

Oak Park and River Forest High School
District 200

201 North Scoville Avenue • Oak Park, IL 60302-229

TO: Board of Education

FROM: Dr. Joylynn Pruitt-Adams and Brenda Horton

DATE: September 28, 2017

RE: Policies for First Reading

Background:

The Committee of the Whole reviewed the following policies and recommended that the Board of Education approve them for first reading at its regular September Board of Education meeting. Following approval they will be sent to various constituents for their review.

Action and Policy	Explanation
Policy 2:260, Uniform Grievance Procedures	The policy, Cross References, and footnotes are updated to clarify that Title II of the ADA applies to website accessibility. Continuous improvement updates are also made to the policy and footnotes.
Policy 6:80, Teaching Controversial Issues	The policy and footnotes are updated with minor corrections for continuous improvement.
Policy 6:210, Instructional Materials	The policy, footnotes, and Legal References are updated to move optional language previously within footnote 4 into the body of the policy. Footnote 4 is updated to note this is a best practice.
Policy 7:20, Harassment of Students Prohibited	<p>An attorney review on whether the word “substantially” should remain in the definition found that is the Department of Education and legal standard used when reviewing whether such conduct constitutes hostile environment sexual harassment in schools but added the words “or unreasonably” after “substantially in both 2a and in the definition in the 2nd paragraph.</p> <p style="padding-left: 40px;">1. Delete "denies or limits the provision of educational aid, benefits, services, or treatment; or that makes such conduct a condition of a student's academic status; and as it is repeated in (2)(c) and (d).</p> <p>While a suggestion was to include the age of 17 in the definition, (1) of that section indicates “a minor under certain circumstances that may result in a violation of state or federal law.” Such a reference indicates that a minor cannot provide consent. However, in light of the various sexual crimes outlined in the criminal code and their differing consent provisions, the attorney recommendation was to use the term minor instead of including a specific age.</p> <p>A second suggestion was to remove “to the point of being unable to make rational decisions” from the alcohol and drug reference in (5). The attorneys</p>

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	understood that the more detailed consent section was added previously by the Sexual Misconduct and Policy Revision Committee after much feedback from the Rape Advocacy Organization and it is more aligned to the consent definition in the Illinois Preventing Sexual Violence in Higher Education Act. Legal Counsel previously raised concerns about the subjective nature of (5) and the reference to “being unable to make rational decisions.” Therefore, it agreed with removing that part of the sentence and recommended being consistent with the consent language pulled from the Illinois Preventing Sexual Violence in Higher Education Act, adding the term “incapacitated” to the drug and alcohol reference so it indicates “incapacitated due to the use or influence of alcohol or drugs.” While compliance with the Illinois Preventing Sexual Violence in Higher Education Act is only required for colleges, we recommend having a qualifier such as “incapacitated” when discussing the ability to consent when under the influence of drugs or alcohol.
Policy 7:275, Orders to Forgo Life-Sustaining Treatment	The policy is updated with suggestions from members of the PRESS advisory Board (PAB). More members of the multi-disciplinary team are added. Footnotes are updated and added to discuss potential liability issues and provide options for the work of the multi-disciplinary team.
Policy 8:70, Accommodating Individuals with Disabilities	The policy and footnotes are updated to clarify that Title II of the ADA applies to website accessibility.

Motion

Move to approve the policies as presented for first reading.