



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 30, 2010

During the meeting on November 16, 2010, the District 97 Board of Education conducted a first reading of the following policies:

- Bylaws 0169 – Open Meetings Act Officers
- Policy 1530 – Administrative Evaluation
- Policies 1560, 3160 and 4160 – Physical Examination
- Policy 2260.01 – Section 504/ADA Prohibition Against Discrimination Based on Disability
- Policy 2431 – Extra-Curricular Activities
- Policy 2461 – Suspension/Expulsion of Disabled Students
- Policy 3122.02 and 4122.02 – Nondiscrimination Based on Genetic Information of the Employee
- Policies 3362, 4362 and 5517 – Anti-Harassment
- Policies 3419.01 and 4419.01 – Privacy Protections of Self-Funded Group Health Plans
- Policies 3430.01 and 4430.01 – Family and Medical Leaves of Absence (FMLA)
- Policy 5605 – Suspension/Expulsion of Students with Disabilities
- Policy 8315 – Information Management
- Policy 8600 – Transportation

The policy committee obtained additional information about these policies from Neola, HLERK (the district's legal counsel), and members of the Administrative Leadership team to ensure they are legally compliant and in alignment with the district's efforts to deliver a quality education to the children of Oak Park.

In response to the questions and comments raised by the Board members at the meeting on November 16, additional revisions have been made to several of the policies in this group. These revisions include:

Policy 2260.01 – Section 504/ADA Prohibition Against Discrimination Based on Disability

- In the second paragraph of the section titled Facilities on page four of the policy, the first sentence was revised to read as follows:

For facilities constructed or those portions of the facilities altered after June 3, 1977, the District will comply with applicable accessibility standards.

Policies 3362 and 4362 – Anti-Harassment

- The words definition of were removed from the title of the section regarding sexual harassment that begins on page two of both policies.

- The word definitions listed above the section regarding race color harassment on page three of both policies was removed.
- The following two sentences were deleted from the third paragraph on the first page of both policies.

Sexual harassment is a form of discrimination prohibited by Title VII of the Civil Right Act of 1964. Sexual harassment is any unwanted attention of a sexual nature that interferes with one's ability to do one's job.

They were moved to the first paragraph of the section newly titled Sexual Harassment on page two of both policies. This paragraph now reads:

Sexual harassment is a form of discrimination prohibited by Title VII of the Civil Right Act of 1964. Sexual harassment is any unwanted attention of a sexual nature that interferes with one's ability to do one's job; and consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when any of these conditions exist:

- The section titled Sexual Harassment as Sexual Abuse was moved up in both policies to the spot right after the section titled Sexual Orientation Harassment on page four. Included in the section about sexual harassment as sexual abuse is the following definition of sexual abuse taken from the Illinois Department of Human Services' Web site:

Sexual abuse is any sexual behavior, sexual contact or intimate physical contact between an employee and an individual, including an employee's coercion or encouragement of an individual to engage in sexual activity that results in sexual contact, intimate physical contact, sexual behavior or intimate physical behavior.

Policy 5517 – Anti-Harassment

- The words definition of were removed from the title of the section regarding sexual harassment that begins on page two of the policy.
- The word definitions listed above the section regarding race color harassment on page three of the policy was removed.
- The following two sentences were deleted from the third paragraph on the first page of the policy.

Sexual harassment is a form of discrimination prohibited by Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. Sexual harassment is any attention of a sexual nature that interferes with a student's ability to benefit from his/her education.

They were moved to the first paragraph of the section newly titled Sexual Harassment on page two of the policy. This paragraph now reads:

Sexual harassment is a form of discrimination prohibited by Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972. Sexual harassment is any attention of a sexual nature that interferes with a student's ability to benefit from his/her education; and consists of sexual advances, request for sexual favors, sexually motivated physical conduct, or

other verbal or physical conduct or communication of a sexual nature when any of these conditions exist:

- The section titled Sexual Harassment as Sexual Abuse was moved up in the policy to the spot right after the section titled Sexual Orientation Harassment on page four. Included in the section about sexual harassment as sexual abuse is the following definition of sexual abuse taken from the Illinois Department of Human Services' Web site:

Sexual abuse is any sexual behavior, sexual contact or intimate physical contact between an employee and an individual, including an employee's coercion or encouragement of an individual to engage in sexual activity that results in sexual contact, intimate physical contact, sexual behavior or intimate physical behavior.

- The following sentence was added to the section about retaliation located on page six of the policy:

Any student engaging in retaliatory conduct against another student or a staff member shall be subject to disciplinary action in accordance with district policy and the law.

Policy 8315 – Information Management

- On the third page of the policy, the ninth line of the second paragraph was changed from:

...assistants (“PDAs” – including Palm, Blackberry, cellular phone, tablet PC, etc.);

to:

...assistants that are similar, but not limited to a smart phone, cellular phone, tablet PC, etc.;

Policy 8600 – Transportation

- In the fourth paragraph on the first page of the policy, the second sentence has been revised to read as follows:

Prior to exiting the bus, the driver must inspect his/her vehicle by walking to the rear of the bus and checking each seat for any remaining passenger.

In addition to these revisions, the policy committee and district administration are working on changes to the following policies and will bring them before the Board for a first reading at a later date:

- Policy 1530 – Administrative Evaluation
- Policy 2431 – Extra-Curricular Activities
- Policy 9150 – School/Classroom Visits

Attached are the policies that feature recommended changes from the committee. Revisions to existing district policies, which are printed in a standard District 97 format, are in bold text. Revisions to the new policies from Neola, which are printed on the company's letterhead, are handwritten in accordance with the company's procedures. All of these policies were made available for review by the general public via the Policies/Publications page (<http://www.op97.k12.il.us/boe/policies.html>) on the district's Web site.

The policies are being presented to the Board tonight for adoption.

Attachments:

- Bylaws 0169 – Open Meetings Act Officers
- Policies 1560, 3160 and 4160 – Physical Examination
- Policy 2260.01 – Section 504/ADA Prohibition Against Discrimination Based on Disability
- Policy 2461 – Suspension/Expulsion of Disabled Students
- Policy 3122.02 and 4122.02 – Nondiscrimination Based on Genetic Information of the Employee
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