



Oak Park Elementary School District 97

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**TO: Members, Board of Education
Dr. Carol Kelley, Superintendent**

FROM: District 97 Policy Review Team

RE: Policy Review and Discussion

DATE: December 15, 2015

The district's policy review team (Amy Felton, Rupa Datta and Chris Jasculca) is presenting the following information to the Board of Education tonight for review/discussion:

- Proposed policy changes/updates provided by the Policy Reference Education Subscription Service (PRESS) in its October 2015 Update Memo.
- An update from the first quarterly review session we performed in conjunction with our plan for monitoring board policies on an annual basis.

Proposed Policy Changes from PRESS

The policy review team reviewed/discussed the proposed policy changes that were featured in the October 2015 Update Memo provided by PRESS. Below is a summary of the changes, as well as the team's recommendations. Please note that several of the revisions outlined in the memo from PRESS were limited to the footnotes that correspond with the policies. Since changes to the footnotes do not require board action, we did not include them in this document.

- **Policy 2:150 (Committees)** – PRESS is suggesting that the phrase “and provides information and recommendations to the Board” be added to the descriptions for the Parent-Teacher Advisory Committee and Behavioral Interventions Committee. This is meant to further emphasize that these committees report to the board in that one of their duties/responsibilities is to propose changes to policy. Please note that, per the policy, the board president has the discretion to assign the responsibilities of the Behavioral Interventions Committee to the Parent-Teacher Advisory Committee.

The team recommends making one additional change to the policy to bring it into alignment with current practice. More specifically, we suggest removing references to the policy committee to reflect its role in the district as an administrative committee. For your information, the team confirmed with PRESS that boards are under no legal obligation to make policy committees standing board committees.

The team recommends that the board adopt these changes as written.

- **Policy 2:200 (Types of School Board Meetings)** – PRESS recommends that the following changes be made to the policy:
 - Add “In addition” to the start of the last sentence of the second paragraph on the first page of the policy to further clarify that board members must complete a course of training on the Open Meetings Act.

- Revise item eight on page two of the policy to include school building safety and security among the reasons why a board or board committee may meet in closed session. This revision is based upon a change in the law, more specifically Public Act 99-235, which goes into effect on January 1, 2016.

The team recommends that the board adopt the changes to the policy as written.

- **Policy 4:170 (Safety)** – PRESS is recommending that the policy and legal references be updated in accordance with a change in the law (i.e., 105 ILCS 5/10-20.56, which was added by Public Act 99-470 and takes effect on January 1, 2016). These updates include adding a new section to the policy that is titled “Carbon Monoxide Alarms” and reads as follows:

The Superintendent or designee shall implement a plan with the District’s local fire officials to:

- 1. Determine which school buildings to equip with approved *carbon monoxide alarms* or *carbon monoxide detectors*,**
- 2. Locate the required carbon monoxide alarms or carbon monoxide detectors within 20 feet of a carbon monoxide emitting device, and**
- 3. Incorporate carbon monoxide alarm or detector activation procedures into each school building that requires a carbon monoxide alarm or detector. The Superintendent or designee shall ensure each school building annually reviews these procedures.**

Since the district already has these devices in our schools, the team recommends that the board adopt the updates as written.

- **Policy 5:90 (Abused and Neglected Child Reporting)** – PRESS recommends that the following changes be made to the policy:
 - Replace certificated with licensed throughout the policy to keep it in alignment with state law.
 - Add the following optional sentence to the end of the first paragraph:

The Superintendent or Building Principal shall immediately coordinate any necessary notifications to the student’s parent(s)/guardian(s) with DCFS, the applicable school resource officer (SRO) and/or local law enforcement.

PRESS suggests making coordination with DCFS, the SRO, and local law enforcement part of the reporting process so that “the local agencies and school district are better able to prevent and manage the risks school officials and parents/guardians face when a DCFS report has been made, e.g., situations where parents/guardians, upon learning a DCFS report has been made involving their child(ren), commit an act of self-harm in response to the information.”

The team recommends that the board adopt the changes and addition of the optional sentence as written.

- **Policy 5:100 (Staff Development Program)** – PRESS recommends that the following revisions be made to the policy, legal references and cross references in response to changes in the law:

- Replace certificated with licensed throughout the policy.
- Add the following three legally required items to the list of things that must be part of a staff development program:
 - **Ongoing professional development for teachers, administrators, school resource officers, and staff regarding the adverse consequences of school exclusion and justice-system involvement, effective classroom management strategies, culturally responsive discipline, and developmentally appropriate disciplinary methods that promote positive and healthy school climates.**
 - **Annual continuing education and/or training opportunities (*professional standards*) for school nutrition program directors, managers, and staff. Each school food authority's director shall document compliance with this requirement by the end of each school year and maintain documentation for a three-year period.**
 - **The following individuals must complete concussion training as specified in the Youth Sports Concussion Safety Act: coaches and assistant coaches (whether volunteer or employee) of an interscholastic athletic activity; nurses serving on the Concussion Oversight Team; athletic trainers; game officials of an interscholastic athletic activity; and physicians serving on the Concussion Oversight Team. Individuals covered by this training mandate must initially complete the training by 9-1-2016.**
- Add the following sentence to the second page of the policy in conjunction with the district's legal obligation to develop and implement a suicide and depression awareness and prevention program:

The Superintendent shall develop protocols for administering youth suicide awareness and prevention education to staff consistent with Board policy 7:290, *Suicide and Depression Awareness and Prevention*.

- Add the following citations to the legal references:
 - **105 ILCS 5/10-22.6(c-5), amended by P.A. 99-456, eff. 9-15-2016**
 - **7 C.F.R. Part 210**
 - **105 ILCS 25/1.15**
 - **105 ILCS 5/22-80(h), added by P.A. 99-245**
- Revise the titles to the following two policies in the cross references to reflect changes to those policies per this update from PRESS:
 - **Policy 6:160 (English Learners)**
 - **Policy 7:290 (Suicide and Depression Awareness and Prevention)**

The team recommends that the board adopt these revisions as written.

- **Policy 6:15 (School Accountability)** – PRESS recommends that the following revisions be made to the policy and legal references in response to changes in the law, more specifically Public Act 99-193:

- Change the quality assurance component regarding adequate yearly progress from:

Continuously assess whether the District and its schools are making adequate yearly progress as defined by State law.

to:

Continuously assess the District's and each school's overall performance in terms of both academic success and equity. This includes, without limitation, a thorough analysis of ISBE's balanced accountability measure and each school's Multiple Measure Index and corresponding Annual Measurable Objective provided by ISBE.

- Change the quality assurance component regarding improvement plans from:

If applicable, develop District and School Improvement Plans, present them for Board approval, submit them to the State Superintendent for verification, and supervise their implementation. If applicable, develop a restructuring plan for any school that remains on academic watch status after a fifth annual calculation.

to:

If applicable, develop District and School Improvement Plans, present them for Board approval, and supervise their implementation.

- Change the title for the section regarding school choice to "School Choice and Supplemental Education Services" and revise the section to read as follows:

This section of the policy is effective only if the choice and/or supplemental educational services requirements in federal law are applicable to Illinois. When effective, school choice and supplemental education services will be offered to students as provided in Title I of the Elementary and Secondary Education Act.

- Change the third legal reference from:

105 ILCS 5/2-3.25d, 5/2-3.63, 5/2-3.64a-5, 5/10-21.3a, and 5/27-1

to:

105 ILCS 5/2-3.25, 5/2-3.25a, 5/2-3.25b, 5/2-3.25c, 5/2-3.25d, 5/2-3.25d-5, 5/2-3.25e-5, 5/2-3.25f, 5/2-3.25f-5, 5/2-3.63, 5/2-3.64a-5, 5/10-21.3a, and 5/27-1

The team recommends that the board adopt these revisions as written.

- **Policy 6:50 (Wellness)** – The policy review team recommends tabling the work on this policy at this time. We currently maintain a district-specific version of the policy that states "Review of this policy shall occur annually by the Wellness Council appointed by Administration consisting of a representative of the Board, the administration, the food service provider, parents, teachers, students, and the public. The Wellness Council shall provide the Board with any recommended changes to this policy." As a result, we will contact the Wellness Council about the changes being proposed by PRESS to determine how best to incorporate them into the existing policy and/or discuss whether it is time to transition to the PRESS version of the policy. We will keep the board members updated on the status of the changes to

this policy, and anticipate presenting them with recommendations for review/discussion during one of their meetings in January.

- **Policy 6:160 (English Language Learners)** – PRESS recommends that all references to English Language Learners throughout the policy, including in the title, be changed to English Learners in response to changes in the law, more specifically Public Act 99-30 and 23 Ill.Admin.Code §228.15.

The team recommends that the board adopt these revisions as written.

- **Policy 6:270 (Guidance and Counseling Program)** – PRESS recommends that the following minor revisions be made to the legal references and cross references:
 - Correct a typo in the second legal reference by changing it from 23 Ill.Admin.Code §§§1.420(q) to 23 Ill.Admin.Code 1.420(q).
 - Add policy 7:290 (Suicide and Depression Awareness and Prevention) to the cross references.

The team recommends that the board adopt these revisions as written.

- **Policy 6:315 (High School Credit for Students in Grade 7 or 8)** – PRESS recommends that this new policy be created using content from policy 6:320 (High School Credit for Proficiency). PRESS also recommends that the content be amended in response to legislation.

The purpose of this policy “is to authorize the superintendent or designee to investigate, coordinate, and implement a program to allow students in grades 7 and 8 to enroll in a course required for a high school diploma.”

Since this opportunity is available to our students, the team recommends that the board adopt this new policy as written.

- **Policy 6:320 (High School Credit for Proficiency)** – PRESS recommends that this policy be deleted since all of the information related to middle school students is being moved to policy 6:315 (High School Credit for Students in Grade 7 or 8).

The team recommends that the board delete this policy.

- **Policy 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students)** – PRESS recommends that the following changes be made to the policy, legal references and cross references in response to changes in the law:

- Change the third item under the “As required by State law” section on page one from:

Before admission and in conjunction with required physical examinations, parents/guardians of children between the ages of 6 months and 6 years must provide a statement from a physician that their child was “risk-assessed” or screened for lead poisoning.

to:

Before admission and in conjunction with required physical examinations, parents/guardians of children between the ages of one and seven years must provide a

statement from a physician that their child was “risk-assessed” or screened for lead poisoning.

This change is recommended in response to 410 ILCS 315/1.10, which was amended in conjunction with Public Act 98-480.

- Under the section titled “Exemptions,” add the acronym IDPH after Illinois Department of Public Health in the first sentence. In addition, change the first item under the section from:

Religious or medical grounds if the student’s parents/guardians present to the Superintendent a signed statement explaining the objection;

to:

Religious or medical grounds, if the student’s parents/guardians present the IDPH’s Certificate of Religious Exemption form to the Superintendent or designee. When a Certificate of Religious Exemption form is presented, the Superintendent or designee shall immediately inform the parents/guardians of exclusion procedures pursuant to Board policy 7:280, *Communicable and Chronic Infectious Disease* and State rules if there is an outbreak of one or more diseases from which the student is not protected.

The change to the exemption based on religious or medical grounds is recommended in response to 77 Ill.Admin.Code §665.51, as well as 105 ILCS 5/27-8.1(1.10), which was amended in conjunction with Public Act 99-249.

- Revise the legal references in response to changes to the policy language.
- Add policy 7:280 (Communicable and Chronic Infectious Disease) to the cross references.

The team recommends that the board adopt the changes as written.

- **Policy 7:130 (Student Rights and Responsibilities)** – PRESS recommends removing the language about the right to engage in non-disruptive prayer from the first paragraph and using a revised version of it to create a stand-alone paragraph regarding the issue that reads:

Students may, during the school day, during noninstructional time, voluntarily engage in individually or collectively initiated, non-disruptive prayer or religious-based meetings that, consistent with the Free Exercise and Establishment Clauses of the U.S. and Illinois Constitutions, are not sponsored, promoted, or endorsed in any manner by the school or any school employee. *Noninstructional time* means time set aside by a school before actual classroom instruction begins or after actual classroom instruction ends.

This revision is in response to a change in the law (i.e., 105 ILCS 20/5, which was amended by Public Act 99-410). The team recommends that the board adopt it as written.

- **Policy 7:140 (Search and Seizure)** – PRESS recommends revising the section titled “Notification Regarding Student Accounts or Profiles on Social Networking Websites” in response to changes in the law (i.e., 105 ILCS 75/15, which was amended by P.A. 99-460). These revisions include prohibiting school officials from “requesting or requiring a student or his or her parent/guardian to provide a password or other related account information to gain access to the student’s account or profile on a social networking website.” They also include the addition of new language that “authorizes school

officials to require a student to share the content of a social networking website in certain limited situations.”

The team recommends that the board adopt the revisions as written.

- **Policy 7:290 (Suicide and Depression Awareness and Prevention)** – PRESS recommends renaming and rewriting the policy to comply with 105 ILCS 5/2-3.163(c) (Ann Marie’s Law), which was amended by Public Act 99-443. The rewritten policy contains several new requirements and directs the superintendent or designee to develop and maintain a suicide and depression awareness and prevention program that is consistent with them. There is also a section titled “Illinois Suicide Prevention Strategic Planning Committee” that districts have the option of adding to the policy. This section reads as follows:

The Superintendent or designee shall attempt to develop a relationship between the District and the Illinois Suicide Prevention Strategic Planning Committee, the Illinois Suicide Prevention Coalition Alliance, and/or a community mental health agency. The purpose of the relationship is to discuss how to incorporate the goals and objectives of the Illinois Suicide Prevention Strategic Plan into the District’s Suicide Prevention and Depression Awareness Program.

The team recommends that the board adopt the changes as written. We also recommend including the optional section in the policy.

- **Policy 7:300 (Extracurricular Athletics)** – PRESS recommends making the following updates to the policy, legal references and cross references in response to several changes in the law, as well as subscriber feedback:

- Revise the third requirement to read as follows:

The student must present a current certificate of physical fitness issued by a licensed physician, an advanced practice nurse, or a physician assistant. The *Pre-Participation Physical Examination Form*, offered by the Illinois High School Association and the Illinois Elementary School Association, is the preferred certificate of physical fitness.

- Add a new fifth requirement that reads:

The student must agree to follow all conduct rules and the coaches’ instructions.

- Revise the sixth requirement to read as follows:

The student and his or her parent(s)/guardian(s) must: (a) comply with the eligibility rules of, and complete any forms required by, any sponsoring association (such as, the Illinois Elementary School Association, the Illinois High School Association or the Southern Illinois Junior High School Athletic Association), 6 and (b) complete all forms required by IHSA the District including, without limitation, signing an acknowledgment of receiving information about the Board’s concussion policy 7:305, *Student Athlete Concussions and Head Injuries*.

- Revise the last paragraph of the policy to read as follows:

The Superintendent or designee (1) is authorized to impose additional requirements for a student to participate in extracurricular athletics, provided the requirement(s) comply with Board policy 7:10, *Equal Educational Opportunities*, and (2) shall maintain the necessary

records to ensure student compliance with this policy.

- Change the first legal reference from “105 ILCS 5/10-20.30 and 25/2” to “105 ILCS 5/10-20.30, 5/10-20.54, 5/22-80, and 25/2.”
- Add policies 7:10 (Equal Educational Opportunities) and 7:305 (Student Concussions and Head Injuries) to the cross references.

The team recommends that the board adopt the updates as written.

- **Policy 7:305 (Student Athlete Concussions and Head Injuries)** – PRESS recommends making the following updates to the policy and legal references in response to several changes in the law:
 - Add new language to the first page of the policy regarding the implementation of the Youth Sports Concussion Safety Act.
 - Add new language to the second page of the policy regarding the requirement that all student athletes view the Illinois High School Association’s video about concussions.
 - Add the following two items to the legal references:
 - 105 ILCS 5/22-80 added by Public Act 99-245; if approved by the House and signed by the Governor, SB219 will extend the effective date to the 2016-2017 school year
 - 105 ILCS 25/1.15

The team recommends that the board adopt the updates as written.

- **Policy 7:340 (Student Records)** – Per subscriber feedback, PRESS recommends adding the following sentence to the end of the second paragraph on the first page of the policy:

Upon request, the District discloses school student records without consent to officials of another school district in which a student has enrolled or intends to enroll, as well as to any person as specifically required by State or federal law.

The team recommends that the board adopt this addition as written.

- **Policy 8:30 (Visitors to and Conduct on School Property)** – PRESS recommends adding the following item to the list of prohibited acts featured on the first page of the policy:

Distribute, consume, use, possess, or be under the influence of an alcoholic beverage or illegal drug; be present when the person’s alcohol or illegal drug consumption is detectable, regardless of when and/or where the use occurred.

This change will bring the policy into alignment with policy 5:50 (Drug- and Alcohol-Free Workplace; Tobacco Prohibition). The team recommends that the board adopt the change as written.

Update on the Policy Review Session for First Quarter

On November 9, 2015, the policy review team presented the board with a summary of the results and proposed next steps from the first quarterly review session we performed in conjunction with our plan for monitoring policies on an annual basis. As part of this review, we identified several policies that we thought might need to

be updated based on changes in the law, district operations or standard best practices, as well as policies that we thought should be spot checked for enforcement. We also said that we would provide the board with a written update on the status of these policies. That update is below.

We reviewed nine policies that we thought might need to be revised. Those policies included:

- 1:30 (School District Philosophy)
- 2:20 (Powers and Duties of the Board of Education)
- 2:30 (School District Elections)
- 2:40 (Board Member Qualifications)
- 2:50 (Board Member Term of Office)
- 2:125 (Board Member Expenses)
- 2:150 (Committees)
- 2:200 (Types of Board of Education Meetings)
- 2:220 (Board of Education Meeting Procedure)

Of those policies, we determined that four (2:20, 2:125, 2:150 and 2:220) required additional follow up/research.

- **2:20 (Powers and Duties of the Board of Education)** – For policy 2:20, we wanted to find out if the powers and duties listed were taken directly from the law. Per the following footnote from the policy, while the law controls the content of the policy, the powers that are listed are not “exclusive.”

State law controls this policy’s content. School board powers listed in the School Code are not exclusive, meaning that a board may exercise “all other powers not inconsistent with this Act that may be requisite or proper for the maintenance, operation, and development of any school or schools under the jurisdiction of the board,” (105 ILCS 5/10-20). This policy’s intent is to list the major statutory powers and duties – not all of them. See also 105 ILCS 5/10-20.5 and 5/10-21.

With this in mind, are there other power or duties the board believes should be added to the policy?

- **2:125 (Board Member Expenses)** – For policy 2:125, we wanted to find out if there any other situations or circumstances under which board members can be reimbursed for expenses (e.g., costs incurred in conjunction with a superintendent search). We contacted PRESS’ general counsel about this and received the following response.

The School Code, to my knowledge, does not specifically identify this type of expense. You will need to ask your board attorney. Your board could reimburse non-specified expenses on a case-by-case basis, provided your board attorney opines that the expense is permitted.

Does the board want to get input/guidance on this issue from its attorney?

- **2:150 (Committees)** – For policy 2:150, we wanted to find out if the policy committee had to be a standing board committee by law. Per the following footnote from the policy, and as stated above, the creation of a board policy committee is optional.

A board policy committee is optional; its creation is consistent with policy 2:240, Board Policy Development.

With this in mind, we have recommended that the policy committee be removed from the list of standing board committees to align it with the district's current practices. We also recommend that the second paragraph in the Policy Development section of policy 2:240 be changed from:

A Board Policy Committee will consider all policy suggestions and provide information and recommendations to the Board.

To:

The District's Policy Review Team will consider all policy suggestions and provide information and recommendations to the Board.

The proposed change to policy 2:240 is being presented to the board tonight for review/discussion. With the board's permission, a second reading and approval of this change will take place during the board meeting on January 12, 2016.

- **2:20 (Powers and Duties of the Board of Education)** – For policy 2:220, we wanted to find out if the reasons listed for video participation aligned with the law. After performing a search, we found that they were taken verbatim from the Illinois Open Meetings Act.

We spot checked three policies (2:150 – Committees, 2:200 – Types of Board of Education Meetings and 2:220 – Board of Education Meeting Procedure) and determined that only 2:150 required revisions to align it with the district's current practices. Those revisions are referenced above.

Attached are the policies that are being presented to the board tonight for a first reading. A second reading and approval of these policies are scheduled for the board meeting on January 12, 2016.

- Policy 2:150 (Committees)
- Policy 2:200 (Types of School Board Meetings)
- Policy 2:240 (Board Policy Development)
- Policy 4:170 (Safety)
- Policy 5:90 (Abused and Neglected Child Reporting)
- Policy 5:100 (Staff Development Program)
- Policy 6:15 (School Accountability)
- Policy 6:160 (English Language Learners)
- Policy 6:270 (Guidance and Counseling Program)
- Policy 6:315 (High School Credit for Students in Grade 7 or 8)
- Policy 6:320 (High School Credit for Proficiency)
- Policy 7:100 (Health, Eye, and Dental Examinations; Immunizations; and Exclusion of Students)
- Policy 7:130 (Student Rights and Responsibilities)
- Policy 7:140 (Search and Seizure)
- Policy 7:290 (Suicide and Depression Awareness and Prevention)
- Policy 7:300 (Extracurricular Athletics)
- Policy 7:305 (Student Athlete Concussions and Head Injuries)
- Policy 7:340 (Student Records)
- Policy 8:30 (Visitors to and Conduct on School Property)