

January 8, 2019

A special meeting of the Board of Education of the Oak Park and River Forest High School was held on Tuesday, January 8, 2019, in the North Cafeteria of the high school.

Call to Order

President Dr. Moore called the meeting to order at 7:04 p.m. A roll call indicated the following members were present: Fred Arkin, Matt Baron, Tom Cofsky, Jennifer Cassell, Craig Iseli, Dr. Jackie Moore, and Sara Dixon Spivy. Also at the table were Dr. Joylynn Pruitt-Adams, Superintendent and Gail Kalmerton, Executive Assistant/Clerk of the Board.

Visitors

Greg Johnson, Assistant Superintendent for Curriculum and Instruction; Roxana Sanders, Senior Director of Human Resources; and Nathaniel L. Rouse, Principal; District 97 Board members Spatz, O'Connor, Liebl, Breymaier, Broy, and Datta, Dr. Carol Kelley, Superintendent; and Board Secretary Sheryl Marinier; District 90 Board members Cal Davis, Judy Deogracias, Barb Hickey, Ralph Martire, Rich Moore, Nicole Thompson, Stacey Williams; Dr. Edward Condon, superintendent, and Anthony Cozzi, Chief Financial Officer, and various staff and community members.

Approval of Agenda

Dr. Moore moved to approve the agenda as presented; seconded by Ms. Dixon Spivy. A voice vote resulted in all ayes. Motion carried.

Legal Aspects of Data Sharing

Teri Engler, Esq. of Engler Callaway Baasten & Sraga, LLC. presented on the legal issues in student data sharing between districts. She reviewed the presentation in the packet. Discussion ensued.

There are multiple federal and State laws that govern school district policies, procedures, and practices regarding student records and the confidentiality of information contained in those records. Federal laws in this area include FERPA (Family Educational Rights and Privacy Act), IDEA (Individuals With Disabilities Education Act), and their implementing regulations. State laws in this area include the ISSRA (Illinois School Student Records Act) and its implementing regulations, the Mental Health and Developmental Disabilities Confidentiality Act, and the Local Records Act.

The two primary purposes of the laws regarding student records:

1. To ensure parents' access to their child's records
 2. To ensure the privacy of these records and the information contained in them
- "Record" means any information recorded in any way, including but not limited to, hand writing, print, computer media, video or audio tape, film, microfilm, and microfiche. The phrase "directly related to a student" is not defined in *FERPA* and tends to be used interchangeably with the notion of records that contain "personally identifiable information" ("PII") about students.

PII includes, but is not limited to:

- student name;
- name of parent or other family members;
- address of student or his/her family;
- personal identifiers (*e.g.*, social security or student ID number, or biometric record);
- other indirect identifiers (*e.g.*, student's date or place of birth, mother's maiden name);
- other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community who does not have personal knowledge of the relevant circumstances to identify the student with reasonable certainty; or
- information requested by someone who the agency or institution reasonably believes knows the identity of the student to whom the record relates.

The *ISSRA* uses the term "school student record" and defines it in a less detailed but similar and equally broad manner. In Illinois, a school student record is any writing or other information concerning a student and by which he/she can be individually identified, that is maintained by a school or at its direction or by an employee of the school, regardless of where or how the information is stored.

FERPA and the *ISSRA* do not define what it means for a school district to "maintain" a student's education record. However, in *Owasso Independent School District v. Falvo* (2002), the U.S. Supreme Court stated that it means that a record "will be kept in a filing cabinet at the school or on a permanent secured database."

FERPA and *ISSRA* grant parents certain rights with regard to their child's student records. (These rights transfer to the student when he or she becomes an "eligible student.") These rights include, but are not limited to, a parent's right to grant or deny their written consent for the release student records or information contained in the records, unless one of the exceptions to the consent requirement applies

Exceptions to the parent consent requirement for the release of student record information include, but are not limited to:

- to employees or officials of the school, school district, or ISBE who have a current, demonstrable educational or administrative interest in the student, in furtherance of such interest;
- to the official records custodian of another school district to which the student has enrolled, or intends to enroll, upon the request of the records custodian in the new district (written notification to parents required prior to release);
- as required by specific federal or State law (*e.g.*, the *Abused and Neglected Child Reporting Act*);

- to individuals or organizations for research, statistical reporting, planning, or accrediting purposes, under certain circumstances/conditions;

General Legal considerations:

- pursuant to a court order (written notification to parents required prior to release);
- to juvenile authorities (*e.g.*, judges, state’s attorneys and public defenders, probation officers, court-appointed advocates, law enforcement officers, *etc.*) under certain circumstances;
- to appropriate persons in cases of health and safety emergencies if knowledge of the information is needed to protect the health or safety of the student or others; and
- to governmental agencies in connection with student truancy investigations.
- Achievement-related data (*e.g.*, PARCC, NWEA/MAP, AIMSweb) and other information is part of a student’s records if it contains PII.
- If the achievement-related data or other information is a part of a student’s records, the *FERPA* and *ISSRA* provisions requiring written parent consent or an applicable exception to the consent requirement will apply before the data or other information may be released.
- Even if achievement-related data and other information is anonymized to remove student names and ID numbers, certain subgroups may be small enough that individual students can still be personally identified. This, too, will invoke the *FERPA* and *ISSRA* provisions requiring written parent consent or an applicable exception to the consent requirement before the data or other information can be released.
- If sharing student achievement-related data and other information is within the context of a *study for the purpose of improving instruction*, the data and other information may only be disclosed:
 - If the study is conducted in a way that does not permit personal identification of parents and students by individuals other than representatives of the organization conducting the study who have legitimate interests in the information;
 - The information is destroyed when no longer needed for the purposes for which the study was conducted; and
 - The school district(s) enter into a written agreement with the organization conducting the study which meets certain *FERPA* requirements.

Specific Tri-Board considerations:

1. Are Districts 90, 97 & 200 considering data sharing for purposes of a study to improve instruction or for other reasons?
2. What data and other information will be shared, by whom, and when?
 - DATA DISCLOSURES BY FEEDER ELEMENTARY DISTRICTS
→ HIGH SCHOOL DISTRICT:

- Prior to when students enter the 9th grade?
- After students enter the 9th grade?
- DATA DISCLOSURES BY HIGH SCHOOL DISTRICT → FEEDER ELEMENTARY DISTRICTS:
- Prior to when students enter the 9th grade?
- After students enter the 9th grade?

3. Can/will the data and other information be anonymized?

An intergovernmental agreement would be needed in order to share information between the entities for the purpose of researching how to improve instruction and developing best practices.

The receiving district can request that all data be shared before the students arrive, but not after. Typically districts ask only for the transcripts, test scores, and IEPs. They do not want all of the other information. The receiving district does not have to wait until the student has graduated from the feeder school to request the data. However, after the student has entered the school, parents must give their written consent, not via email nor an opt in or opt out. Any consent would be in effect until the parent choose to opt out.

The ISBE proposed a resolution which was passed at the Triple I Conference regarding data equity provision allowing feeder districts and high school districts to share data as a unit district. Senator Harmon supports this. What data would the districts like to have flowing back and forth? Evanston and Arlington Heights has such an agreement and share information in both directions.

District 90 has done a legal review of all of its contracts so that there is no breach of information. Note: Informed written parent consent also trumps the law.

Triton College

No Triton College report was given.

Robert Goerge, senior research fellow at Chapin Hall, and facilitator of the longitudinal database created in partnership between District 97, the Village of Oak Park, and the Collaboration for Early Childhood shared that he recently participated in a study and he shared the process and outcomes with the tri-board. Mr. Goerge demonstrated what is possible with data collection and explained some of the challenges.

Mr. Goerge explained that the Chicago Public Schools (CPS) provided records on attainment of the high school diploma. The National Student Clearinghouse (NSC) provided enrollment history and degree attainment data for current and former students from more than 2,800 colleges. Data was also collected from the Illinois Department of Employment Security Unemployment Insurance Wages. The collection of data was able to identify a wealth of knowledge about graduation rates, secondary education rates, and income ability. Mr. Goerge recommended the districts use the National Student Clearinghouse (NSC), which covers 91 colleges and universities, as

a data source if they choose to share data. District 200 has used it for about six years. This is a good resource as Social Security numbers can no longer be required for registration into public schools. Boards need to be concerned about cohorts with small numbers of students, as confidentiality may be a concern. Dr. Moore expressed interest in the determination of next steps as an outcome of this evening's meeting. Discussion ensued about keeping the data confidential as it is very tricky.

In Mr. Goerge report, he provided statistics on the 9th graders in the fall of 2001/2002 as to whether they graded, their post-secondary plans and employment. Overall 70% of the high school graduates enrolled in post-secondary education, with 42% persisting (enrolled in college for 8 months in first year and returning for second consecutive year). Females were more likely to work in health care and social assistance sector.

Mr. Goerge stated that it was important for OPRFHS to look at second year post-secondary and stay in contact with its students. He also noted that keeping data was more difficult because of data breaches, etc. The districts need to know the questions to be asked. The data should be linked across jurisdictions in a secure way. Data needs to be sent so that it is identifiable in order to do inter-sectionality or longitudinal data.

**Board Updates on
Equity Initiatives and
Collaboration**

OPRFHS Students Advocating for Equity (SAFE) students Ryhen Miller and Michela Anderson presented a student-developed racial equity course pilot. They stated that everyone feels emotion when talking about race. For some students of color these conversations force them to become the representative for their race, which is a reminder of the distance in racial equity. Sometimes, white students and teachers feel guilty and attacked. Making matters more complicated is the common disbelief of minority disadvantage. Their purpose is to empower minorities in the school and allow everyone to talk out with a better understanding of race in America.

This class will be student led with the help of a teacher. Students will come into classes of freshmen and sophomores. The topics will be on slurs, identity and problematic behavior. This will also give a true definition of diversity of people in history in class curriculum.

Timeline: Pilot for 2019-2020 school year

- Credits: Semester Course , 1 Credit per semester, repeatable; available to juniors and seniors
- Course would utilize a push-in model similar to what is used for Spoken Word. For example:
 - Monday & Tuesday: Student leaders meet to plan and reflect on curriculum
 - Wednesday, Thursday, and Friday: student leaders push out to other courses to teach curriculum directly to underclassmen
- Course would utilize an application process to Leadership Launch
- Timeline for this process TBD, pending identification of teachers

- Student Leaders from each year would serve on selection committee to determine next year's Leaders
- By end of first semester: Identify and begin working with a teacher who can help develop and potentially teach the course.
- By Mid-February: Develop course description, course outline, and finalize logistics.
- By end of March: Work with the teacher identified above to pilot activities in classes this year, if possible.
- By end of May: Identify initial cohort of students for next year's course.
- Summer 2019: Develop the course, potentially utilizing summer school as a means to work directly with students on its development.

This is a unique course to OPRFHS. Students will work with people in the building and the course needs to be linked with a teacher.

Mr. Rob Breymaier reported on District 97's equity initiative and collaboration. District 97 is exploring what interventions are in place to support students, what PD is being provided.

District 97 has created more direct support to students who are in need of tiered support in reading and math:

- Hired 3 additional academic interventionists to support K-5 students who have been identified through our Multi-Tiered System of Support (MTSS) process.
- Expanded the use of Leveled Literacy Intervention (LLI) in our elementary and middle schools. (LLI is a short-term (evidence-based) program designed to bring students up to grade-level performance in 18-24 weeks. LLI is intense, focused small group instruction for Tier 2 and Tier 3 students.)
- District 97 has created more direct support to students who need tiered social-emotional supports:
 - Middle Schools have dedicated PBIS Coach, Lauren Olsen
 - Hired 4 additional social workers to support students who attend our larger elementary schools and our two middle schools.
 - Established Culture/Climate Teams at both middle schools.
 - Provided trauma-informed care to social workers and administrative team.
 - Redesigned Effective Student Behavior Handbook to align with restorative practices.
- D97 has provided more inclusive service delivery models to support students with disabilities:
 - Designed co-teaching pilot programs at the middle schools in SY13.
 - Expanded the pilot to two of our elementary schools -- Irving and Whittier in SY18.
 - In SY19, approved four additional SPED teachers in order to expand our co-teaching pilot fully (K-5) at Whittier and Irving; additionally, we have added a co-

taught Kindergarten classroom at Beye Elementary. Teaching practices - more co-teaching, Recruiting and Hiring:

- Increased the percentage of new teacher hires of color by 10% in two years (*from 27% in 2016-17 to 37% in 2018-19*).
- However, the diversity of the teaching staff still does not reflect the demographics of our students.
- With help from ALMA Group, D97 has designed recruitment and hiring strategies aimed at helping the district attract and keep effective teachers of color.
- Additional information was linked in the packet about its next steps.

Ralph Martire of District 90 highlighted his district's efforts regarding equity. It found that not all subgroups were high performing and the gaps between minority students got worse. An equity initiative is about excellence. Schools need a system that provides a learning opportunity from every child that is struggling to those who are excelling. Equity efforts have to involve all of those efforts. An Equity Committee was formed which focused on practices that specifically related to in the classroom student performance. It wanted a meaningful predictor predicated on race, etc. The committee researched practices and came up with a recommendation that its board approved. Its current focus areas are:

- Recruiting and hiring practices aligned to increase staff diversity
- Superintendent's Leadership Council (SLC) review of grading practices and forthcoming standards-based grading initiative
- Ongoing partnership with NEP to provide targeted staff training
- "One District, One Book" launch – *The End of Average*, by Todd Rose
- Targeted P.D. for pedagogical practices that foster equitable achievement (i.e. co-teaching, UDL, project-based learning); and
- Review of school schedules to ensure faithful curriculum implementation.

PD is implicit and its board, faculty, and administration have gone through some training. Faculty are now helping to lead this work.

Mr. Martire continued that 90% of students have had no minority teachers and research says students perform better with a diverse faculty. Currently, 30% of the new hires were minorities. Moreover, the district is seeing some improvement. Also, this committee was made permanent and it is identifying a dashboard of metrics of what is wanted and everyone will be held accountable to the committee.

An Inclusiveness Advisory Board is comprised of 40 members and its areas of focus include:

1. Staff development needs, with emphasis on areas of inclusivity and mindfulness about interactions with others
2. Friendships and relationships
3. Strategies to increase inclusiveness for families.

The 12-month accomplishments thus far are:

1. “One District, One Book” initiative – Mindset, by Carol Dweck
2. Ongoing professional development for faculty and staff
-Refinement of recruiting/hiring practices and processes;
3. Partnership with Alma Advisory Group consultants
4. D90 Inclusiveness Survey analysis (students, staff and families)
5. Development of strategic dashboard to monitor progress over time
6. Professional development for Universal Design for Learning (UDL) pedagogical framework launch.

District 90 is also hosting town hall-type meetings.

Ms. Dixon Spivy noted that she was one member of the Tri-board Equity Committee that was now in its second year. The other members were Ralph Martire and Rob Braymeirer. She hoped the committee would continue. Ms. Dixon Spivy then highlighted the equity work that OPRFHS has commenced.

OPRFHS’s mission statement is to ensure that all students, regardless of race, have the resources and support they need to achieve their full potential.

- One of the six major goals in the district's 2017-2022 strategic plan is to “continuously strive to create an environment where the academic achievement and social and emotional growth of students will no longer be predictable by race, socioeconomic status, or other social factors.” Among the specific strategies in this goal is to identify proven programs that reduce inequities of opportunity and enable students of color and/or low socioeconomic status to gain greater access to, and success in, college prep, honors, and AP courses.
- During the 2017-2018 school year, about 40 teachers received intensive training as Collaborative Action Research for Equity (CARE) team leaders. Beginning with the 2018-2019 school year, all OPRF teachers have been assigned to small groups of faculty members. With the guidance of the CARE team leaders, these groups will spend the next five years analyzing their curriculum, teaching methods, practices, processes, and classroom relationships through a racial lens. By focusing on classroom factors that affect students most directly, the goal is to eliminate racial bias in instruction.
- Beginning in 2018-2019, two OPRF faculty members with an extensive background in racial equity leadership will work one-on-one with teachers to help develop healthy racial consciousness, apply racial-equity concepts in their classroom relationships and teaching practices, and promote a culture of high expectations for all students.
- The dress code was revised as a result of student input that the dress code and its enforcement treated students differently by gender and race. The new dress code avoids any reference to gender-specific clothing and states that the code will be enforced “consistently and in a manner that does not reinforce or increase marginalization or oppression of any group.” All faculty and staff are

being trained to use student- and body-positive language to explain the code and address violations. Students seem happier in the building.

- District 200 too is putting into place Restorative Justice Practices with PD trainings. Restorative Justice is a mindset that values relationships at the center of community life. When harm happens, these relationships create space for multiple perspectives to be heard in order to repair the harm.
- District 200 instituted gender equity procedures.
- District 200 is developing a policy and procedures on Racial Equity. We view the Racial Equity Policy as a systemic affirmation of the ongoing Racial Equity Work. It is not meant to interfere with or take away from our current racial equity work.

**Community
Feedback and
Questions/Public
Comment**

None

Adjournment

At 9:06 p.m., Ms. Hickey moved to adjourn the Special Board Meeting; seconded by Dr. Moore. A voice vote resulted in the motion carried.

Dr. Jackie Moore
President

Jennifer Cassell
Secretary