

**ACTION ITEM**

**Date:** December 14, 2020

**To:** Kari Cremascoli, PhD

**From:** Heather Glowacki, EdD, Assistant Superintendent

**Subject:** *Second and Final Reading of Board of Education Policies 5:10 Equal Employment Opportunity and Minority Recruitment; 5:100 Staff Development Program and Professional Opportunities; 7:10 Equal Educational Opportunities; 7:180 Preventing Bullying and Other Aggressive Behaviors; and 7:185 Teen Dating Violence Prohibited*

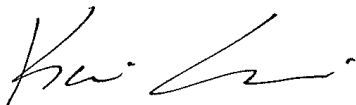
**PROPOSED ACTION BY THE BOARD OF EDUCATION**

Motion to approve as second and final reading of Board of Education Policies 5:10 *Equal Employment Opportunity and Minority Recruitment*; 5:100 *Staff Development Program and Professional Opportunities*; 7:10 *Equal Educational Opportunities*; 7:180 *Preventing Bullying and Other Aggressive Behaviors*; and 7:185 *Teen Dating Violence Prohibited*.

**BACKGROUND**

In preparation for the first reading of these reviewed/revised policies for the November Board of Education meeting, these policies have been reviewed and updated as needed as a result of the implementation of new Title IX requirements for schools. There have been no changes since the first reading of these policies last month.

HG/hg  
Recommended for approval by the Board of Education



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**Dr. Kari Cremascoli, Superintendent**

## General Personnel

### Equal Employment Opportunity and Minority Recruitment

The School District shall provide equal employment opportunities to all persons regardless of their race; color; creed; religion; national origin; sex; sexual orientation; gender identity; age; ancestry; marital status; arrest record; military status; order of protection status; unfavorable military discharge; citizenship status provided the individual is authorized to work in the United States; use of lawful products while not at work; being a victim of domestic or sexual violence, or gender violence; genetic information; physical or mental handicap or disability, if otherwise able to perform the essential functions of the job with reasonable accommodation; pregnancy, childbirth, or related medical conditions; credit history, unless a satisfactory credit history is an established bona fide occupational requirement of a particular position; or other legally protected categories. No one will be penalized solely for his or her a person's status as a registered qualifying patient or a registered designated caregiver for purposes of the Compassionate Use of Medical Cannabis Pilot Program Act, 410 ILCS 130/, subject to provisions in policy 5:50 *Drug-, Alcohol-, and Tobacco-Free Workplace*. No individual will be employed who has been convicted of a criminal offense listed in Section 5/21B-80 of the School Code.

Persons who believe they have not received equal employment opportunities should report their claims to the Nondiscrimination Coordinator and/or a Complaint Manager for the Uniform Grievance Procedure. These individuals are listed below. No employee or applicant will be discriminated or retaliated against because ~~he or she~~ the person: (1) requested, attempted to request, used, or attempted to use a reasonable accommodation as allowed by the Illinois Human Rights Act, or (2) initiated a complaint, was a witness, supplied information, or otherwise participated in an investigation or proceeding involving an alleged violation of this policy or State or federal laws, rules or regulations, provided the employee or applicant did not make a knowingly false accusation nor provide knowingly false information.

### Administrative Implementation

The Superintendent shall appoint a Nondiscrimination Coordinator for personnel who shall be responsible for coordinating the District's nondiscrimination efforts. The Nondiscrimination Coordinator may be the Superintendent or a Complaint Manager for the Uniform Grievance Procedure. The Nondiscrimination Coordinator also serves as the District's Title IX Coordinator.

### Whom to Contact with a Report or Complaint

The Superintendent shall insert into this policy the positions, addresses, and telephone numbers of the District's current Nondiscrimination Coordinator and Complaint Managers.

Nondiscrimination Coordinator:

Heather Glowacki  
 Name

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Complaint Managers:

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Tony DeMonte  
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 Telephone

demontet@wilmette39.org  
 Email

The Superintendent shall also use reasonable measures to inform staff members and applicants that the District is an equal opportunity employer, such as, by posting required notices and including this policy in the appropriate handbooks.

**Minority Recruitment**

The District will attempt to recruit and hire minority employees. The implementation of this policy may include advertising openings in minority publications, participating in minority job fairs, and recruiting at colleges and universities with significant minority enrollments. This policy, however, does not require or permit the District to give preferential treatment or special rights based on a protected status without evidence of past discrimination.

**Adopted: November 10, 1997**

**Revised: January 22, 2008, February 23, 2015; September 23, 2019**

## Personnel

### Staff Development Program and Professional Opportunities

The Superintendent or designee shall implement a staff development program. The goal of such program shall be to update and improve the skills and knowledge of staff members in order to achieve and maintain a high level of job performance and satisfaction. Additionally, the Development Program for licensed staff members shall be designed to aid staff so that student learning objectives meet or exceed goals established by the District and State including, but not limited to, programs to effectuate the Strategic Plan. The Staff Development Program shall include all annually required training as detailed by the Regional Office of Education training plan.

The Staff Development Program shall provide, at a minimum, at least once every 2 years, the in-service training of licensed school personnel and administrators on current best practices regarding the identification and treatment of attention deficit disorder and attention deficit hyperactivity disorder, the application of non-aversive behavioral interventions in the school environment, and the use of psychotropic or psychostimulant medication for school-age children.

The Staff Development Program shall provide, at a minimum, once every two years, the in-service training of all District staff on educator ethics, teacher-student conduct, and school employee-student conduct.

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*.

**Adopted: May 4, 1998**

**Revised: January 22, 2008, March 23, 2015; September 23, 2019;**

## **Students**

### **Equal Educational Opportunities**

Equal educational and extracurricular opportunities shall be available for all students without regard to race, color, nationality, ancestry, sex, sexual orientation, gender identity, age, religion, physical or mental disability, status of being homeless, immigration status, order of protection status, or actual or potential marital or parental status, including pregnancy. Further, the District will not knowingly enter into agreements with any entity or any individual that discriminates against students on the basis of sex or any other protected status, except that the District remains viewpoint neutral when granting access to school facilities under Board of Education Policy 8:20, *Community Use of School Facilities*. Any student may file a discrimination grievance by using Board of Education Policy 2:260, *Uniform Grievance Procedure*.

### **Sex Equity**

No student shall, based on sex, sexual orientation, or gender identity, be denied equal access to programs, activities, services, or benefits or be limited in the exercise of any right, privilege, advantage, or denied equal access to educational and extracurricular programs and activities.

Any student may file a sex equity complaint by using Board of Education Policy 2:260, *Uniform Grievance Procedure*. A student may appeal the School Board's resolution of the complaint to the Regional Superintendent of Schools (pursuant to 105 ILCS 5/3-10 of *The School Code*) and, thereafter, to the State Superintendent of Education (pursuant to 105 ILCS 5/2-3.8 of *The School Code*).

### **Administrative Implementation**

The Superintendent shall appoint a Nondiscrimination Coordinator, who also serves as the District's Title IX Coordinator. The Superintendent and Building Principal shall use reasonable measures to inform staff members and students of this policy and grievance procedures.

**Adopted: April 6, 1998**

**Revised: June 27, 2016;**

## Students

### Preventing Bullying and Other Aggressive Behaviors

Bullying is contrary to Illinois law and District policy. Bullying and other aggressive behaviors diminish a student's ability to learn and a school's ability to educate. Deterring students from engaging in these disruptive behaviors and providing all students access to a safe, non-hostile learning environment are important District goals.

The District prohibits and will not tolerate aggressive student behavior, including bullying conduct of any type or on any basis, as defined below. Students are expected to act respectfully towards their peers and to avoid bullying and aggressive behaviors in their interactions with other students.

In addition, bullying that is based on actual or perceived race, color, national origin, sex, sexual orientation, gender identity, gender-related identity or expression, ancestry, age, religion, physical or mental disability, military status, unfavorable discharge status from the military service, order of protection status, status of being homeless, or actual or potential marital or parental status, including pregnancy, association with a person or group with one or more of the aforementioned actual or perceived characteristics, or any other distinguishing characteristic is prohibited and may amount to a violation of a student's civil right and of Board policy 7:20 *Harassment*.

For purposes of this policy, the term *bullying* includes cyber-bullying, and means any severe or pervasive physical or verbal act or conduct, including communications made in writing or electronically, directed toward, or intended to specifically target a student that has or can be reasonably predicted to have the effect of one or more of the following:

1. Placing the student or students in reasonable fear of harm to the student's or students' person or property.
2. Causing a substantially detrimental effect on the student's or students' physical or mental health.
3. Substantially interfering with the student's or students' academic performance.
4. Substantially interfering with the student's or students' ability to participate in or benefit from the services, activities, or privileges provided by a school.

*Bullying* may take various forms including, without limitation, one or more of the following: harassment, threats, intimidation, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying. This list is meant to be illustrative and non-exhaustive.

Aggressive conduct towards other students that is not severe or pervasive shall not be deemed as bullying but may constitute gross disobedience or misconduct leading to discipline under Board policy 7:190 *Student Behavior*, of any student engaging in such behavior. Students who engage in bullying conduct shall also be disciplined under Board policy 7:190.

*Cyber-bullying* means bullying through the use of technology or any electronic communication, including without limitation any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including without limitation electronic mail, Internet communications, instant messages, or facsimile communications. *Cyber-bullying* includes the creation of a webpage or weblog in which the creator assumes the identity of another person or the knowing impersonation of another person as the author of posted content or messages if the creation or impersonation creates any of the effects enumerated in the definition of *bullying*. *Cyber-bullying* also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons if the distribution or posting creates any of the effects enumerated in the definition of *bullying*.

*Restorative measures* means a continuum of school-based alternatives to exclusionary discipline, such as suspensions and expulsions, that: (i) are adapted to the particular needs of the school and community, (ii) contribute to maintaining school safety, (iii) protect the integrity of a positive and productive learning climate, (iv) teach students the personal and interpersonal skills they will need to be successful in school and society, (v) serve to build and/or restore relationships among students, families, schools, and communities, and (vi) reduce the likelihood of future disruption by balancing accountability with an understanding of students' behavioral health needs in order to keep students in school.

*School personnel* means persons employed by, on contract with, or who volunteer in the school, including without limitation, school administrators, teachers, school guidance counselors, school social workers, school counselors, school psychologists, school nurses, cafeteria workers, custodians, bus drivers, school resource officers, and security guards.

Bullying is prohibited in each of the following situations:

1. During any school sponsored education program or activity.
2. While in school, on school property, on school buses or other school vehicles, at designated school bus stops waiting for the school bus, or at school sponsored or school sanctioned events or activities.
3. Through the transmission of information from a school computer, a school computer network, or other similar electronic school equipment.
4. Through the transmission of information from a computer that is accessed at a non-school related location, activity, function, or program or from the use of technology or an electronic device that is not owned, leased, or used by the District or school if the bullying causes a substantial disruption to the educational process or orderly operation of a school. This paragraph (item #4) applies only when a school administrator or teacher receives a report that bullying through this means has occurred; it does not require school personnel members to monitor any non-school related activity, function, or program.

The Superintendent or designee shall develop and maintain a bullying prevention and response program that advances the District's goal of providing all students with a safe learning environment free of bullying and harassment, based on the engagement of a range of school stakeholders, including students and parents/guardians. This plan must be consistent with the following requirements:

1. defines bullying as provided in this policy.
2. Fully implements and enforces all applicable Board policies by including provisions that address the following:
  - (a) conducting a prompt and thorough investigation of alleged incidents of bullying, intimidation, harassing behavior, or similar conduct,
  - (b) making reasonable efforts to complete the investigation within ten (10) school days after the report of the alleged incident was received, taking into consideration additional relevant information received during the course of the investigation of the reported bullying incident,
  - (c) involving appropriate school support personnel and other school personnel with knowledge, experience, and training on bullying prevention, as deemed appropriate, in the investigation process,
  - (d) providing each student who is determined as a result of investigation to have violated this or other Board policies with disciplinary consequences and appropriate remedial actions consistent with this and other Board policies,
  - (e) protecting students against retaliation for reporting such bullying conduct,
  - (f) ensuring consistency with federal and state laws and rules governing student privacy rights, providing parents/guardians of the students who are parties to the investigation information about the investigation and an opportunity to meet with the Building Principal or school administrator or his or her designee to discuss the investigation, the findings of the investigation, and the actions taken to address the reported incident of bullying, and
  - (g) notifying the Building Principal or school administrator or designee of the reported incident of bullying as soon as possible after the report is received.

The Superintendent or designee shall investigate whether a reported incident of bullying is within the permissible scope of the District's jurisdiction. The District shall provide both the victim and the aggressor with information regarding services that are available within the District and community, such as counseling, support services, and other programs.

3. Examines the appropriate steps to understand and rectify conditions that foster bullying, intimidation, and harassment; this may include taking action to eliminate or prevent these disruptive behaviors beyond traditional punitive disciplinary actions.



4. Includes the use of interventions to address bullying, that may include, but are not limited to: school social work services, restorative measures, social-emotional skill building, counseling, school psychological services, community-based services, bullying prevention, and character instruction in all grades in accordance with state law and Board policy 6:60, *Curriculum Content*. This includes incorporating student social and emotional development into the District’s educational program as required by State law and in alignment with Board policy 6:65, *Student Social and Emotional Development*.
5. Fully informs school personnel of the District’s goal to prevent students from engaging in bullying and the measures being used to accomplish it. This includes:
  - (a) communicating the District’s expectation and the state law requirement that teachers and other certificated employees maintain discipline, and
  - (b) establishing a clear process for school personnel to fulfill their obligation to report alleged acts of bullying, intimidation, harassment, and other acts of actual or threatened violence, and
  - (c) requiring school personnel to notify the Building Principal or designee of the reported incident of bullying as soon as possible after the report is received.
6. Encourages all members of the school community, including students, parents/guardians, District personnel, volunteers, and visitors, to report alleged acts of bullying, intimidation, harassment, and other acts of actual or threatened violence to the Nondiscrimination Coordinator, the Complaint Manager(s), any Building Principal or any District employee. A student may make a complaint to any staff member whom the student is comfortable speaking. The District-named officials and all its staff members are available to help with a bully or to make a report about bullying. A report may be made orally or in writing. Anonymous reports are accepted. No disciplinary action will be taken solely on the basis of an anonymous report.

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7. Actively involves students' parents/guardians in the remediation of the behavior(s) of concern. This includes ensuring that all parents/guardians are notified, as required by State law, whenever their child engages in aggressive behavior. The building principal or designee shall, consistent with federal and state laws and rules governing student privacy rights, promptly inform parents/guardians of all students involved in the alleged incident of bullying and discuss, as appropriate, the availability of services within the District and community, such as social work services, counseling, school psychological services, other interventions, and restorative measures.
8. Communicates the District's expectation that all students conduct themselves with a proper regard for the rights and welfare of other students. This includes a process for commending or acknowledging students for demonstrating appropriate behavior.
9. Prohibits reprisal or retaliation against any person who reports an act of bullying. A student's act of reprisal or retaliation will be met with disciplinary consequences and appropriate remedial actions consistent with this and other Board policies.
10. Does not punish a student for reporting bullying or supplying information, even if the District's investigation concludes that no bullying occurred. However, knowingly making a false accusation or providing knowingly false information will be met with disciplinary consequences and appropriate remedial actions consistent with this and other Board policies.
11. Posts this policy on the District's website, includes it in the student handbook, and, where applicable, posts it where other policies, rules, and standards of conduct are currently posted. This policy must be distributed annually to students and their parents/guardians, and school personnel, including new employees when hired, and must also be provided periodically throughout the school year to students and faculty. This includes annually disseminating information to all students, parents, and guardians explaining the serious impact caused by bullying, intimidation, or harassment, and that these behaviors will be taken seriously and are not acceptable in any form.

12. Complies with state and federal law and is consistent with all other Board policies, including without limitation, the following:
- (a) 2:260, *Uniform Grievance Procedure*. A student may use this policy to complain about bullying.
  - (b) 2:265, *Title IX Sexual Harassment Grievance Procedure*. Any person may use this policy to complain about sexual harassment in violation of Title IX of the Education Amendments of 1972.
  - (c) 6:60, *Curriculum*. Bullying prevention and character instruction is provided in all grades in accordance with State law.
  - (d) 6:65, *Student Social and Emotional Development*. Student social and emotional development is incorporated into the District's educational program as required by State law.
  - (e) 6:235, *Access to Electronic Networks*. This policy states that the use of the District's electronic networks is limited to: (1) support of education and/or research, or (2) a legitimate business use.
  - (f) 7:20, *Harassment of Students Prohibited*. This policy prohibits any person from harassing, intimidating, or bullying a student based on an identified actual or perceived characteristic (the list of characteristics in 7:20 is the same as the list in this policy).
  - (g) 7:185, *Teen Dating Violence Prohibited*. This policy prohibits teen dating violence on school property, at school sponsored activities, and in vehicles used for school-provided transportation.
  - (h) 7:190, *Student Behavior*. This policy prohibits, and provides consequences for, hazing, bullying, or other aggressive behaviors, or urging other students to engage in such conduct.
  - (i) 7:310, *Restrictions on Publications*. This policy prohibits students from and provides consequences for: (1) accessing and/or distributing at school any written, printed, or electronic material, including material from the Internet, that will cause substantial disruption of the proper and orderly operation and discipline of the school or school activities, and (2) creating and/or distributing written, printed, or electronic material, including photographic material and blogs, that causes substantial disruption to school operations or interferes with the rights of other students or staff members.

This includes prompting the Board to conduct a review and re-evaluation of the policy to make any necessary and appropriate revisions every 2 years, and file the policy with the Illinois State Board of Education after the Board adopts or updates it.

13. Engages in ongoing monitoring that includes collecting and analyzing appropriate data on the nature and extent of bullying in the District's schools. The Superintendent or designee shall assist the Board with its evaluation and assessment of this policy's outcomes and effectiveness. This process shall include, without limitation:

- (a) The frequency of victimization;
- (b) Student, school personnel, and family observations of safety at a school;
- (c) Identification of areas of a school where bullying occurs;
- (d) The types of bullying reported; and
- (e) Bystander intervention or participation.

The evaluation process may use relevant data and information that the District already collects for other purposes. The Superintendent or designee must post the information developed as a result of the policy evaluation on the District's website, or if a website is not available, the information must be provided to school administrators, Board members, school personnel, parents/guardians, and students.

This policy is not intended to infringe upon any right to exercise free expression or the free exercise of religion or religiously based views protected under the First Amendment to the U.S. Constitution or under Section 3 of Article I of the Illinois Constitution.

**Adopted: January 23, 2012**

**Revised: November 17, 2014; January 25, 2016; February 26, 2018; June 18, 2018;  
December 16, 2019;**

## Students

### Teen Dating Violence Prohibited

Engaging in teen dating violence that takes place at school, on school property, at school-sponsored activities, or in vehicles used for school-provided transportation is prohibited. For purposes of this policy, the term *teen dating violence* occurs whenever a student who is 13 to 19 years of age uses or threatens to use physical, mental, or emotional abuse to control an individual in the dating relationship; or uses or threatens to use sexual violence in the dating relationship.

“Dating” or “dating relationship” means an ongoing social relationship of a romantic or intimate nature between two persons. “Dating” or “dating relationship” does not include a casual relationship or ordinary fraternization between two persons in a school or social context.

The Superintendent or designee shall develop and maintain a program to respond to incidents of teen dating violence that:

1. Fully implements and enforces all applicable Board policies including but not limited to Board Policy 7:20, *Harassment of Students*, and Board Policy 7:180, *Preventing Bullying and Other Aggressive Behaviors* each of the following Board policies:
  - a. 2:260, Uniform Grievance Procedure. This policy provides a method for any student, parent/guardian, employee, or community member to file a complaint if the person believes that the Board of Education, its employees, or its agents have violated the person’s rights under the state or federal constitution, state or federal statute, Board policy, or various enumerated bases.
  - b. 2:265, Title IX Sexual Harassment Grievance Procedure. This policy prohibits any person from engaging in sexual harassment in violation of Title IX of the Education Amendments of 1972. Prohibited conduct includes but is not limited to sexual assault, dating violence, domestic violence, and stalking.
  - c. 7:20, Harassment of Students Prohibited. This policy prohibits any person from harassing, intimidating, or bullying a student based on the student’s actual or perceived characteristics of sex; sexual orientation; gender identity; and gender-related identity or expression (this policy includes more protected statuses).
  - d. 7:180, Prevention of and Response to Bullying, Intimidation, and Harassment. This policy prohibits students from engaging in bullying, intimidation, and harassment at school, school-related events and electronically. Prohibited conduct includes threats, stalking, physical violence, sexual harassment, sexual violence, theft, public humiliation, destruction of property, or retaliation for asserting or alleging an act of bullying.
2. Encourages anyone with information about incidents of teen dating violence to report them to any of the following individuals:
  - a. Any school staff member. School staff shall respond to incidents of teen dating violence by following the District’s established procedures for the prevention, identification, investigation, and response to bullying and school violence.

- b. The Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, Dean of Students, or a Complaint Manager identified in Board Policy 7:20, *Harassment of Students Prohibited*.
3. Incorporates age-appropriate health education and social-emotional instruction in grades 7 and 8, in accordance with the District's comprehensive health education program in Board Policy 6:60, *Curriculum Content*. This includes incorporating student social and emotional development into the District's educational program as required by State law and in alignment with Board Policy 6:65, *Student Social and Emotional Development*.
4. ~~Incorporates education for school staff on teen dating violence.~~ Incorporates education for school staff, as recommended by the Nondiscrimination Coordinator, Building Principal, Assistant Building Principal, or a Complaint Manager.
5. Notifies students and parents/guardians of this policy.

**Adopted: January 27, 2014**

**Revised: January 23, 2017 ;**