



NEOLA of ILLINOIS

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BYLAWS

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NEW BYLAW - 0169 - VOL 15, NO. 2

0169

Open Meetings Act Officers

The District designates the Communications Coordinator as the District's Open Meetings Act Officer(s). Such Officer(s) are required to successfully complete an electronic training program developed by the Public Access Counselor of the Illinois Attorney General's Office in accordance with state law. The District will notify the Public Access Counselor of the names of the designated officers, and of any changes to the designated officers.

5 ILCS 120/1.05



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ADMINISTRATION

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REVISED POLICY - VOL. 15, NO. 2

ADMINISTRATIVE EVALUATION

The Board of Education through the powers derived from the School Code and regulations, is responsible for the employment and discharge of all personnel. To carry out this responsibility, it delegates to the Superintendent the function of establishing and implementing a program of administrative evaluation for all administrators except principals. The requirements for principals, which are established by State law, are set forth below and in the accompanying administrative guideline.

The purpose of administrative evaluation is to:

- strive for the improvement of the total District program;
 - stress the importance of personal improvement on the part of the administrator;
 - ensure the continuous improvement of administrative and supervisory performance.
- In order to implement an evaluation process that promotes improvement in administrative performance, development may () shall involve members of the administrative team.
- Evaluation of administrative performance will be assessed annually.

Principal's Evaluation:

The ***This policy includes the*** School District's ~~must adopt~~ a Principal Evaluation Plan.

Evaluations must be in writing and performed by the District Superintendent, his/her designee, or by an individual appointed by the School Board who holds a Type 75 certificate.



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~~Every~~ **Prior to September 1, 2012, every** evaluation must include a description of the principal's duties and responsibilities and the standard to which the principal must conform, and must accomplish at least the following:

- A. include a description of the duties, responsibilities and standards the principal is expected to conform to;**
- A.B.** explain the principal's specific duties, responsibilities, management, and competencies
- ~~B.C.~~ list the principal's strengths and weaknesses **and include reasons supporting the strengths and weaknesses** ~~with supporting reasons, and~~
- ~~C.D.~~ ~~align with the Illinois Professional Standards for School Leaders or research-based District standards~~ **align with research based standards established by administrative rule.**

On and after September 2, 2012, the evaluation must include items A, B, C and D above and must include the use of data and indicators on student growth as a significant factor in rating performance. In addition, each principal's performance must be rated as "excellent", "proficient", "needs improvement" or "unsatisfactory."

Principals with a one (1) year contract will receive a written evaluation at least once, by ~~February~~ **March** 1st of the year the contract is in effect. For principals with a multi-year contract, a written evaluation will be completed ~~every~~ **every** year by ~~February~~ **March** 1st () every other year by February 1st () during the final year of the contract by ~~February~~ **March** 1st.

The District may consider additional evaluations of the principal if it chooses.

On and after September 1, 2012, each principal must be evaluated at least once every school year.



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Failure to evaluate a principal at least once by ~~February~~ **March** 1st in the case of a single year, and by the same date of the final year in the case of a multi-year contract, is evidence that the principal's performance meets the District standards and automatically extends the principal's contract for a year under the same terms and conditions of the prior year contract.

A copy of each evaluation will be placed in the principal's personnel file and provided to the principal.

105 ILCS 5/24A et. seq.

105 ILCS 5/10-21.4a



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REVISED POLICY - VOL. 15, NO. 2

PHYSICAL EXAMINATION

The Board of Education and/or Superintendent will require all administrators, after a conditional offer of employment, to submit to an examination in order to determine the physical and/or mental capacity to perform assigned duties. Such examinations shall be done in accordance with the Superintendent's guidelines.

~~Reports of all such examinations or evaluations shall be delivered to the Superintendent, who shall protect their confidentiality. Reports will be maintained in a separate, confidential medical file *in accordance with the Americans with Disabilities Act and the Genetic Information Nondiscrimination Act.*~~

The Board shall assume all fees for a required examination.

~~**NOTE:** If a physical examination is used as the method for determining physical fitness to meet the requirements of 105 ILCS 5/24-5, everyone in that job classification must be required to have the physical.]~~

105 ILCS 5/24-5

42 U.S.C. 12101 et seq.

29 C.F.R. Part 1630

42 U.S.C. 2000ff et seq., *The Genetic Information Nondiscrimination Act*

29 C.F.R. Part 1635



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NEW POLICY - VOLUME 15, NO. 2

SECTION 504/ADA

PROHIBITION AGAINST DISCRIMINATION BASED ON DISABILITY

Pursuant to Section 504 of the Rehabilitation Act of 1973 and its implementing regulations ("Section 504"), no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Board of Education does not discriminate in admission or access to, participation or treatment, or employment in, its programs or activities. As such, the Board's policies and practices will not discriminate against employees and students with disabilities, will provide equal opportunity for employment, and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the District.

As used in this policy and the implementing administrative guidelines, "an individual with a disability" means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.



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The determination of whether an impairment substantially interferes with a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aids or services, or learned behavior or adaptive neurological modifications.

With respect to employment, a qualified person with a disability means a disabled person who, with reasonable accommodation, can perform the essential functions of the job in question.

With respect to public preschool, elementary and secondary educational services, a qualified person with a disability means a disabled person:

- A. who is of an age during which nondisabled persons are provided educational services;
- B. who is of any age during which it is mandatory under Illinois law to provide educational services to disabled persons; or
- C. to whom the State is required to provide a free appropriate public education pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA).

With respect to vocational education services, a qualified person with a disability means a disabled person who meets the academic and technical standards requisite to admission or participation in the vocational program or activity.



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Director of Special Education

_____ **[name(s)]**, _____ **[title(s)]**, **[is] [are]** the District Section 504 Compliance Officer(s)/ADA Coordinator(s) ("District Compliance Officer(s)"). The District Compliance Officer(s) **[is] [are]** responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act ("ADA"). A copy of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, including copies of their implementing regulations, may be obtained from the District Compliance Officer. The District Compliance Officer can be reached at:

970 Madison St., Oak Park, IL 60302 (address)

(708) 524-3000 (phone number)

_____ (facsimile number)

_____ (e-mail)

The District Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure, and will attempt to resolve such complaints.

The District Compliance Officer(s) will also oversee the training of employees in the District so that all employees understand their rights and responsibilities under Section 504 and the ADA, and are informed of the Board's policies, administrative guidelines and practices with respect to fully implementing and complying with the requirements of Section 504/ADA.

Employment Practices

Discrimination Prohibited

In accordance with Section 504/ADA, no qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment under any of the District's programs or activities. Further, the Board will take positive steps to employ and advance in employment qualified individuals with disabilities. The Board will not limit, segregate or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.



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Reasonable Accommodation

The Board will make reasonable accommodation(s) to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation(s) would impose an undue hardship on the operation of the District's program and/or activities.

Facilities

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or ^{portions of the facilities} altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto. Programs and activities will be designed and scheduled so that the location and nature of the facility or area will not deny a student with a disability the opportunity to participate on the same basis as students without disabilities. The District will meet its obligation through such means as redesign of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, alteration of existing facilities and/or construction of new facilities, or any other method that results in making its programs and activities accessible to persons with disabilities. In choosing among available methods for meeting its obligations, the District will give priority to those methods that serve persons with disabilities in the most integrated setting appropriate.

Education

The Board is committed to identifying, evaluating, and providing a free appropriate public education (FAPE) to students within its jurisdiction who are disabled within the definition of Section 504, regardless of the nature or severity of their disabilities.



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If a student has a physical or mental impairment that significantly limits one or more major life activities, the Board will provide the student with a free appropriate public education. An appropriate education may include regular or special education and related aids and services to accommodate the unique needs of students with disabilities. For disabled students who are not eligible for specially designed instruction under IDEIA, the related aids and services (including accommodations/modifications/interventions) they need in order to have their needs met as adequately as the needs of nondisabled students are met, shall be delineated, along with their placement, in a Section 504 Plan (Form 2260.01A F13).

Parent(s)/guardian(s)/~~custodian(s)~~ ("parents") are invited and encouraged to participate fully in the evaluation process. If the parents disagree with the determination made by the District's professional staff, they may file an internal complaint, request a hearing with an impartial hearing officer, or file a complaint with the Office of Civil Rights.

The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the District with persons who are not disabled to the maximum extent appropriate. Generally, the District will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment even with the use of supplementary aids and services cannot be achieved satisfactorily. If the District places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.



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The District will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such services and activities. Nonacademic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interests groups or clubs sponsored by the District, referrals to agencies that provide assistance to persons with disabilities, and employment of students. In providing or arranging for the provision of meals and recess periods, and nonacademic and extracurricular services and activities, including those listed above, the District will verify that persons with disabilities participate with persons without disabilities in such activities and services to the maximum extent appropriate.

Notice of the Board's policy on nondiscrimination in employment and education practices and the identity of the District's Compliance Officer(s) will be posted throughout the District, and published in the District's recruitment statements or general information publications.

The Board directs the Superintendent to prepare administrative guidelines for facilitating the prompt, fair and appropriate identification, referral, evaluation and placement of students with disabilities in accordance with Section 504.

The Board will provide in-service training and consultation to staff on the education of persons with disabilities, as necessary and appropriate.

The Board will utilize a system of procedural safeguards that will provide for prompt and equitable resolution of complaints alleging violations of Section 504/ADA. Due process rights of students with disabilities and their parents under Section 504 will be enforced.

29 C.F.R. Part 1630

29 U.S.C. § 794, Section 504 Rehabilitation Act of 1973, as amended

34 C.F.R. Part 104

42 U.S.C. § 12101 *et seq.*, Americans with Disabilities Act of 1990, as amended

Oak Park Elementary School District #97

Bylaws & Policies

2431 - EXTRA-CURRICULAR ACTIVITIES

The School Board recognizes that student activities sponsored by the District will contribute to the leadership abilities, social well-being, self-realization, good citizenship and general growth of all students.

Student activities are defined as planned, organized and supervised activities conducted under the auspices of the District which primarily involve students in other than classroom situations. The District may schedule two (2) categories of extracurricular activities: those which meet during a period listed on the school's daily schedule; those which meet at a time outside the regular school hours.

The purpose of the student activities program is to:

- A. provide an outlet for student interest and abilities;
- B. contribute to the mental, physical and moral growth of the student;
- C. provide group activities;
- D. foster leisure-time activities.

In order to be eligible for any extra-curricular activity, a student must have maintained at least a 2.0 grade-point average, and must not have received a failing grade in any course for the grading period prior and the grading period in which s/he wishes to participate.

If a student who becomes ineligible under these standards improves his/her grade point average during the current grading period enough to meet the eligibility standards, s/he may be reinstated at the beginning of the next grading period.

In the case of a student being educated under an IEP, the IEP Team shall determine whether or not the student has met the eligibility standards appropriate for participation in an extra-curricular activity.

The principal **or designee** shall be responsible for the student activities program in **his/her** school, operating them in accordance with School Board policies, administrative procedures and Superintendent directives.

Principals **or designees** shall be responsible for the scheduling and announcing of extracurricular activities for students. The principal **or designee** may schedule activities as s/he deems appropriate. An attempt shall be made not to schedule student activities after 6:00 p.m.



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DELETE POLICY - REPLACED BY POLICY 5605

SUSPENSION/EXPULSION OF DISABLED STUDENTS

In matters relating to the disciplining of disabled students, the Board of Education shall abide by Federal and State law regarding suspension and expulsion.

The Superintendent shall establish administrative guidelines and ensure they are properly used when disciplining any student with a disability.

20 U.S.C. Section 1401 et seq.

Section 1412-1573 Rehab. Act

29 U.S.C. 701 et seq.

U.S. Supreme Court, Honig v Doe, 56 USLW 4091

DELETE



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NEW POLICY - VOLUME 15, NO. 2

NONDISCRIMINATION BASED ON GENETIC
INFORMATION OF THE EMPLOYEE

The Board of Education does not discriminate against any employee or applicant for employment with respect to hiring, compensation, terms, conditions, or privileges of employment based on genetic information. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Retaliation against an applicant or employee for engaging in protected activity is prohibited.

The Board shall only acquire and/or disclose genetic information of an employee or applicant for employment as provided by Federal law and regulation.

The Superintendent shall appoint a compliance officer whose responsibility it will be to ensure that Federal regulations are complied with and that any inquiries or complaints are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members.

~~[NOTE: It should be noted that any sections of the District's collective bargaining agreements dealing with terms and conditions of employment, should contain a statement of nondiscrimination similar to that in the Board's statement above.]~~

29 C.F.R. Part 1635

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act



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REVISED POLICY - VOL. 15, NO. 2

PHYSICAL EXAMINATION

The Board of Education and/or Superintendent will require all new professional staff members, after a conditional offer of employment, to submit to an examination in order to determine the physical and/or mental capacity to perform assigned duties. Such examinations shall be done in accordance with the Superintendent's guidelines.

~~Reports of all such examinations or evaluations shall be delivered to the Superintendent, who shall protect their confidentiality. Reports will be maintained in a separate, confidential medical file~~ ***in accordance with the Americans with Disabilities Act and the Genetic Information Nondiscrimination Act.***

The Board shall assume all fees for a required examination.

~~**[NOTE. If a physical examination is used as the method for determining physical fitness to meet the requirements of 105 ILCS 5/24-5, everyone in that job classification must be required to have the physical.]**~~

105 ILCS 5/24-5

42 U.S.C. 12101 et seq.

29 C.F.R. Part 1630

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

29 C.F.R. Part 1635

Oak Park Elementary School District #97

Bylaws & Policies

3362 - ANTI-HARASSMENT

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment which is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against harassment based on gender, race, color, national origin, religion, disability, **genetic information**, sexual orientation, or any other unlawful basis, and encourages those within the District's community as well as third parties, who feel aggrieved to seek assistance to rectify the problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

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.

Oak Park Elementary School District 97 is committed to maintaining a working and learning environment that is free from sexual harassment and in which all employees can work together comfortably and productively. Oak Park Elementary School District 97 prohibits and will not tolerate any form of sexual harassment.

It shall be a violation of this policy for any student or employee of Oak Park School District 97 to harass an employee through conduct or communication of a sexual nature as defined by this policy.

Oak Park Elementary School District 97 will act to investigate all complaints, either formal or informal, verbal or written, of sexual harassment.

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging harassment, or who has participated as a witness in a harassment investigation.**
- B. Filing a malicious or knowingly false report or complaint of harassment.**

- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.**

Definition of Sexual Harassment

Sexual harassment 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:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program or activity.**
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.**
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.**

The unwelcomeness of any act of sexual harassment toward a student is implied because of the age of the students of Oak Park Public School District 97.

Examples of prohibited behavior that is sexual in nature and is unsolicited and unwelcome include but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.**
- B. Physical assault.**
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.**
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene phone calls.**
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.**
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.**
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.**
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.**
- I. In the context of a consensual sexual relationship where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and**

where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

- J. Any employee who makes a sexual advance toward or requests a sexual favor from a student or accepts a sexual advance made by a student or a request for a sexual favor from a student may also be guilty of a criminal offense as set forth in the Illinois Criminal Code.**
- K. Inappropriate boundary invasions by a District employee or other adult member of the District community into a student's personal space or personal life.**

Definitions

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

Sexual Orientation Harassment

Prohibited sexual orientation harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's sexual orientation and when the conduct has the purpose or effect of interfering with the individual work or educational performance or creating an intimidating, hostile, or offensive working and/or learning environment, or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's sexual orientation, such as gender slurs, negative comments regarding the sexual preferences of a person whether known or unknown to the person responsible for the prohibited conduct; comments or nicknames implying stereotypes; or derogatory name-calling.

Reporting Procedures

Any employee who believes s/he has been the victim of any of the above stated forms of harassment by a student or an employee of the Oak Park Elementary School District 97, or any person with knowledge or belief of conduct which may constitute such prohibited harassment, should report such alleged acts to the Director of Human Resources and Development. If the Director is the offending person, the report should be made to the Superintendent. In order to facilitate effective investigation and enforcement of this policy, any incident of such prohibited harassment should be reported in confidence as promptly after the incident as reasonably possible.

While encouraged, the use of written complaints is not mandatory. The school district will respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed, as much as possible, consistent with the school district's legal obligations and the necessity to promptly investigate any action when the conduct has occurred.

Submission of a complaint or report of prohibited harassment will not affect the complainant's future employment or work assignments.

Every effort will be made to eliminate prohibited harassment by non-employees, including parents, suppliers, and other visitors to the school district.

Investigation and Recommendation

By authority of Oak Park Public School District 97, the Director of Human Resources and Development, upon receipt of a report or complaint alleging prohibited harassment as defined above shall immediately authorize an investigation. This investigation may be conducted by school district officials or by a third party designated by the school district. Within ten (10) working days of receipt of the complaint or report, the investigating party shall provide a written report of the status of the investigation to the Superintendent of schools and the Director of Human Resources and Development.

In determining whether the alleged conduct constitutes prohibited harassment, the school district will consider the relevant circumstances, the nature of the harassing behavior, the relationships between parties involved, and the context in which the alleged incidents occurred. Whether a particular incident constitutes prohibited harassment requires a determination based on all the facts and the relevant circumstances.

The investigation may consist of personal interviews with the complainant, with the individual(s) against whom the complaint is filed, and with others who have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In addition, the school district may take immediate steps, at its discretion, to protect the complainant, students, and employees pending the completion of the investigation.

School District Action

Upon receipt of a recommendation that the complaint is valid, the school district will take such action, as appropriate, based on the results of the investigation.

The result of each formal complaint filed under these procedures will be reported in writing to the complainant and the individual(s) accused of engaging in prohibited harassment.

Discipline

Any employee who is determined, after an investigation, to have engaged in harassment in violation of this policy will be subject to disciplinary action up to and including discharge. Any employee making knowingly false accusation regarding prohibited harassment will likewise be subject to disciplinary action up to and including discharge.

Retaliation

Oak Park Public School District 97 will discipline any individual who retaliates against any person who reports alleged prohibited harassment or retaliates against any person who testifies, assists, or participates in an investigation, proceeding or hearing relating to a prohibited harassment complaint. Retaliation includes but is not limited to, any form of intimidation, reprisal, or harassment. An employee engaging in retaliatory conduct shall be subjected to disciplinary action up to and including discharge, with regard to employees.

Further Remedies

The procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Illinois Department of Human Rights, initiating civil action, or seeking redress under State Criminal Statutes and/or Federal Law.

An employee who believes that s/he has been the subject of prohibited harassment or retaliation for complaining about prohibited harassment also has a right to file a charge of civil rights violation with the Illinois Department of Human Rights, to have the charge investigated by the Department and, if substantial evidence to support the charge is found to exist, to have such an opportunity as is provided by law and applicable regulations to engage in conciliation with the District and/or to have the charge be heard in a public hearing before an Administrative Law Judge of the Illinois Human Rights Commission. For further information, call or write the Illinois Department of Human Rights, 100 West Randolph Street, Room 10-100, Chicago, Illinois 60601, (312) 814-6200, or the Illinois Human Rights Commission, 100 West Randolph Street, Room 5-100, Chicago, Illinois 60601, (312) 814-6269.

Sexual Harassment as Sexual Abuse

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105 ILCS 5/10-22, 5/27-1, 5/1-10

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29 U.S.C. 621 et seq.

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42 U.S.C. 12101 et seq.

20 U.S.C. 1681 et seq.

42 U.S.C. 1983

29 C.F.R. 1635

National School Boards Association Inquiry and Analysis – May 2008



NEOLA of ILLINOIS

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PROFESSIONAL STAFF

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REVISED POLICY - VOL. 15, NO. 2

PRIVACY PROTECTIONS OF SELF-FUNDED GROUP HEALTH PLANS

The Board of Education provides coverage to eligible employees under self-funded group health plans. The Board has established the following self-funded group health plans:

- Medical Plan
- Prescription Drug Plan
- Dental Plan
- Vision Plan
- Employee Assistance Plan
- Long-term Care Plan (not long-term disability)
- Health Flexible Spending Accounts (FSA)
- Other; specify _____

The Board acknowledges that these group health plans are required to comply with the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule,* **as amended by Title I of the Genetic Information Nondiscrimination Act (GINA)**. Certain health information maintained by these group health plans is afforded significant protection by this Federal law.

The Board hereby appoints Director of Human Resources to serve as the Privacy Protection Officer of the group health plans. The Board delegates authority to the Privacy Protection Officer to develop and implement the internal policies and procedures for the group health plan(s) relating to the use and disclosure of Protected Health Information. In the event that the HIPAA Privacy Rule is subsequently amended, the Privacy Protection Officer is authorized to make necessary amendments to the internal policies and procedures.

* Note that the group health plan is not required to comply with the HIPAA privacy rule if it has less than fifty (50) participants and is self-administered. 45 C.F.R. and 160.103.



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The Privacy Protection Officer shall develop administrative guidelines necessary to implement this policy.

The Privacy Protection Officer shall report his/her progress to the Board upon request.

Since the Department of Health and Human Services (HHS) has the authority to impose civil monetary penalties (CMP) for violations of the HIPAA Privacy Rule, the Board agrees to indemnify and hold harmless the Privacy Protection Officer for any CMP imposed upon him/her in connection with the performance of his/her duties for the group health plans. Notwithstanding the foregoing language, the Board shall not indemnify the Privacy Protection Officer in the event the CMP was imposed as the result of intentional misconduct or gross negligence by the Privacy Protection Officer.

The Board reserves the right to revoke any or all delegations set forth in this policy at any time for any reason.

***42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act
29 C.F.R. part 1635***

Oak Park Elementary School District #97 Bylaws & Policies

3430.01 - FAMILY AND MEDICAL LEAVE

Eligible professional staff may use family and medical leave, guaranteed by the federal Family and Medical Leave Act (FMLA), for up to a combined total of 12 weeks within any rolling 12 month period measured backward from the date an employee uses FMLA leave.

Family and medical leave is available in one or more of the following instances:

- A. the birth of a child
- B. the adoption or foster placement of a child
- C. the serious health condition of an employee's spouse, parent, or child
- D. the employee's own serious health condition or
- E. any qualifying exigency (**as defined in applicable Federal regulations**) arising out of the fact that the staff member's spouse, son, daughter, or parent/guardian is on **covered** active duty (or has been notified of an impending call or order to **covered** active duty) in the Armed Forces ("**Qualifying Exigency Leave**"). ~~in support of a contingency operation~~. **Covered active duty means duty during deployment with the Armed Forces to a foreign country.** Qualifying exigencies, as defined by Federal regulations, include:
 - 1. short-notice deployment;
 - 2. military events and related activities;
 - 3. childcare and school activities;
 - 4. financial and legal arrangements;
 - 5. counseling;
 - 6. rest and recuperation;
 - 7. post-deployment activities; and
 - 8. additional activities not encompassed in the other categories, but agreed to by the employer and employee

In addition, an eligible staff member who is a spouse, son, daughter, parent/guardian or next of kin (i.e., the nearest blood relative) of a covered service member shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the service member ("Military Caregiver Leave"). Military Caregiver Leave shall only be available during a single 12-month period. Additionally, during the single 12-month period described in this paragraph, an eligible staff member shall be entitled to a combined total of 26 work weeks of leave under this paragraph and general FMLA leave described in the preceding paragraph. Nothing in this

paragraph shall be construed to limit the availability of general FMLA leave under the preceding paragraph during any other 12-month period. A covered service member is defined as **(1) a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness, or (2) a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation or therapy.** Serious injury or illness for purposes of Military Caregiver Leave is defined as an injury or illness incurred by ~~the~~ **a covered member in line of duty on active duty in the Armed Forces (or existed before the beginning of the covered service member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating. In the case of a veteran, the injury or illness could have manifested itself before or after the member became a veteran.**

Months and hours that reservists or National Guard members would have worked if they had not been called up for military service counts towards the staff member's eligibility for FMLA leave/Military Caregiver Leave.

Employees may take an intermittent or reduced-hour family and medical leave when the reason for the leave is three or four, above, with certain limitations by law.

Within 15 calendar days after the District makes a request, an employee must support a request for a family and medical leave when the reason for the leave is three or four above, with a certificate completed by the employee's or family member's health care provider. Failure to provide the certificate may result in a denial of the leave request.

If both spouses are employed by the District, they may together take only 12 weeks for family and medical leave when the reason for the leave is one or two above.

Eligibility

To be eligible for family and medical leave, an employee must have been employed by the District for at least 12 months and have been employed for at least 1,250 hours of service during the 12-month period immediately before the beginning of the leave.

Notice

If possible, employees must provide at least 30 days notice to the District of the date when a leave is to begin. If 30 days notice is not practicable, the notice must be given within two school days of when the need becomes known to the employee. Employees shall provide at least verbal notice sufficient to make the district aware that he or she needs a family and medical leave, and the anticipated timing and duration of the leave. Failure to give the required notice may result in a delay in granting the requested leave until 30 days after the date the employee provides notice.

Continuation of Health Benefits

During a family and medical leave, employees are entitled to continuation of health benefits that would have been provided if they were working.

Return to Work

An employee returning from a family and medical leave will be given an equivalent position to his or her position before the leave.

Classroom teachers may be required to wait to return to work until the next trimester in cordial situations as provided by law.

For particular guidelines for FMLA use, please refer to The Collective Bargaining Agreement between The Board of Education of Oak Park District 97 and The Oak Park Teachers' Association (OPTA).

Family and Medical Leave Act, 29 U.S.C. - 2601 et seq., C.F.R. Part 825.
National Defense Authorization Act (October 28, 2009)

Adopted 11/12/08



NEOLA of ILLINOIS

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BOARD OF EDUCATION

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NEW POLICY – VOLUME 15, NO. 2

NONDISCRIMINATION BASED ON GENETIC INFORMATION OF THE EMPLOYEE

The Board of Education does not discriminate against any employee or applicant for employment with respect to hiring, compensation, terms, conditions, or privileges of employment based on genetic information. The Board also does not limit, segregate, or classify employees in any way that would deprive or tend to deprive them of employment opportunities or otherwise adversely affect the status of an employee as an employee, based on genetic information. Retaliation against an applicant or employee for engaging in protected activity is prohibited.

The Board shall only acquire and/or disclose genetic information of an employee or applicant for employment as provided by Federal law and regulation.

The Superintendent shall appoint a compliance officer whose responsibility it will be to ensure that Federal regulations are complied with and that any inquiries or complaints are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination for Title II of the Genetic Information Nondiscrimination Act of 2008 is provided to staff members.

~~**[NOTE: It should be noted that any sections of the District's collective bargaining agreements dealing with terms and conditions of employment should contain a statement of nondiscrimination similar to that in the Board's statement above.]**~~

29 C.F.R. Part 1635

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act



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BOARD OF EDUCATION

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SUPPORT STAFF

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REVISED POLICY - VOL. 15, NO. 2

PHYSICAL EXAMINATION

The Board of Education and/or Superintendent will require all new support staff members, after a conditional offer of employment, to submit to an examination in order to determine the physical and/or mental capacity to perform assigned duties. Such examinations shall be done in accordance with the Superintendent's guidelines.

~~Reports of all such examinations or evaluations shall be delivered to the Superintendent, who shall protect their confidentiality. Reports will be maintained in a separate, confidential medical file *in accordance with the Americans with Disabilities Act and the Genetic Information Nondiscrimination Act.*~~

The Board shall assume all fees for a required examination.

~~[NOTE: If a physical examination is required, everyone in that job classification must be required to have the physical.]~~

105 ILCS 5/24-5

42 U.S.C. 12101 et seq.

29 C.F.R. Part 1630

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

29 C.F.R. Part 1635

Oak Park Elementary School District #97

Bylaws & Policies

4362 - ANTI-HARASSMENT

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment which is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against harassment based on gender, race, color, national origin, religion, disability, **genetic information**, sexual orientation, or any other unlawful basis, and encourages those within the District's community as well as third parties, who feel aggrieved to seek assistance to rectify the problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

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.

Oak Park Elementary School District 97 is committed to maintaining a working and learning environment that is free from sexual harassment and in which all employees can work together comfortably and productively. Oak Park Elementary School District 97 prohibits and will not tolerate any form of sexual harassment.

It shall be a violation of this policy for any student or employee of Oak Park School District 97 to harass an employee through conduct or communication of a sexual nature as defined by this policy.

Oak Park Elementary School District 97 will act to investigate all complaints, either formal or informal, verbal or written, of sexual harassment.

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging harassment, or who has participated as a witness in a harassment investigation.**
- B. Filing a malicious or knowingly false report or complaint of harassment.**

- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.**

Definition of Sexual Harassment

Sexual harassment 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:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program or activity.**
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.**
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.**

The unwelcomeness of any act of sexual harassment toward a student is implied because of the age of the students of Oak Park Public School District 97.

Examples of prohibited behavior that is sexual in nature and is unsolicited and unwelcome include but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.**
- B. Physical assault.**
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.**
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene phone calls.**
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.**
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.**
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.**
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.**
- I. In the context of a consensual sexual relationship where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and**

where such favoritism adversely affects other employees or otherwise creates a hostile work environment.

- J. Any employee who makes a sexual advance toward or requests a sexual favor from a student or accepts a sexual advance made by a student or a request for a sexual favor from a student may also be guilty of a criminal offense as set forth in the Illinois Criminal Code.**
- K. Inappropriate boundary invasions by a District employee or other adult member of the District community into a student's personal space or personal life.**

Definitions

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

Sexual Orientation Harassment

Prohibited sexual orientation harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's sexual orientation and when the conduct has the purpose or effect of interfering with the individual work or educational performance or creating an intimidating, hostile, or offensive working and/or learning environment, or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's sexual orientation, such as gender slurs, negative comments regarding the sexual preferences of a person whether known or unknown to the person responsible for the prohibited conduct; comments or nicknames implying stereotypes; or derogatory name-calling.

Reporting Procedures

Any employee who believes s/he has been the victim of any of the above stated forms of harassment by a student or an employee of the Oak Park Elementary School District 97, or any person with knowledge or belief of conduct which may constitute such prohibited harassment, should report such alleged acts to the Director of Human Resources and Development. If the Director is the offending person, the report should be made to the Superintendent. In order to facilitate effective investigation and enforcement of this policy, any incident of such prohibited harassment should be reported in confidence as promptly after the incident as reasonably possible.

While encouraged, the use of written complaints is not mandatory. The school district will respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed, as much as possible, consistent with the school district's legal obligations and the necessity to promptly investigate any action when the conduct has occurred.

Submission of a complaint or report of prohibited harassment will not affect the complainant's future employment or work assignments.

Every effort will be made to eliminate prohibited harassment by non-employees, including parents, suppliers, and other visitors to the school district.

Investigation and Recommendation

By authority of Oak Park Public School District 97, the Director of Human Resources and Development, upon receipt of a report or complaint alleging prohibited harassment as defined above shall immediately authorize an investigation. This investigation may be conducted by school district officials or by a third party designated by the school district. Within ten (10) working days of receipt of the complaint or report, the investigating party shall provide a written report of the status of the investigation to the Superintendent of schools and the Director of Human Resources and Development.

In determining whether the alleged conduct constitutes prohibited harassment, the school district will consider the relevant circumstances, the nature of the harassing behavior, the relationships between parties involved, and the context in which the alleged incidents occurred. Whether a particular incident constitutes prohibited harassment requires a determination based on all the facts and the relevant circumstances.

The investigation may consist of personal interviews with the complainant, with the individual(s) against whom the complaint is filed, and with others who have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In addition, the school district may take immediate steps, at its discretion, to protect the complainant, students, and employees pending the completion of the investigation.

School District Action

Upon receipt of a recommendation that the complaint is valid, the school district will take such action, as appropriate, based on the results of the investigation.

The result of each formal complaint filed under these procedures will be reported in writing to the complainant and the individual(s) accused of engaging in prohibited harassment.

Discipline

Any employee who is determined, after an investigation, to have engaged in harassment in violation of this policy will be subject to disciplinary action up to and including discharge. Any employee making knowingly false accusation regarding prohibited harassment will likewise be subject to disciplinary action up to and including discharge.

Retaliation

Oak Park Public School District 97 will discipline any individual who retaliates against any person who reports alleged prohibited harassment or retaliates against any person who testifies, assists, or participates in an investigation, proceeding or hearing relating to a prohibited harassment complaint. Retaliation includes but is not limited to, any form of intimidation, reprisal, or harassment. An employee engaging in retaliatory conduct shall be subjected to disciplinary action up to and including discharge, with regard to employees.

Further Remedies

The procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Illinois Department of Human Rights, initiating civil action, or seeking redress under State Criminal Statutes and/or Federal Law.

An employee who believes that s/he has been the subject of prohibited harassment or retaliation for complaining about prohibited harassment also has a right to file a charge of civil rights violation with the Illinois Department of Human Rights, to have the charge investigated by the Department and, if substantial evidence to support the charge is found to exist, to have such an opportunity as is provided by law and applicable regulations to engage in conciliation with the District and/or to have the charge be heard in a public hearing before an Administrative Law Judge of the Illinois Human Rights Commission. For further information, call or write the Illinois Department of Human Rights, 100 West Randolph Street, Room 10-100, Chicago, Illinois 60601, (312) 814-6200, or the Illinois Human Rights Commission, 100 West Randolph Street, Room 5-100, Chicago, Illinois 60601, (312) 814-6269.

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National School Boards Association Inquiry and Analysis – May 2008



NEOLA of ILLINOIS

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REVISED POLICY - VOL. 15, NO. 2

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SUPPORT STAFF

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Oak Park Elementary School District #97 Bylaws & Policies

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- E. any qualifying exigency (**as defined in applicable Federal regulations**) arising out of the fact that the staff member's spouse, son, daughter, or parent/guardian is on **covered** active duty (or has been notified of an impending call or order to **covered** active duty) in the Armed Forces ("**Qualifying Exigency Leave**"). **in support of a contingency operation. Covered active duty means duty during deployment with the Armed Forces to a foreign country.** Qualifying exigencies, as defined by Federal regulations, include:
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Months and hours that reservists or National Guard members would have worked if they had not been called up for military service counts towards the staff member's eligibility for FMLA leave/Military Caregiver Leave.

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If both spouses are employed by the District, they may together take only 12 weeks for family and medical leave when the reason for the leave is one or two above.

Eligibility

To be eligible for family and medical leave, an employee must have been employed by the District for at least 12 months and have been employed for at least 1,250 hours of service during the 12-month period immediately before the beginning of the leave.

Notice

If possible, employees must provide at least 30 days notice to the District of the date when a leave is to begin. If 30 days notice is not practicable, the notice must be given within two school days of when the need becomes known to the employee. Employees shall provide at least verbal notice sufficient to make the district aware that he or she needs a family and medical leave, and the anticipated timing and duration of the leave. Failure to give the required notice may result in a delay in granting the requested leave until 30 days after the date the employee provides notice.

Continuation of Health Benefits

During a family and medical leave, employees are entitled to continuation of health benefits that would have been provided if they were working.

Return to Work

An employee returning from a family and medical leave will be given an equivalent position to his or her position before the leave.

For particular guidelines for FMLA use, please refer to the applicable Collective Bargaining Agreements:

- A. The Collective Bargaining Agreement between The Board of Education of Oak Park District 97 and The Oak Park Secretaries and Tech Specialists Association
- B. The Collective Bargaining Agreement between The Board of Education of Oak Park District 97 and The Oak Park Teachers' Assistants Association
- C. The Collective Bargaining Agreement between The Board of Education of Oak Park District 97 and Local #73 Municipal and School Division Service Employees International Union

Family and Medical Leave Act, 29 U.S.C. - 2601 et seq., C.F.R. Part 825.

National Defense Authorization Act (October 28, 2009)

Adopted 11/12/08

Oak Park Elementary School District #97

Bylaws & Policies

5517 - ANTI-HARASSMENT

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment which is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against harassment based on gender, race, color, national origin, religion, disability, **genetic information**, sexual orientation, or any other unlawful basis, and encourages those within the District's community as well as third parties, who feel aggrieved to seek assistance to rectify the problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

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.

Oak Park Elementary School District 97 is committed to maintaining a learning environment that is free from sexual harassment and in which all students can study and learn together comfortably and productively. Oak Park Elementary School District 97 prohibits and will not tolerate any form of sexual harassment.

It shall be a violation of this policy for any student or employee of Oak Park School District 97 to harass a student through conduct or communication of a sexual nature as defined by this policy.

Oak Park Elementary School District 97 will act to investigate all complaints, either formal or informal, verbal or written, of sexual harassment and will discipline any student who sexually harasses a student or an employee of the District.

This policy does not limit or preclude a complaint of sexual harassment or abuse of a student being reported to appropriate legal authorities if such harassment or abuse has the effect or appearance of criminal behavior that is prohibited by the laws of the State of Illinois.

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging harassment, or who has participated as a witness in a harassment investigation.**
- B. Filing a malicious or knowingly false report or complaint of harassment.**
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.**

Definition of Sexual Harassment

Sexual harassment 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:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program or activity.**
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.**
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.**

The unwelcomeness of any act of sexual harassment toward a student is implied because of the age of the students of Oak Park Public School District 97.

Examples of prohibited behavior that is sexual in nature and is unsolicited and unwelcome include but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.**
- B. Physical assault.**
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.**
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene phone calls.**
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.**
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.**
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.**

- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.**
- I. In the context of a consensual sexual relationship where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.**
- J. Any employee who makes a sexual advance toward or requests a sexual favor from a student or accepts a sexual advance made by a student or a request for a sexual favor from a student may also be guilty of a criminal offense as set forth in the Illinois Criminal Code.**
- K. Inappropriate boundary invasions by a District employee or other adult member of the District community into a student's personal space or personal life.**

Every effort will be made to eliminate sexual harassment by non-employees, including parents, suppliers, and other visitors to the District.

Definitions

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin Harassment

Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

Sexual Orientation Harassment

Prohibited sexual orientation harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's sexual orientation and when the conduct has the purpose or effect of interfering with the individual work or educational performance of creating an intimidating, hostile, or offensive working and/or learning environment, or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's sexual orientation, such as gender slurs, negative comments regarding the sexual preferences of a person whether known or unknown to the person responsible for the prohibited conduct; comments or nicknames implying stereotypes; or derogatory name-calling.

Reporting Procedures

Any student or parent/guardian of a student who believes s/he has been the victim of prohibited harassment by a student or an employee of the Oak Park Public School District 97, or any person with knowledge or belief of conduct which may constitute prohibited harassment, should report such alleged acts to an appropriate school official. In order to facilitate effective investigation and enforcement of this policy, any incident of prohibited should be reported in confidence as promptly after the incident as reasonably possible.

A report or complaint made to a teacher or other District employee by a student, or by a parent/guardian of a student, must be immediately forwarded to the principal of the school.

If the complaint involves the school principal, the teacher or other employee must immediately forward the complaint or report to the Director of Human Resources and Development. Failure to timely forward such complaints or reports can be the basis for disciplinary action.

Students and parents/guardians of students are encouraged to report any incidents of prohibited harassment to the school principal. Upon receipt of a complaint of prohibited harassment, the school principal will immediately notify the Director of Human Resources and Development of the complaint. If the complaint involves the school principal, the report should be made to the Director of Human Resources and Development. The name, mailing address and telephone number of the Director of Human Resources and Development shall be posted throughout the School District 97 facilities.

If the complaint is made to the principal or to the Director of Human Resources by the student or by a third party, the parent/guardian of the student will be made aware of the report as soon as feasible. Inability to contact a parent/guardian of the student in such a situation shall not serve as cause to delay the investigation of such a complaint prior to notification of the parent/guardian. While encouraged, the use of written complaints is not mandatory. The District will respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed, as much as possible, consistent with the District's legal obligations and the necessity to promptly investigate any allegation of prohibited harassment and take disciplinary action when the conduct has occurred.

Submission of a complaint or report of prohibited harassment will not affect the complainant's future educational opportunities in Oak Park Public School District 97.

Investigation and Recommendation

By authority of Oak Park Public School District 97, the Director of Human Resources and Development, upon receipt of a report or complaint alleging prohibited harassment as defined above shall immediately authorize an investigation. This investigation may be conducted by school district officials or by a third party designated by the school district. Within ten (10) working days of receipt of the complaint or report, the investigating party shall provide a written report of the status of the investigation to the Superintendent of schools and the Director of Human Resources and Development.

In determining whether the alleged conduct constitutes prohibited harassment, the school district will consider the relevant circumstances, the nature of the harassing behavior, the relationships between parties involved, and the context in which the alleged incidents occurred. Whether a particular incident constitutes prohibited harassment requires a determination based on all the facts and the relevant circumstances.

The investigation may consist of personal interviews with the complainant, with the individual(s) against whom the complaint is filed, and with others who have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

The Director of Human Resources and Development shall make a written report to the Superintendent upon completion of the investigation.

School District Action

Upon receipt of a recommendation that the complaint is valid, the school district will take such action, as appropriate, based on the results of the investigation.

The result of each formal complaint filed under these procedures will be reported in writing to the complainant and the individual(s) accused of engaging in prohibited harassment.

Discipline

Any student who is determined, after an investigation, to have engaged in prohibited harassment in violation of this policy will be subject to disciplinary action, including, but not limited to, suspension and expulsion consistent with the District's student disciplinary policy. Any student making a knowingly false accusation regarding prohibited harassment will likewise be subject to disciplinary action up to and including suspension and expulsion. Recognizing that the purpose of a school is to educate the students, discipline measures that are taken will be commensurate with the acts of prohibited harassment, and if appropriate, will be progressive in nature.

Any employee who is determined, after an investigation, to have engaged in prohibited harassment against a student in violation of this policy will be subject to disciplinary action up to and including discharge. Any employee making a knowingly false accusation regarding prohibited harassment will likewise be subject to disciplinary action up to and including discharge.

Retaliation

Oak Park Public School District 97 will discipline any individual who retaliates against any person who reports alleged prohibited harassment or retaliates against any person who testifies, assists, or participates in an investigation, proceeding or hearing relating to a prohibited harassment complaint. Retaliation includes but is not limited to any form of intimidation, reprisal, or harassment. An employee

engaging in retaliatory conduct shall be subjected to disciplinary action up to and including discharge, with regard to employees.

An employee engaging in retaliatory conduct against a student shall be subject to disciplinary action up to and including discharge.

Further Remedies

The procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Illinois Department of Human Rights, initiating civil action, or seeking redress under State Criminal Statutes and/or Federal Law.

For further information, call or write the Illinois Department of Human Rights, 100 West Randolph Street, Room 10-100, Chicago, Illinois 60601, (312) 814-6200, or the Illinois Human Rights Commission, 100 West Randolph Street, Room 5-100, Chicago, Illinois 60601, (312) 814-6269.

Sexual Harassment as Sexual Abuse

Under certain circumstances, sexual harassment may constitute sexual abuse under State statutes. In such situations, the District shall comply with State reporting procedures. Nothing in this policy will prohibit the District from taking immediate action to protect victims of alleged sexual abuse.

Training

Training is a key to establishing a prevention plan for sexual harassment prevention. Yearly training sessions for students will include training in sexual harassment prevention, including recognition of sexual harassment and referral resources. Administrators and staff will be trained in how to keep the school free from sexual harassment and how to handle sexual harassment complaints.

Annual Report

The Director of Human Resources and Development will annually provide a confidential summary report to the Superintendent of the number and findings of reports of prohibited harassment in the District. This summary report will include the number of reports or complaints of prohibited harassment, the locations of where the prohibited harassment allegedly occurred, and the outcomes of the investigation of each report or complaint.

105 ILCS 5/10-22, 5/27-1, 5/1-10
23 Ill. Admin. Code Part 200
42 U.S.C. 2000d et seq.
42 U.S.C. 2000e et seq.
29 U.S.C. 621 et seq.
29 U.S.C. 794
42 U.S.C. 12101 et seq.
20 U.S.C. 1681 et seq.
42 U.S.C. 1983



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REPLACEMENT POLICY - VOL. 15, NO. 2

SUSPENSION/EXPULSION OF STUDENTS WITH DISABILITIES

In addition to following the requirements and procedures set forth for all students in Policy 5610, the Board of Education shall also abide by State and Federal laws and regulations when disciplining students with disabilities through removal by suspension and/or expulsion.

The Superintendent shall establish administrative guidelines that shall be followed when disciplining any student with a disability.

20 U.S.C. Section 1401 et seq.
Section 504, 1973 Rehab. Act
29 U.S.C. 701 et seq.
34 C.F.R. 300.530-537

Cross reference 5601 and 5610

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NEW POLICY - VOLUME 15, NO. 1

INFORMATION MANAGEMENT

The Board of Education recognizes its responsibility, in certain circumstances, to maintain information created, maintained or otherwise stored by the District outside the "Records Retention Schedule" in AG 8310A. In such situations, a "Litigation Hold" procedure will be utilized to identify and preserve information relevant to a specific matter. "Information" includes both paper documents and electronically stored information ("ESI"). When implementing the "Litigation Hold," the District will identify individuals in possession or custody of paper documents, ESI and electronic media containing ESI, and inform them of their obligation to preserve the documents and ESI outside the "Records Retention Schedule" in AG 8310A. The District will also identify third parties with custody or control over paper documents, ESI, or electronic media storing ESI, and request them to preserve that information. All information falling within a "Litigation Hold," which is under the control of the District, must be preserved in a readily accessible form and cannot be disposed of under the "Records Retention and Disposal" requirements of AG 8310E. Failure to comply with a Litigation Hold notice () **may** ~~X~~ **shall** result in disciplinary action, up to and including possible termination.

Instances where the Board must maintain information outside the "Records Retention Schedule" in AG 8310A include:

- A. when the Board has specific information and/or written notice from an individual, parent or student of an intent to file an appeal of student discipline to State court;
- B. when the Board has specific information and/or written notice that litigation is imminent even though the litigation has not yet been filed in Federal or State court;
- C. when the Board is served with litigation, including, but not limited to, notice of a lawsuit in Federal or State court, or notice of a student disciplinary appeal to State court;



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- D. when the Board receives specific information and/or written notification from an employee, labor union, or other person of an intent to file a claim against the Board, its members, employees or agents at an administrative agency such as the Equal Employment Opportunity Commission, Illinois Civil Rights Commission, State Employment Relations Board, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees or agents;
- E. when the Board receives specific information and/or written notification from an administrative agency such as the Equal Employment Opportunity Commission, Illinois Civil Rights Commission, State Employment Relations Board, U.S. Department of Education Office for Civil Rights, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees or agents;
- F. when the Board receives written notification from a third party requesting that the Board maintain information that could be at issue in litigation or potential litigation against that third party;
- G. when the Superintendent recommends the termination of an employee to the Board pursuant to a labor contract;
- H. when the Board explores, contemplates or initiates litigation.

Definitions

"Documents" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any medium from which information can be obtained or translated if necessary.



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"ESI" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. It includes, but is not limited to, e-mails, e-mail attachments, instant messages, word processing files, spreadsheets, pictures, application program and data files, databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, TIFF files, PDF files, MPG files, JPG files, GIF files, network share files, internal websites, external websites, newsgroups, directories, security and access information, legacy data, audio recordings, voice mails, phone logs, faxes, internet histories, caches, cookies or logs of activity on computer systems that may have been used to process or store electronic data.

"Electronic media" includes, but is not limited to, ^{smart phone} hard drives (including portable hard disk drives "HDD's"), floppy drives, disaster recovery media, and storage media (including DVD's, CD's, floppy discs, Zip discs/drives, Jazz discs/drives, USB memory drives, jump disc/drives, flash discs/drives, keychain discs/drives, thumb discs/drives, smart cards, micro-film, backup tapes, cassette tapes, cartridges, etc.), accessed, used and/or stored on/in/through the following locations: networks and servers; laptop and desktop work computers; home and personal computers; other computer systems; backup computers or servers; archives; personal digital assistants ("PDAs" - including Palm, Blackberry, cellular phone, tablet PC, etc.); pagers; firewalls; audit trails and logs, printers; copiers; scanners; digital cameras; photographic devices; and video cameras and devices. Electronic media shall also include any item containing or maintaining ESI that is obtained by the District for Board member or employee usage or that an employee uses for such purpose (even if privately owned by the Board member or employee) from the date this policy is adopted into the future.

Initiation and Removal of a "Litigation Hold"

The Board or the Superintendent may initiate a "Litigation Hold" under this policy. If the Superintendent initiates a "Litigation Hold," s/he or the Board's legal counsel will notify the Board of the reason the Litigation Hold was instituted and its scope. When implementing a Litigation Hold, the Board or Superintendent ~~X~~ may () will utilize an Electronically Stored Information Team ("ESI Team"). The Board's legal counsel shall be involved in implementation of the "Litigation Hold Procedure" outlined in AG 8315.



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A "Litigation Hold" shall remain in place until removed by the Board. A "Litigation Hold" may be removed when the litigation or administrative agency matter has been resolved or can no longer be initiated. Any information maintained under this policy shall fall back under the "Records Retention Schedule" in AG 8310A once the "Litigation Hold" is removed.

The Superintendent shall develop administrative guidelines outlining the procedures to be followed by Board members and employees when initiating and implementing a "Litigation Hold." This policy and its related administrative guidelines shall be posted and distributed in the manner described in AG 8315

Federal Rules of Civil Procedure 34, 37(f)



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REVISED POLICY - VOL. 15, NO. 2

TRANSPORTATION

It is the policy of the Board of Education to provide transportation for those students, of any age, whose distance from their school makes this service necessary within the limitations established by State law and the regulations of the State Board of Education.

School buses and student-transportation vehicles shall be purchased, housed, and maintained by the District for the transportation of resident students between their home areas and the schools of the District to which they are assigned. However, no vehicle shall be purchased or used to transport students for which there is no applicable, passenger-protection, Federal motor-vehicle safety standards.

All school buses and student-transportation vehicles, whether purchased, leased, or contracted for shall comply with specifications defined in Federal and State law. Each operator of a school vehicle used by the District shall be licensed for the purpose for which the vehicle is being used and shall operate the vehicles in accordance with Federal and State laws.

It is the policy of the Board that every school bus driver, whether a District employee and/or an employee of a contracted provider, must be the last person to leave the bus. Prior to exiting the bus, the driver must inspect his/her vehicle by walking to the rear of the bus and checking under each seat for a sleeping child. Before the inspection, the driver must activate the interior lights of the bus to assist him/her in visually checking the bus. This inspection must be completed at the end of a route, a work shift, or the work day.

H School District bus drivers, whether a District employee and/or an employee of a contracted provider, are prohibited from using cellular **radio telecommunication devices** phones while **operating a school bus** transporting District students. The only exception to this policy is in the case of an emergency **as set forth in AG8600** while transporting students.

Each school bus, whether District owned, leased, or contracted, shall display at the rear of the bus, a sign, with readily visible and readable letters that contains the telephone number of the owner of the school bus.



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The sign shall indicate that the number is to be called to report erratic driving by the school bus driver. Procedures for accepting calls and taking complaints will be established by each owner. Procedures for District-owned buses set forth in AG 8600.

Transportation of eligible vocational or special education children between their home areas and schools outside the District shall be arranged through the use of District-owned vehicles, through cooperation with other districts, through commercial carriers, and/or by other means in the most efficient and economical manner.

The Board reserves the right to terminate transportation based on financial, legal, or other considerations. It is a privilege for students to ride a District vehicle and this privilege may be revoked if the student's conduct is in violation of the Superintendent's administrative guidelines or the Code of Conduct pertaining to student transportation.

Transportation between home and school will be provided for each resident child attending a State-approved, nonpublic school within the District and who live at least one and one-half (1 1/2) miles from the school. Transportation shall be provided on the same basis as that for District students residing within that distance.

~~{ } Transportation will be provided for students to and from day care locations along the District's [] regular bus routes [] newly established routes. Day care locations may include, but are not limited to, premises of licensed providers, the homes of relatives, or the homes of neighbors, as long as all such day care locations are located within the District's boundaries.~~

The Board authorizes the Superintendent to install and operate audio recording and/or video cameras on District buses to enhance student safety and well-being while the school bus is being used in the transportation of students. S/He shall establish appropriate administrative guidelines for the proper use of the cameras. Notice of this recording policy will be included in the student handbooks and provided to parents of students. In addition, notice of such recording must be clearly posted on the door of the school bus and inside the school bus for any bus that is installed with and operates audio or video recording equipment.



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All school buses must be equipped with a two-way radio while the school bus driver is in possession of the school bus. It must be turned on and adjusted in a manner that would alert the school bus driver of an incoming communication request. Before the bus is operated, the bus driver must test the two-way radio to ensure that it is functioning properly before the bus is operated.

The Superintendent shall establish administrative guidelines to ensure proper implementation of this policy.

105 ILCS 5/29-1 et seq.

625 ILCS 5/12-813.1

625 ILCS 5/12-816

625 ILCS 5/12-821

720 ILCS 5/14-3

23 Il. Adm. Code Parts 120, 275



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REVISED POLICY - VOL. 15, NO. 2

SCHOOL VISITORS

The Board of Education welcomes and encourages visits to school by parents, other adult residents of the community and interested educators. But in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons into the schools, it is necessary to establish visitor guidelines.

The Superintendent or the principal has the authority to prohibit the entry of any person to a school of this District or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the school. If such an individual refuses to leave the school grounds or creates a disturbance, the principal is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

~~Nonstaff access to students and classes must be limited and only in accordance with a schedule which has been determined by the principal after consultation with the teacher whose classroom is being visited. Classroom visitations must be nonobtrusive to the educative process and learning environment, and should not occur on an excessive basis.~~ **All visitors must comply with all school safety, security and visitation policies at all times.**

Parent concerns about any aspect of his/her child's educational program should be presented through the procedure set forth in Board Policy 9130 - Public Complaints and Grievances, a copy of which is available at the Board office and at each school.

In accordance with Section 14-8.02 of the Illinois School Code, 105 ILCS 5/14 8.02, the District will provide parents, guardians, independent educational evaluators and "qualified professionals" reasonable access to educational facilities, personnel, classrooms and buildings and to their child in order to develop appropriate special education programming for the child. This requirement applies to all public school facilities, buildings and program as well as any facility, building or program that is supported in whole or in part by public funds.

The Superintendent shall promulgate such administrative guidelines as are necessary to protect students and employees from disruption to the educational program or the efficient conduct of their assigned tasks **and to provide for access pursuant to Section 14-8.02 of the School Code.**



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Individual Board members who are interested in visiting schools or classrooms on an unofficial basis shall make the appropriate arrangements with the principal. In keeping with Board bylaws, such Board member visits shall not be considered to be official unless designated as such

- by the Board.
- by the President.
- by a committee chairman.

The Board member shall be visiting as an interested individual in a similar capacity of any parent or citizen of the community. These visits should not be considered to be inspections nor as supervisory in nature.

If, during a visit to a school or program, a Board member observes a situation or condition which causes concern, s/he should discuss the situation first

- with the principal
- with the Superintendent

as soon as convenient or appropriate. Such a report or discussion shall not be considered an official one from the Board.

~~If the Board member believes the situation or condition serious enough, s/he may wish to also inform the Superintendent.~~

~~105/10-20.6, 105/24-25~~
105 ILCS 5/10-20.6
105 ILCS 5/14-8.02
105 ILCS 5/24-25