



Oak Park Elementary School District 97

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

FROM: Policy Committee – Amy Felton, James Gates and Chris Jasculca

RE: First Reading of Policies

DATE: May 28, 2013

During its meeting on March 19, 2013, the Board of Education adopted the district's new policy manual. In the cover memo it presented to the board in conjunction with this action item, the policy committee identified three policies that were being tabled for the following reasons:

- Policy 5:80 (Court Duty) was tabled because the second sentence/paragraph in the policy, which states that "the District will deduct any fees that an employee receives for such duties, less mileage and meal expenses, from the employee's compensation, or make arrangements for the employee to endorse the fee check to the District," does not align with the district's current practices or with the language in the district's collective bargaining agreement with the Service Employees International Union (SEIU) that states that "an employee required to serve on jury duty shall receive full pay plus any remuneration for service and absence shall not be deducted from sick leave. Transportation allowance shall be retained by employee."
- Policy 6100 (Finance Goals and Objectives) was tabled to give the Finance Oversight Review Committee (FORC) the opportunity to present recommended revisions that would align the policy with the district's current standards and practices.
- Policy 8:20 (Community Use of School Facilities) was tabled because the policy committee was working with a representative from the Illinois Association of School Board's Policy Reference Education Subscription Service (PRESS) to determine if there was a legal definition of a school-related organization, and identify whether there were restrictions regarding the use of school facilities. For example, the district's past policy on the use of facilities defined as community group as "an adult-led group of ten (10) or more persons organized for social, educational, civic, cultural, welfare, recreational, philosophical, or community service purposes whose membership or the participants at whose meetings and activities are to a significant degree residents of the district." It also stated that school premises could not be used for partisan political or profit making activities.

The policy committee met on April 29, 2013 to discuss these policies, and is presenting the following recommendations to the board tonight for review.

- Policy 5:80 (Court Duty) – The policy committee is recommending that the second paragraph of the policy be changed from:

"The District will deduct any fees that an employee receives for such duties, less mileage and meal expenses, from the employee's compensation, or make arrangements for the employee to endorse the fee check to the District."

to:

“The District will not deduct any fees that an employee receives for such duties from the employee’s compensation.”

This change will ensure that the policy is aligned with the district’s current practices and the collective bargaining agreements we have with our employee groups.

- Policy 6100 (Finance Goals and Objectives) – Attached to this memo are the current version of the policy, which is titled Policy 6100 – Current and features FORC’s suggested revisions/deletions to the text that are highlighted in orange, as well as the revised version submitted by FORC, which is titled Policy 6100 – Suggested Revisions and features suggested additions/modifications to the text that are highlighted in yellow. The policy committee agrees with the changes proposed by FORC, and is recommending that the board consider adoption of the version of the policy titled Policy 6100 – Suggested Revisions. FYI – once this policy has been approved by the board, the committee will send it to PRESS with the request that it be assigned a new number and be added to the district’s manual.
- Policy 8:20 (Community Use of School Facilities) – PRESS provided the following responses to the questions posed by the policy committee about the definition of a community group and whether there are restrictions regarding the use of school facilities.

Q. What is the definition of a school-related organization?

A. There is no set definition, but the intent is that these organizations have a connection to the district (PTO, booster club, etc.). This is at the district’s discretion, but it is advisable to decide in consultation with the board attorney.

Q. Can the district prohibit organizations from using its facilities if they are partisan political in nature, intended for the purpose of profit making or have a mission that contradicts the mission of the district?

A. This would be difficult to word in a way that would survive First Amendment analysis. In addition, according to state law, the policy may “prohibit such use if it interferes with any school functions or the safety of students or school personnel or affects the property or liability of the school district.” The district can create a closed forum by refusing access to all non-school groups. However, if it chooses to open its schools to these groups, its primary consideration must be viewpoint neutrality.

Given the answers provided by PRESS, as well as the district’s long-standing practice of allowing community groups to use our facilities, the policy committee is recommending that the version of Policy 8:20 that is attached to this memo be adopted as it is written. The committee is also recommending that any additional questions or concerns regarding the use of our facilities be addressed in the administrative procedures that correspond with the policy. FYI – The work on the district’s administrative procedures manual is scheduled to begin in June.

A second reading and approval of these policies is scheduled for the board meeting on June 11, 2013.

Attachments:

- Policy 5:80 (Court Duty)
- Policy 6100 (Finance Goals and Objectives) – Current
- Policy 6100 (Finance Goals and Objectives) – Suggested Revisions
- Policy 8:20 (Community Use of School Facilities)