



# Oak Park Elementary School District 97

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

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TO: Dr. Albert G. Roberts, Superintendent of Schools  
FROM: Therese M. O'Neill, Asst. Supt. for Finance & Operations  
SUBJECT: Food Service Waiver  
DATE: April 24, 2012

The process for re-applying for the 5-year food service waiver included:

- 1) Advance written notice of a public hearing to:
  - a) All unions within the School District
  - b) All state legislators (senators and representatives) serving Oak Park District 97.
- 2) Publication of a legal notice announcing such public hearing.
- 3) Holding Public Hearing and documenting any public testimony.

All of this has been done and attached is the formal waiver and accompanying letter explaining reasons for such waiver. The final step is for the Board of Education to formally approve this evening.

tmo

attachments (2)

ILLINOIS STATE BOARD OF EDUCATION  
Rules and Waivers Unit  
100 North First Street, S-493  
Springfield, Illinois 62777-0001  
Phone 217/782-5270

**APPLICATION FOR WAIVER OR MODIFICATION  
OF STATE BOARD RULES AND/OR SCHOOL CODE MANDATES**

This application is to be used for seeking a waiver or modification of State Board of Education rules or of School Code mandates in accordance with Section 2-3.25g of the School Code [105 ILCS 5/2-3.25g]. The completed application must be submitted by certified mail, return receipt requested, to the above address. Please use the instructions on reverse side when completing this application.

**Please note that action on incomplete applications will be delayed until all required documentation is received.**

1. The application is for: (Check appropriate box(es) below.)

WAIVER OF SCHOOL CODE     WAIVER OF ISBE RULE     MODIFICATION OF SCHOOL CODE     MODIFICATION OF ISBE RULE

2. APPLICANT'S NAME AND NUMBER Oak Park School District 97	CONTACT PERSON Therese M. O'Neill, Asst. Supt. Finance/Operations
APPLICANT'S ADDRESS 970 West Madison Street Oak Park, IL 60302	CONTACT PERSON'S TELEPHONE NUMBER/EXTENSION 708-524-7623
SUPERINTENDENT/EXECUTIVE DIRECTOR Dr. Albert G. Roberts	CONTACT FAX NUMBER 708-383-6460
COUNTY Cook	E-MAIL ADDRESS OF CONTACT PERSON toneill@op97.org
	Can we contact your e-mail address? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

3. Provide citation or language of the rule(s) or School Code mandate(s) which are the subject of this application. If you are requesting a modification, display it here, using strike through or underlining.

23 IL Administrative Code-305.15

4. Attach a narrative identifying and justifying the specific request.

a. For proposed waivers and modifications of rules or modifications of School Code mandates that are based upon meeting the intent of the rule or mandate in a more effective, efficient or economical manner, a narrative description must provide all of the required information (see Item 4(a) on the reverse side).

See Attachment

b. All proposed waivers/modifications requested to stimulate innovation or improve student performance, including all proposed waivers of School Code mandates, shall provide the specific plan for improved student performance and school improvement upon which the request is being based and how the applicant will determine success (see Item 4(b) on the reverse side).

N/A

c. Applications requesting waivers from Section 17-1.5 of the School Code must include the amount, nature, and reason for the requested relief and all remedies that have been exhausted by the district to comply with the administrative expenditure limitation.

N/A

5. **Public Testimony:** Attach a description of the testimony provided, to include the information enumerated in item 5 on the reverse side.

6. This application is for:  INITIAL WAIVER/MODIFICATION     RENEWAL OF PREVIOUSLY APPROVED WAIVER/MODIFICATION  
This application requests waiver/modification for \_\_\_\_\_ years (from \_\_\_\_\_ school year through \_\_\_\_\_ school year).  
(See Item 6 on reverse side for limits on the duration of waivers/modifications.)

7. Attach a copy of each public notice required. Any request not meeting the requirements will be returned as ineligible for consideration.

8. Compliance with Notice and Hearing Requirements

I certify that a hearing concerning this application and any associated plan for improved student performance was held on \_\_\_\_\_ and, for those applicants requesting waivers or modifications of the daily physical education requirement, that the regular<sup>(date)</sup> board meeting(s) were held on \_\_\_\_\_ of that month.  
(date)

I further certify that the applicant has met all the notification and hearing requirements enumerated in items A and B on reverse side and that the board of education/board of directors of the applicant identified above approved this application on \_\_\_\_\_.  
(date)

\_\_\_\_\_ Date

\_\_\_\_\_ Signature of Applicant (i.e., District Superintendent/Executive Director/Regional Superintendent)



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April 24, 2012

Ms. Winifred H. Tuthill  
Illinois State Board of Education  
Nutrition Programs Division  
100 North First Street  
Springfield, IL 62777

Re: Food Service Waiver Request

Dear Ms. Tuthill:

Oak Park School District 97 currently has a waiver of 23 Illinois Administrative Code 305 that permits competitive food sales for the exclusive benefit of not-for-profit organizations in support of the District's educational programs. That waiver, approved in 2007, expires at the end of this current school year. The District is making application for another five-year waiver. In so doing, we acknowledge the new nutrition rules and the obligation of the District to ensure that any competitive food sales conform fully to those nutrition rules.

District 97 has conformed to the waiver process by providing advance written notice of a public hearing to all unions within the District and to all appropriate state legislators (senators and representatives), publishing a legal notice and holding such public hearing (please note copies all letters sent and certificate of publication). Also attached is the only statement made at the public hearing in support of the support.

The food fund raisers support our two middle school PTOs, whose support is invaluable to the District's continued academic success. More importantly, food fund raising is necessary for the continuation of the District's award-winning CAST and BRAVO integrated arts programs. Without earnings from occasional lunch-time fund-raisers, CAST and BRAVO will be unable to sustain their art, music, and drama initiatives. Their programs would need to be scaled back, and necessary financial support for those students unable to otherwise participate would exacerbate the financial problem. District 97's free and reduced percentage is approximately 20%.

Please contact me if you require any additional information or explanation. We eagerly await your response.

Sincerely,

Albert G. Roberts, Ph.D.  
Superintendent of Schools

Enclosures