

VILLAGE OF DOWNERS GROVE
REPORT FOR THE VILLAGE COUNCIL MEETING
NOVEMBER 17, 2009 AGENDA

SUBJECT:	TYPE:	SUBMITTED BY:
Allow Possession of Telecommunication Devices on Public School Property	✓ Resolution Ordinance Motion Discussion Only	Robert Porter Chief of Police

SYNOPSIS

An ordinance been prepared repealing the Village's existing prohibition regarding the possession of telecommunication devices on (public) school property.

STRATEGIC PLAN ALIGNMENT

The Five Year Plan and Goals for 2008-2013 identified *Exceptional Municipal Organization*. A supporting objective of this goal is *Village Government trusted and respected by residents*.

FISCAL IMPACT

N/A

UPDATE & RECOMMENDATION

This item was discussed at the November 10, 2009 workshop. Staff recommends approval on the November 17, 2009 active agenda.

BACKGROUND

Downers Grove Village Ordinance 15.28.3, entitled "Possession of Telecommunication Devices on Public School Property Prohibited," was enacted on July 10, 1995. The purpose of this ordinance was to limit the use of telecommunication devices (cell phones, etc.) within school buildings by students. The ordinance is over fourteen years old and was implemented well before the proliferation of cellular telephones within the community. The use of such phones is now commonplace and has become a means for students to communicate with their family members and with public safety personnel in emergency situations. Staff believes this ordinance is no longer practical and no longer serves the interests of the community. Staff is recommending that the ordinance be repealed which would allow Downers Grove public schools to institute their own rules and regulations for student cell phone possession and use on school grounds.

ATTACHMENT

Ordinance

VILLAGE OF DOWNERS GROVE
COUNCIL ACTION SUMMARY

INITIATED: Police Department **DATE:** November 17, 2009
(Name)

RECOMMENDATION FROM: _____ **FILE REF:** _____
(Board or Department)

NATURE OF ACTION:

- Ordinance
- Resolution
- Motion
- Other

STEPS NEEDED TO IMPLEMENT ACTION:

Motion to Adopt "AN ORDINANCE REPEALING THE PROHIBITED POSSESSION OF TELECOMMUNICATION DEVICES ON PUBLIC SCHOOL PROPERTY", as presented.

SUMMARY OF ITEM:

Adoption of this ordinance shall repeal a code provision which prohibits possession of telecommunication devices on public school property.

RECORD OF ACTION TAKEN:

ORDINANCE NO. _____

AN ORDINANCE REPEALING THE PROHIBITED POSSESSION OF TELECOMMUNICATION DEVICES ON PUBLIC SCHOOL PROPERTY

BE IT ORDAINED by the Village Council of the Village of Downers Grove in DuPage County, Illinois, as follows: (Additions are indicated by **shading**/underline; deletions by ~~strikeout~~):

Section 1. Section 15.28.3. is hereby repealed in its entirety

15.28.3. Reserved.

Possession of Telecommunications Devices on Public School Property Prohibited.

~~_____ No student enrolled in a public school shall use or have in his or her possession any telecommunications device while in any school building, or on any school property except designated parking areas, at any time unless the use or possession of the device by such student has been expressly authorized by the school principal or his or her designee. A "telecommunications device" for purposes of this section means a device which is capable of receiving or transmitting speech, data, signals or other information, including but not limited to paging devices, cellular and mobile telephones, and radio transceivers, transmitters and receivers, but not including radios designed to receive only standard AM and FM broadcasts. The provisions of this paragraph shall not prohibit the lawful possession or use of telecommunication devices on designated parking areas of the school property.~~

Section 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. That this ordinance shall be in full force and effect from and after its passage and publication in the manner provided by law.

Mayor

Passed:
Published:
Attest: _____
Village Clerk