As educational technology and artificial technology tools and products become more prevalent, Matt frequently presents on student privacy-related issues and compliance with the litany of laws and regulations impacting the same. He also counsels and helps clients navigate and respond to data breaches or ransomware attacks if they occur.

Beyond his practice, Matt is actively involved in the legal community. He has served as the past Chair of the Chicago Bar Association Construction Law and Mechanics lien Subcommittee, is an active member of the Chicago Bar Association Judicial Evaluation Committee, and a member of the Illinois State Bar Association.

## ORGANIZATIONS

Chicago Bar Association

Illinois Association of School Business Officials

Illinois State Bar Association

Illinois Council of School Attorneys

## LEADERSHIP

Commercial, Construction, and Real Estate Practice Group Leader

**Awards**

Illinois "Rising Star", by Super Lawyers Magazine, in the area of Construction Litigation (2021-2022)

**Recent Publications**

Contributing author, "Industrial and Engineering, Procurement, Construction Projects" *Construction Law: Transactional Considerations* (IICLE 2025)

Contributing author, "Environmental Issues" *Construction Law: Transactional Considerations* (IICLE, 2025)

Contributing author, "School Property and Environmental Issues" *School Law: Organization, Finance, and Property*, IICLE (2017, 2021)

Contributing author, "Turner on Illinois Mechanics Liens," *Chapter III – Making a Lien Against Private Property Enforceable* (2019)

**Recent Presentations**

*Ed Tech Contracts in 2025: Industry-Wide Acceptance of the NDPA, Evolving AI Technologies, and Risks and Best Practices that School Attorneys Should Consider*, ICSA In-House Counsel Networking Meeting (May 2025)

*Bridging SOPPA and NDPA: Key Changes to Student Data Agreements in Illinois*, SecurED Schools K-12 Data Privacy & Cybersecurity Conference (January 2025)

*Construction Project Delivery Methods*, IASB/IASA/IASBO 2024 Joint Annual Conference (November 2024)

*Sustainable Design: Procurement and Other Considerations for a Successful Project,* Illinois ASBO 2024 Annual Conference (April 2024)

*Data Breaches and Ransomware Attacks: Strategies for Preventing and Responding to Cybersecurity Incident*, LUDA 2024 March Conference (March 2024)

*Bidding and Managing a Successful Construction Project*, 2024 IADP/IPRA Soaring to New Heights Conference (January 2024)

*Best Practices When Responding to a Data Breach or Cyber Incident,* Secured Schools: K-12 Data Privacy and Cybersecurity Conference (January 2024)

*Legal Requirements Schools Must Consider for Data Privacy and an Update on the Evolution of Lawsuits Against Schools Arising From Data Breaches,* Secured Schools: K-12 Data Privacy and Cybersecurity Conference (January 2024)

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# THOMAS C. GARRETSON


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## PRACTICE AREAS

Employee Benefits
Labor & Employment
Municipal

## EDUCATION

J.D., Chicago-Kent College of Law

B.A., *with honors*, Michigan State University

## ADMITTED TO PRACTICE

U.S. District Court for the Northern District of Illinois

Supreme Court of Illinois

## ORGANIZATIONS

Chicago Bar Association

## LEADERSHIP

Labor & Employment Practice Group Leader

Tom advises and counsels employers in the public and private sectors in all areas of labor and employment law, including workplace investigations, disciplinary action, leaves and accommodation requests, contract disputes, wage and hour issues, and general human resources compliance. Tom has significant experience working closely with management in traditional labor matters, including union organizing, collective bargaining and contract negotiations, grievances, and unfair labor practices. Tom also defends employers in state/federal court and before administrative agencies involving claims of discrimination, harassment, retaliation, and breach of contract.

Prior to joining Robbins Schwartz, Tom worked as a labor relations attorney for the Cook County Health System. Tom also worked with the U.S. Equal Employment Opportunity Commission's Enforcement Unit while in law school.

Outside of Robbins Schwartz, Tom is a die-hard sports fan and, despite living in Chicago for over a decade, his heart still belongs to his hometown Detroit teams as well as the Michigan State Spartans.

**Recent Publications**

"New Supervisors, Take Caution: Seventh Circuit Concludes Sudden Changes from New Management Could Constitute Age Discrimination," *Employment & Labor Law Flashpoints*, IICLE (2024)

"Illinois Employers Take Note: Expanded Bereavement Leave Requirements Now in Effect," *Employment & Labor Law Flashpoints*, IICLE (2024)

"IDOL Publishes Proposed Rules for the Illinois Paid Leave for All Workers Act," *Employment & Labor Law Flashpoints*, IICLE (2023)

"Illinois Employers Required to Provide Transportation Benefits Starting in 2024," *Employment & Labor Law Flashpoints*, IICLE (2023)

"Mandatory Paid Leave for Employees Coming to Illinois in 2024," *Employment & Labor Law Flashpoints*, IICLE (2023)

"Illinois Supreme Court – Federal Labor Law Preempts BIPA Claims Brought by Union Employees," *Employment & Labor Law Flashpoints*, IICLE (2023)

"Illinois Imposes New Pay Transparency Requirements on Employers," *Employment & Labor Law Flashpoints*, IICLE (2023)

"Illinois Department of Labor Adopts New Expense Reimbursement Rules for Employers," *Employment & Labor Law Flashpoints*, IICLE (2023)

**Recent Presentations**

*FMLA 101,* Illinois ASBO Rising Leaders in School Business (July 2025)

*The Continuing Impact of Executive Orders*, Superintendent Commissions' Summer Leadership Conference (June 2025)

*FMLA 101 & 201*, Illinois ASBO Annual Conference (May 2025)

*Tenured Teacher Dismissals in Illinois Public Schools,* 40th Annual Illinois Public Sector Labor Relations & Labor Law Conference (December 2024)

*Navigating Payroll Laws,* Illinois ASBO Bookkeepers Conference (March 2024)

*Collective Bargaining Overview and Tips for Negotiations,* Community College Trustee Professional Development Training, ICCTA Annual Conference (June 2023)

*Navigating Payroll Laws – Wages and Recordkeeping Requirements,* Illinois ASBO Bookkeepers Conference (March 2023)

*Best Practices for Responding to Harassment and Discrimination Complaints,* IAPD/IPRA Soaring to New Heights Conference (January 2023)

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# SCOTT L. GINSBURG


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## PRACTICE AREAS

Commercial Transactions
Education
Energy
Litigation
Municipal
Public Finance & Taxation
Real Estate
Zoning, Planning & Land Use

## EDUCATION

J.D., Washington University School of Law

B.A., DePauw University

## ADMITTED TO PRACTICE

U.S. District Court for the Northern District of Illinois

Supreme Court of Illinois

Scott L. Ginsburg is chair of the firm's Real Estate and Finance Practice Group with a focus on matters related to public finance and property taxation. Scott's experience includes counseling clients and litigating cases in the areas of local government finance, real estate taxation, tax rate objections, tax exemptions, sale and use tax, energy, TIF and property tax abatements. As a registered lobbyist and longtime member of the State and Local Taxation ("SALT") Section Council of the Illinois Bar Association, Scott monitors and drafts legislation involving matters of public finance, and he has testified on behalf of Illinois units of local government in matters before the Illinois General Assembly. Scott has tried multiple cases before the Illinois Property Tax Appeal Board and the Illinois Department of Revenue, and his litigation experience includes defense of actions before courts of all levels. Scott also practices in the area of commercial transactions and local government, including contract drafting and review, litigation and alternative dispute resolution. He has experience in representing general contractors, local governments, and business owners in all aspects of civil litigation.

Prior to joining Robbins Schwartz, Scott concentrated his practice on litigation, in the areas of commercial disputes, construction defects and labor and employment issues. Scott is also a former judicial extern to the Honorable Michael J. Reagan, United States District Judge, Southern District of Illinois.

From the very beginning, Scott's passion for education law was evident. He recognized the transformative power of education and was drawn to the field as a way to contribute positively to this noble endeavor. As the child of educators - both of his parents and a sister dedicated their lives to teaching - Scott's career in education law became an apt reflection of his family's commitment to learning and knowledge.

What Scott finds most fulfilling in his professional life is helping taxing districts find innovative and creative solutions to address financial issues. It is in these challenging situations that his skills truly shine, as he harnesses his expertise to guide clients toward effective resolutions. The ability to apply creative thinking to solve intricate financial problems has become a hallmark of his career.

## ORGANIZATIONS

Chicago Bar Association

Illinois Association of School Business Officials

Illinois State Bar Association, State and Local Taxation Section Council, Member

Rogers Park Montessori School, Board of Directors

Outside of his professional life, Scott's interests and passions are just as diverse. He finds solace running along the serene lakefront, a practice that not only keeps him physically active but also clears his mind. His love for literature shines through in his joy for reading books about history and science, allowing him to delve into the complexities of the past and the wonders of the natural world. And then, there's his unwavering curiosity about the world, which is evident in his love for travel, a means through which he explores new horizons and experiences the beauty of different cultures.

**Recent Publications**

Co-Author, "Appellate Court Decision Clarifies Notice Standards for Property Tax Assessments in Illinois," *Tax Trends*, Illinois State Bar Association (July 2024)

"PTAB Clarifies Uniformity Standards for Income Properties," *Tax Trends*, Illinois State Bar Association, (2015)

"Chicago Bears Football Club v. The Cook County Department of Revenue," *Tax Trends*, Illinois State Bar Association (2014)

Contributing author, "Illinois Supreme Court Clarifies Standard Review for Zoning Decisions," Illinois Municipal Review (2008)

**Recent Presentations**

*Comments on PTELL Legislation*, ED-RED's Member Meeting (April 2022)

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# CHRISTOPHER R. GORMAN


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## PRACTICE AREAS

Commercial Transactions
Construction
Labor & Employment
Litigation
Municipal
Real Estate

## EDUCATION

J.D., University of Minnesota Law School

B.A., *Presidential Scholar*, University of Minnesota - Twin Cities

## ADMITTED TO PRACTICE

Supreme Court of Illinois

U.S. District Court for the Northern District of Illinois

Christopher R. Gorman practices in the firm's commercial, construction, and real estate practice groups, representing public sector clients in commercial transactions, contracting, construction related transactional matters, and data & privacy law. Christopher has also served in the firm's labor and employment practice group and counseled employers in all aspects of labor and employment law, including labor relations, collective bargaining, grievance and dispute resolution, workplace investigation, employee discipline, terminations and reductions in force, and employment discrimination. Christopher also advises clients on board governance and compliance with the Illinois Freedom of Information Act and Open Meetings Act.

Christopher's strengths as an attorney are evident in his approach to law. He brings a unique perspective to the table, given his background as in-house counsel for not-for-profit organizations and public bodies as well as his comprehensive understanding of various practice areas. He values ethical principles and understands the significance of alternative dispute resolution when it aligns with his clients' best interests.

In his legal practice, Christopher finds the most joy in representing individuals who are deeply committed to their roles in public service, recognizing the significance of their contributions. This alignment of values and a shared commitment to public service underscores the core of his legal practice.

Christopher's decision to become a lawyer was deeply rooted in his passion for government and public service. Prior to joining Robbins Schwartz, Christopher served as in-house counsel for a nonprofit organization, a charter school management organization and a state regulatory agency overseeing higher education financing. In his career, Christopher has overseen labor relations for the first unionized charter school in the country, assisted in the development of state legislation and administrative rules, and influenced the U.S. and Treasury Department's decision to reintroduce the U.S. Savings Bond as a form of tax refund, promoting savings among low-income families.

Christopher's contributions extend beyond the courtroom. He has authored numerous publications, addressing critical legal issues and serving as a valuable resource for the legal community. He has also been a prominent figure in legal presentations, sharing his insights with fellow professionals.

## ORGANIZATIONS

Illinois State Bar Association

DuPage County Bar Association

Illinois Local Government Lawyers Association

Illinois Association of School Business Officials

## LEADERSHIP

Higher Education Practice Group Leader

Beyond his legal career, Christopher is a devoted coach for his children's sports activities when given the opportunity. He finds solace in the great outdoors, enjoys cooking, and maintains a commitment to regular exercise. Moreover, he possesses a deep interest in change management and organizational design, which he's cultivated through certification courses.

**Recent Publications**

Contributing author, "Labor Issues in the Transactional Side of the Project," *Construction Law: Transactional Considerations 2021 Edition* (IICLE, 2021, 2025)

Contributing author, "Labor Relations: Contract Administration Including Unfair Labor Practices," *Illinois School Law* (IICLE, 2024)

Contributing author, "Competency in ADR: Assuring Ethical Practice through Competency and Communication," *DCBA Brief*, The Journal of the DuPage County Bar Association (2024)

Contributing author, "School District Emergency Purchasing," *UPDATE Magazine,* Illinois ASBO (2024)

Contributing author, "Diving into ADR Ethics: Exploring the Ethical Obligations of Attorneys as Advisors, Advocates, and Third-Party Neutrals" *DCBA Brief*, The Journal of the DuPage County Bar Association (2023)

"Navigating Public Bidding Requirements under the Illinois School Code," *Update*, Illinois ASBO (2022)

"Continuing Controversy Over FCC's Efforts to Improve Broadband Connectivity," *Energy, Utilities, Telecommunications and Transportation Newsletter*, Illinois State Bar Association (2021)

"The Future of For-Profit Online Charter Schools," *Labor and Employment Law Quarterly*, American Bar Association (2016)

**Recent Presentations**

*Community College Legal Updates*, Illinois Community College Chief Financial Officers Conference (April 2025, October 2024, April 2024)

*Best Practices for Safeguarding Data in an Increasingly Digital World,* SecurED Schools: K-12 Data Privacy and Cybersecurity Conference (January 2023)

*School Bidding, Procurement, and Prevailing Wages: From the Basics to the Advanced,* IASA Spring Legal Seminar (March 2022)

*Making Sense of the Alphabet Soup: FERPA, COPPA, SOPPA, ISSRA, MHDDCA and PIPA,* The Learning Technology Center of Illinois SecurED Schools Annual Conference (January 2022)

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# CATHERINE R. LOCALLO


Partner, Chicago
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## PRACTICE AREAS

Board Governance
Education
Labor & Employment

## EDUCATION

J.D., *cum laude*, The John Marshall Law School, Order of John Marshall

B.S., Southern Illinois University

## ADMITTED TO PRACTICE

U.S. Court of Appeals for the Seventh Circuit

U.S. District Court for the Central District of Illinois

U.S. District Court for the Northern District of Illinois

Supreme Court of Illinois

Catherine R. Locallo, a distinguished legal professional, has devoted her career to the realms of labor and employment law, focusing on education and board governance matters. Her commitment is exemplified by her role as a counselor to employers, offering comprehensive guidance on employment law intricacies, collective bargaining, labor relations, and compliance with various acts, including the Freedom of Information Act and Open Meetings Act.

Catherine's strengths lie in her client-focused approach, problem-solving skills, and the ability to build strong relationships. Her enjoyment stems from problem-solving and the opportunity to foster improved relations between management and labor.

Catherine's journey into law began with a significant role as a paralegal before transitioning to become an attorney. Her early career as a paralegal influenced her decision to pursue law, a path that led her to join Robbins Schwartz in 2004. She worked diligently while attending law school at night and was admitted to the bar in 2009. Catherine's dedication to education law led her to become a partner at Robbins Schwartz in 2017.

Catherine's upbringing, with her father as an attorney, has instilled a strong work ethic that influences her approach to the law. Beyond her legal endeavors, she is a hockey mom, team manager, and a Peloton enthusiast. A lesser-known fact about Catherine is her passion for running marathons, a tribute to her best friend Farrah, who passed away from Leukemia when she was seven years old.

**Awards**

Honorable Gerald L. Sbarbaro Mentoring Award (2023)

Illinois “Rising Star,” Employment & Labor Law (2015-2018)

**Recent Publications**

**“**Post-Muldrow Decision Addresses Evaluations and PIPs as Adverse Employment Actions,” *Employment & Labor Law,* IICLE (2025)

“Substantive Amendments to Whistleblower Act Signed into Law,” *Employment & Labor Law*, IICLE (2024)

## ORGANIZATIONS

Chicago Bar Association

Illinois Council of School Attorneys

Illinois State Bar Association

National Council of School Attorneys

President, Justinian Society of Lawyers

Co-Chair, Justinian Society of Lawyers Endowment Fund Scholarship Committee

Member, Oakton Community College Paralegal Advisory Committee

Member, Triton College School of Business Advisory Legal Committee

President, Board of Directors, Glenview Stars Hockey Association

UNICO National

## LEADERSHIP

Freedom of Information Act Team Leader

Contributing author, "Labor Relations: Contract Administration Including Unfair Labor Practices," *Illinois School Law*, IICLE (2024)

"U.S. Supreme Court Resolves Circuit Split for Title VII Claim Related to Job Transfer," *Employment & Labor Law*, IICLE (2024)

"EEOC Releases Proposed Regulations for Pregnant Workers Fairness Act," *Employment and Labor Law Flashpoints*, IICLE (2023)

Co-Author, "Seventh Circuit Addresses Employer Liability for Coworker and Supervisor Harassment and Challenges in Establishing Claims For Retaliation, Defamation, and IIED," *Employment and Labor Law Flashpoints*, IICLE (2023)

"Each Discrete Statutory Violation of Biometric Information Privacy Act Is Actionable by Employees," *Employment and Labor Law Flashpoints*, IICLE (2023)

"Illinois Employers Ring in New Year with Five New Laws," *Employment and Labor Law Flashpoints*, IICLE (2022)

**Recent Presentations**

*Collective Bargaining 101,* IASA Legal Seminar (March 2025)

*Collective Bargaining Strategies and Trends*, South Suburban School Business Officials (February 2025)

*2024 Hot Topics in Labor & Employment Law,* The Chicago Bar Association (February 2025)

*Which Hat Am I Wearing? Board Member Conundrums,* IASB/IASA/IASBO 2024 Joint Annual Conference (November 2024)

*Legal, Legislative and Ethics Updates*, ICCTA (November 2024)

*Compliance with Illinois Sunshine Laws*, FOIA and OMA Basic Compliance Webinar (September 2023)

*2022 Hot Topics in Labor & Employment Law*, The Chicago Bar Association (February 2023)

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# HOWARD A. METZ


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## PRACTICE AREAS

Commercial Transactions
Construction
Education
Energy
Litigation
Municipal
Public Finance & Taxation
Real Estate
Zoning, Planning & Land Use

## EDUCATION

J.D., IIT Chicago-Kent College of Law

B.S., Political Science, University of Iowa

## ADMITTED TO PRACTICE

U.S. District Court for the Northern District of Illinois

Supreme Court of Illinois

Howard A. Metz is an experienced legal professional known for his expertise in advising and representing various private and public entities, including school districts, community colleges, park districts, and municipalities. His legal practice spans a range of areas, with a primary focus on real estate, commercial transactions, construction law, and land use and zoning matters.

Howard has made significant contributions, particularly in resolving complex construction cases. His expertise includes handling disputes related to architectural fees, construction defects, bidding issues, and construction delays. Additionally, Howard has been actively involved in litigating matters pertaining to zoning laws and municipal control over school property.

Howard's legal practice is diverse and includes areas such as commercial law, construction law, education law, energy law, litigation, municipal law, public finance and taxation, real estate law, and zoning, planning, and land use.

As a prolific writer, Howard has contributed to various publications, sharing his insights on topics crucial to his practice.

**Recent Publications**

Contributing author, "School District Emergency Purchasing," *UPDATE Magazine,* Illinois ASBO (2024)

"Navigating Public Bidding Under the Illinois School Code" *UPDATE Magazine,* Illinois ASBO

Contributing author, "Joint Purchasing Everything You Want to Know but Are Afraid to Ask!" *UPDATE Magazine,* Illinois ASBO (2019)

Contributing author, "Public Body Social Media Rules Make Retention, Read Retrieval Imperative," *Chicago Law Bulletin* (2019)

Contributing author, "How Far Does the Law Allow Schools to Go?" *UPDATE Magazine,* Illinois ASBO (2018)

Co-author, "School Construction from Start to Finish: A Project Checklist," *School Business Affairs Magazine,* Illinois ASBO (2018)

## ORGANIZATIONS

Illinois Association of School Business Officials

Illinois Council of School Attorneys

Contributing author, "Organization, Finance, and Property," *Illinois School Law,* Illinois Institute for Continuing Legal Education (2017)

"Look Before You Leap: Evaluating Your Joint Purchasing Options," *UPDATE Magazine,* Illinois ASBO (2016)

Contributing author, "School Property and Environmental Issues," *Illinois School Law,* Illinois Institute for Continuing Education Legal Education (2010 and 2012)

**Recent Presentations**

*Bidding 101,* Illinois ASBO Rising Leaders in School Business (July 2025)

*Building Better Bid and RFP Documents,* Illinois ASBO Annual Conference (April 2024)

*Innovative Solutions to Student Transportation Challenges,* Illinois ASBO School Business Essentials Lunch & Learn Series (January 2024)

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# KEVIN P. NOLL


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## PRACTICE AREAS

Education
Labor & Employment
Litigation

## EDUCATION

J.D., The University of Illinois Chicago School of Law

B.A., Indiana University

## ADMITTED TO PRACTICE

U.S. Court of Appeals for the Seventh Circuit

U.S. District Court for the Northern District of Illinois

Supreme Court of Illinois

Kevin P. Noll's practice focuses in the area of labor and employment law. Kevin counsels school districts, community colleges, libraries, park districts and municipalities with issues involving employee discipline, internal investigations, employee leaves of absences, and alleged discrimination and harassment claims. Kevin also defends clients in litigation and administrative charges in federal and state court, the U.S. Equal Employment Opportunity Commission, the Illinois Department of Human Rights, and the Illinois Department of Labor. In addition to his experience in labor and employment law, Kevin has trained school districts and community colleges pursuant to Title IX of the Education Amendments Act of 1972.

As an attorney, Kevin strives to cut through complexity to provide clients with practical answers and pragmatic solutions.

Beyond his legal work, Kevin's interests include golf and spending quality time with family and friends.

**Awards**

Illinois Emerging Lawyers

Illinois "Rising Star," by Super Lawyers Magazine

**Recent Publications**

Contributing author, "Employee Discrimination," *Illinois School Law,* IICLE (2021, 2024)

"OSHA Pauses Vaccination and Testing ETS Following Legal Challenges," *Employment and Labor Law Flashpoints,* IICLE (2021)

"NLRB Takes New Look at Charter Schools," *Chicago Daily Law Bulletin* (2019)

**Recent Presentations**

*Calculating Overtime & FLSA Update*, 2025 Illinois ASBO Bookkeepers Conference (March 2025)

Addressing Employee Mental Health Conditions, IAPD/IPRA Soaring to New Heights Conference (January 2025)

## ORGANIZATIONS

Chicago Bar Association

Illinois State Bar Association

## LEADERSHIP

**Higher Education Practice Group Leader**

*Hiring Employees in an Age of New Regulations: Salary and other Job Posting Requirements, Application and Interview Do's and Don'ts, Background Screening Parameters, and More,* IAPD Legal Symposium (November 2024)

*Benefit or Burden: Navigating Ever-Expanding Employee Leave Rules,* IAPD Legal Symposium (November 2023)

*Managing Employee Leave Rights Under the FMLA, ADA, and Illinois Law,* IAPD/IPRA Soaring to New Heights Conference (January 2023)

*Best Practices for Responding to Harassment and Discrimination Complaints,* IAPD/IPRA Soaring to New Heights Conference (January 2023)

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# LAURA M. SINARS


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## PRACTICE AREAS

Education
Special Education
Student Rights

## EDUCATION

J.D., University of Notre Dame Law School

B.A., University of Notre Dame

## ADMITTED TO PRACTICE

U.S. Court of Appeals for the Seventh Circuit

U.S. District Court for the Central District of Illinois

U.S. District Court for the Northern District of Illinois

Supreme Court of Illinois

Laura Sinars focuses on special education and students' rights law. She counsels and represents public school districts at IEP meetings, due process hearings and mediation. She also represents districts at student expulsion and residency hearings. Laura has defended district decisions regarding evaluations, services, and placement of special education students in due process hearings. She has successfully prevailed in hearings to defend against parents' unilateral private placements. In the area of student rights, Laura has assisted clients with routine student issues related to records, discipline, health and 504 questions. She has also assisted clients with building strong residency and discipline cases which proceed to hearing and has successfully defended districts' decisions in state and federal courts. Laura has represented districts before federal and state agencies including the Illinois State Board of Education, the Illinois Guardianship and Advocacy Commission and the Office for Civil Rights.

**Awards**

Illinois Super Lawyers, 2005-2018

**Recent Publications**

Contributing author, "Special Education," *Illinois School Law*, IICLE (2005, 2010, 2012, 2015 and 2024)

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# ZARIA N. UDEH


Partner, Chicago
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zudeh@robbins-schwartz.com


## PRACTICE AREAS

Education
Special Education
Student Rights

## EDUCATION

J.D., DePaul University College of Law

B.A., Yale University

## ADMITTED TO PRACTICE

U.S. District Court for the Northern District of Illinois

Supreme Court of Illinois

Supreme Court of the Commonwealth of Massachusetts

Zaria N. Udeh is a dedicated attorney who focuses her practice on education law, specifically in the intricacies of special education and student issues. Zaria is a trusted counselor for school districts, providing guidance on a broad spectrum of matters, from Individual Education Program (IEP) meetings and 504 accommodations to Office for Civil Rights, Illinois State Board of Education, and Illinois Department of Human Rights complaints. She adeptly navigates due process hearings, residency disputes, student discipline matters, and provides expertise in advising on policy and handbook review, first amendment issues, and student privacy and school records matters. Her expertise even extends to Diversity, Equity & Inclusion compliance.

In her role, Zaria finds joy in the dynamic nature of the work. She thrives on the challenges presented, helping educators and administrators to comply with the law and providing them with the legal tools they need to offer the highest quality educational experiences to students. Her strength as an attorney lies in her exceptional listening skills, problem-solving abilities, and her talent for presenting reasonable options to clients. Zaria's devotion to education and the legal aspects surrounding it has been the driving force behind her career choice. For her, there is immense satisfaction in supporting educational entities in fulfilling their missions. Her commitment to this sector has brought her into the dynamic field of education law.

Prior to joining Robbins Schwartz, Zaria's journey into the field of education law was paved by her role at Chicago Public Schools. There, she represented the district as a special education attorney, where she honed her skills in due process matters and special education disputes.

Zaria's roots in New England and her multicultural background have instilled in her the value of educational opportunities. She diligently works to support clients in extending these same opportunities to the students and families they serve.

**Recent Presentations**

*The Continuing Impact of Executive Orders*, Superintendent Commissions' Summer Leadership Conference (June 2025)

*Advancing Equity: The Equity Journey Continuum & IRC*, Illinois Association of School Boards (June 2025)

## ORGANIZATIONS

Chicago Bar Association

Illinois Council of School Attorneys

National Council of School Attorneys

*Special Education Due Process Decisions: Recent Hearing Outcomes in Illinois and Lessons Learned*, Illinois Association of School Administrators Legal Seminar (April 2025)

*Planes, Trains, and Automobiles: Legalities of Special Education Transportation*, Illinois Alliance of Administrators of Special Education Winter Conference (February 2025)

*Where Are We Now? Student Behavior and Discipline in a Post-COVID World*, LUDA Winter Conference (February 2025)

*Best Practices in Addressing Bullying Complaints*, LUDA Virtual Conference (January 2025)

*Unique Parent Demands in Special Education: What We're Seeing and How We're Responding*, Illinois Alliance of Administrators of Special Education Fall Conference (October 2024)

*Unpacking the 2024 Title IX Regulations,* Superintendents' Commission for the Study of Demographics and Diversity Summer Leadership Conference (June 2024)

*How to Get Specific: Defensible SLD Eligibility, Goal Drafting & Instruction*, Illinois Alliance of Administrators of Special Education Winter Conference (February 2024)

*Gender Identity and Student Supports: What Board Members Need to Know*, The Illinois Council of School Attorneys Equity, Diversity, and Inclusion Committee Roundtable Webinar (September 2023)

*Student and Employee Diversity, Equity and Inclusion Initiatives: Considerations for DEI Planning & DEI Legal Challenges*, LUDA Winter Conference (March 2023)

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# MICHELLE L. WEBER

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## PRACTICE AREAS

Education
Special Education
Student Rights

## EDUCATION

J.D., Loyola University College of Law

M.A., Loyola Marymount University

B.A., Trinity College

## ADMITTED TO PRACTICE

**U.S. District Court for the Northern District of Illinois**

Supreme Court of Illinois

Michelle L. Weber practices in education law, with a primary focus on special education and student matters. Michelle brings a wealth of experience to her role at Robbins Schwartz, representing educational institutions, including school districts, community colleges and private schools. Michelle works with clients on a wide range of student-related legal issues, including special education, student discipline, student records, free speech, and board policy development. Michelle is also a member of the firm's Freedom of Information Act and Title IX working groups and provides counsel to clients in these areas as well.

Michelle is passionate about education and her strengths lie in finding creative and practical solutions to complex legal issues. Prior to joining Robbins Schwartz, she served as an in-house attorney for Waukegan Public Schools and Chicago Public Schools, focusing on special education. Michelle began her career as a Teach for America Corps Member and middle school language arts teacher; an experience that significantly influenced her career trajectory. Drawing on her experience as a classroom teacher, Michelle offers clients a unique perspective, aiming to partner with them to achieve their goals while prioritizing the best interests of students.

Beyond her legal practice, Michelle actively contributes to the community. She serves on the Board of Directors of North Park Elementary School, expanding her commitment to education and experience in the field. Outside of her professional pursuits, Michelle enjoys running, yoga, hiking, and spending quality time with her family.

### Recent Publications

"DeVos Rollbacks Could Hit Schools Hard," *Chicago Daily Law Bulletin* (2017)

### Recent Presentations

*Student Discipline and Trauma-Informed Practices for School Boards,* Illinois State Board of Education Approved Professional Leadership Development Training (May 2023)

*Navigating the IEP Process when DCFS is Involved,* Illinois Alliance of Administrators of Special Education (February 2023)

## ORGANIZATIONS

Chicago Bar Association

Hellenic Bar Association

Illinois Council of School Attorneys

Illinois Local Government Lawyers Association

Illinois State Bar Association

## LEADERSHIP

Students and Special Education Practice Group Leader

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# ELIZABETH J. BECKER


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## PRACTICE AREAS

Board Governance
Education
Employee Benefits
Labor & Employment
Litigation
Municipal
Student Rights

## EDUCATION

J.D., Loyola University Chicago School of Law

M.ED., University of Southern California Rossier School of Education, Postsecondary Administration and Student Affairs

B.A., University of California, Davis

## ADMITTED TO PRACTICE

Supreme Court of Illinois

Elizabeth J. Becker, an attorney at Robbins Schwartz specializing in Labor & Employment law, has built a career rooted in advocacy and education. Driven by a desire to support students and institutions more effectively, Elizabeth pursued a career in law. Her work allows her to engage with a diverse group of stakeholders, helping to bridge gaps in understanding and create environments conducive to growth and learning. Elizabeth's legal practice is marked by her proficiency in restorative justice and conflict resolution, particularly in contexts involving due process and associational rights.

Elizabeth's journey to law began with her work as a staff member in a congressional district office in California during a pivotal time when the Department of Education was intensifying its focus on Title IX, particularly in areas related to sexual assault harassment and prevention in higher education. This experience sparked her passion for advocacy and led her to pursue a Master's in Education focused on higher education at the University of Southern California.

At Loyola University Chicago School of Law, Elizabeth was an integral part of the community, serving as the Deans' Office Student Worker and a member of the Deans' Advisory Counsel. Her role as Managing Editor of the Loyola University Chicago Law Journal further honed her skills in facilitating important conversations about freedom of speech and academic freedom, all while supporting students during times of transition and crisis.

Her career in higher education took off as she worked for the National Panhellenic Conference (NPC), where she advocated for students' associational rights and worked on relationship agreements between institutions and private social organizations. Elizabeth's expertise further expanded when she was selected for the Post-Graduate Internship Program with the NCAA. In this role, she contributed to the Enforcement staff, investigating bylaw violations and understanding the crucial role of governance structures in education.

Elizabeth's commitment to Kappa Alpha Theta Fraternity remains strong as an alumna. She plays an active role in volunteer leadership, overseeing compliance with Fraternity policies and facilitating student leadership development programs both within Kappa Alpha Theta and through the National Panhellenic Conference.

## ORGANIZATIONS

Illinois State Bar Association. Member

Women's Bar Association of Illinois, Member

Kappa Alpha Theta Fraternity, College District Director

Growing up in the San Francisco Bay Area during the rise of Silicon Valley, Elizabeth witnessed firsthand the transformative power of technology on education. This background has given her a deep appreciation for the diversity of perspectives that contribute to creating inclusive educational spaces.

Outside of her professional life, Elizabeth enjoys walking her dog, Milo, around Northwestern's campus, often accompanied by audiobooks or podcasts. She is an avid sports fan, cheering on teams like the SF Giants, SF 49ers, Golden State Warriors, Chicago Sky, Chicago Red Stars, and USC Trojans, while also keeping up with Formula One racing. Elizabeth is also passionate about language learning, with a special focus on German, where she has maintained an impressive 950-day streak on Duolingo.

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# ANNE L. BLACKBOURN


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## PRACTICE AREAS

Special Education
Student Rights

## EDUCATION

J.D., University of Wisconsin Law School

B.A., University of Wisconsin-Madison

## ADMITTED TO PRACTICE

Supreme Court of Illinois

Supreme Court of Wisconsin

## ORGANIZATIONS

Illinois State Bar Association

Wisconsin State Bar Association

Anne L. Blackbourn is an Associate at Robbins Schwartz, where she concentrates her practice on Special Education and Student Rights. She represents schools and educational institutions in navigating the complex legal and policy matters that arise in supporting students and ensuring compliance with education law. Anne is admitted to practice in both Illinois and Wisconsin and is an active member of the Illinois State Bar Association and the Wisconsin State Bar Association.

In her legal career, Anne is driven by the belief that education is a cornerstone of an informed and equitable society. She strives to protect the rights of students while guiding schools through evolving regulations and sensitive situations. Her work often involves complex problem-solving, close collaboration with administrators, and staying ahead of policy changes that affect the education sector.

Anne's path to education law began with a passion for understanding how institutions serve, and sometimes fail, their communities. While earning her degree at the University of Wisconsin–Madison, she worked as a student journalist covering campus policy, Title IX, and diversity initiatives. Those experiences gave her an inside look at the challenges administrators face and sparked a desire to move from reporting on these issues to being part of the team solving them.

Growing up in Wisconsin with a father who practiced law, Anne learned early the value of diligence, advocacy, and creativity in problem-solving, principles that continue to guide her practice.

Outside the office, Anne enjoys staying active through swimming and long walks, traveling to new places, and supporting the Wisconsin Badgers at sporting events.

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# CLAIRE E. BUFALINO

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## PRACTICE AREAS

Special Education
Student Rights

## EDUCATION

M.P.P., Loyola University Chicago

J.D., Loyola University Chicago

B.F.A., New York University

## ADMITTED TO PRACTICE

Supreme Court of Illinois

Claire E. Bufalino is an attorney at Robbins Schwartz, focusing on Special Education and Student Rights. She counsels school districts regarding IDEA and Section 504, student discipline, Title IX, student records issues and policy development. She assists school districts in responding to complaints from the Office for Civil Rights, Office of the Attorney General and Illinois State Board of Education, and she represents public school districts at IEP meetings, due process hearings, mediations, student discipline hearings and residency hearings.

Before practicing law, Claire worked as a program analyst at the U.S. Department of Housing and Urban Development, where she researched federal housing policy and worked in legislative and regulatory analysis and development. This role strengthened her ability to analyze complex legal and policy issues and reinforced her commitment to ensuring institutions have the knowledge and tools to stay compliant while supporting their communities.

Her interest in education law grew from early experiences working with children in nonprofits, music education, and childcare roles. Seeing how institutions shape opportunities, she pursued a legal career to support schools in creating equitable learning environments. In law school, she worked with students with disabilities in special education matters, which deepened her commitment to education law.

Outside of work, Claire is a dedicated runner who has completed the Chicago Marathon twice. She also enjoys exploring new restaurants across the city. A lesser-known fact about Claire is that she originally studied music, which shaped her understanding of how storytelling influences law, policy, and institutions.

# ORGANIZATIONS

Chicago Bar Association

Illinois State Bar Association

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# JESSICA (JESSE) T. CARBONARO


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## PRACTICE AREAS

Student Rights
Special Education

## EDUCATION

J.D., University of Illinois Chicago School of Law

B.S., University of Dayton

## ADMITTED TO PRACTICE

Supreme Court of Illinois

Appellate Division of the Supreme Court of the State or New York First Judicial Department

Jessica (Jesse) T. Carbonaro is an Associate at Robbins Schwartz specializing in Student Rights and Special Education. Her dedication to education law is driven by her passion for education and her fascination with the field's ever-changing, complex landscape. Jesse's commitment to her clients makes her a compassionate advocate in the field. Growing up in the western suburbs of Chicago, she developed a strong desire to serve the greater Chicagoland area. Her ability to anticipate potential legal problems and creatively solve them is one of the aspects she enjoys most about her work. Jesse's love for legal research and writing is reflected in her concise yet thorough work product.

Before joining Robbins Schwartz, Jesse gained valuable experience as a special education attorney in New York and interned with the legal department of Chicago Public Schools. She earned her Juris Doctor (J.D.) from the University of Illinois Chicago School of Law, where she served as Editor-in-Chief of the UIC Law Review and was an active member of Moot Court.

Outside of her professional life, Jesse enjoys spending quality time with her family and friends.

**Recent Presentations**

*Planes, Trains, and Automobiles: Legalities of Special Education Transportation,* IAASE Winter Conference (February 2025)

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# KATIE N. DIPIERO


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## PRACTICE AREAS

Commercial Transactions
Construction
Public Finance & Taxation
Real Estate

## EDUCATION

J.D., *cum laude,* Seattle University

M.B.A., Seattle University

B.A., University of Kansas

## ADMITTED TO PRACTICE

Supreme Court of Illinois

Katie N. DiPiero is a versatile attorney who brings focuses her practice on public finance and taxation, commercial law, construction law, and real estate development. Her legal practice primarily centers around assisting and representing school districts, community colleges, and municipalities in public finance and commercial matters. She is also well-versed in tax rate objections, real property taxation, valuation, and assessment appeals before the circuit court, Property Tax Appeal Board, and boards of review. Furthermore, Katie's proficiency extends to drafting and negotiating contracts in commercial transactions, assisting with nonprofits and foundations, as well as handling litigation and alternative dispute resolution.

In her role as an attorney, Katie finds immense satisfaction in writing and negotiating contracts, as well as tackling finance-related issues. Her strengths as a legal professional are exemplified through her exceptional writing and research skills, which have proven invaluable in her career.

Before her role at Robbins Schwartz, Katie assisted clients in tax planning and corporate reorganizations. She also gained valuable experience working for government entities and non-profit organizations.

Katie's impressive educational background led her to realize her calling – to assist others in navigating the legal system, particularly those with limited exposure to complex legal processes. Her desire to help people and her love for writing were the driving forces behind her decision to become a lawyer.

Katie's background, characterized by a journey from Kansas to Seattle, followed by work in Washington, D.C., has molded her into a well-rounded and empathetic attorney. Her ability to understand different perspectives, influenced by the myriad of experiences from her travels, significantly contributes to her capacity for finding creative solutions in her legal practice.

Outside her professional life, Katie is dedicated to staying active with her family and is working on refining her golf skills through lessons. An interesting facet of her life that many may not know is her background as a competitive pianist during her childhood.

**Recent Publications**

Contributing author, "Environmental Issues" Construction Law: Transactional Considerations, (IICLE, 2021, 2025)

Contributing author, "Opening Your Mind to Closed Sessions," *UPDATE Magazine*, Illinois ASBO (2024)

**Recent Presentations**

*School Legal Update*, Illinois ASBO WILCO (September 2025)

*Navigating the Maze: Understanding District Funds vs. Student Activities vs. 501(c)(3) Not-for-Profits*, Illinois ASBO Annual Conference (May 2025)

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# AARON J. KACEL


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## PRACTICE AREAS

DEI Compliance
Education
Employee Benefits
Labor & Employment
Litigation
Municipal

## EDUCATION

J.D., Northwestern University Pritzker School of Law

B.A., Washington University in St. Louis, *magna cum laude*, high distinction

## ADMITTED TO PRACTICE

U.S. District Court for the Northern District of Illinois

Supreme Court of Illinois

Aaron counsels employers on various aspects of labor and employment law, including internal investigations, employee discipline, labor relations, workplace policies, and compliance with state and federal laws including the Illinois Human Rights Act, Americans with Disabilities Act, Age Discrimination in Employment Act, Family and Medical Leave Act, Occupational Safety and Health Act, Uniformed Services Employment and Reemployment Rights Act, Title VII, and others.

Aaron also represents employers in litigation in federal and state court and before administrative agencies such as the U.S. Equal Employment Opportunity Commission, the Illinois Department of Human Rights, the U.S. Department of Labor, and the Illinois Department of Labor.

Aaron's practice extends to traditional labor law, including labor arbitrations, grievance proceedings, and negotiation of collective bargaining agreements on behalf of employers.

Aaron provides trainings for employers on a variety of topics including best practices for internal investigations, strategies for preventing unlawful discrimination and harassment in the workplace, responding to requests for leave and accommodations, and identifying and managing implicit bias.

Within Robbins Schwartz, Aaron serves on the Diversity, Equity, and Inclusion Leadership Committee and is Co-Chair of the Diversity & Awareness Planning Subcommittee. He is also Co-Chair of the firm's Civil Rights Team and an active member of the FOIA Team.

Before joining Robbins Schwartz, Aaron served as in-house employment law counsel for the Cook County Sheriff's Office. He has previously worked for the City of Chicago and an international law firm. During his time at Northwestern University Pritzker School of Law, Aaron served as Managing Executive Editor of the Northwestern Journal of Law & Social Policy and the President and Founder of the Northwestern Labor & Employment Law Society. He also served as a judicial extern for the Honorable Judge Joan B. Gottschall of the United States District Court for the Northern District of Illinois.

**Recent Publications**

Contributing author, "Labor Relations: Contract Administration Including Unfair Labor Practices," *Illinois School Law*, IICLE (2024)

## ORGANIZATIONS

Chair, Labor and Employment Committee, Chicago Bar Association, Young Lawyers Section

Co-Chair, Northwestern Law LGBTQ+ Alumni Affinity Group

Co-Chair, Washington University in St. Louis Alumni and Parents Admission Program, Chicago North Shore Committee (2023-2024)

Secretary, Associate Board, Lawyers for the Creative Arts (2021-2025)

Chair, Vice Chair and Secretary, Board of Directors, About Face Theatre (2018-2021)

Co-Author, "Seventh Circuit Addresses Employer Liability for Coworker and Supervisor Harassment and Challenges in Establishing Claims For Retaliation, Defamation, and IIED," *Employment and Labor Law Flashpoints*, IICLE (2023)

"When It Happens to You: Responding to Reports of Harassment and Discrimination," *Law Arts Blog*, Lawyers for the Creative Arts (July 2022)

**Recent Presentations**

*EEOC in the News: Understanding the Legal Background, Investigations, and Recent Updates,* American Association of School Personnel Administrators (AASPA) (March and June 2025)

*The Bermuda Triangle of Leaves-ADA, FMLA and Workers Compensation,* Illinois Association of School Business Officials Annual Conference (May 2025)

*DEI In the News: Understanding the Legal Landscape*, American Association of School Personnel Administrators (AASPA) (March 2025)

*2024 Hot Topics in Labor & Employment Law Seminar*, The Chicago Bar Association (February 2025)

*Addressing Employee Mental Health in the Workplace*, Illinois Association of Park Districts/Illinois Park and Recreation Association Soaring to New Heights Conference (January 2025)

*Year in Review: Seven Key Labor & Employment Updates from 2024*, Illinois Local Government Lawyers Association (December 2024)

*Responding to Employee Leave and Accommodation Requests in the Evolving Modern Workplace*, Illinois Valley Association of School Business Officials (October 2024)

*2023 Hot Topics in Labor & Employment Law Seminar*, The Chicago Bar Association (February 2024)

*Navigating Payroll Laws: Wages and Record Keeping Requirements*, Illinois Association of School Business Officials Bookkeepers Conference (March 2023)

*The Peanut Butter and Jelly Effect: Understanding Implicit Bias and Its Impact on Educators,* Illinois Association of School Administrators (IASA) Legal Workshop (February 2023)

*2022 Hot Topics in Labor and Employment Law,* The Chicago Bar Association (February 2023)

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# HANNAH M. MAY

## Associate, Chicago

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## PRACTICE AREAS

Education
Special Education
Student Rights

## EDUCATION

J.D., Loyola University of Chicago School of Law

B.A., University of Michigan

## ADMITTED TO PRACTICE

U.S. District Court for the Northern District of Illinois

U.S. District Court for the Central District of Illinois

Supreme Court of Illinois

Hannah M. May practices in the area of education law with a focus on special education and student rights. She counsels school districts regarding Individuals with Disabilities Education Act (IDEA) and Section 504, student discipline, Title IX, residency, student records issues and policy development. She assists school districts in responding to complaints from the Office for Civil Rights, Office of the Attorney General and Illinois State Board of Education, and she represents school districts at IEP meetings, due process hearings, mediations, student discipline hearings and residency hearings.

While in law school at Loyola, Hannah was a Civitas ChildLaw Fellow with a concentration in education law. Hannah received her 711 license and represented students with disabilities in special education matters and served as a child representative in domestic relations and child protection proceedings. Additionally, Hannah was a senior editor on the Loyola University Chicago Law Journal. She also externed for the Honorable Anna Loftus of the Cook County Circuit Court, Chancery Division, and clerked for the Southern Poverty Law Center in the Children's Rights Practice Group in Miami, FL and the U.S. Department of Education Office of Civil Rights in Chicago, IL.

As a graduate of the Chicago Public Schools, Hannah has always been passionate about advancing equity in education and giving back to her educational community. Hannah's upbringing in a diverse Chicago community, coupled with her own experience as a student, has deeply influenced her perspective. She has great respect and appreciation for the dedication of school administrators, teachers, and staff in providing quality education to children in the community. Her unwavering commitment to equity in education is evident in her determination to create positive change both within and beyond the school setting. Her determination to effect change on a broad, community-wide level inspired her to become an attorney.

Outside of her legal career, Hannah values spending time with family and friends, staying active, and nurturing her well-being. She's an avid hiker and cyclist, finds serenity by Lake Michigan while walking her dog, and enjoys hosting home-cooked dinners for her loved ones. Furthermore, she's a certified Yoga Instructor at CorePower Yoga, reflecting her holistic approach to a balanced and fulfilled life.

## ORGANIZATIONS

**Co-**Chair, Education Law Committee, Chicago Bar Association, Young Lawyers Selection

Illinois State Bar Association

Illinois Council of School Attorneys

**Recent Publications**

"Conducting Legally Compliant Investigations Involving Students with Disabilities," *IAASE* (2025)

"Lessons Learned: Responding to RTO complaints and Implementing Corrective Actions," *IAASE* (2024)

"Transition Programming: Preparing Student with Disabilities for Life After High School," *IAASE* (2024)

"It's Not an Easy A…Developing Legally Sound Grading Practices for Students with Disabilities," *IAASE* (2023)

"Buried Alive: Gay v. Baldwin and Unconstitutional Solitary Confinement for Prisoners with Mental Illness," *Loyola University Chicago Law Journal Volume 52, Article 8* (2021)

**Recent Presentations**

*Transition Programming: Preparing Student with Disabilities for Life After High School*, IAASE (February 2024)

*It's Not an Easy A…Developing Legally Sound Grading Practices for Students with Disabilities*, IAASE (October 2023)

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# DANIELLE B. MCNAMARA


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## PRACTICE AREAS

Commercial Transactions
Construction
Real Estate Development

## EDUCATION

J.D., Loyola University Chicago

B.A., University of Illinois

## ADMITTED TO PRACTICE

Supreme Court of Illinois

## ORGANIZATIONS

Chicago Bar Association

Danielle B. McNamara is an Associate at Robbins Schwartz, where she practices in Commercial Transactions, Construction Law, and Real Estate Development.

Prior to joining Robbins Schwartz, Danielle gained valuable experience in the legal field. She worked for a residential real estate firm during her college years, where she gained insights into the intricacies of property transactions. Subsequently, she transitioned to a commercial real estate firm, where she handled a wide range of tasks, including purchases and sales of commercial properties. These experiences equipped her with a comprehensive understanding of real estate law, laying a solid foundation for her career as an attorney.

Danielle is an active member of the Chicago Bar Association, where she remains committed to staying updated on the latest developments in the legal field and connecting with fellow legal professionals. Her involvement in professional associations underscores her dedication to continuous learning and professional growth.

During her time at Loyola University's Business Law Clinic, Danielle had the opportunity to assist individuals and businesses in starting and expanding their ventures. This hands-on experience, coupled with her innate passion for helping others, solidified her decision to pursue a career in law.

Outside of her legal pursuits, Danielle enjoys spending time with her family and engaging in outdoor activities. She values work-life balance and strives to maintain a healthy and fulfilling lifestyle.

**Recent Publications**

Contributing author, "School Property and Environmental Issues," *School Law: Organization, Finance, and Property,* IICLE (2025)

Contributing author, "Competency in ADR: Assuring Ethical Practice through Competency and Communication," *DCBA Brief*, The Journal of the DuPage County Bar Association (2024)

**Recent Presentations**

*Bridging SOPPA and NDPA: Key Change to Student Data Agreements in Illinois*, SecurED Schools K-12 Data Privacy & Cybersecurity Conference (January 2025)

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# MATTHEW M. SWIFT


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## PRACTICE AREAS

Board Governance
DEI Compliance
Education
Employee Benefits
Labor & Employment

## EDUCATION

J.D., University of Chicago Law School

M.P.P., University of Chicago, Harris School of Public Policy

B.B.A., summa cum laude, Baylor University

## ADMITTED TO PRACTICE

U.S. District Court for the Northern District of Illinois

Supreme Court of Illinois

Matthew M. Swift is a member of the labor and employment practice group. He counsels employers in various aspects of employment law, such as employee discipline, employment contracts, wage and hour laws, and employment discrimination matters under the Americans with Disabilities Act, Family and Medical Leave Act, Age Discrimination in Employment Act, Illinois Human Rights Act, Title VII, and other federal and state anti-discrimination laws. He also helps clients with labor relations matters such as grievances and traditional and interest-based collective bargaining.

Matthew also frequently advises on legal issues that are unique to public-sector clients and educational institutions, including compliance with the Illinois Freedom of Information Act, the Open Meetings Act, the First Amendment, and Title IX. He works with clients on some of their most complex FOIA requests and board governance questions.

Before moving to Chicago for law school or attending college in Texas, Matthew grew up in a California mountain town, about a 20-minute drive from the nearest stoplight. He loves life in the big city—especially the museums and great food—but his more folksy roots still occasionally make an appearance.

Matthew has a soft spot for alliteration thanks to a family tradition—each Swift family member's first initial matches their middle initial. He enjoys when his work requires careful interpretation or choosing precise language, and he always appreciates a clever turn of phrase.

**Recent Publications**

Contributing author, "Employee Discrimination," *Illinois School Law,* IICLE (2024)

"All Together Now – Employment Law Issues in the New Title IX Rules," *Chicago Daily Law Bulletin* (2020)

**Recent Presentations**

*Illinois FOIA at 15: Recent Decisions and Developments,* Illinois Association of School Administrators Legal Seminar (April 2025)

## ORGANIZATIONS

Chicago Bar Association

*Keep Calm and... Call a Lawyer? Spring 2025 Legal Updates,* ICCCFO Spring Conference (April 2025)

*Legal ABCs of DEI EOs and OCR,* Illinois Community College Trustee Association Meeting and Seminar (March 2025)

*Please Proceed in an Orderly Fashion: Responding (or not) to Executive Orders,* ED-RED Virtual Member Meeting (February 2025)

*FOIA Fundamentals: The Bottom Lines for School Business Officials,* Illinois ASBO Lunch & Learn Webinar (November 2024)

*Beyond the Redaction Marker: Tools and Strategies for Managing Difficult FOIA Requests,* Large Unit District Association Communications Conference (December 2023)

*The Open Meetings Act: FAQs and Answers,* Illinois Community College Trustee Professional Development Training (June 2023)