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**To: Board Members**

**From: Karen Hill**

**Date: May 4, 2012**

**Re: Policy Revisions**

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Policy 1422.02/3122.02 – Nondiscrimination Based on Genetic Information of the Employee (New/Revised)

Language has been added to these policies as a result of the latest release of regulations by the Equal Employment Opportunities Commission regarding the Genetic Information Nondiscrimination Act (GINA). The definition of genetic information and requirements for the “safe harbor” provision are included. These revisions are strongly recommended in order to provide specific direction regarding the topic.

Policy 1443 – Non-Renewal of Administrative Contracts (New)

This policy replaces Policy 3143 – Non-Renewal of Administrative Contracts and has been rewritten to reflect the specific notification requirements of statute. This policy reflects the current state of the law and should be adopted to maintain accurate policies.

Policy 1460/3160/4160 – Physical Examination (New Revised)

See note on Policy 1422.02/3122.02/4122.02

Policy 1461/3161/4161 – Unrequested Leaves of Absence/Fitness of Duty (New/Revised)

See same note above.

Policy 1623/3123/4123 – Section 504/ADA Prohibition Against Disability Discrimination in Employment (New)

These new policies are being added in the respective sections to address 504/ADA implications as they pertain to employment. The content is the same in all 3 policies. See note on Policy 2260.01.

Policy 2260.01 – Section 504/ADA Prohibition against Discrimination Based on Disability (Revised)

The Americans with Disabilities Act of 2008 (“ADAAA”) has extended the protections offered by the original ADA. Since 2006, Policy 2260.01 has served as the main source of information on Section 504 and ADA. As a result, Policy 2260.01 has included references to both employment and facilities although the 2000 section is typically designated for programs. NEOLA clients have reported that the 2000 section is not where they go for information on either staff issues or facilities issues. As a result, this policy is being revised to remove the employment references and general public references from this policy and insert that information in policies in the appropriate sections for those topics.

Employment topics that have been removed from Policy 2260.01 are now found in Policy 1623/3123/4123, along with other related content originally found in Policy 2260.01. The information pertaining to access by the general public is now found in Policy 9160. Other clarifications and refinements have also been made.

The content of these policies reflect the current state of the law and should be adopted to maintain accurate policies. In addition, this reorganization of the 504/ADA information should help make these policies easier to access and use.

Policy 3131 – Staff Reductions/Recalls (Replacement)

This replacement policy is provided in response to the requirements of Public Act 102-2011, which creates a new Section 1248 in the School Code. The Governor’s Council on Educator Effectiveness is charged with preparing a model policy. In the meantime, the NEOLA template addresses the compliance components regarding reductions in instructional staff and recall provisions.

This policy reflects the current state of the law and should be adopted to maintain accurate policies.

Policy 3143 – Non-Renewal of Administrative Contracts (Delete)

See note on Policy 1443.

Policy 5771 – Search and Seizure (Revised)

A revision was made to this policy in response to client requests. An option was provided to include communication devices (cell phones, etc.) in this authorization. Such provision is already addressed in Policy 5136 – Wireless Communication Devices.

This option is recommended, but not required.

Policy 7540.03 – Student Network and Internet Acceptable Use and Safety (Revised)

The latest round of rule-making with regard to the Children’s Internet Protection Act (effective July 1, 2012) requires school districts to monitor the online activities of students. While the regulations do not specify how much monitoring should be done, optional language was provided to assist the Administration in their implementation. Steve Miller and Karen met with Ben Smith from NEOLA to review our District’s plan for implementation.

Revisions to this policy reflect the current state of law and should be adopted to maintain accurate policies.

Policy 7540.04 – Staff Network and Internet Acceptable Use and Safety (Revised)

See above.

Policy 9160 – Public Attendance at School Events (Revised)

See note on Policy 2260.01.