

OFFICIAL MINUTES OF THE BOARD OF EDUCATION
SCHOOL DISTRICT 68, COOK COUNTY, ILLINOIS

Regular Board of Education Meeting –April 15, 2014

The Board of Education of School District 68, Cook County, Illinois, met on the 15th day of April, 2014, in regular session at the Educational Service Center, according to the rules of the Board.

The meeting was called to order at 8:00 p.m. by the president of the Board, Una McGeough, who presided. Members of the Board were present as follows:

Present: Katrina Bell-Jordan
Una McGeough
Mark Weil
Darius Zakeri

Absent: Amy Anson
Richard Berk
Todd Fingerman

Administrative staff members were present as follows:

Frances McTague, Superintendent
Ryan Berry, Director of Business Services
Andy Carpenter, Old Orchard Junior High School Assistant Principal
Leslie Gordon, Highland School Principal
Robyn Hawley, Old Orchard Junior High School Principal
Laurie Heinz, Assistant Superintendent for Instruction
Jac McBride, Director of Special Services
Beth Millard, Assistant Superintendent for Business
Susan O’Neil, Jane Stenson School Principal
Irina Ziemann, Director of Technology

Absent: Randy Needlman, Devonshire School Principal

Visitors:	Jessica Andrie	Colette Halverson
	Angelia Athanasopoulos	Brett Morrow
	Natalie Dandino	Mark Thompson
	Jim Garwood	

1. INTRODUCTION OF BOARD MEMBERS AND VISITORS AND PUBLIC COMMENT

President McGeough asked Board members and administrators at the head table to introduce themselves. She asked for comments from the audience regarding items not on the agenda. There were no comments.

2. CONSENT AGENDA

It was moved by Member Zakeri, seconded by Member Weil, that the Board of Education approve the items on the Consent Agenda, which contained the following:

- a. Minutes
Regular Board of Education Meeting – March 18, 2014
Closed Board of Education Meeting – March 18, 2014
- b. Personnel: Resignation: E. Bottonari; FMLA: A. Yoder; Cl. Appt.: K. McKnight;
Amended Admin. Contracts: F. McTague, B. Millard
- c. Financial Reports
- d. Approval of Pay Orders and Expenditures

Upon roll call, the members voted as follows:
AYE: Bell-Jordan, McGeough, Weil, Zakeri
NAY: None.
Motion carried.

3. GR. 6-8 MATHEMATICS CURRICULUM IMPLEMENTATION UPDATE

Assistant Superintendent Heinz and Jr. High Teacher Andrie provided an overview of the new *Big Ideas* mathematics program in use at Old Orchard Junior High. Students described and demonstrated the problem-solving process. There was discussion about various aspects of the program and its relationship to the Common Core. President McGeough thanked the presenters.

4. REVIEW OF POLICY 5130 – STUDENT CONDUCT AND DISCIPLINE

The Board discussed the suggested revisions to Policy 5130, as listed in the agenda items, and made the following revision under A3 – Aggressive Behavior and Bullying:

Bullying can be ~~written (including electronic, verbal, physical or a negative or aggressive gesture)~~ **physical, verbal, or written, including electronic communication**. Bullying is conduct that places another student in reasonable fear of harm to his or her person or property, that causes a substantially detrimental effect on a student's physical or mental health, substantially interferes with a student's academic performance, or that substantially interferes with a student's ability to participate in or benefit from the services, activities, or privileges offered by a school. Bullying and intimidation most often occur when a student asserts physical or psychological power over, or is cruel to, another student perceived to be weaker, for instance, conduct that is belittling or browbeating. It also includes teen dating violence, such as a pattern or behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age, or behavior by which a person uses or threatens to ~~use~~ **use** sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

5. AT-RISK/ELL EARLY CHILDHOOD PROGRAM

Special Services Director McBride and Director of Business Services Berry presented the specifics of the proposed At-Risk/ELL preschool pilot for 2014-15. Maximum enrollment will be 40 students in a half-day program. Eligibility will be based on a number of at-risk factors using a screening tool and several ISBE recommended assessments. A sliding fee schedule will be developed to encourage participation for our neediest children and will include transportation. There was extensive discussion about the implications and logistics of the program. Superintendent McTague noted that while the program is a pilot, it would need to be in place for several years before its impact could be determined. A key measure will be how soon students are able to transition out of Level I ELL programming. There was strong support for moving forward with the program as presented. Final approval will take place at the May 20, 2014 Board of Education Meeting. President McGeough thanked the presenters.

6. NILES TOWNSHIP DISTRICT #807 FOR SPECIAL EDUCATION

No report.

7. 2013-14 CALENDER REVISIONS

It was moved by Member Bell-Jordan, seconded by Member Zakeri, to designate January 6, 7, 27, and 28, 2014, as emergency days; designate March 3, 2014, as a school holiday; declare May 30, June 4, 5, and 6, 2014, as regular attendance days, instead of being used as emergency attendance days; and designate June 6, 2014, as the closing day of the 2013-14 school year.

Upon roll call, the members voted as follows:
AYE: Bell-Jordan, McGeough, Weil, Zakeri
NAY: None.
Motion carried.

8. *ADOPTION OF POLICIES: 4118 – SUSPENSION OF PROFESSIONAL PERSONNEL; 5131 – SEARCH AND SEIZURE; AND REVISION OF POLICIES: 4117 – CONTINUED EMPLOYMENT AND TERMINATION OF PROFESSIONAL PERSONNEL, 4350 – DRUG AND ALCOHOL POLICY, 5112 – AGES OF ATTENDANCE, AND 5113 – ATTENDANCE, ATTENDANCE RECORDS, AND EXCUSES FOR ABSENCES*

It was moved by Member Weil, seconded by Member Bell-Jordan, to adopt Policies 4118 and 5131 and revise the above-named policies as follows:

Suspension of Professional Personnel

NEW 4118

The Board of Education or Superintendent or designee may suspend any professional employee with or without pay: (1) pending a dismissal hearing, (2) during an investigation into allegations of misconduct; or (3) as a disciplinary measure for misconduct that is detrimental to the School District.

Misconduct that is detrimental to the School District includes:

- Insubordination, including any failure to follow an oral or written directive from a supervisor;
- Violation of Board policy or Administrative Procedure;
- Conduct that disrupts or may disrupt the educational program or process;
- Conduct that violates any State or federal law that relates to the employee's duties;
- Any basis for dismissal provided in Section 10-22.4 of the School Code; and
- Other sufficient causes.

Prior to suspending a professional employee with or without pay, the Superintendent or designee shall meet with the employee to present the allegations and give the employee an opportunity to respond. The Superintendent or designee will give the employee written notice of the basis for the suspension. The employee may be accompanied by the representative of his or her choice to the meeting with the Superintendent or designee. The Superintendent or designee shall orally advise the professional employee of the determinations made and promptly follow up with a written decision stating the reason(s) for the suspension.

A professional employee who is suspended by the Superintendent without pay may request a hearing before the Board by submitting a written hearing request to the Superintendent within three business days after receipt of the written suspension determination. The professional employee may be accompanied by a representative of his or her choice to the Board hearing. The Board will conduct a post-suspension hearing for the purpose of allowing the professional employee the right to respond to the reasons for the suspension without pay and the length of the suspension. The Board or its designee shall notify the professional employee of the date and time of the post-suspension hearing. The Board shall issue a written decision within 20 business days of the hearing date. This decision shall be final.

This policy does not preclude action by the Board of Education to suspend any professional employee, with or without pay, or suspend any professional employee pending a dismissal hearing pursuant to Section 24-12 of the School Code; or any actions by the Superintendent to temporarily reassign any employee with pay pending investigation of any potential disciplinary matter or dismissal hearing.

Repayment of Compensation and Benefits

If a professional employee is suspended with pay, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution, and the employee is later dismissed as a result of his or her criminal conviction, the employee must repay to the District all compensation and the value of all benefits received by him or her during the suspension. The Superintendent will notify the employee of this requirement when the employee is suspended.

LEGAL REF.: 5 ILCS 430/5-60(b).
 105 ILCS 5/24-12.
 Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487 (1985).
 Barszcz v. Community College District No. 504, 400 F.Supp. 675 (N.D. Ill.,
 1975).
 Massie v. East St. Louis School District No.189, 561 N.E.2d 246 (Ill.App.5,
 1990).

Craddock v. Bd. of Ed. of Annawan Cmty. Unit Sch. Dist. No. 226, 405 N.E.2d 794 (Ill. 1980).

Spinelli v. Immanuel Lutheran Evangelical Congregation, Inc., 515 N.E.2d 1222, 1230 (Ill. 1987).

Policy adopted by the Board of Education on 4/15/14

Search and Seizure

NEW 5131

In order to maintain order and security in the schools, school authorities are authorized to conduct reasonable searches of school property and equipment, as well as of students and their personal effects. "School authorities" includes school liaison police officers.

School Property and Equipment as well as Personal Effects Left There by Students

School authorities may inspect and search school property and equipment owned or controlled by the school (such as, lockers, desks, and parking lots), as well as personal effects left there by a student, without notice to or the consent of the student. Students have no reasonable expectation of privacy in these places or areas or in their personal effects left there.

The Superintendent may request the assistance of law enforcement officials to conduct inspections and searches of lockers, desks, parking lots, and other school property and equipment for illegal drugs, weapons, or other illegal or dangerous substances or materials, including searches conducted through the use of specially trained dogs.

Students

School authorities may search a student and/or the student's personal effects in the student's possession (such as, purses, wallets, knapsacks, book bags, lunch boxes, etc.) when there is a reasonable ground for suspecting that the search will produce evidence the particular student has violated or is violating either the law or the District's student conduct rules. The search itself must be conducted in a manner that is reasonably related to its objective and not excessively intrusive in light of the student's age and sex, and the nature of the infraction.

When feasible, the search should be conducted as follows:

1. Outside the view of others, including students,
2. In the presence of a school administrator or adult witness, and
3. By a professional employee or liaison police officer of the same sex as the student.

Seizure of Property

If a search produces evidence that the student has violated or is violating either the law or the District's policies or rules, such evidence may be seized and impounded by school authorities, and disciplinary action may be taken. When appropriate, such evidence may be transferred to law enforcement authorities.

Notification Regarding Student Accounts or Profiles on Social Networking Websites

State law requires the District to notify students and their parents/guardians that school officials may request or require 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. This request may be made only if there is reasonable cause to believe that the student's account

contains evidence that he or she, **or another individual**, violated a school disciplinary rule or Board policy.

Policy adopted by the Board of Education on 4/15/14

Continued Employment and Termination of Certified Professional Personnel 4117

It shall be the responsibility of the Superintendent to recommend the continued employment of non-tenured ~~certified~~ **professional** employees to the Board. In the event that a probationary teacher will be recommended for termination, adequate time for consideration and legal notice will be provided. Employees under tenure shall also be reviewed in time to provide legal notice of termination of employment. All professional employees shall be dismissed or reemployed only upon the advice of the Superintendent.

Policy adopted by the Board of Education on 2/27/62
Revised 2/17/04 **4/15/14**

Drug and Alcohol Policy 4350

The District workplace shall be free from drugs and alcohol.

Accordingly, the unlawful manufacture, distribution, dispensing, possession, use, or being under the influence of a controlled substance by an employee while on District premises, while supervising District students, or while at a school-related activity is prohibited.

The distribution, consumption, possession, or being under the influence of alcohol by an employee while on the District premises, while supervising District students, or while at a school-related activity is prohibited.

As a condition of his or her employment, each employee shall:

- a. abide by the terms of this policy; and
- b. notify the Board of Education of any criminal drug **or alcohol** conviction for a violation occurring on District premises, while supervising District students, or while at a school-related activity no later than five (5) days after such conviction.
- c. **Transportation employees must submit to drug and alcohol testing as a condition of employment.**

The District shall provide a copy of this policy to each employee.

The District shall establish a drug free awareness program to inform employees about:

1. The dangers of drug and alcohol abuse in the workplace;
2. The District's policy of maintaining a drug and alcohol-free workplace;
3. Any available drug and alcohol counseling, rehabilitation, and employee assistance programs;
4. The penalties that may be imposed on employees for drug and alcohol violations.

Disciplinary and Other Employer Action

1. Violation of these prohibitions may result in disciplinary action, up to and including termination.
2. The Board of Education shall take disciplinary action with respect to an employee convicted of a drug **or alcohol** offense in the workplace within thirty (30) days after receiving notice of such a conviction. The Superintendent of Schools shall notify the appropriate agency from which it receives grant monies of an employee conviction within ten (10) days after receiving notice of the conviction.
3. The Board of Education may also require an employee who violates this policy to successfully complete an appropriate drug or alcohol abuse assistance or rehabilitation program.

Definitions

For the purposes of this policy, the following definitions apply:

1. A "controlled substance" is one:
 - a) which is not legally obtainable;
 - b) which is being used in a manner different from that prescribed; or
 - c) which is legally obtainable but has not been legally obtained.
2. A "conviction" is a finding of guilt (including a plea of no contest) or imposition of a sentence, or both, by any judicial body charged with the responsibility of determining violations of the federal or state criminal drug statutes.

Legal Reference: Controlled Substances Act, 21 U.S.C. § 812.
Drug-Free Workplace Act, 41 U.S.C. § 701 et seq.
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. § 7101 et seq.
Drug-Free Workplace Act, 30 ILCS 580/.

Policy adopted by the Board of Education on 12/18/90
Revised 5/15/12 **4/15/14**

Ages of Attendance

5112

Whoever has custody or control of any child in District 68 between the ages of ~~seven~~ **six (on or before September 1)** and ~~sixteen~~ **seventeen** years shall cause such child to attend the appropriate public school the entire time the school is in session unless said child is exempted by the provisions of *The School Code*.

Legal Reference: *The School Code*, State of Illinois (105ILCS 5/26-1)
Policy adopted by the Board of Education on 2/27/62
Readopted 4/20/04
Revised 4/15/14

Attendance at school shall be continuous and consecutive during the course of a school year. Daily attendance of students shall be taken as soon as the children are settled into their classrooms.

Parents shall be required to notify the school of a child's absence and the reason therefore. When such notification has not been made, the school shall call the parent at the number designated by the parent to ascertain the reason for the absence. Cases of excessive absenteeism and cases of suspected truancy shall be acted upon by the responsible school officials of the District in accordance with *The School Code of Illinois*.

A student shall be released from school, as an excused absence, to observe a religious holiday or for religious instruction.

Students at risk of academic failure as a result of excessive absenteeism or truancy shall be provided with support services, which may include without limitation one or more of the following:

- Parent-Teacher conferences
- Counseling services by school social workers
- Psychological testing
- Alternative school placement
- Community agency services
- Remediation programs

Records of daily attendance of each pupil shall be kept in accordance with provisions of law and State Board of Education regulations. Attendance records shall be retained in perpetuity as provided by Policy 5125.

Legal Reference: *The School Code*, State of Illinois (105ILCS 5/10-23.2 & 105ILCS 5/26-4)

Policy adopted by the Board of Education on 2/27/62
Readopted 4/20/04
Revised 4/15/14

Upon roll call, the members voted as follows:
AYE: Bell-Jordan, McGeough, Weil, Zakeri
NAY: None.
Motion carried.

9. ADMINISTRATOR EMPLOYMENT CONTRACT

It was moved by Member Zakeri, seconded by Member Bell-Jordan, to accept the resignation and retirement of Susan O'Neil, effective May 26, 2019, and to approve a five-year contract for this administrator from May 2014 through May 2019 (per Attachment A).

Upon roll call, the members voted as follows:

AYE: Bell-Jordan, McGeough, Zakeri

NAY: None.

ABSTAIN: Weil

Motion carried.

10. RESIGNATION/RETIREMENT AGREEMENT OF PROFESSIONAL EMPLOYEE

It was moved by Member Weil, seconded by Member Zakeri, to authorize the Board President to sign the Resignation/Retirement Agreement of a professional employee.

Upon roll call, the members voted as follows:

AYE: Bell-Jordan, McGeough, Weil, Zakeri

NAY: None.

Motion carried.

11. RESCHEDULING OF JUNE BOARD MEETING

The Board tabled discussion until May when more Board members will be present.

12. COMMUNICATIONS

The Board reviewed a communication item.

13. MOVE TO CLOSED SESSION

It was moved by Member Bell-Jordan, seconded by Member Zakeri, to move the meeting to closed session at 9:55 p.m., to discuss matters of personnel, as per 5 ILCS 120/2(c)(1), as amended by P.A. 93-0057; to discuss collective negotiation matters, as per 5 ILCS 120/2(c)(2); and to review closed minutes, as per Sec. 2.06. 5 ILCS 120/2(c)(21).

Upon roll call, the members voted as follows:

AYE: Bell-Jordan, McGeough, Weil, Zakeri

NAY: None.

Motion carried.

14. RECONVENE MEETING

The meeting reconvened at 10:25 p.m.

15. ADJOURNMENT

It was moved by Member Bell-Jordan, seconded by Member Zakeri, to adjourn the meeting at 10:26 p.m.

Upon roll call, the members voted as follows:

AYE: Bell-Jordan, McGeough, Weil, Zakeri

NAY: None.

Motion carried.

Beth Millard, Board Secretary

Una McGeough, President