

## **SECTION 8: SCHOOL/COMMUNITY RELATIONS**

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## 8.10 Public Relations

The Superintendent is the District's chief spokesperson and shall plan, implement, and evaluate a District public relations program, which will:

- . develop public understanding of school operation.
- . gather public attitudes and desires for the District.
- . secure adequate financial support for a sound educational program.
- . help citizens feel a more direct responsibility for the quality of education provided by their schools.
- . earn the public's good will, respect, and confidence.
- . promote a genuine spirit of cooperation between the school and the community.
- . keep the news media provided with accurate information.

The public relations program should include:

1. Regular news releases concerning District programs, policies, and activities, which will be sent to the news media.
2. News conferences and interviews as requested or needed. Individuals shall not speak for the District without prior approval from the Building Principal with regard to a building issue or from the Superintendent with regard to the District.
3. Publications having a high quality of editorial content and effective format. All publications shall identify the District originating school, department, or classroom and shall include the name of the Superintendent, the Building Principal, and/or the author and the publication date.
4. Other programs which highlight the District's programs and activities.

## Community Relations

### 8:20 Community Use of School Facilities <sup>1</sup>

School facilities are available to community organizations during non-school hours when such use does not: (1) interfere with any school function or the safety of students or employees, or (2) affect the property or liability of the School District. The use of school facilities for school purposes has precedence over all other uses. Persons on school premises must abide by the District's conduct rules at all times. <sup>2</sup>

Student groups and school-related organizations and local governments are granted the use of school facilities at no cost. <sup>3</sup> Other organizations granted use of facilities shall pay fees and costs.

The Superintendent shall develop procedures to manage community use of school facilities. Use of school facilities requires the Superintendent's approval and is subject to the procedures. <sup>4</sup>

A. The primary purpose for all school facilities is for educational and extra-curricula activities provided or sponsored by the Unit District. Subject to this purpose, school facilities may be made available under these policies. In making facilities available, after giving priority to school purposes, preference to availability shall be as follows:

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<sup>1</sup> State or federal law controls this policy's content. If a board wants to allow community organizations to use school facilities, it must adopt a policy (105 ILCS 5/10-20.40, added by P.A. 95-308). The policy must "prohibit such use if it interferes with any school functions or the safety of students or school personnel or affects the property or liability of the school district." A board should discuss the implications of any access to school facilities policy with its attorney.

This policy concerns an area that is frequently litigated because of its many complex legal and practical issues. The Constitution's Free Speech and Equal Protection Clauses, as well as the Equal Access Act, are triggered. As a general rule, school officials can avoid constitutional problems and still open facilities to community groups by treating requests to use school facilities according to uniform rules that do not discriminate against a group on the basis of its viewpoint.

Of course, a board may avoid constitutional controversy over community use of its facilities by refusing to permit such use by all non-school groups (thereby creating a closed forum). A board may also avoid triggering the constitutional clauses and the Equal Access Act by allowing all non-school groups to use of its facilities (thereby creating an open forum). If the board creates an open forum, it may still impose reasonable time, place, and manner restrictions on the use as long as the restrictions are the same for all groups. However, practically speaking, it is difficult for a board to either completely close its facilities to non-school groups or to open its facilities to all non-school groups. Most boards decide to create a limited open forum.

This policy creates a limited open public forum by allowing public use of school facilities provided the use is consistent with the public interest. See Widmar v. Vincent, 454 U.S. 263 (1981). A public school district may not discriminate on the basis of a group's purpose, message, or goal. Thus, any restrictions on the use by non-school groups must not discriminate against speech on the basis of viewpoint. Lamb's Chapel v. Center Moriches Union Free School District, 113 S.Ct. 2141 (1993); Good News Club v. Milford Central School, 121 S.Ct. 2093 (2001). A board must show neutrality to all viewpoints.

A board runs afoul of showing viewpoint neutrality if it prohibits single sex youth organizations, even those that discriminate against homosexuals, to use school facilities. Note the U.S. Supreme Court refused to apply the N.J.'s public accommodation law to the Boy Scouts because forcing the Scouts to accept a homosexual as a member would violate the Scout's freedom of expressive association. Boy Scouts of America v. Dale, 120 S.Ct. 2446 (2000).

This constitutional jurisprudence was codified as §9525 of the No Child Left Behind Act of 2001 (20 U.S.C. §7905). Schools are prohibited from denying equal access to school facilities to the Boy Scouts or any other youth group "for reasons based on membership or leadership criteria or oath of allegiance to God and country."

See sample policy 7:330, *Student Use of Buildings-Equal Access*, for a discussion of the Equal Access Act, 20 U.S.C. §4071 *et seq.*

<sup>2</sup> See policy 8:30, *Visitors to and Conduct on School Property*.

<sup>3</sup> The decisions concerning facility-use fees are at the local board's discretion. However, the general rule applies: school officials can avoid constitutional problems by treating requests to use school facilities according to uniform rules that do not discriminate against a group on the basis of its viewpoint.

<sup>4</sup> However, at the request of election officers, any publicly owned building must be made available for use as a polling place (10 ILCS 5/19-2.2). Election officers must place markers 100 horizontal feet from a polling room's voter entrance and, if the 100 feet ends within the building's interior, the markers must be placed outside of the building at each entrance used by voters. The area within where the markers are placed is a campaign free zone where electioneering is prohibited. The area on polling place property beyond the campaign free zone is a public forum for the time that the polls are open on an election day and may be used for campaigning and to place temporary signs (*Id.*). A child sex offender is permitted to vote early or by absentee ballot when his or her polling place is a school (10 ILCS 5/11-4.1, as amended by P.A. 95- 440).

1. Student and school staff activities related to school programs or activities;
2. Alumni or other groups benefiting school curricula and extra-curricula activities;
3. Not for profit corporations or associations whose sole purpose is to promote, encourage or foster any charitable, benevolent, educational, public/civic or eleemosynary ( philanthropic/ non-profit) purpose or activity;
4. All others.

B. Subject to the supervision of the Board of Education and the Unit Superintendent, including the revocation of any license approved by a principal, the principal having supervision over the building or other school facility shall have primary responsibility over making such facility available to non-school activities. The principal shall notify the Unit Superintendent of all scheduling and uses the principal approves. If the principal does not approve a request for the use of a school facility under the principal's supervision, the person making the request may by written request ask for reconsideration by the Unit Superintendent. If the Unit Superintendent does not approve of the request, the requesting party may by written request ask for reconsideration by the Board of Education at their next regularly scheduled meeting. Notwithstanding anything herein to the contrary, any request for use of school facilities for more than a single use, or for a reoccurring use shall be first approved by the Board of Education. Only the Board of Education may grant any exception to this policy.

C. Prior to approval of use of school facilities for non-school purposes, the applicant shall execute a \*license agreement and provide evidence the activities contemplated, the participants and all others using or entering upon school facilities are covered by general liability insurance for personal injury and property damage in such amounts determined by the Board of Education, but in no event less than \$1,000,000.00 combined single limits for damage to personal property and for injury or death to any one person or persons. For multiple use or if an admission fee is charged, all policies of insurance shall name the Unit District as an additional insured and a copy of the policy or a certificate of insurance shall accompany any \*license agreement.

D. The license agreement shall provide inter alia:

- 1.) The licensee agrees to pay for all damages caused to the school facility during the use by the licensee;
- 2.) The licensee shall be solely responsible for all discipline and order during the use of the school facility;
- 3.) No alcohol, tobacco or illegal drugs may be consumed on the school facility;
- 4.) The licensee will obey or enforce all other rules established by the Board of Education;
- 5.) The licensee will indemnify and forever hold harmless the Unit, its agents and employees for all damages, costs, and attorney's fees incurred arising out of any demand, suit or action for any death or personal injury claimed by any person or damage to personal property arising out of the use of the school facility by licensee or any invitee of licensee.

E. The use of school facilities shall also be subject to the following:

- 1) School facilities will not be used on a Sunday, Wednesday evening or school holiday without the prior approval of the Board of Education;
- 2) If cafeteria facilities are used, the licensee shall pay for a building cook employed by the Unit and shall pay the cooks overtime rate;
- 3) School custodians must be used for all school facilities and the licensee shall pay all costs incurred by the Unit in addition to the established license fee.

F. The license fee shall be as follows:

- 1) cafeteria or classroom - \$5.00 per use
- 2) jr. high school gymnasium or high school auditorium or gymnasium - \$25.00 per use
- 3) other gymnasium - \$10.00 per use

All other fees will be established by the Board of Education prior to their use. The Board of Education may also waive any fee.

LEGAL REF.: 20 U.S.C. §7905.  
10 ILCS 5/19-2.2.  
105 ILCS 5/10-20.40, 5/10-22.10, and 5/29-3.5.  
Good News Club v. Milford Central School, 121 S.Ct. 2093 (2001).  
Lamb's Chapel v. Center Moriches Union Free School District, 113 S.Ct. 2141 (1993).  
Rosenberger v. Rector and Visitors of Univ. of Va., 515 U.S. 819 (1995).

CROSS REF.: 7:330 (Student Use of Building - Equal Access), 8:25 (Advertising and Distributing Materials in Schools Provided by Non-School Related Entities), 8:30 (Visitors to and Conduct on School Property)

ADMIN. PROC.: 8:20-AP (Community Use of School Facilities)

## 8.25 Community Relations

### Advertising and Distributing Materials in Schools Provided by Non-School Related Entities

No material or literature shall be posted or distributed that would: (1) disrupt the educational process, (2) violate the rights or invade the privacy of others, (3) infringe on a trademark or copyright, or (4) be defamatory, obscene, vulgar, or indecent.

### Community, Educational, Charitable, or Recreational Organizations

Community, educational, charitable, recreational, or similar groups may under procedures established by the Superintendent, advertise events pertinent to students' interests or involvement. This may include displaying posters in areas reserved for community posters, having flyers distributed to students, or being included in the school's or District's website where appropriate. All material and literature must be student-oriented and have the sponsoring organization's name prominently displayed.

### Commercial Companies and Political Candidates or Parties

Commercial companies may purchase space for their advertisement in or on: (1) athletic field fences, (2) athletic, theater, or music programs, (3) scoreboards, or (4) other appropriate location, provided the advertisements are consistent with administrative procedures and approved by the School Board. No Board approval is needed for commercial material related to graduation, class pictures, or class rings.

No part of the School District, including facilities, the name, the staff, and the students, shall be used for advertising or promoting the interests of any commercial company except as authorized by and consistent with administrative procedures and approved by the Board.

Material from candidates and political parties will not be accepted for posting or distribution, except when used as part of the curriculum.

Cross Ref: 7:325, 7:330

## Community Relations

### **8.30.1 Visitors to and Conduct on School Property**

For purposes of this policy, “school property” means school buildings, District buildings not being used as a school, vehicles used for school purposes, any location during a school athletic and other school-sponsored event, and school grounds.

Visitors are welcome on school property, provided their presence will not be disruptive. <sup>5</sup> All visitors must initially report to the Building Principal’s office. Any person wishing to confer with a staff member should contact that staff member by telephone or email to make an appointment. Conferences with teachers are held, to the extent possible, outside school hours or during the teacher’s conference/preparation period.

The School District expects mutual respect, civility, and orderly conduct among all individuals on school property or at a school event. No person on school property or at a school event shall:

1. Injure, threaten, harass, or intimidate a staff member, a School Board member, sports official or coach, or any other person;
2. Damage or threaten to damage another’s property;
3. Damage or deface School District property;
4. Violate any Illinois law, or town or county ordinance;
5. Smoke or otherwise use tobacco products;
6. Consume, possess, distribute, or be under the influence of alcoholic beverages or illegal drugs, or possess dangerous devices or weapons;
7. Impede, delay, disrupt, or otherwise interfere with any school activity or function (including using cellular phones in a disruptive manner);
8. Enter upon any portion of school premises at any time for purposes other than those that are lawful and authorized by the School Board;
9. Operate a motor vehicle: (a) in a risky manner, (b) in excess of 20 miles per hour, or (c) in violation of an authorized District employee’s directive;
10. Engage in any risky behavior, including roller-blading, roller-skating, or skateboarding; or
11. Violate other District policies or regulations, or an authorized District employee’s directive.

#### Exclusive Bargaining Representative Agent<sup>6</sup>

Authorized agents of an exclusive bargaining representative, upon notifying the Building Principal’s office, may meet with a school employee (or group of employees) in the school building during free-times of such employees.

#### Convicted Child Sex Offender

State law prohibits a child sex offender from being present on school property or loitering within 500 feet of school property when persons under the age of 18 are present, unless the offender is:

1. A parent/guardian of a student attending the school and the parent/guardian is: (i) attending a conference at the school with school personnel to discuss the progress of his or her child academically or socially, (ii) participating in child review conferences in which evaluation and placement decisions may be made with respect to his or her child regarding special education services, or (iii) attending conferences to discuss other student issues concerning his or her child such as retention and promotion and notifies the Building Principal of his or her presence at the school, or
2. Has permission to be present from the School Board, Superintendent or Superintendent’s designee. If permission is granted, the Superintendent or Board President shall provide the details of the offender’s upcoming visit to the Building Principal.

In all cases, the Superintendent, or designee who is a certified employee, shall supervise a child sex offender whenever the offender is in a child’s vicinity.

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<sup>5</sup> Visiting schools is a duty of the school board (105 ILCS 5/10-20.6).

<sup>6</sup> 105 ILCS 5/24-25. Omit this section if it is covered in a collective bargaining agreement.

## Enforcement

Any staff member may request identification from any person on school grounds or in any school building; refusal to provide such information is a criminal act. The Building Principal or designee shall seek the immediate removal of any person who refuses to provide requested identification.

As circumstances warrant, the Superintendent or designee shall take appropriate action to enforce this policy including requesting the person to immediately leave school property, contacting law enforcement, and seeking to deny future admission to school events or meetings according to provisions in Board policy 8:40, *Spectator Conduct at School Events*.

LEGAL REF.: Pro-Children Act of 1994, 20 U.S.C. §7181 et seq.  
105 ILCS 5/10-20.5b, 5/24-24, and 5/24-25.  
720 ILCS 5/11-9.3.

CROSS REF.: 4:170 (Safety), 6:250 (Community Resource Persons and Volunteers), 7:190 (Student Discipline), 8:20 (Community Use of School Facilities), 8:40 (Spectator Conduct at School Events)

#### **8.40 Spectator Conduct and Sportsmanship For Athletic and Extracurricular Events**

Any person, including adults, who behaves in an unsportsmanlike manner during an athletic or extracurricular event may be ejected from the event the person is attending and/or denied admission to school events for up to a year after a School Board hearing. Examples of unsportsmanlike conduct include:

- . using vulgar or obscene language;
- . possessing or being under the influence of any alcoholic beverage or illegal substance;
- . possessing a weapon;
- . fighting or otherwise striking or threatening another person;
- . failing to obey the instructions of a security officer or school district employee; and
- . engaging in any activity which is illegal or disruptive.

The Superintendent may seek to deny future admission to any person by delivering or mailing a notice, sent by certified mail with return receipt requested, at least 10 days before the School Board hearing date, containing:

1. The date, times, and places of a Board hearing;
2. A description of the unsportsmanlike conduct;
3. The proposed time period that admission to school events will be denied;
4. Instructions on how to waive a hearing.

Boards may make and enforce reasonable rules of conduct and sportsmanship for school events and deny future admission to school events to violators for up to one year provided a notice and hearing is given (105 ILCS 5/24-24 [ch. 122, Para. 24- 24]).

If a violator is a student, the hearing should be held in a closed meeting (5 ILCS 120/2 [ch. 102, Para. 42]). If, however, the violator is a non-student, the hearing must be held in an open session.

The hearing requirement is for the violator's benefit and, consequently, the violator should be able to waive it.

CROSS REF.: 8.30.

**8.70 Accommodating Individuals With Disabilities**

Individuals with disabilities shall be provided an opportunity to participate in all school-sponsored services, programs, or activities on an equal basis to those without disabilities and will not be subject to illegal discrimination. When or as necessary, the District may provide to persons with disabilities separate or different aids, benefits, or services from, but as effective as, those provided to others.

The District will provide auxiliary aids and services where necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity.

Each service, program, or activity operated in existing facilities shall be readily accessible to, and useable by, individuals with disabilities. New construction and alterations to existing facilities will be accessible when viewed in its entirety.

The Superintendent is designated the Americans With Disabilities Act, Title II Coordinator and, in that capacity, is directed to:

1. Oversee an evaluation of district services, policies, and practices to determine if they comply with Title II.
2. Institute plans to make information regarding Title II's protection available to any interested party.

Individuals with disabilities should notify the Superintendent or Building Principal if they have a disability, which will require special assistance or services, and, if so, what services are required. This notification should occur as far as possible before the school-sponsored function, program, or meeting.

Individuals with disabilities may allege a violation of this policy or federal law by reporting it to the Superintendent, as the Title II Coordinator, or by filing a grievance under the Uniform Grievance Procedure. The Superintendent shall insert into this policy the names, addresses, and telephone numbers of the District's current Complaint Managers for the Uniform Grievance Procedure;

*Complaint Managers:*

Name	<u>Bob Pierson</u>	<u>Jennifer Hettiger</u>
Address	<u>444 S. Locust</u>	<u>444 S. Locust</u>
Telephone No.	<u>(618) 662-2412</u>	<u>(618) 662-8894</u>

CROSS REF.: 2.260 (Uniform Grievance Procedure)

#### **8.80 Gifts to the District**

The School Board accepts gifts from any education foundation or other entity or individual, provided the gift can be used in a manner compatible with the Board's education objectives and policies. While the Board encourages unrestricted gifts, donations to fund specific projects are acceptable if the project is approved by the Board. All gifts received become the School District's property.

## 8.90 Parent Organizations

### Parent Organizations and Booster Clubs

Parent organizations and booster clubs are invaluable resources to the District's schools. While parent organizations and booster clubs have no administrative authority and cannot determine District policy, the School Board welcomes their suggestions and assistance.

Parent organizations and booster clubs are recognized by the School Board and permitted to use the District's name, a District school's name, or a District school's team name, or any logo attributable to the District provided they first receive the Superintendent or designee's express written consent. Consent to use one of the above-mentioned names or logos will generally be granted if the organization or club has by-laws containing the following:

1. The organization's or club's name and purpose, such as, to enhance students' educational experiences, to help meet educational needs of students, to provide extra athletic benefits to students, to assist specific sports teams or academic clubs through financial support, or to enrich extracurricular activities.
2. The rules and procedures under which it operates.
3. An agreement to adhere to all Board policies and administrative procedures.
4. A statement that membership is open and unrestricted, meaning that membership is open to parents/guardians of students enrolled in the school, District staff, and community members. <sup>7</sup>
5. A statement that the District is not, and will not be, responsible for the organization's or club's business or the conduct of its members.
6. An agreement to maintain and protect its own finances.
7. A recognition that money given to a school cannot be earmarked for any particular expense. Booster clubs may make recommendations, but cash or other valuable consideration must be given to the District to use at its discretion. The School Board's legal obligation to comply with Title IX by providing equal athletic opportunity for members of both genders will supercede an organization or club's recommendation. <sup>8</sup>

Permission to use one of the above-mentioned names or logos may be rescinded at any time and does not constitute permission to act as the District's representative. At no time does the District accept responsibility for the actions of any parent organization or booster club regardless of whether it was recognized and/or permitted to use any of the above-mentioned names or logos. <sup>9</sup> The Superintendent shall designate an administrative staff member to serve

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The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

<sup>7</sup> An alternative follows:

An agreement not to engage in discrimination based on someone's innate characteristics or membership in a suspect classification.

<sup>8</sup> Booster clubs are understandably selective in their support. However, by accepting booster club assistance that creates vast gender differences, a school board may face claims that it has violated Title IX. Title IX's focus is on equal funding opportunities, equal facility availability, similar travel and transportation treatment, comparable coaching, and comparable publicity (34 C.F.R. Part 106).

<sup>9</sup> Booster clubs present potential liabilities to a school district beyond loss of funds because they seldom are properly organized (they generally are not incorporated or otherwise legally recognized), carry no insurance, raise and handle large sums, and club members hold themselves out as agents of the school (after all, no funds could be raised but for the school connection). A disclaimer, such as the one presented here, may not be sufficient. A district may take several actions, after discussion with its attorney, to minimize liability, such as adding a requirement to item 6 above that the club: (1) operate under the school's authority (activity accounts); or (2) be properly organized and demonstrate fiscal responsibility by being a 501(c)(3) organization, obtaining a bond, and/or arranging regular audits. Ultimately, the best way to minimize liability is to be sure that the district's errors and omissions insurance covers parent organizations and booster clubs.

as the liaison to parent organizations or booster clubs. The liaison will serve as a resource person and provide information about school programs, resources, policies, problems, concerns, and emerging issues. Building staff will be encouraged to participate in the organizations.

CROSS REF.: 8:80 (Gifts to the District)

Revised: June 16, 2006

### **8.100 Relations With Other Organizations and Agencies**

The District shall cooperate with other organizations and agencies, including the:

- . county health department;
- . law enforcement agencies;
- . fire authorities;
- . ESDA;
- . planning authorities;
- . zoning authorities; and
- . other School Districts.

### **8.105 Public Fund Raising**

Groups who wish to raise funds during school events must first submit a request of their fund raising activity in writing to the Building Principal for approval. A minimum of 80% of the funds raised at a school activity must be returned to the team, club or student organization hosting the activity. Exceptions may be made if 100% of the funds are given to student organizations, teams, or clubs and prior approval has been granted by the Building Principal and the Superintendent. Any other exceptions to this policy must have prior approval of the Board of Education.

### **8.110 Public Complaints**

The School Board is interested in receiving valid complaints and suggestions. Public complaints or suggestions shall be referred to the appropriate level staff member or District administrator. Each complaint or suggestion shall be considered on its merits.

An individual not satisfied after using the chain of command procedure may file a grievance under the Uniform Grievance Procedure. This policy shall not be construed to create an independent right to a hearing before the Board.

CROSS REF.: 2.140, 2.260 (Uniform Grievance Procedures)