



Oak Park Elementary School District 97

970 Madison ▪ Oak Park ▪ Illinois ▪ 60302 ▪ ph: 708.524.3000 ▪ fax: 708.524.3019 ▪ www.op97.org

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

FROM: Chris Jasculca

RE: Policy Review and Discussion

DATE: December 17, 2013

The district's policy review team (Amy Felton, Denise Sacks and Chris Jasculca) reviewed/discussed the proposed policy changes that were featured in the most recent Update Memo provided by the Policy Reference Education Subscription Service (PRESS). Below is a summary of the changes along with the team's recommendations.

- Policy 2:250 (Access to District Public Records) – PRESS is requiring that the policy's footnotes be revised to reflect changes to the Prevailing Wage Act, which was amended by Public Acts 98-328 and 98-482. The revisions to the footnotes do not require board action.
- Policy 3:60 (Administrative Responsibility of the Building) – There are several recommended and/or required changes to the policy, including:
 - The first sentence of the policy has been updated to reflect the Board of Education's ability/authority to employ assistant principals.
 - Per Illinois law, more specifically 105 ILCS 5/24A-3(b), all teachers must be evaluated by a prequalified evaluator. As a result, the policy language has been revised to include the following sentence: "Each building principal and assistant principal shall complete State law requirements to be a prequalified evaluator before conducting an evaluation of a teacher or assistant principal."
 - Since all districts must have an evaluation plan for principals and assistant principals, the first sentence of the policy's last paragraph has been changed to read as follows: "The superintendent or designee shall implement an evaluation plan for principal and assistant principals that complies with Section 24A-15 of the School Code and relevant Illinois State Board of Education rules."
 - There is an option to revise the second sentence of the policy's last paragraph to read as follows: "Using that plan, the superintendent or designee shall evaluate each building principal and assistant principal, or, in the absence of the superintendent or his or her designee, an individual appointed by the school board who holds a registered Type 75 State administrative certificate."

The policy review team agrees with all of these revisions, including the optional change to the second sentence in the last paragraph and the corresponding edits to the legal references. There are also changes to the footnotes that do not require board action.

- Policy 4:100 (Insurance Management) – School districts that include grades nine through 12 are now required by law to maintain catastrophic insurance coverage for student athletes participating in interscholastic athletic events sanctioned by the IHSA. While this mandatory change to the policy does not apply to our district, the following optional provision for K-8 districts does:

“Accident and/or health insurance on a group or individual basis for students in grades kindergarten through 8 participating in any school-sponsored athletic activity.”

However, since we do not offer health insurance for students, the policy review team recommends including the following revised version of the optional provision in our policy:

“Accident insurance on a group or individual basis for students in grades kindergarten through 8 participating in any school-sponsored athletic activity.”

- Policy 5:50 (Drug- and Alcohol-Free Workplace; Tobacco Prohibition) – There are several recommended and/or required changes to the policy, including:
 - PRESS is recommending that the first item following the introductory paragraph be changed from “Unlawful manufacture, dispensing, distribution, possession or being under the influence of a controlled substance” to “Unlawful manufacture, dispensing, distribution, possession or use of a controlled substance.”
 - PRESS is recommending that “Possession or use of medical cannabis” be added as a third item following the introductory paragraph because there are a number of situations in which no one, even a registered qualifying patient, may possess or use cannabis, including in a school bus or on school grounds.
 - While the issue is not covered in the state or federal drug-free workplace acts, PRESS recommends adding the following sentence right after the section that begins with “As a condition of employment...”

“Unless otherwise prohibited by this policy, prescription and over-the-counter medications are not prohibited when taken in standard dosages and/or according to prescriptions from the employee’s licensed health care provider, provided that an employee’s work performance is not impaired.”

The rationale for including this sentence in the policy is that an employer should generally not ask an employee about his or her use of a prescription or over-the-counter medication.

The policy review team agrees with these revisions, as well as the corresponding edits to the legal references. There are also changes to the footnotes that do not require board action.

- Policy 5:90 (Abused and Neglected Child Reporting) – Several changes have been made to the policy to align it with new public acts and make it easier to use. These changes include:
 - Minor revisions to the first paragraph that are based on feedback from PRESS subscribers and also support organizational changes aimed at making the policy more user-friendly.

- The addition of the following paragraph, which reflects the new duty to report hazing as outlined in Public Act 98-393:

“Any District employee who observes any act of hazing that does bodily harm to a student must report that act to the Building Principal, Superintendent or designee who will investigate and take appropriate action. If the hazing results in death or great bodily harm, the employee must first make the report to law enforcement and then to the Superintendent or Building Principal. Hazing is defined as any intentional, knowing, or reckless act directed to or required of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students.”

- The addition of the section titled “Abused and Neglected Child Reporting Act (ANCRA), School Code and *Erin’s Law* Training.” This section features language about the School Code training requirement, the ANCRA training that is required by 325 ILCS 5/4 and Public Act 98-408, and the recommendation for training that was featured in the report produced by the *Erin’s Law* Taskforce.
- The addition of the subheads “Special Superintendent Responsibilities” and “Special School Board Member Responsibilities,” which support the organizational changes that were made to the policy.

PRESS also recommends making the following three optional revisions:

- Remove the phrase “or, for a student aged 18 through 21, an abused or neglected individual with a disability” from the first paragraph since it does not apply to elementary school districts.
- Add the following information about what should be included in a DCFS report to the first paragraph:

“The report shall include, if known:

1. The name and address of the child, parent/guardian names, or other persons having custody;
 2. The child’s age;
 3. The child’s condition, including any evidence of previous injuries or disabilities; and
 4. Any other information that the reporter believes may be helpful to DCFS for its investigation.
- Replace Regional Superintendent with appropriate Intermediate Educational Service Center in the second paragraph under “Special Superintendent Responsibilities.” This change is related to Public Act 96-893, which abolished the Regional Office of Education for Suburban Cook County and transferred its duties and powers to Intermediate Service Centers.

The policy review team agrees with all of these revisions, as well as the corresponding edits to the legal references. There are also changes to the footnotes and cross references that do not require board action.

- Policy 5:100 (Staff Development Program) – The policy has been rewritten to include new training requirements and provide a more accessible list of the in-services and trainings that are required by law. The policy review team agrees with this rewrite.

The cross references and administrative procedure references for the policy have been amended to include references to other PRESS materials that address in-services and trainings. In addition, one of the footnotes has been updated to include information about new training requirements. These revisions do not require board action.

- Policy 5:120 (Ethics and Conduct) – PRESS is recommending that the following sentence be added to the first paragraph of the policy:

“In addition, the *Code of Ethics for Illinois Educators*, adopted by the Illinois State Board of Education, is incorporated by reference into this policy.”

Although this change is not required, it reflects the board’s commitment to the *Code*’s principles. It also may allow the board to enforce the *Code* independently from any action taken by the State Superintendent.

The policy review team agrees with this revision, as well as the corresponding edit to the legal references. There are also changes to the footnotes that do not require board action.

- Policy 5:200 (Terms and Conditions of Employment and Dismissal) – The legal references have been updated to include a reference to 23 Ill.Admin.Code Parts 50 (Evaluation of Certified Employees) and 51 (Dismissal of Tenured Teachers). The policy review team recommends making this update.

The footnotes have also been edited to include summaries of two letters from the Public Access Counselor. These edits do not require board action.

- Policy 6:20 (School Year Calendar and Day) –The footnotes have been edited to include the following items on the list of commemorative holidays:
 - Iraq and Afghanistan Veterans Remembrance Day on October 7 (105 ILCS 5/24-2, amended by Public Act 98-156)
 - Mother Mary Ann Bickerdyke Day on the second Wednesday in May (5 ILCS 490/175, added by Public Act 98-141)

These edits do not require board action.

- Policy 6:60 (Curriculum Content) – The policy, cross references and footnotes have been updated to include references to the child sexual abuse and assault prevention education that are required in conjunction with Public Acts 96-1524 and 97-1147. The change to the policy, which is the only item that requires board action, features the addition of part e to item number eight on the first page. This item reads as follows:

“(e) age-appropriate sexual abuse and assault awareness and prevention education in all grades.”

The policy review team recommends making this mandatory change.

- Policy 6:250 (Community Resource Persons and Volunteers) – State law, more specifically 720 ILCS 5/12C-50.1, requires that the following sentence be added to the policy:

“All volunteer coaches must comply with the requirement to report hazing in policy 5:90, *Abused and Neglected Child Reporting*.”

The policy review team recommends making this mandatory change, as well as the corresponding edit to the legal references. There are also changes to the footnotes and cross references that do not require board action.

- Policy 7:180 (Teen Dating Violence Prohibited)– State law, more specifically 105 ILCS 110/3.10, requires all districts with students enrolled in grades seven through 12 to have a policy on teen dating violence. The law also requires the policy to “establish procedures for the manner in which school employees are to respond to teen dating violence.” The policy review team recommends adopting this mandatory policy.
- Policy 7:300 (Extracurricular Athletics) – The legal references have been revised to reflect changes in Policy 4:100 (Insurance Management). The policy review team recommends making this revision.

There are also changes to the footnotes and cross references that do not require board action.

- Policy 8:30 (Visitors to and Conduct on School Property) – The changes to the policy language that are featured in the update relate to the PRESS version of the policy. The district’s version of this policy was written from scratch with help from our legal counsel, so these changes do not apply. However, the legal references in the district’s version of the policy have been updated to reflect changes in the law, more specifically the Firearm Concealed Carry Act and the Compassionate Use of Medical Cannabis Pilot Program. The policy review team recommends making the changes to the legal references.

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 website (<http://www.op97.k12.il.us/boe/policies.html>).

A second reading and approval of these policies is scheduled for the board meeting on January 14, 2014.

Attachments:

- Policy 3:60 – Administrative Responsibility of the Building
- Policy 4:100 – Insurance Management
- Policy 5:50 – Drug – and Alcohol-Free Workplace; Tobacco Prohibition
- Policy 5:90 – Abused and Neglected Child Reporting
- Policy 5:100 – Staff Development Program
- Policy 5:120 – Ethics and Conduct
- Policy 5:200 – Terms and Conditions of Employment and Dismissal
- Policy 6:60 – Curriculum Content
- Policy 6:250 – Community Resource Persons and Volunteers
- Policy 7:185 – Teen Dating Violence Prohibited
- Policy 7:300 – Extracurricular Athletics
- Policy 8:30 – Visitors to and Conduct on School Property