

DEFERRED DRAFT

07-1114-PO1

November 14, 2007

ADOPT A NEW POLICY ON RECRUITER ACCESS

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Chicago Board of Education adopt a new Policy on Recruiter Access.

PURPOSE: This policy is being adopted pursuant to federal and state laws that require school districts to grant military recruiters the same access they grant to colleges and other career recruiters. 10 U.S.C. 503 (Enlistments); 20 U.S.C. 7908 (Strengthening and Improvement of Elementary and Secondary Schools); and the Illinois School Code, 105 ILCS 5/10-20.5a, 5/34-18. It establishes the parameters for college recruiters, military recruiters, prospective employers and other providers of career information to have access to high schools, high school students or their directory information. It is meant to ensure that students have access to information about the range of educational and career options available to them so they can make informed decisions. By adopting this Policy, the Board does not intend to endorse the message of any particular Recruiter or to designate its school buildings or any part thereof as a public forum.

POLICY TEXT:

I. **Definitions.** For the purpose of this Policy only, the following definitions apply:

A. "Recruiter" means an entity with information for high school students about a college or university; trade school or apprenticeship; scholarship, grant or loan; or other post-secondary-school vocational or career opportunity. Recruiters include, but are not limited to, college recruiters, prospective employers, military recruiters and entities that offer information on alternatives to military careers. The term Recruiter includes representatives of the entity.

B. "Career Information" means factual material designed to help students make an informed decision whether or where to continue their education, seek job training and/or get a job.

C. "Career Information Site" means a bulletin board in a counseling office or other area of the school that is accessible to students or a location on the school's website where career information can be posted for viewing by students.

D. "Directory Information" means a high school student's name, address and telephone number.

II. Release of Directory Information to Recruiters

A. Requests for Directory Information: Recruiters may request Directory Information on high school seniors and juniors only by submitting a written request to the Office of High Schools and High School Programs (OHSP), 125 South Clark Street, 12th floor, Chicago, IL 60603. All Recruiter requests for the release of Directory Information must be submitted to OHSP for handling. Recruiters may not request individual high schools to release Directory Information on their students. Release of Directory Information is subject to the Opt-Out process noted in Section II.B. below.

B. Opt-Out: A parent or guardian, or a student, may opt out of the release of Directory Information to all or some Recruiters by submitting a signed, written opt-out request to OHSP, indicating that he/she does not consent to the release of the student's Directory Information. The opt-out request must include the student's name, school and CPS identification number. For juniors, the request must be submitted prior to March 15th of their junior year to be effective for their junior and senior school years. For seniors the request must be submitted prior to December 15th of their senior year to be effective for the current school year.

III. Requirements for Recruiters to Access High Schools and District-Wide Events

A. Authorization: Any Recruiter who seeks access to high school students at a school must obtain prior permission from the principal. Any Recruiter who seeks access to high school students at a district or area-wide career or college recruiting event must obtain prior permission from OHSP. Recruiting is not permitted at non-recruiting events such as health fairs and athletic contests. If the principal or OHSP has granted permission to any Recruiter to provide career information in person, the principal or OHSP shall grant equal access to any other Recruiter, subject to the requirements noted herein.

B. Policy Distribution: The principal shall provide a copy of this policy to each Recruiter requesting access to the school and/or students, and shall make this policy available in the counseling office of every high school.

C. Building Usage Schedule:

1. Recruiters shall schedule dates and times for visits through the school Principal no later than 48 hours prior to the date they wish to appear at school.

2. The principal shall determine the frequency of Recruiter visits, and shall assign a public location for a Recruiter to provide career information to students. The principal shall maintain a building usage schedule and a log to record the name of the Recruiter and the date and time the Recruiter visited the school.

3. A Recruiter must register with the school principal or designee immediately upon arrival. A Recruiter granted permission to provide career information in person shall comply with the restrictions described in Section IV below and the building usage schedule and other requirements established by the principal. A Recruiter granted permission to provide career information to students at a district or area-wide event shall comply with the restrictions described in Section IV below, the event schedule and other requirements established by OHSP.

D. Posted Materials: Any Recruiter who seeks to post career information on the school's Career Information Site must obtain prior permission from the principal. If the principal has granted permission to any Recruiter to post career information on the school's Career Information Site, the principal shall grant equal access to any other Recruiter, subject to the requirements noted herein. The principal may impose reasonable restrictions on the size of the submission to be posted, and may reject any information that does not adhere to the tenets of this policy. For example, the principal may reject materials that do not offer career information for students.

IV. Reasonable Restrictions on Access

A. General Restrictions: Recruiters may not:

1. interfere with the educational process or create a nuisance that interferes with students' peaceful enjoyment of school activities;
2. interact with students on school grounds or at school-sponsored events outside the area designated by the principal, and may provide materials only to those students who approach them to ask for information;
3. utilize or distribute interactive video games on school grounds;
4. require students to take predictive tests or career suitability assessments on school property;
5. sponsor drawings, lotteries or other chance activities, or provide gifts or prizes to students unless they are of nominal value (e.g. pens, pencils, key chains and water bottles);
6. move about the building unaccompanied by school staff; or
7. deviate from any other restriction imposed by the principal or OHSP.

B. Participation: No CPS employee or school shall require a student to participate in any examination of career suitability that is offered or administered by a Recruiter. All such participation shall be voluntary.

C. Scheduling Restrictions: If the school does not have adequate space to accommodate all Recruiters, the principal or his/her designee shall devise a schedule to provide them equal access to students. For example, if the cafeteria has space for only five additional tables, but the principal has requests from six Recruiters, the principal may schedule three Recruiters to disseminate career information during lunch periods on Mondays and Wednesdays, and the other three Recruiters during lunch periods on Tuesdays and Thursdays.

V. Violations

- A. Any violation of this Policy shall be reported to the principal or OHSP.
- B. Any employee who violates this Policy will be subject to discipline in accordance with the Employee Discipline and Due Process Policy.
- C. If a principal finds that a Recruiter has violated this Policy, he or she should deliver written notice of the violation to the Recruiter, explaining that additional violations may result in the Recruiter's exclusion from the school.
- D. If the principal determines that a Recruiter is interfering with the educational process or creating a nuisance that interferes with students' peaceful enjoyment of school activities, the principal may withdraw permission for the Recruiter to access school facilities and/or direct the Recruiter to leave the premises. After taking either action, the principal shall notify the Recruiter and the Law Department, in writing, of the reason for the action.

VI. Appeal

Any Recruiter who is denied access to the school, or who disagrees with any restriction imposed by the principal, may make a written appeal to the appropriate Area Instruction Officer (AIO) assigned to the school, or the principal's supervisor if no AIO is assigned. The AIO or principal's supervisor must decide the appeal within five school days, and that decision will be final.

VII. Athletic Recruiters

This Policy does not apply to athletic program recruiters affiliated with colleges or universities whose recruiting activities are governed by National Collegiate Athletic Association rules and guidelines.

LEGAL REFERENCES: 10 U.S.C. 503, 20 U.S.C. 1232g-h, 7908; 105 ILCS 5/10-20.5a, 5/34-18(16), 10/6.

Approved for Consideration:

Respectfully Submitted:

Barbara Eason-Watkins
Chief Education Officer

Arne Duncan
Chief Executive Officer

Noted:

Approved as to Legal Form:

Pedro Martinez
Chief Finance Officer

Patrick J. Rocks
General Counsel