

**Oak Park and River Forest High School
201 North Scoville Avenue
Oak Park, IL 60302**

**POLICY COMMITTEE MEETING
April 19, 2007**

A Policy Committee meeting was held on Thursday, April 19, 2007, in the Board Room of the Oak Park and River Forest High School. Dr. Millard called the meeting to order at 9:05 a.m. Committee members present were Jacques A. Conway, Valerie J. Fisher, Dr. Barry S. Greenwald, Dr. Dietra D. Millard, Yasmin A. Ranney, and John P. Rigas. Also present were Susan J. Bridge, Superintendent/Principal; Jason Edgecombe, Assistant Superintendent for Human Resources; Cheryl L. Witham, Chief Financial Officer; Philip M. Prale, Assistant Superintendent for Curriculum and Instruction; and Gail Kalmerton, Executive Assistant/Clerk of the Board.

Visitors included James Paul Hunter, F.S.E.C. Chair; Paul Noble, faculty member; and Sharon Patchak-Layman and Terry Burke and guest, community members.

Acceptance of March 15, 2007 Policy Committee Meeting Minutes

The March 15, 2007 Policy Committee Meeting Minutes were accepted, as presented.

Consideration of Policies for First Reading and Action

Policy 20, Board of Education,

It was the consensus of the Policy Committee members to recommend that the Board of Education approve Policy 20, Board of Education, for first reading, with the following enhancement.

Page 1, Item G: Add the words “as recommended by the Superintendent” after “services”

Policy 3450, Investment of School District Funds

It was the consensus of the Policy Committee members to recommend that the Board of Education approve Policy 3450, Investment of School District Funds, for first reading, as presented, at the April Board of Education meeting.

Ms. Witham reported that the amendment of this policy would reflect O.P.R.F.H.S.’s move from its association with the Township Treasurer’s Office, i.e., removing reference to the Township Treasurer. She noted that many schools use this model.

Ms. Witham affirmed to the committee members that she was O.P.R.F.H.S.’s Treasurer.

While Ms. Witham began an update on the Township Treasurers office regarding the timing of the withdrawal, dissolution of that office, formation of a business managers' committee to make decisions on how to split the money and fees, etc., it was suggested that this report be delayed until Special Board Meeting immediately following this meeting. She did state, however, that auditors now showed a \$400,000 deficit.

Mr. Edgecombe stated that the next policies concerned student discipline. The administration amended language in these policies to make it more consistent and understandable. Mr. Edgecombe asked if the District should change the position of "superintendent/principal" to "superintendent" in these policies. Mr. Rigas concurred, as it was an effort to be more clarifying in the policies. Mr. Edgecombe will contact legal counsel about the ability of the Board of Education to give a blanket approval to substitute "Superintendent/Principal" for "Superintendent" or "Principal" when appropriate in all of the policies, rather than having to review each policy individually to make the change.

Policy 5114, Student Discipline

It was the consensus of the Policy Committee members to recommend that the Board of Education approve Policy 5114, Student Discipline, with the following enhancements, for first reading, at its regular April Board of Education meeting.

Replace "Superintendent/Principal" with "Superintendent" or "Principal" where appropriate.

Page 11, Item C. No. 5: Replace "Perna will supply language regarding witness" with "an explanation of how witnesses may be brought to the hearing."

Parents must supply the names of the witnesses they intend to call to testify. Students cannot be called as witnesses without the school receiving approval from the students' parents and the students themselves. The school also provides the parents with all of the documentation it is presenting at the hearing, including the names of its witnesses. Mr. Edgecombe stated that the school is prohibited from using the testimony of a student who indicates he/she does not want to testify under the right to face his/her accuser, unless the student confirms in writing it is because of fear of retaliation.

A discussion ensued regarding expunged records. The question was asked if parents must request their students' expulsions be expunged. The response was affirmative, but it was explained that unlike academic records, discipline records, as temporary records, remain with the school for five years after graduation. However, if they were subpoenaed and had not been destroyed, they would have to be turned over. Ms. Ranney inquired whether parents had asked to have their children's ISS records expunged. Mr. Perna responded yes again, but there would be no grounds for that. If it were found, after the fact, that a suspension was unwarranted, that would be grounds to have the record

expunged. A potential employer has the right to ask for both academic and discipline records, but the student would have to agree to those records being released.

A discussion also ensued regarding the Parent/Teacher Advisory Committee as to how often it was scheduled to meet, the membership component, and the chair of the committee. This is the first year Mr. Perna has chaired the meeting. The committee is composed of representatives from each area and division in the school, i.e., security, CPA, etc., as well as parent representatives. It meets monthly. The three parents on the committee this year were on the committee last year. Each parent group is asked to send a representative. There will be two more meetings this year. This committee makes its recommendations to B.A.T.

To Ms. Burke's inquiry as to whether there was parent representation from A.P.P.L.E. on this committee, Mr. Perna responded negatively. She asked who contacted A.P.P.L.E. about representation. Mr. Perna replied that Ms. Stevens had contacted Ms. Wyanetta Johnson last year.

Policy 5114-1, Suspension and Expulsion for Students with Disabilities

It was the consensus of the Policy Committee members to recommend that the Board of Education approve Policy 5114-1, Suspension and Expulsion for Students with Disabilities, with the following enhancement, for first reading, at its regular April Board of Education meeting.

Replace "Superintendent/Principal" with "Superintendent" or "Principal" where appropriate.

Mr. Edgecombe pointed out that while O.P.R.F.H.S. has been using the term "exclusion" when it has expelled Special Education students, The School Code of Illinois states that the term expulsion should be used.

Policy 5114-2, Behavioral Interventions and Isolated Time Out/Physical Restraint for Disabled Students

It was the consensus of the Policy Committee members to recommend that the Board of Education approve Policy 5114-2, Behavioral Interventions and Isolated Time Out/Physical Restraint for Disabled Students, with the following endorsement, for first reading, at its regular April Board of Education meeting.

Replace "Superintendent/Principal" with "Superintendent" or "Principal" where appropriate.

Policy 5114-3, Student Discipline Pertaining to Psychostimulant Medication

It was the consensus of the Policy Committee members to recommend that the Board of Education approve Policy 5114-3, Student Discipline Pertaining to Psychostimulant

Medication, for first reading and deletion, at its regular April Board of Education meeting. This policy is being deleted based on counsel's recommendation that this information is embedded in Policy 5114-2 and it does not have to be a stand-alone policy. Policy 5114-A, Hazing

It was the consensus of the Policy Committee members to recommend that the Board of Education approve Policy 5114-A, Hazing, for first reading, with the following enhancement, at its regular April Board of Education meeting.

Page 1, Lines 2 & 3: Delete the words "including leaders of student organizations"

Replace "Superintendent/Principal" with "Superintendent" or "Principal" where appropriate.

Birthing and Non-birthing Parent Employee Leave

Mr. Edgecombe explained that in December the Board of Education asked him to provide a more comprehensive leave procedure for non-birthing parents. After examining the procedures of other NWPA Districts to gain a better understanding of the practices of the educational marketplace on this issue, he found that all NWPA Districts permit the non-birthing parent to take a leave in support of the birthing parent under the Family Medical Leave ACT (FMLA) and other parental leave provisions. Only Niles and Stevenson provide for paid leave. In the case of Niles, the non-birthing parent is allowed six to eight weeks (depending on delivery method) of paid leave from the birth of the baby. In the case of Stevenson, the non-birthing parent can use five days of paid leave from the birth of the baby.

The procedure the Board of Education approved in December allows the non-birthing parent to request up to four weeks of paid leave from the birth of the baby, exclusive of school holidays or vacations. The purpose of the leave, as discussed in December, is to allow the non-birthing parent to provide support and care to the birthing partner, as well as to have bonding time with the infant. The December policy begs the question as to whether or not it was intended that non-birthing parents who have a baby born in early June should be given four weeks of leave, meaning they would get approximately three of those weeks at the beginning of the fall semester. Would not the expressed purpose of paternity leave have been satisfied by the ten-week summer break? There was also a discussion in December about allowing the four weeks of paternity leave to be permitted at any time during the first 6 to 12 months after the birth of a child.

Mr. Edgecombe presented three options for the Committee's consideration regarding birthing and non-birthing employee leave (attached to and made a part of the minutes of this meeting).

Mr. Edgecombe informed Dr. Greenwald that if there were other complications, a doctor's recommendation would prevail. In order to use sick leave beyond the agreed upon period. The child or birthing partner would have to be sick for the additional period

of absences and that would be the caveat. Mr. Edgecombe asked them to keep in mind that the use of sick leave also includes using FMLA leave—12 weeks in a 360-day period. The District uses a rolling methodology rather than a fixed methodology, so that it is unique to the individual.

The difference between option 1 and option 2 is whether unpaid calendar days are included. While O.P.R.F.H.S. is willing to provide for paid leave, Dr. Millard asked if other districts included non-calendar days in the calculation. Mr. Edgecombe's response was no. It includes the time from the birth of the child as it relates to the birthing parent. From experience, it is not difficult for the birthing parent to get more time from the doctor. Dr. Millard added that it was more common now for moms to ask for days of labor, a condition that warrants a C-section. People want inductions on December 28 so as to get their tax deductions. If a teacher were to deliver when the school vacation starts, it would not count toward their leave. A teacher could adjust what will happen to get the extra time-off benefit. Ms. Ranney was concerned about the continuation of teaching and teachers in the classrooms. It was hard to imagine what having a substitute for six weeks would do to an AP classroom. Those were the counterbalancing influences.

When asked why this was not a matter of negotiation, the response was that it was not in the contract.

Mr. Rigas reiterated that the Committee was being asked to clarify the days off. The idea is to provide benefits to birthing and non-birthing parents. If the child is born in June, the parent has two months to spend time with the child and are then able to take birthing leave. That benefit it is great and beyond what is provided in other districts. Many faculty members plan for their child to be born in the summer.

Mr. Hunter stated that they want to provide for the opportunity for non-birthing parents to have time with their child, as those are critical times. He did not believe that teachers would take advantage of the system by planning their children's birth dates around when they would have the most off time. He also noted that substitutes in classes do provide quality teaching. Mr. Hunter said that this could be a contractual item, but the decision was made to work within the Board of Education's framework and make it a policy.

Mr. Noble noted that a year ago, the practice was six weeks for non-birthing parents, and this year it was four weeks. So that the benefit was not further diminish, the faculty asked that the policy be reviewed. His initial conversation to Mr. Rigas was that this not be a contractual issue. The interim policy established in December prevented a further diminishment of benefit—going from four weeks excluding vacations and holidays to four weeks including vacations and holidays. That seemed reasonable, but it also decreased the benefit to the birthing parent. Mr. Noble agreed that the time off for June births should be addressed. However, there is the question of adoptive child leave. He was agreeable to reducing to four weeks of time off for both parents with two weeks being flexible. Dr. Greenwald felt adoptive should get the same amount of leave as birthing parents. Mr. Noble planned to ask for the four weeks for non-birthing parent time off to be the same, but it could occur in the first 90 days. Mr. Edgecombe felt the

four weeks should coincide with the birth. The faculty thought that complications could arise within the first 90 consecutive days.

Mr. Edgecombe reported the policy has not been the same since 2001-2002, because it evolved each year in trying to handle the requests of the non-birthing parent. Previously non-birthing parents only asked for four weeks.

Ms. Fisher, in looking at the non-birthing parent, asked what is an estimate as to how many people per year might want to evoke this policy for the non-birthing parent. Mr. Edgecombe responded that there were three this year. Ms. Ranney noted that this would be more common in the future, as O.P.R.F.H.S. has a young teaching staff.

Discussion ensued about adoptive parents and the time they might have to spend getting the child and then deciding who the care giver would be, etc. Sometimes adoptive parents have to stay 90 days in another country in order to receive their child. Dr. Millard noted that she would get six weeks of maternity leave at her work, but her husband would get none. Mr. Noble wanted the same as non-birthing parent, i.e., 6 weeks within 90 days of the birth, because adoption is tricky because the parents have to leave for the country of birth before the adoption. Then the time off might not be consecutive based on the country's requirements. Mr. Noble acknowledged that this was aggressive and ahead of the game and he was asking for forward thinking on this. Dr. Greenwald noted that the world was a changing place and the high school needed to recognize that by having a day care center, it makes possible for not only students who have children and faculty who have children to be parents and to make a professional commitment. Two career families is the norm. He concurred with anytime during the 90 days.

After this lengthy discussion ensued, it was the consensus of the Committee members to allow the following procedures.

Birthing Parent – Sick leave time may be used by a faculty member, who is the birthing parent of a newborn child, concurrently with leave time permitted under the Family Medical Leave Act (FMLA) for up to six calendar weeks, for a normal delivery, from the birth date of the newborn child, exclusive of holidays and vacations. However, births that occur after May 1 or eight weeks prior to the first day of the new school year will include non-contractual days.

Non-Birthing Parent – Sick leave time may be used by a faculty member, who is the non-birthing parent of a newborn child, concurrently with leave time permitted under FMLA for up to any four consecutive calendar weeks, for a normal delivery, from the birth of the newborn child, exclusive of holidays and vacations during the first 90 days of birth.

Child Adoption – Sick leave time may be used by a faculty member, who has adopted a child, concurrently with leave time permitted under FMLA for up to any four weeks from the approval date of the adoption, exclusive of holidays and vacations. However, it is recognized that adoptive procedures are often lengthy and imprecise relative to the actual

receipt of the child; consequently, the District will work collaboratively with an adopting faculty member regarding the exact dates of the desired leave.

Mr. Edgecombe will provide the Board of Education with an administrative update at the April 26 Board of Education meeting. Mr. Hunter and Mr. Noble thanked the Committee for its consideration.

Discussion of Cell Phone Policy

The Policy Committee expressed a desire to review the District's Cell Phone Policy because it cannot be enforced. Students having cell phones in the building is a reality.

Mr. Perna stated that student use of cell phones during class has been an issue. As to how many, he would have to check his records. His sense, however, is that it is significant. In his experience, students are more aggressively taking out their phones and walking around the halls during the day. Part of the joint committee's work is the cell phone policy. They have differing opinions on how the policy should be amended. He feels cell phones are a disruption. Mr. Rigas concurred, but stated that the policy has no substance other than if a student takes the phone out, the policy should be enforced. There should be an enforceable policy. Dr. Millard concurred. She suggested saying cell phones cannot be on or used in the classroom. If it were, there would be subsequent consequences.

Mr. Perna stated that at the last Joint Committee meeting, a rough draft was proposed that would allow students to have cell phones that were turned off. There were substantial penalties for pulling the phone out, i.e., 3 hours of ASD and start at Code B. Presently, phones are being confiscated and parents are required to retrieve it. This policy would state that if the student were using the phone, they would receive a significant suspension, three-hour ASD at Code B, rather than Code A, a verbal warning, and the parent would pick up. The second infraction would go from Code B to Code C. A cell phone ringing would also trigger the policy.

Dr. Bridge expressed her continued opinion that a lesser policy of this sort would result in even more cell phones in the building. Ms. Ranney felt it would increase the interventions the faculty would have to make. Mr. Rigas stated that the stiffer penalties might decrease the amount of use within the building. Dr. Bridge asked if the policy could include students not having it on their person during the day. She was concerned about students using it in the private spaces in the building, i.e., bathrooms, locker rooms, etc. It should be in their lockers only. There are classroom phones for an emergency; no parent can make the statement that his/her child is being deprived of the use of a telephone.

Mr. Perna will engage the Joint Committee in proposing amendments to this policy and will work with Mr. Edgecombe to bring this to the May Policy Committee meeting for first reading. It will include stiffer penalties for cell phone usage during the day. It could

then be amended at the June Policy Committee meeting and be available for inclusion in the 2007-08 Student Handbook.

Ms. Patchak-Layman suggested asking Student Council for its input on this policy as well.

Adjournment

The Policy Committee adjourned at 11:19 a.m.