



Oak Park Elementary School District 97

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**TO: Members, Board of Education
Dr. Albert Roberts, Superintendent**

FROM: Chris Jasculca

RE: First Reading of Policies

DATE: August 20, 2013

The district's policy review team (Amy Felton, Denise Sacks and Chris Jasculca) reviewed the proposed policy changes that were featured in the most recent Update Memo provided by the Policy Reference Education Subscription Service (PRESS). Some of these changes are required by law; while others are not mandatory, but are being suggested by PRESS. Below is a summary of the changes along with the team's recommendations.

- Policy 4:15 (Identify Protection) – PRESS is suggesting that the following two compliance measures, which are included in the Personal Information Protection Act, be added as numbers five and six on the first page of the policy:
 - **5. Notification to an individual whenever his or her personal information was acquired by an unauthorized person: *personal information* is an individual's name in combination with his or her social security number, driver's license or State identification card number, or financial account information.**
 - **6. Disposal of materials containing personal information in a manner that renders the personal information unreadable, unusable, and undecipherable: *personal information* has the meaning stated in #5 above.**

PRESS is recommending the addition of these mandates because they are consistent with public policy and, if the Personal Information Protection Act is applied to school districts, this section will allow the Attorney General to fine any person up to \$100 for each violation of the disposal requirements for materials containing personal information.

PRESS has also provided the following disclaimer related to the guarantee of the confidentiality of social security numbers and/or other personal information that would be added to the last paragraph on the first page of the policy:

This policy shall not be interpreted as a guarantee of the confidentiality of social security numbers and/or other personal information. The District will use best efforts to comply with this policy, but this policy should not be construed to convey any rights to protection of information not otherwise afforded by law.

The policy review team is recommending that the mandates be added to the policy so we are in alignment with the Personal Information Protection Act. We are also recommending that the disclaimer be added so we can state that we will make every effort to protect people's information, but will do so in accordance with the law.

- Policy 4:140 (Waiver of Student Fees) – PRESS is recommending that the legal and cross references be updated on page two of the policy. The policy review team agrees with this recommendation.
- Policy 4:170 (Safety) – PRESS is recommending that the third paragraph on page two of the policy be changed from:

The contractor shall not send to any school building or school property any employee or agent who would be prohibited from being employed by the District due to a conviction of a crime listed in 105 ILCS 5/10-21.9, or who is listed in the Statewide Sex Offender Registry or the Statewide Violent Offender Against Youth Database. The contractor shall obtain a fingerprint-based criminal history records check before sending any employee or agent to any school building or school property. Additionally, at least quarterly, the contractor shall check if an employee or agent is listed on the Statewide Sex Offender Registry or the Statewide Violent Offender Against Youth Database.

to:

The contractor shall not send to any school building or school property any employee or agent who would be prohibited from being employed by the District due to a conviction of a crime listed in 105 ILCS 5/10-21.9, amended by P.A.s 97-248 and 97-607, or who is listed in the Illinois Sex Offender Registry or the Illinois Murderer and Violent Offender Against Youth Registry. The contractor shall make every employee who will be sent to any school building or school property available to the District for the purpose of submitting to a fingerprint-based criminal history records check pursuant to 105 ILCS 5/10-21.9. The check shall occur before any employee or agent is sent to any school building or school property. The contractor will reimburse the District for the costs of the checks. The District must also provide a copy of the report to the individual employee, but is not authorized to release it to the contractor. Additionally, at least quarterly, the contractor shall check if an employee or agent is listed on the Illinois Sex Offender Registry or the Illinois Murderer Violent Offender Against Youth Registry.

The paragraph that precedes this one in the policy states that “All contracts with the School District that may involve an employee or agent of the contractor having contact, direct or indirect, with a student, shall contain the following...” The policy review team contacted PRESS to get a definition/clarification of indirect contact, and provided the following example of what we believed this meant:

When someone is working on school property while students are present, but, unlike a teacher, principal, etc., is not undertaking activities that require him/her to interact with them directly.

PRESS confirmed that this example was accurate. PRESS also let us know that state law only requires a criminal history records check to be performed on individuals who will have direct, daily contact with students. This issue is covered in the following footnote to the policy.

105 ILCS 5/10-21.9, amended by P.A.s 97-248 and 97-607. Section 5/10-21.9(f) requires a criminal history records check, i.e., *background investigation* or *background check*, to be performed on those contractors’ employees who have a *direct, daily contact with students*. State law places the same restrictions on contractors’ employees that it does on district employees. The sample policy is more comprehensive by requiring checks for any contractor’s employee who may work in any school building or on school property. Its purpose is to eliminate any uncertainty about the safety of students.

For districts that want their policy language to mirror the language in State law, replace: “any contact, direct or indirect” with “direct, daily contact.” Board policy should address these issues:

- **Who performs the background checks?** For legal and practical reasons, ISBE’s non-regulatory guidance document, *Criminal History Records Information (CHRI) Checks for Certified and Non-certified School Personnel*, places the responsibility on the district to (a) perform the background checks (20 ILCS 2635/) and (b) provide the contractor’s employee with a copy with the results of his or her background check (20 ILCS 2635/7(A)(1).
- **On whom are the background checks performed?** State law requires the checks on those who have a *direct, daily contact with students*. It may be impossible to screen all contractors’ employees. However, a contractor should warrant that none of its employees who may have contact with a student at school has committed an offense that would prohibit district employment.
- **How is compliance assured?** This sample policy requires the inclusion of a clause in district contracts prohibiting the use of any employee with a conviction listed under Section 21B-80 of the School Code on school property. The inclusion of a contract clause in district contracts ensures the background check is performed pursuant to State and federal law and outlines each party’s responsibilities for accomplishing it.

After receiving this information from PRESS, the policy review team reviewed the safety policies for districts 90 and 200 to find out how they address this issue. District 90 uses the language featured in state law (direct, daily contact with students), while District 200 requires the contractor (not the district) to perform checks for employees with direct or indirect contact with students.

Based on the state’s legal requirements, the information provided by PRESS, and the approaches being utilized by other districts in the area, the policy review team is recommending that board adopt the changes featured in paragraph three on page two of the policy. We also recommend changing paragraph two on the same page to read:

All contracts with the School District that may involve an employee or agent of the contractor having direct, daily contact with a student, shall contain the following:

We believe this change will enable us to continue to effectively preserve and protect the safety of our students, while also completing critical capital improvements projects in an efficient, timely fashion.

We have included the current version and proposed rewritten version of the policy in the board packet so you can compare the two.

- Policy 5:50 (Drug and Alcohol-Free Workplace) – PRESS is renaming the policy Drug and Alcohol-Free Workplace; Tobacco Prohibition and recommends adding the following section/paragraph to the bottom of page one of the policy:

All employees are covered by the conduct prohibitions contained in policy 8:30, *Visitors to and Conduct on School Property*. The prohibition on the use of tobacco products applies both (1) when an employee is on school property, and (2) while an employee is performing work for the District at a school event regardless of the event’s location. *Tobacco* shall have the meaning provided in section 10-20.5b of the School Code.

The policy review team recommends approving the name change. We also recommend adding the new section/paragraph with one revision. Since we carried over our School/Classroom Visits policy from our previous manual, the first sentence in the proposed new section/paragraph does not apply. As a result, we are suggesting that the new section/paragraph read as follows:

The prohibition on the use of tobacco products applies both (1) when an employee is on school property, and (2) while an employee is performing work for the District at a school event regardless of the event’s location. *Tobacco* shall have the meaning provided in section 10-20.5b of the School Code.

- Policy 5:260 (Student Teachers) – The text, footnotes and legal references in the policy have been updated in response to the Illinois State Board of Education’s non-regulatory guidance document. More specifically, it now lists the exact components of a complete criminal history records check pursuant to School Code (105 ILCS 5/10-21.9, amended by P.A. 97-607). The policy review team is recommending the board adopt the changes as written. We have included the current version and proposed rewritten version of the policy in the board packet so you can compare the two.
- Policy 6:170 (Title I Programs) – PRESS is recommending that the coding for the incorporated by reference materials on page two of the policy be changed. The policy review team agrees with this recommendation.
- Policy 6:190 (Extracurricular and Co-Curricular Activities) – PRESS is recommending that a cross reference to policy 7:10 (Equal Educational Opportunities) be added to the policy. The policy review team agrees with this recommendation.
- Policy 6:220 (Bring Your Own Technology (BYOT) Program: Responsible Use and Conduct) – The policy review team is recommending that this policy be tabled since the district does not currently have this program, or have immediate plans to implement it in the future.
- Policy 6:240 (Field Trips) – PRESS is recommending that the following optional disclaimer be added at the end of the policy to provide a distinction between privately arranged trips and trips that are sponsored by the district:

Privately arranged trips, including those led by District staff members, shall not be presented as or construed to be sponsored by the District or school. The District does not provide liability protection for privately arranged trips and is not responsible for any damages arising from them.

The policy review team asked PRESS to define/clarify what is meant by privately arranged trips, and received the following response:

“Privately arranged trips are not controlled and sponsored by the district. Winter or spring break excursions offered by third parties (regardless of number of students attending) that are not controlled and sponsored by the district would be examples.”

The district used the following language in its previous policies and procedures to address this issue:

Any staff member who wishes to take one or more students of the district on any type of trip which would not normally be considered a field trip or school-related trip as defined in Policy 2340, must obtain permission from the superintendent prior to initiating any discussion of the trip with the student or his/her parents. □ Permission to solicit may or may not be granted, depending upon the purpose and nature of the trip and the willingness of the staff member to comply with the conditions set forth for such solicitation. As indicated in Policy 2340, permission to solicit does

not imply sponsorship by the district.

Should a staff member take any student of the district on a trip that is not sponsored by the board, s/he assumes all liability for the welfare of the student. Under no circumstances may the staff member use the name or offices of the district in any manner which would associate it with the trip or any person or group involved in the trip. If a staff member does not wish to comply with the guidelines for district sponsorship of a trip, or the district does not wish to sponsor the trip, the following conditions will apply:

- **In order to discuss on district premises any aspects of a non-district sponsored trip, it is necessary for the staff member, or any other person involved, to follow the district's procedures for Use of Facilities, which require that an application be submitted for use of a facility during nonschool hours.**
- **The District will not allow:**
 - **Use of any staff member's time while on duty and on district premises.**
 - **Use of any district facilities except in accordance with Use of Facilities procedures.**
 - **Use of any names which would associate the trip with the district or any of its school programs.**

The policy review team is recommending that the board approve the addition of the disclaimer to the policy, and that the administration clearly defines privately arranged trips in the corresponding administrative procedures.

- Policy 7:305 (Student Athlete Concussions and Head Injuries) – PRESS is recommending that the legal reference at the bottom of the policy be updated. The policy review team agrees with this recommendation.
- Policy 8:25 (Advertising and Distributing Materials in Schools Provided by Non-School Related Entities) – PRESS is recommending several changes to the policy, including
 - Adding the following sentence in the first paragraph that clarifies the overarching requirements associated with the policy:

No materials, literature, or advertisement shall be posted or distributed without advance approval as described in this policy.
 - Clarifying the section about advertisement or the distribution of materials by non-commercial organizations by changing the language from:

Community, educational, charitable, recreational, or similar groups may, under procedures established by the Superintendent, advertise events pertinent to students' interests or involvement. This may include displaying posters in areas reserved for community posters, having flyers distributed to students, or being included in the school's or District's website where appropriate. All material and literature must be student-oriented and have the sponsoring organization's name prominently displayed.

to:

Community, educational, charitable, recreational, or similar groups may, under procedures established by the Superintendent, advertise events pertinent to students' interests or involvement. All advertisements must be (1) student-oriented, (2) prominently display the sponsoring organization's name, and (3) be approved in advance by the Superintendent or designee. The District reserves the right to decide where and when any advertisement or flyer is distributed, displayed or posted.

- Adding the following requirements to the section about commercial advertisements, which will bring the policy in line with the district's current practices regarding the production of materials such as theater programs and school directories:

Commercial companies may purchase space for their advertisements in or on: (1) athletic field fences; (2) athletic, theater, or music programs; (3) student newspapers or yearbooks; (4) scoreboards; or (5) other appropriate locations. The advertisements must be consistent with this policy and its implementing procedures and must be approved by the Superintendent or designee.

No individual or entity may advertise or promote its interests by using the names or pictures of the School District, any District school or facility, staff members, or students except as authorized by and consistent with administrative procedures and approved by the Board.

Material from candidates and political parties will not be accepted for posting or distribution.

- Adding the legal reference Victory Through Jesus Sports Ministry v. Lee's Summit R-7 Sch. Dist., 640 F.3d 329 (8th Cir. 2011), *cert. denied*, 132 S.Ct. 592 (2011), which upheld a policy that limited the volume of promotional materials sent home with elementary students. It supports the legal principle that a school's limitations on distributing material to students are permissible if they are not based on the materials viewpoint.

The policy review team is recommending that the board approve these changes to the policy.

In addition to the changes referenced above, there are several other district policies that need to be updated to reflect the adoption of the new policy manual and changes in personnel.

- Policy 4:172 (Video Surveillance and Electronic Monitoring) – The policy review team is recommending that the final sentence in the third paragraph of the policy be changed from:

Rather, the video security camera/electronic monitoring equipment serves as an appropriate and useful tool with which to augment and support policy 5601 (Serious Misconduct) and the efforts of staff to provide a safe environment and positive climate within the building.

to:

Rather, the video security camera/electronic monitoring equipment serves as an appropriate and useful tool with which to augment and support policy 7:190 (Student Discipline) and the efforts of staff to provide a safe environment and positive climate.

This proposed change features two modifications to the language. The first is an update to the name and number of the policy that corresponds with student discipline. Back in June 2011, the district

consolidated its 10 discipline-related policies, including 5601 (Serious Misconduct), into a single policy. That single policy was carried over to the new manual and renumbered 7:190. The second is the removal of the phrase within the building, which would correspond with the proposed installation of exterior security cameras at the elementary schools. The policy review team will only follow through on its recommendation for the second modification if the board approves the purchase of the cameras.

- Policies 2:260 (Uniform Grievance Procedure), 5:10 (Equal Employment Opportunity) and 5:20 (Workplace Harassment Prohibited) – All three of these policies currently list Joanne Schochat as the district's nondiscrimination coordinator, and Schochat and Mike Padavic, the district's director of special services, as the district's complaint managers. The policy review team, based on input from the administration, is recommending that the nondiscrimination coordinator be changed to Steve Cummins, who was appointed by the board as the new human resources director on August 6, 2013, and the complaint managers be changed to Cummins and Felicia Starks Turner, the district's director of administrative services.

Attached are the policies that are being presented to the board tonight for a first reading, and have been made available for review by the general public on the district's Web site (<http://www.op97.org/board-of-education/Policy-Committee.cfm>).

A second reading and approval of these policies is scheduled for the board meeting on September 10, 2013.

Attachments:

- Policy 2:260 (Uniform Grievance Procedure)
- Policy 4:15 (Identify Protection)
- Policy 4:140 (Waiver of Student Fees)
- Policy 4:170 (Safety) – Current
- Policy 4:170 (Safety) – Featuring recommended revisions
- Policy 4:172 (Video Surveillance and Electronic Monitoring)
- Policy 5:10 (Equal Employment Opportunity)
- Policy 5:20 (Workplace Harassment Prohibited)
- Policy 5:50 (Drug and Alcohol-Free Workplace)
- Policy 5:260 (Student Teachers) – Current
- Policy 5:260 (Student Teachers) – Featuring recommended revisions
- Policy 6:170 (Title I Programs)
- Policy 6:190 (Extracurricular and Co-Curricular Activities)
- Policy 6:240 (Field Trips)
- Policy 7:305 (Student Athlete Concussions and Head Injuries)
- Policy 8:25 (Advertising and Distributing Materials in Schools Provided by Non-School Related Entities)

2:260 - Uniform Grievance Procedure

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

1. Title II of the Americans with Disabilities Act
2. Title IX of the Education Amendments of 1972
3. Section 504 of the Rehabilitation Act of 1973
4. Title VI of the Civil Rights Act, [42 U.S.C. §2000d](#) *et seq.*
5. Equal Employment Opportunities Act (Title VII of the Civil Rights Act), [42 U.S.C. §2000e](#) *et seq.*
6. Sexual harassment (Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972)
7. Bullying, [105 ILCS 5/27-23.7](#)
8. Misuse of funds received for services to improve educational opportunities for educationally disadvantaged or deprived children
9. Curriculum, instructional materials, and/or programs
10. Victims' Economic Security and Safety Act, [820 ILCS 180](#)
11. Illinois Equal Pay Act of 2003, [820 ILCS 112](#)
12. Provision of services to homeless students
13. Illinois Whistleblower Act, [740 ILCS 174/](#).
14. Misuse of genetic information (Illinois Genetic Information Privacy Act (GIPA), [410 ILCS 513/](#) and Titles I and II of the Genetic Information Nondiscrimination Act (GINA), [42 U.S.C. §2000ff](#) *et seq.*)
15. Employee Credit Privacy Act, [820 ILCS 70/](#).

The Complaint Manager will attempt to resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The right of a person to prompt and equitable resolution of a complaint filed hereunder shall not be impaired by the person's pursuit of other remedies. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies. All deadlines under this procedure may be extended by the Complaint Manager as he or she deems appropriate. As used in this policy, "school business days" means days on which the District's main office is open.

Filing a Complaint

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

Investigation

The Complaint Manager will investigate the complaint or appoint a qualified person to undertake the investigation on his or her behalf. If the Complainant is a student under 18 years of age, the Complaint Manager will notify his or her parent(s)/guardian(s) that they may attend any investigatory meetings in which their child is involved. The complaint and identity of the Complainant will not be disclosed except: (1) as required by law, this policy, or (2) as necessary to fully investigate the complaint, or (3) as authorized by the Complainant.

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

Within 30 school business days of the date the complaint was filed, the Complaint Manager shall file a written report of his or her findings with the Superintendent. The Complaint Manager may request an extension of time. If a complaint of sexual harassment contains allegations involving the Superintendent, the written report shall be filed with the Board, which will make a decision in accordance with the following section of this policy. The Superintendent will keep the Board informed of all complaints.

Decision and Appeal

Within 5 school business days after receiving the Complaint Manager's report, the Superintendent shall mail his or her written decision to the Complainant by U.S. mail, first class, as well as to the Complaint Manager.

Within 10 school business days after receiving the Superintendent's decision, the Complainant may appeal the decision to the Board by making a written request to the Complaint Manager. The Complaint Manager shall promptly forward all materials relative to the complaint and appeal to the Board. Within 30 school business days, the Board shall affirm, reverse, or amend the Superintendent's decision or direct the Superintendent to gather additional information. Within 5 school business days of the Board's decision, the Superintendent shall inform the Complainant of the Board's action.

This grievance procedure shall not be construed to create an independent right to a hearing before the Superintendent or Board. The failure to strictly follow the timelines in this grievance procedure shall not prejudice any party.

Appointing Nondiscrimination Coordinator and Complaint Managers

The Superintendent shall appoint a Nondiscrimination Coordinator to manage the District's efforts to provide equal opportunity employment and educational opportunities and prohibit the harassment of employees, students, and others.

The Superintendent shall appoint at least one Complaint Manager to administer the complaint process in this policy. If possible, the Superintendent will appoint 2 Complaint Managers, one of each gender. The District's Nondiscrimination Coordinator may be appointed as one of the Complaint Managers.

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

Nondiscrimination Coordinator:

Joanne Schoehat
Steve Cummins
970 Madison Street
Oak Park, IL 60302

708/524-3000

Complaint Managers:

Joanne Schoehat
Steve Cummins
970 Madison Street
Oak Park, IL 60302

708/524-3000

Mike Padavie
Felicia Starks Turner
970 Madison Street
Oak Park, IL 60302

708/524-3000

LEGAL REF.:

Age Discrimination in Employment Act, [29 U.S.C. §621](#) *et seq.*

Americans With Disabilities Act, [42 U.S.C. §12101](#) *et seq.*

Equal Employment Opportunities Act (Title VII of the Civil Rights Act), [42 U.S.C. §2000e](#) *et seq.*

Equal Pay Act, [29 U.S.C. §206](#)(d).

Genetic Information Nondiscrimination Act, [42 U.S.C. §2000ff](#) *et seq.*

Immigration Reform and Control Act, [8 U.S.C. §1324a](#) *et seq.*

McKinney Homeless Assistance Act, [42 U.S.C. §11431](#) *et seq.*

Rehabilitation Act of 1973, [29 U.S.C. §791](#) *et seq.*

Title VI of the Civil Rights Act, [42 U.S.C. §2000d](#) *et seq.*

Title IX of the Education Amendments, [20 U.S.C. §1681](#) *et seq.*

[105 ILCS 5/2-3.8](#), [5/3-10](#), [5/10-20.7a](#), [5/10-22.5](#), [5/22-19](#), [5/24-4](#), [5/27-1](#), [5/27-23.7](#), and [45/1-15](#).

Illinois Genetic Information Privacy Act, [410 ILCS 513/](#).

Illinois Whistleblower Act, [740 ILCS 174/](#).

Illinois Human Rights Act, [775 ILCS 5/](#).

Victims' Economic Security and Safety Act, [820 ILCS 180](#), 56 Ill.Admin.Code Part 280.

Equal Pay Act of 2003, [820 ILCS 112](#).

Employee Credit Privacy Act, [820 ILCS 70/](#).

[23 Ill.Admin.Code §§1.240](#) and [200-40](#).

CROSS REF.: [5:10](#) (Equal Employment Opportunity and Minority Recruitment), [5:20](#) (Workplace Harassment Prohibited), [5:30](#) (Hiring Process and Criteria), [6:140](#) (Education of Homeless Children), [6:170](#) (Title I Programs), [6:260](#) (Complaints About Curriculum, Instructional Materials, and Programs), [7:10](#) (Equal Educational Opportunities), [7:20](#) (Harassment of Students Prohibited), [7:180](#) (Preventing Bullying, Intimidation, and Harassment), [8:70](#) (Accommodating Individuals with Disabilities), [8:110](#) (Public Suggestions and Concerns)

ADOPTED: March 19, 2013

DRAFT UPDATE

Operational Services

Identity Protection

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

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

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

1. All employees having access to social security numbers in the course of performing their duties shall be trained to protect the confidentiality of social security numbers. Training should include instructions on the proper handling of information containing social security numbers from the time of collection through the destruction of the information.
 2. Only employees who are required to use or handle information or documents that contain social security numbers shall have access to such information or documents.
 3. Social security numbers requested from an individual shall be provided in a manner that makes the social security number easily redacted if the record is required to be released as part of a public records request.
 4. When collecting a social security number or upon request by an individual, a statement of the purpose(s) for which the District is collecting and using the social security number shall be provided.
 5. Notification to an individual whenever his or her personal information was acquired by an unauthorized person; *personal information* is an individual's name in combination with his or her social security number, driver's license number or State identification card number, or financial account information.
 6. Disposal of materials containing personal information in a manner that renders the personal information unreadable, unusable, and undecipherable; *personal information* has the meaning stated in #5, above.
- ~~5-7.~~ All employees must be advised of this policy's existence and a copy of the policy must be made available to each employee. The policy must also be made available to any member of the public, upon request.

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

Comment [AKL1]:
UPDATE 1: Suggested items #5 & #6 are not required to be in policy. They are mandates contained in the Personal Information Protection Act.
Attorneys disagree whether the Act applies to school districts; however, the mandates are included in the sample policy because: (1) they are consistent with public policy, and (2) if the Act applies to school districts, so will its section allowing the Attorney General to fine any person up to \$100 for each violation of the disposal requirements for materials containing personal information (815 ILCS 530/40).
Issue 81, March 2013

Comment [AKL2]:
UPDATE 2: A disclaimer is offered; however, the usefulness of the disclaimer is untested and unproven.
Issue 81, March 2013

DRAFT UPDATE

LEGAL REF.: 5 ILCS 179/, Identity Protection Act.

CROSS REF: 2:250 (Access to District Public Records), 5:150 (Personnel Records), 7:340
(Student Records)

ADOPTED: ~~March 19, 2013~~

DRAFT UPDATE

Operational Services

Waiver of Student Fees

The Superintendent or designee will recommend to the Board of Education a schedule of fees, if any, to be charged students for the use of textbooks, consumable materials, extracurricular activities, and other school student fees. Students must also pay for the loss of or damage to school books or other school-owned materials.

Fees for textbooks and other instructional materials are waived for students who meet the eligibility criteria for a fee waiver as described in this policy. In order that no student is denied educational services or academic credit due to the inability of parents/guardians to pay student fees, the Superintendent or designee will recommend to the Board which additional fees, if any, the District will waive for students who meet the eligibility criteria for fee waiver. Students receiving a fee waiver are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment.

Notification

The Superintendent or designee shall ensure that applications for fee waivers are widely available and distributed according to State law and ISBE rule and that provisions for assisting parents/guardians in completing the application are available.

Eligibility Criteria

A student shall be eligible for a fee waiver when the student currently lives in a household that meets the same income guidelines, with the same limits based on household size, that are used for the federal free meals program.

The Superintendent or designee will give additional consideration where one or more of the following factors are present:

- Illness in the family;
- Unusual expenses such as fire, flood, storm damage, etc.;
- Unemployment;
- Emergency situations;
- When one or more of the parents/guardians are involved in a work stoppage.

Verification

The Superintendent or designee must follow the verification requirements of 7 C.F.R. 245.6a when using the free lunch or breakfast eligibility guidelines pursuant to The National School Lunch Act as the basis for waiver of the student's fee(s).

Determination and Appeal

Within 30 calendar days after the receipt of a waiver request, the Superintendent or designee shall mail a notice to the parent/guardian whenever a waiver request is denied. The denial notice shall include: (1) the reason for the denial, (2) the process and timelines for making an appeal, and (3) a statement that the parent/guardian may reapply for a waiver any time during the school year if circumstances change. If the denial is appealed, the District shall follow the procedures for the resolution of appeals as provided in the Illinois State Board of Education rule on waiver of fees.

DRAFT UPDATE

LEGAL REF.: 105 ILCS 5/10-20.13, 5/10-22.25, 5/27-24.2, and 5/28-19.2.
23 Ill.Admin.Code §1.245 [may contain unenforceable provisions]

CROSS REF.: 4:130 (Free and Reduced-Price Food Services), 6:220 (Bring Your Own
Technology (BYOT) Program; Responsible Use and Conduct)

ADOPTED: ~~March 19, 2013~~

Comment [AKL1]: The policy is unchanged.
Legal references and cross references are updated.
Issue 81, March 2013

Current

4:170 - Safety

Safety Program

All District operations, including the education program, shall be conducted in a manner that will promote the safety of everyone on District property or at a District event.

The Superintendent or designee shall develop and implement a comprehensive safety and crisis plan incorporating both avoidance and management guidelines. The comprehensive safety and crisis plan shall specifically include provisions for: injury prevention; bomb threats, weapons, and explosives on campus; school safety drill program; tornado protection; instruction in safe bus riding practices; emergency aid; post-crisis management; and, responding to medical emergencies at an indoor and outdoor physical fitness facility. During each academic year, each school building that houses school children must conduct a minimum of:

1. Three school evacuation drills,
2. One bus evacuation drill,
3. One severe weather and shelter-in-place drill, and
4. One law enforcement drill.

The law enforcement drill must be conducted according to the District's comprehensive safety and crisis plan, with the participation of the appropriate law enforcement agency. This drill may be conducted on days and times that students are not present in the building.

In the event of an emergency that threatens the safety of any person or property, students and staff are encouraged to use any available cellular telephone.

Convicted Child Sex Offender and Notification Laws

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender meets either of the following two exceptions:

1. The offender is a parent/guardian of a student attending the school and has notified the Building Principal of his or her presence at the school for the purpose of: (i) attending a conference with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion; or
2. The offender received permission to be present from the Board of Education, Superintendent, or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Superintendent, or designee who is a certified employee shall supervise a child sex offender whenever the offender is in a child's vicinity.

If a student is a sex offender, the Superintendent or designee shall develop guidelines for managing his or her presence in school.

The Superintendent shall develop procedures for the distribution and use of information from law enforcement officials under the Sex Offender Community Notification Law and the Murderer and Violent Offender Against Youth Community Notification Law. The Superintendent or designee shall serve as the District contact person for purposes of these laws. The Superintendent and Building Principal shall manage a process for schools to notify the parents/guardians during school registration that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law. This notification must occur during school registration and at other times as the Superintendent or Building Principal determines advisable.

All contracts with the School District that may involve an employee or agent of the contractor having any contact, direct or indirect, with a student, shall contain the following:

The contractor shall not send to any school building or school property any employee or agent who would be prohibited from being employed by the District due to a conviction of a crime listed in [105 ILCS 5/10-21.9](#), or who is listed in the Statewide Sex Offender Registry or the Statewide Violent Offender Against Youth Database. The contractor shall obtain a fingerprint-based criminal history records check before sending any employee or agent to any school building or school property. Additionally, at least quarterly, the contractor shall check if an employee or agent is listed on the Statewide Sex Offender Registry or the Statewide Violent Offender Against Youth Database.

If the District receives information that concerns the record of conviction as a sex offender of any employee of a District contractor, the District will provide the information to another school, school district, community college district, or private school that requests it.

Unsafe School Choice Option

The unsafe school choice option allows students to transfer to another District school or to a public charter school within the District. The unsafe school choice option is available to:

1. All students attending a persistently dangerous school, as defined by State law and identified by the Illinois State Board of Education.
2. Any student who is a victim of a violent criminal offense, as defined by [725 ILCS 120/3](#), that occurred on school grounds during regular school hours or during a school-sponsored event.

The Superintendent or designee shall develop procedures to implement the unsafe school choice option.

Student Insurance

The Board shall annually designate a company to offer student accident insurance coverage. The Board does not endorse the plan nor recommend that parents/guardians secure the coverage, and any contract is between the parents/guardians and the company. Students participating in athletics, cheerleading, or pompons must have school accident insurance unless the parents/guardians state in writing that the student is covered under a family health insurance plan.

Emergency Closing

The Superintendent is authorized to close the schools in the event of hazardous weather or other emergencies that threaten the safety of students, staff members, or school property.

LEGAL REF.:

[105 ILCS 5/10-20.28](#), [5/21B-80](#), [5/10-21.9](#), and [128/](#).

[210 ILCS 74/](#).

[625 ILCS 5/12-813.1](#).

[720 ILCS 5/11-9.3](#).

[730 ILCS 152/101](#) *et seq.*

CROSS REF.: [5:30](#) (Hiring Process and Criteria), [6:190](#) (Extracurricular and Co-Curricular Activities), [6:250](#) (Community Resource Persons and Volunteers), [7:220](#) (Bus Conduct), [7:300](#) (Extracurricular Athletics), [8:30](#) (Visitors to and Conduct on School Property), [8:100](#) (Relations with Other Organizations and Agencies)

ADOPTED: March 19, 2013

Revised Draft from PRESS

DRAFT UPDATE

Oak Park School District 97

4:170

Operational Services

Safety

Safety Program

All District operations, including the education program, shall be conducted in a manner that will promote the safety of everyone on District property or at a District event.

The Superintendent or designee shall develop and implement a comprehensive safety and crisis plan incorporating both avoidance and management guidelines. The comprehensive safety and crisis plan shall specifically include provisions for: injury prevention; bomb threats, weapons, and explosives on campus; school safety drill program; tornado protection; instruction in safe bus riding practices; emergency aid; post-crisis management; and, responding to medical emergencies at an indoor and outdoor physical fitness facility. During each academic year, each school building that houses school children must conduct a minimum of:

1. Three school evacuation drills,
2. One bus evacuation drill,
3. One severe weather and shelter-in-place drill, and
4. One law enforcement drill.

The law enforcement drill must be conducted according to the District's comprehensive safety and crisis plan, with the participation of the appropriate law enforcement agency. This drill may be conducted on days and times that students are not present in the building.

In the event of an emergency that threatens the safety of any person or property, students and staff are encouraged to use any available cellular telephone.

Convicted Child Sex Offender and Notification Laws

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender meets either of the following two exceptions:

1. The offender is a parent/guardian of a student attending the school and has notified the Building Principal of his or her presence at the school for the purpose of: (i) attending a conference with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion; or
2. The offender received permission to be present from the Board of Education, Superintendent, or Superintendent's designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender's upcoming visit to the Building Principal.

In all cases, the Superintendent, or designee who is a certified employee shall supervise a child sex offender whenever the offender is in a child's vicinity.

If a student is a sex offender, the Superintendent or designee shall develop guidelines for managing his or her presence in school.

The Superintendent shall develop procedures for the distribution and use of information from law enforcement officials under the Sex Offender Community Notification Law and the Murderer and

DRAFT UPDATE

Violent Offender Against Youth Community Notification Law. The Superintendent or designee shall serve as the District contact person for purposes of these laws. The Superintendent and Building Principal shall manage a process for schools to notify the parents/guardians during school registration that information about sex offenders is available to the public as provided in the Sex Offender Community Notification Law. This notification must occur during school registration and at other times as the Superintendent or Building Principal determines advisable.

All contracts with the School District that may involve an employee or agent of the contractor having any contact, direct or indirect, with a student, shall contain the following:

The contractor shall not send to any school building or school property any employee or agent who would be prohibited from being employed by the District due to a conviction of a crime listed in 105 ILCS 5/10-21.9, amended by P.A.s 97-248 and 97-607, or who is listed in the Statewide Illinois Sex Offender Registry or the Statewide Illinois Murderer and Violent Offender Against Youth Database Registry. The contractor shall ~~obtain~~ make every employee who will be sent to any school building or school property available to the District for the purpose of submitting to a fingerprint-based criminal history records check pursuant to 105 ILCS 5/10-21.9. The check shall occur before sending any employee or agent is sent to any school building or school property. The contractor will reimburse the District for the costs of the checks. The District must also provide a copy of the report to the individual employee, but is not authorized to release it to the contractor. Additionally, at least quarterly, the contractor shall check if an employee or agent is listed on the Statewide Illinois Sex Offender Registry or the Statewide Illinois Murderer and Violent Offender Against Youth Database Registry.

If the District receives information that concerns the record of conviction as a sex offender of any employee of a District contractor, the District will provide the information to another school, school district, community college district, or private school that requests it.

Unsafe School Choice Option

The unsafe school choice option allows students to transfer to another District school or to a public charter school within the District. The unsafe school choice option is available to:

1. All students attending a persistently dangerous school, as defined by State law and identified by the Illinois State Board of Education.
2. Any student who is a victim of a violent criminal offense, as defined by 725 ILCS 120/3, that occurred on school grounds during regular school hours or during a school-sponsored event.

The Superintendent or designee shall develop procedures to implement the unsafe school choice option.

Student Insurance

The Board shall annually designate a company to offer student accident insurance coverage. The Board does not endorse the plan nor recommend that parents/guardians secure the coverage, and any contract is between the parents/guardians and the company. Students participating in athletics, cheerleading, or pompons must have school accident insurance unless the parents/guardians state in writing that the student is covered under a family health insurance plan.

Emergency Closing

The Superintendent is authorized to close the schools in the event of hazardous weather or other emergencies that threaten the safety of students, staff members, or school property.

Comment [AKL1]: The policy is updated in the text and Legal References in response to ISBE's non-regulatory guidance document. For both legal and practical reasons, the guidance document places the responsibility on a district to perform background checks on contractors' employees.

For more information on managing background checks for contractor's employees, see ISBE's non-regulatory guidance document, *Criminal History Records Information (CHR) Checks for Certified and Non-certified School Personnel*, at: www.isbe.net/pd/guidance_chr.pdf.

Issue 81, March 2013

DRAFT UPDATE

LEGAL REF.: Adam Walsh Child Protection and Safety Act, P.L. 109-248.
Uniform Conviction Information Act, 20 ILCS 2635/.
105 ILCS 5/10-20.28, 5/21B-80, 5/10-21.9, and 128/.
Physical Fitness Facility Medical Emergency Preparedness Act, 210 ILCS 74/.
Ill. Vehicle Code, 625 ILCS 5/12-813.1.
Criminal Code of 2012, 720 ILCS 5/11-9.3.
Unified Code of Corrections, 730 ILCS 152/101 et seq.

CROSS REF.: 5:30 (Hiring Process and Criteria), 6:190 (Extracurricular and Co-Curricular Activities), 6:250 (Community Resource Persons and Volunteers), 7:220 (Bus Conduct), 7:300 (Extracurricular Athletics), 8:30 (Visitors to and Conduct on School Property), 8:100 (Relations with Other Organizations and Agencies)

ADOPTED: ~~March 19, 2013~~

4:172 - Video Surveillance and Electronic Monitoring

In order to promote student and staff safety, and deter unauthorized access and destructive acts (e.g., theft and vandalism), the Board of Education authorizes the use of video security camera and electronic monitoring equipment 24 hours a day, seven days a week on school property and in school buildings, as well as during times when school buses are in use. Information obtained through video security cameras/electronic monitoring may be used to identify intruders and persons breaking the law, and enforce Board policy, the Effective Student Behavior Handbook and school rules (i.e. it may be used as evidence in disciplinary actions and criminal proceedings). The monitoring of actions and behavior of individuals who come onto school property is a significant factor in maintaining order and protecting students, staff, visitors, the school and property.

With respect to use of video evidence in disciplinary actions, the Board acknowledges that such actions are subject to the terms and conditions of the respective District 97 collective bargaining agreements.

The primary purpose of the video security camera/electronic monitoring equipment is to complement other procedures being employed in the District to promote and foster a safe and secure teaching and learning environment for students and staff. The Board recognizes that the use of a video security camera/electronic monitoring equipment does not replace the need for the ongoing vigilance of the school staff assigned by the building principal to monitor and supervise the school building. ~~Rather, the video security camera/electronic monitoring equipment serves as an appropriate and useful tool with which to augment and support policy 5601 (Serious Misconduct) and the efforts of staff to provide a safe environment and positive climate within the building.~~ **Rather, the video security camera/electronic monitoring equipment serves as an appropriate and useful tool with which to augment and support policy 7:190 (Student Discipline) and the efforts of staff to provide a safe environment and positive climate.**

The building principal is responsible for verifying that due diligence is observed in maintaining general campus security. The Superintendent or designee is responsible for determining where to install and operate fixed location video security camera/electronic monitoring equipment in the District. The determination of where and when to use video security camera/electronic monitoring equipment will be made in a nondiscriminatory and non-disparate manner. Video security camera/electronic monitoring equipment may be placed in:

- A. Public areas in school buildings, including as examples, school hallways, entryways, publicly-located locker bays, the front office where students, staff and visitors are permitted to freely come and go, gymnasiums, cafeterias, and libraries
- B. School parking lots and other outside areas, and in school buses

Video security camera/electronic monitoring equipment shall not be used in the following areas:

- A. Restrooms
- B. Locker rooms

- C. Changing areas
- D. Private offices
- E. Conference/meeting rooms
- F. Individual classrooms
- G. Break rooms, provided such rooms have been designated as break rooms
- H. Other areas prohibited by law

In the event that the District, in cooperation with law enforcement, determines to install video security camera/electronic monitoring equipment in any of the above-listed areas, the District shall inform the president of the respective District 97 labor organizations, unless the president is the target of the investigation. If so, the District shall select another officer of the labor organization to receive such notice. In all instances, the president or other selected officer agree to keep such notice confidential until permitted to release such information by either the District and/or law enforcement.

Any student or staff member who takes action to block, move, or alter the location and/or viewing angle of a video security camera shall be subject to disciplinary action.

Legible and visible signs shall be placed at the main entrance to buildings and in the areas where video security camera/electronic monitoring equipment is in use to notify people that their actions/behavior are being monitored/recorded twenty-four(24) hours a day, seven days a week. Additionally, the Superintendent or designee is directed to annually notify staff, parents, and students of the use of video security camera/electronic monitoring equipment in their schools.

Students may be disciplined based in whole or in part on video recording evidence of misconduct. However, the video recordings shall not be maintained as student records, except as such video recordings are used in the course of student disciplinary proceedings or for other good reason as determined by the Superintendent or designee.

Use of Video Monitoring

- A. Under no circumstances will video security camera/electronic monitoring equipment be used to make an audio recording of a conversation occurring on school grounds or property, or on buses.
- B. Any information obtained from video security camera/electronic monitoring equipment shall be used to support the school's efforts to maintain an orderly, positive climate, and for law enforcement purposes.
- C. The recordings obtained through the use of video security camera/electronic monitoring equipment may be used as evidence in disciplinary proceedings, administrative proceedings or criminal proceedings that are subject to Board policy and the law, subject to the provisions of paragraph three of this policy.
- D. Video recordings of students, staff, or others may be reviewed or audited for the

purpose of determining adherence to Board policy, the Effective Student Behavior Handbook, and school rules, subject to the provisions of paragraph two of this policy.

E. The Board may use video recordings of students, staff, and others to detect or deter criminal offenses.

F. The Board or its administrators may use video recordings for inquiries and proceedings related to law enforcement, deterrence, and student discipline.

Protection of Information and Disclosure/Security

Video recordings are not regularly maintained by the District as public records and shall not be available for viewing by the public, employees of the District in general, the media, or other individuals, except as authorized herein. Access to such video recordings shall be limited as follows:

A. The Board, Superintendent/designee and the Building Principal shall be authorized to view the video recording for the purposes of documenting disciplinary problems, criminal activity or for other educational or business reasons.

B. The Superintendent/designee or Building Principal may authorize other school personnel, such as a teacher, guidance counselor, school psychologist, or social worker to view segments of a video recording, if such personnel have a demonstrable educational interest in the video recording.

C. In appropriate circumstances, or as mandated by law or court order, the Superintendent/designee is authorized to show a video recording to other government agencies, including law enforcement agencies or the Department of Children and Family Services (DCFS).

D. A student or his/her parents, in accordance with the Rules and Regulations implementing this policy and to the extent afforded by student records laws, may review a video recording or portion thereof if the District decides to maintain a particular video recording or portion thereof. If disciplinary action is initiated based solely upon video recording documentation, or if video recording documentation is to be used as evidence at a disciplinary hearing, the student involved and the student's parent(s) or guardian(s), may be permitted upon request to review the portion of the video recording in question, and such other portions of the video recording as may be necessary to establish the context of the events giving rise to the disciplinary action. In such instances, a District staff member shall be present during the viewing and shall record the date and names of all persons viewing the video recording. The student and parent(s) or guardian(s) shall be entitled, at their own expense, to obtain a copy of those portions of the video recording for use in connection with any disciplinary or court proceedings arising out of the conduct in question. Viewing of video recordings under this paragraph may be restricted in accordance with any applicable confidentiality rights of other students identified in such video recordings.

E. As otherwise provided in accordance with state and federal laws, such as the Illinois School Student Records Act (ISSRA), [105 ILCS 10/1 et seq.](#), and the Family Educational Rights and Privacy Act (FERPA), [20 U.S.C. 1232g et seq.](#)

Retention of Electronic Video Data

- A. All video electronic data not in use should be securely stored.
- B. All video electronic data that have been used for the purpose of this policy shall be numbered and dated and retained according to the camera site.
- C. The Superintendent/designee or Building Principal must authorize access to all video electronic data.
- D. Documentation shall be maintained of all episodes of access to, or use of recorded materials.
- E. Video electronic data will normally be erased on a monthly basis. Video electronic data that contains personal information used to make a decision directly affecting an individual, however, may be retained for a longer period of time as needed.
- F. The Superintendent/designee or Building Principal shall ensure that a video electronic release form is completed when disclosing video electronic data to appropriate authorities or third parties. Any such disclosure shall only be made in accordance with the law. Such release forms should include the individual or organization who is requesting the video electronic data, the date of the occurrence and when or if the video electronic data will be returned or destroyed by the authority or individual after use.

Expectations Related to the Use of Video Security Camera and Electronic Monitoring Equipment

The use of video security cameras/electronic monitoring is to be implemented in accordance with this policy and the corresponding administrative guidelines.

- A. Video recordings will only be reviewed when an activity is suspected to violate the law or constitute misconduct.
- B. Prior to the start date of electronic monitoring in schools or buses, the Superintendent or designee will provide the Board copies of the procedures, forms and additional supplemental documentation that support the use and implementation of this policy.
- C. Video electronic data will normally be erased on a monthly basis. Any request to view a recording under this policy must be made within thirty (30) days of the event/incident and within seven (7) days of notification that the event/incident has taken place. Unless a formal complaint is being investigated, recordings shall be destroyed after thirty (30) days. If, however, action is taken by the Board/administration, as a result of a formal complaint or incident, recordings shall be kept for a minimum of one (1) year from the date of the action taken.
- D. The Superintendent or designee is directed to develop administrative guidelines to address the use of video security camera/electronic monitoring equipment in school buildings, school buses and on property owned and/or operated by the District.

E. Within the first year of implementation, the Superintendent or designee shall conduct a review each trimester to verify that this policy and its corresponding administrative guidelines are being adhered to, and report to the Board on the impact and outcomes of the use of video security camera/electronic monitoring equipment in the District. Any deficiencies or concerns identified by the audit will be addressed immediately by Administration.

F. The Superintendent or designee will provide the Board with an annual review at the end of the school year to assess the effectiveness of using the equipment and identify any need for adjustments.

Limitations on the Use of the Video Security Camera and Electronic Monitoring Equipment

A. The Board and the District will not employ the use of the video security camera/electronic monitoring equipment in instructional observations of professional staff to obtain information for the purpose of routine staff appraisal/evaluation.

B. This policy does not address or cover instances where school officials record a specific event (e.g., a play, music performance, athletic contest, graduation, or Board meeting), or an isolated instance where a classroom is video recorded for educational or research purposes. Authorized video recording for educational, instructional and/or research purposes is permitted and is not addressed by this policy.

C. Notwithstanding the foregoing, the president of each of the District's certified labor organizations; including the Oak Park Teacher Association, Oak Park Educational Support Professionals Association, Oak Park Teacher Assistants' Association, and the Service Employees International Union; shall be entitled to request that video security camera and electronic monitoring equipment be turned off in the location of any labor organization meetings. The president or designee shall submit such request to the Building Principal in writing no later than five (5) business days or, in the case of emergency meetings, as soon as possible, prior to the meeting.

ADOPTED: March 19, 2013

5:10 - Equal Employment Opportunity and Minority Recruitment

The School District shall provide equal employment opportunities to all persons regardless of their race; color; creed; religion; national origin; sex; sexual orientation; age; ancestry; marital status; arrest record; military status; order of protection status; unfavorable military discharge; citizenship status provided the individual is authorized to work in the United States; use of lawful products while not at work; being a victim of domestic or sexual violence; genetic information; physical or mental handicap or disability, or related medical condition, if otherwise able to perform the essential functions of the job with reasonable accommodation; pregnancy, or childbirth; credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position; or other legally protected categories.

Persons who believe they have not received equal employment opportunities should report their claims to the Nondiscrimination Coordinator and/or a Complaint Manager for the Uniform Grievance Procedure. These individuals are listed below. No employee or applicant will be discriminated or retaliated against because he or she initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information.

Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the District's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Superintendent or a Complaint Manager for the Uniform Grievance Procedure. The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers.

Nondiscrimination Coordinator:

~~Joanne Schoehat~~
Steve Cummins
970 Madison Street
Oak Park, IL 60302

708/524-3000

Complaint Managers:

~~Joanne Schoehat~~
Steve Cummins
970 Madison Street
Oak Park, IL 60302

708/524-3000

~~Mike Padavie~~
Felicia Starks Turner
970 Madison Street
Oak Park, IL 60302

708/524-3000

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

Minority Recruitment

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

LEGAL REF.:

Age Discrimination in Employment Act, [29 U.S.C. §621](#) *et seq.*

Americans With Disabilities Act, Title I, [42 U.S.C. §12111](#) *et seq.*

Civil Rights Act of 1991, [29 U.S.C. §§621](#) *et seq.*, [42 U.S.C. §1981](#) *et seq.*, [§2000e](#) *et seq.*, and [§12101](#) *et seq.*

Equal Employment Opportunities Act (Title VII of the Civil Rights Act of 1964), [42 U.S.C. §2000e](#) *et seq.*, [29 C.F.R. Part 1601](#).

Equal Pay Act, [29 U.S.C. §206](#)(d).

Genetic Information Nondiscrimination Act, [42 U.S.C. §2000ff](#) *et seq.*

Immigration Reform and Control Act, [8 U.S.C. §1324a](#) *et seq.*

Rehabilitation Act of 1973, [29 U.S.C. §791](#) *et seq.*

Title VI of the Civil Rights Act of 1964, [42 U.S.C. §2000d](#) *et seq.*

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

Title IX of the Education Amendments, [20 U.S.C. §1681](#) *et seq.*, [34 C.F.R. Part 106](#).

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

[Ill. Constitution](#), Art. I, §§17, 18, and 19.

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

Genetic Information Protection Act, [410 ILCS 513/25](#).

Ill. Whistleblower Act, [740 ILCS 174/](#).

Ill. Human Rights Act, [775 ILCS 5/1-103](#) and [5/2-102](#).

Religious Freedom Restoration Act, [775 ILCS 35/5](#).

Employee Credit Privacy Act, [820 ILCS 70/](#).

Ill. Equal Pay Act of 2003, [820 ILCS 112/](#).

Victims' Economic Security and Safety Act, [820 ILCS 180/30](#).

[23 Ill.Admin.Code §1.230](#).

CROSS REF.: [2:260](#) (Uniform Grievance Procedure), [5:20](#) (Workplace Harassment Prohibited), [5:30](#) (Hiring Process and Criteria), [5:40](#) (Communicable and Chronic Infectious Disease), [5:70](#) (Religious Holidays), [5:180](#) (Temporary Illness or Temporary Incapacity), [5:200](#) (Terms and Conditions of Employment and Dismissal), [5:250](#) (Leaves of Absence), [5:270](#) (Employment, At-Will, Compensation, and Assignment), [5:300](#), (Schedules and Employment Year), [5:330](#) (Sick Days, Vacation, Holidays, and Leaves), [7:10](#) (Equal Educational Opportunities), [7:180](#) (Preventing Bullying, Intimidation, and Harassment), [8:70](#) (Accommodating Individuals with Disabilities)

ADOPTED: March 19, 2013

5:20 - Workplace Harassment Prohibited

The School District expects the workplace environment to be productive, respectful, and free of unlawful harassment. District employees shall not engage in harassment or abusive conduct on the basis of an individual's race, religion, national origin, sex, sexual orientation, age, citizenship status, disability, or other protected status identified in Board policy [5:10](#), *Equal Employment Opportunity and Minority Recruitment*. Harassment of students, including, but not limited to, sexual harassment, is prohibited by Board policy [7:20](#), *Harassment of Students Prohibited*.

Sexual Harassment Prohibited

The School District shall provide a workplace environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct, or communications constituting harassment on the basis of sex as defined and otherwise prohibited by State and federal law.

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

Making a Complaint; Enforcement

A violation of this policy may result in discipline, up to and including discharge. Any person making a knowingly false accusation regarding harassment will likewise be subject to disciplinary action, up to and including discharge. An employee's employment, compensation, or work assignment shall not be adversely affected by complaining or providing information about harassment. Retaliation against employees for bringing bona fide complaints or providing information about harassment is prohibited (see Board policy [2:260](#), *Uniform Grievance Procedure*).

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

Employees should report claims of harassment to the Nondiscrimination Coordinator and/or use the Board policy [2:260](#), *Uniform Grievance Procedure*. Employees may choose to report to a person of the employee's same sex. There are no express time limits for initiating complaints and grievances under this policy; however, every effort should be made to file such complaints as soon as possible, while facts are known and potential witnesses are available.

Whom to Contact with a Report or Complaint

The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers.

Nondiscrimination Coordinator:

Joanne Schoehat
Steve Cummins
970 Madison Street
Oak Park, IL 60302

708/524-3000

Complaint Managers:

Joanne Schoehat
Steve Cummins
970 Madison Street
Oak Park, IL 60302

708/524-3000

~~Mike Padavie~~
Felicia Starks Turner
970 Madison Street
Oak Park, IL 60302

708/524-3000

The Superintendent shall also use reasonable measures to inform staff members and applicants of this policy, which shall include reprinting this policy in the appropriate handbooks and posting on the District's website.

LEGAL REF.:

Title VII of the Civil Rights Act, [42 U.S.C. §2000e et seq.](#), [29 C.F.R. §1604.11](#).
Title IX of the Education Amendments, [20 U.S.C. §1681 et seq.](#); [34 C.F.R. §1604.11](#).
Ill. Human Rights Act, [775 ILCS 5/2-101\(E\)](#), [5/2-102\(D\)](#), [5/5-102](#), and [5/5-102.2](#).
56 Ill. Admin.Code Parts 2500, 2510, 5210, and 5220.
[Burlington Industries v. Ellerth](#), 118 S.Ct. 2257 (1998).
[Faragher v. City of Boca Raton](#), 118 S.Ct. 2275 (1998).
[Franklin v. Gwinnett Co. Public Schools](#), 112 S.Ct. 1028 (1992).
[Harris v. Forklift Systems](#), 114 S.Ct. 367 (1993).
[Jackson v. Birmingham Board of Education](#), 125 S.Ct. 1497 (2005).
[Meritor Savings Bank v. Vinson](#), 106 S.Ct. 2399 (1986).
[Oncale v. Sundown Offshore Services](#), 118 S.Ct. 998 (1998).

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

Sangamon County Sheriff's Dept. v. Ill. Human Rights Com'n, 908 N.E.2d 39 (Ill., 2009).

CROSS REF.: [2:260](#) (Uniform Grievance Procedure), [5:10](#) (Equal Employment Opportunity and Minority Recruitment), [7:20](#) (Harassment of Students Prohibited)

ADOPTED: March 19, 2013

REWRITTEN

5:50

General Personnel

Drug- and Alcohol-Free Workplace: Tobacco Prohibition

All District workplaces are drug- and alcohol-free workplaces. All employees are prohibited from engaging in any of the following activities while on District premises or while performing work for the District:

1. Unlawful manufacture, dispensing, distribution, possession, use, or being under the influence of a controlled substance.
2. Distribution, consumption, use, possession, or being under the influence of alcohol.

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

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

As a condition of employment, each employee shall:

1. Abide by the terms of the Board policy respecting a drug- and alcohol-free workplace; and
2. Notify his or her supervisor of his or her conviction under any criminal drug statute for a violation occurring on the District premises or while performing work for the District, no later than 5 calendar days after such a conviction.

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

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

Tobacco Prohibition

All employees are covered by the conduct prohibitions contained in policy 8:30, *Visitors to and Conduct on School Property*. The prohibition on the use of tobacco products applies both (1) when an employee is on school property, and (2) while an employee is performing work for the District at a school event regardless of the event's location. *Tobacco* shall have the meaning provided in section 10-20.5b of the School Code.

Comment [AKL1]: Rewritten and re-titled to include prohibition of the use of tobacco products and to clarify language throughout.

Issue 81, March 2013

District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. Alternatively, the School Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse rehabilitation program.

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

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

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. §12114.
Controlled Substances Act, 21 U.S.C. §812; 21 C.F.R. §1308.11-1308.15.
Drug-Free Workplace Act of 1988, 41 U.S.C. §701 et seq.
Safe and Drug-Free School and Communities Act of 1994, 20 U.S.C. §7101 et seq.
Drug-Free Workplace Act, 30 ILCS 580/
105 ILCS 5/10-20.5b.

CROSS REF.: 8:30 (Visitors to and Conduct on School Property)

ADOPTED:

Compare to current district policy 5:50, or consider adding to your manual if it is not now included.

Current

5:260 - Student Teachers

The Superintendent is authorized to accept students from university-approved teacher-training programs to do student teaching in the District. The Superintendent or designee shall coordinate with each student teacher's higher education institution a fingerprint-based criminal history records check and checks of the Statewide Sex Offender Database and Statewide Murderer and Violent Offender Against Youth Database prior to any participation in field experiences in a school.

Assignment

The Superintendent or designee shall be responsible for coordinating placements of all student teachers within the District. Student teachers should be assigned to supervising teachers whose qualifications are acceptable to the District and the students' respective colleges or universities. A teacher may be eligible for Continuing Professional Development Units (CPDU) for supervising a student teacher or teacher education candidate in clinical supervision.

LEGAL REF.:

[105 ILCS 5/10-22.34.](#)

[105 ILCS 5/21-14\(e\)\(3\)\(E\)\(viii\).](#)

[23 Ill.Admin.Code § 25.875.](#)

CROSS REF.: [5:190](#) (Teacher Qualifications)

ADOPTED: March 19, 2013

Revised Draft from PRESS

REWRITTEN

5:260

Professional Personnel

Student Teachers

The Superintendent is authorized to accept students from university-approved teacher-training programs to do student teaching in the District. Prior to a student teacher beginning any field experiences in the District, the Superintendent or designee will ensure that the District performs a complete criminal history records check pursuant to 105 ILCS 5/10-21.9; i.e. *background check* or *background investigation*.

A complete criminal history records check pursuant to 105 ILCS 5/10-21.9 shall include:

1. Fingerprint-based checks through (a) the Illinois State Police (ISP) for criminal history records information (CHRI) pursuant to the Uniform Conviction Information Act (20 ILCS 2635/1), and (b) the FBI national crime information databases pursuant to the Adam Walsh Child Protection and Safety Act (P.L. 109-248);
2. A check of the Illinois Sex Offender Registry (see the Sex Offender Community Notification Law (730 ILCS 152/101 et seq.); and
3. A check of the Illinois Murderer and Violent Offender Against Youth Registry (Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/75-105, amended by 97-154).

Each student teacher must provide written authorization for, and pay the costs of, his or her criminal history records check (including any applicable vendor's fees), and the Superintendent or designee will provide each student teacher with a copy of his or her report.

Assignment

The Superintendent or designee shall be responsible for coordinating placements of all student teachers within the District. Student teachers should be assigned to supervising teachers whose qualifications are acceptable to the District and the students' respective colleges or universities. A teacher may be eligible for Continuing Professional Development Units (CPDU) for supervising a student teacher or teacher education candidate in clinical supervision.

LEGAL REF.: Adam Walsh Child Protection and Safety Act, P.L. 109-248.
Uniform Conviction Information Act, 20 ILCS 2635/1.
105 ILCS 5/21-14(e)(3)(E)(viii) and 5/10-22.34.
23 Ill. Admin. Code § 25.875.

CROSS REF.: 5:190 (Teacher Qualifications)

ADOPTED:

Compare to current district policy 5:260, or consider adding to your manual if it is not now included.

Comment [AKL1]: This policy is rewritten in response to ISBE's non-regulatory guidance document. It now lists the exact components of a *complete criminal history records check*, makes it clear that it is the district's responsibility to do the check, and puts the responsibility for payment in the hands of the student teacher.

Issue 81, March 2013

DRAFT UPDATE

Instruction

Title I Programs

The Superintendent or designee shall pursue funding under Title I, Improving the Academic Achievement of the Disadvantaged, of the Elementary and Secondary Education Act, to supplement instructional services and activities in order to improve the educational opportunities of educationally disadvantaged or deprived children.

All District schools, regardless of whether they receive Title I funds, shall provide services that, taken as a whole, are substantially comparable. Teachers, administrators, and other staff shall be assigned to schools in a manner that ensures equivalency among the District's schools. Curriculum materials and instructional supplies shall be provided in a manner that ensures equivalency among the District's schools.

Title I Parental Involvement

The District maintains programs, activities, and procedures for the involvement of parents/guardians of students receiving services, or enrolled in programs, under Title I. These programs, activities, and procedures are described in District-level and School-level compacts.

District-Level Parental Involvement Compact

The Superintendent or designee shall develop a District-Level Parental Involvement Compact according to Title I requirements. The District-Level Parental Involvement Compact shall contain: (1) the District's expectations for parental involvement, (2) specific strategies for effective parent involvement activities to improve student academic achievement and school performance, and (3) other provisions as required by federal law. The Superintendent or designee shall ensure that the Compact is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

School-Level Parental Involvement Compact

Each Building Principal or designee shall develop a School-Level Parental Involvement Compact according to Title I requirements. This School-Level Parental Involvement Compact shall contain: (1) a process for continually involving parents/guardians in its development and implementation, (2) how parents/guardians, the entire school staff, and students share the responsibility for improved student academic achievement, (3) the means by which the school and parents/guardians build and develop a partnership to help children achieve the State's high standards, and (4) other provisions as required by federal law. Each Building Principal or designee shall ensure that the Compact is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

DRAFT UPDATE

Incorporated
by Reference

6:170-~~AP1~~, E1 (District-Level Parental Involvement Compact) and 6:170-~~AP1~~,
E2 (School-Level Parental Involvement Compact)

LEGAL REF.:

Title I of the Elementary and Secondary Education Act, 20 U.S.C. §6301-6514.

CROSS REF.:

2:260 (Uniform Grievance Procedure), 4:110 (Transportation), 5:190 (Teacher
Qualifications), 5:280 (Duties and Qualifications), 6:15 (School Accountability),
6:140 (Education of Homeless Children), 6:145 (Migrant Students), 6:160
(English Language Learners), 7:10 (Equal Educational Opportunities), 7:30
(Student Assignment), 7:60 (Residence), 7:100 (Health, Eye, and Dental
Examinations; Immunizations; and Exclusion of Students), 8:95 (Parental
Involvement)

ADOPTED:

~~March 19, 2013~~

Comment [AKL1]: After its 5-year review, no changes were made to the policy. The coding for the incorporated by reference materials was changed.

Issue 81, March 2013

DRAFT UPDATE

Oak Park School District 97

6:190

Instruction

Extracurricular and Co-Curricular Activities

Extracurricular or co-curricular activities are school-sponsored programs for which some or all of the activities are outside the instructional day. They do not include field trips, homework, or occasional work required outside the school day for a scheduled class. *Co-curricular activity* refers to an activity associated with the curriculum in a regular classroom and is generally required for class credit. *Extracurricular activity* refers to an activity that is not part of the curriculum, is not graded, does not offer credit, and does not take place during classroom time; it includes competitive interscholastic activities and clubs.

The Superintendent or designee must approve an activity in order for it to be considered a District-sponsored extracurricular or co-curricular activity, using the following criteria:

1. The activity will contribute to the leadership abilities, social well-being, self-realization, good citizenship, or general growth of student-participants.
2. Fees assessed students are reasonable and do not exceed the actual cost of operation.
3. The District has sufficient financial resources for the activity.
4. Requests from students.
5. The activity will be supervised by a school-approved sponsor.

Academic Criteria for Participation

For students in kindergarten through 8th grade, selection of members or participants is at the discretion of the teachers, sponsors, or coaches, provided that the selection criteria conform to the District's policies. Students must satisfy all academic standards and must comply with the activity's rules and the student conduct code.

LEGAL REF.: 105 ILCS 5/10-20.30 and 5/24-24.

CROSS REF.: 4:170 (Safety), 7:10 (Equal Educational Opportunities), 7:40 (Nonpublic School Students, Including Parochial and Home-Schooled Students), 7:240 (Conduct Code for Participants in Extracurricular Activities), 7:300 (Extracurricular Athletics), 8:20 (Community Use of School Facilities)

ADOPTED: March 19, 2013

Comment [AKL1]: Following its 5-year review, the policy is changed only by the addition of a cross reference.

The academic criteria section is required for districts having a high school. However, all districts should review that section of the policy to determine if it reflects current district practice.

Issue 81, March 2013

DRAFT UPDATE

Oak Park School District 97

6:240

Instruction

Field Trips

Field trips are permissible when the experiences are a part of the school curriculum and/or contribute to the District's educational objectives.

All field trips must have the Superintendent or designee's prior approval, except that field trips beyond a 200-mile radius of the school or extending overnight must have the prior approval of the Board of Education. The Superintendent or designee shall analyze the following factors to determine whether to approve a field trip: educational value, student safety, parent concerns, heightened security alerts, and liability concerns. On all field trips, a bus fee set by the Superintendent or designee may be charged to help defray the transportation costs.

Parents/guardians of students: (1) shall be given the opportunity to consent to their child's participation in any field trip, and (2) are responsible for all entrance fees, food, lodging, or other costs, except that the District will pay such costs for students who qualify for free or reduced school lunches. All non-participating students shall be provided an alternative experience. Any field trip may be cancelled without notice due to an unforeseen event or condition.

Privately arranged trips, including those led by District staff members, shall not be represented as or construed to be sponsored by the District or school. The District does not provide liability protection for privately arranged trips and is not responsible for any damages arising from them.

LEGAL REF.: 105 ILCS 5/29-3.1.

CROSS REF.: 6:10 (Educational Philosophy and Objectives), 7:270 (Administering Medicines to Students)

ADOPTED: March 19, 2013

Comment [AKL1]: This paragraph is optional. It seeks to distinguish privately arranged trips from those that are controlled and sponsored by the district and provides a disclaimer.

Issue 81, March 2013

DRAFT UPDATE

Oak Park School District 97

7:305

Students

Student Athlete Concussions and Head Injuries

The Superintendent or designee shall develop and implement a program to manage concussions and head injuries suffered by student athletes. The program shall:

1. Comply with the concussion protocols, policies, and by-laws of the Illinois High School Association, including its *Protocol for NFHS Concussion Playing Rules* and its *Return to Play Policy*. These specifically require that:
 - a. A student athlete who exhibits signs, symptoms, or behaviors consistent with a concussion in a practice or game shall be removed from participation or competition at that time.
 - b. A student athlete who has been removed from an interscholastic contest for a possible concussion or head injury may not return to that contest unless cleared to do so by a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer.
 - c. If not cleared to return to that contest, a student athlete may not return to play or practice until the student athlete has provided his or her school with written clearance from a physician licensed to practice medicine in all its branches in Illinois or a certified athletic trainer working in conjunction with a physician licensed to practice medicine in all its branches in Illinois.
2. Inform student athletes and their parents/guardians about this policy in the *Agreement to Participate* or other written instrument that a student athlete and his or her parent/guardian must sign before the student is allowed to participate in a practice or interscholastic competition.
3. Provide coaches and student athletes and their parents/guardians with educational materials from the Illinois High School Association regarding the nature and risk of concussions and head injuries, including the risks inherent in continuing to play after a concussion or head injury.
4. Include a requirement for staff members to notify the parent/guardian of a student who exhibits symptoms consistent with that of a concussion.

LEGAL REF.: 105 ILCS 5/10-20.53 ~~53~~ 54.

CROSS REF.: 4:170 (Safety), 7:300 (Extracurricular Athletics)

ADOPTED: ~~March 19, 2013~~

Comment [AKL1]: Legal Reference is updated.
Issue 81, March 2013

Community Relations

Advertising and Distributing Materials in Schools Provided by Non-School Related Entities

No material or literature shall be posted or distributed that would: (1) disrupt the educational process, (2) violate the rights or invade the privacy of others, (3) infringe on a trademark or copyright, or (4) be defamatory, obscene, vulgar, or indecent. No material, literature, or advertisement shall be posted or distributed without advance approval as described in this policy.

Comment [AKL1]:
UPDATE 1: A sentence is added containing overarching requirements.
Issue 81, March 2013

Community, Educational, Charitable, or Recreational Organizations

Community, educational, charitable, recreational, or similar groups may, under procedures established by the Superintendent, advertise events pertinent to students' interests or involvement. ~~This may include displaying posters in areas reserved for community posters, having flyers distributed to students, or being included in the school's or District's website where appropriate.~~ All ~~material and literature advertisements~~ must (1) be student-oriented, ~~and have~~ (2) prominently display the sponsoring organization's name, ~~prominently~~ and (3) be approved in advance by the Superintendent or designee. The District reserves the right to decide where and when any advertisement or flyer is distributed, displayed, or posted.

Comment [AKL2]:
UPDATE 2: The section is clarified.
Issue 81, March 2013

Commercial Companies and Political Candidates or Parties

Commercial companies and political candidates or organizations are prohibited from advertising in schools, on the school grounds, or on school or District websites.

LEGAL REF.: Berger v. Rensselaer Central School Corp., 982 F.2d 1160 (7th Cir. 1993), *cert. denied*, 113 S.Ct. 2344 (1993).
DiLoreto v. Downey Unified School Dist., 196 F.3d 958 (9th Cir. 1999).
Hedges v. Wauconda Community Unit School Dist., No. 118, 9 F.3d 5 (7th Cir. 1993).
Lamb's Chapel v. Center Moriches Union Free School Dist., 113 S.Ct. 2141 (1993).
Sherman v. Community Consolidated School Dist. 21, 8 F.3d 1160 (7th Cir. 1993), *cert. denied*, 114 S.Ct. 2109 (1994).
Victory Through Jesus Sports Ministry v. Lee's Summit R-7 Sch. Dist., 640 F.3d 329 (8th Cir. 2011), *cert. denied*, 132 S.Ct. 592 (2011).

CROSS REF.: 7:325 (Student Fund-Raising Activities)

ADOPTED: March 19, 2013