



Oak Park Elementary School District 97

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

FROM: Chris Jasculca

RE: Adoption of Policies

DATE: November 4, 2014

The District 97 Board of Education conducted a first reading of the following policies during its meeting on October 21, 2014:

- Policy 2:20 – Powers and Duties of the School Board; Indemnification
- Policy 4:60 – Purchases and Contracts
- Policy 4:90 – Activity Funds
- Policy 4:175 – Convicted Child Sex Offender; Criminal Background Check and/or Screen; Notification
- Policy 5:30 – Hiring Process and Criteria
- Policy 5:260 – Student Teachers
- Policy 7:20 – Harassment of Students Prohibited
- Policy 7:180 – Prevention of and Response to Bullying, Intimidation and Harassment
- Policy 7:240 – Conduct Code for Participants in Extracurricular Activities

During this first reading, the policy review team provided the board with additional information about policies 4:175 (Convicted Child Sex Offender; Criminal Background Check and/or Screen; Notification) and 7:180 (Prevention of and Response to Bullying, Intimidation and Harassment) that was based on feedback from Hodges Loizzi Eisenhammer Rodick & Kohn LLP (HLERK), which is the district's legal counsel, and the district's administrative leadership team. That additional information is detailed below.

- Policy 4:175 (Convicted Child Sex Offender; Criminal Background Check and/or Screen; Notification) – HLERK agreed with the team's recommended revisions to the policy language, which were outlined in the memorandum to the board that was posted in the packet of materials for the October 21 meeting. The firm also suggested that the district modify its practices and procedures to include the performance of fingerprint checks on anyone who will serve as a resource person/volunteer in a building on a regular basis throughout the year. For example, this would include individuals who plan to help in classrooms, the lunchroom, etc. a few times every month, but would not include individuals who volunteer once or twice a year (i.e., someone who comes to read to a class on his/her child's birthday).

The district's administrative leadership team discussed HLERK's input regarding background checks during its meeting on October 20, and agreed that, moving forward, fingerprint checks will be performed on resource people/volunteers who:

- Chaperone any field trips, including overnight excursions.
- Will be volunteering in a building on a regular basis throughout the school year (e.g., at least on a monthly basis).
- May potentially be alone with an individual student or small group of students out of the sight line or supervision of a certified staff member.

In addition, the team agreed that any resource people and volunteers who are working with students in the direct line of sight of a certified staff member, or in cases where they will be in a room with a large group of students and other adults (including certified staff members), will continue to have their names run through the following three websites:

- The Illinois Sex Offender website – www.isp.state.il.us/sor/
- The Illinois State Police Murderer and Violent Crimes Against Youth Registry – www.isp.state.il.us/cmvo/personlist.cfm
- The National Sex Offender Public website – http://ojp.gov/smart/sorna_tools.htm

The district/schools will also make sure that resource people/volunteers know that they only need to undergo a fingerprint check once. Once the district has their information in its system, it will automatically receive notifications regarding any legal issues/incidents they are involved in moving forward.

While the general parameters regarding background checks have been established, the administrative leadership team will be dedicating time during one of its meetings in November to finalize the procedures and protocols for these checks and develop a plan for sharing them with staff and the community.

- Policy 7:180 (Prevention of and Response to Bullying, Intimidation and Harassment) – HLERK and fellow school attorneys from throughout the state have expressed concern regarding the recent changes in the bullying prevention legislation, most notably how information shared with the victim of a bullying incident could lead to violations of the Illinois School Student Records Act (ISSRA) and/or the Family Educational Rights and Privacy Act (FERPA). There is also a belief that legislators may need to revise the law again to address these potential privacy issues.

In the interim, HLERK recommends that the district take a conservative approach when responding to requests for information related to bullying incidents (i.e., provide what it can in accordance with the new bullying prevention legislation, but do its best to avoid violating anyone's rights under ISSRA and FERPA).

Additional information about the policy review and discussion that took place on October 21 can be accessed by visiting <https://v3.boardbook.org/Public/PublicItemDownload.aspx?ik=35637441>.

Attached are the policies that are being presented to the board tonight for adoption.

Attachments:

- Policy 2:20 – Powers and Duties of the School Board; Indemnification
- Policy 4:60 – Purchases and Contracts
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