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## STUDENT POLICIES GOALS

The Board advocates the following goals to:

1. enhance equal educational opportunities for all students;
2. instill in all students the ability to be critical thinkers and to strive for lifelong learning;
3. promote consistent attendance;
4. ensure that the constitutional rights of all students as citizens in a democracy have practical meaning and application;
5. develop in students a deep sense of personal responsibility for their actions;
6. attend vigorously to matters of student safety, health and welfare;
7. deal justly and constructively with all students in matters of discipline and
8. help all students feel that they are valued as individual persons in the school environment.

[Adoption date: June 21, 2011]

LEGAL REFS.: Ohio Const. Art. II  
ORC 3313.20; 3313.48

## EQUAL EDUCATIONAL OPPORTUNITIES

All students of the District have equal educational opportunities.

Students have the right to be free from discrimination on the basis of race, color, national origin, ancestry, citizenship status, religion, gender, sexual orientation, economic status, marital status, pregnancy, age, disability or military status in all decisions affecting admissions; membership in school-sponsored organizations, clubs or activities; access to facilities; distribution of funds; academic evaluations or any other aspect of school-sponsored activities. Any limitations with regard to participation in a school-sponsored activity are based on criteria reasonably related to that specific activity.

[Adoption date: June 21, 2011]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
Civil Rights Act, Title VI; 42 USC 2000d et seq.  
Civil Rights Act, (Amended 1972), Title VII; 42 USC 2000e et seq.  
Executive Order 11246, 1965, amended by Executive Order 11375  
Education Amendments of 1972, Title IX, Pub. L. No. 92-318 (1972)  
Individuals with Disabilities Education Act; 20 USC 1400 et seq.  
Americans with Disabilities Act Amendments Act of 2008; 42 USC 12101 et seq.  
Vocational Rehabilitation Act of 1973, Section 504  
ORC 9.60 through 9.62  
Chapter 4112  
OAC 3301-35-02; 3301-35-04

CROSS REFS.: AC, Nondiscrimination  
ACA, Nondiscrimination on the Basis of Gender  
ACB, Nondiscrimination on the Basis of Disability  
GBA, Equal Opportunity Employment  
IGBA, Programs for Students with Disabilities  
IGBB, Programs for Gifted and Talented Students  
IGBI, Limited English Proficiency  
IGBJ, Title I Programs  
JECAA, Admission of Homeless Students  
JFA, Student Due Process Rights

## COMPULSORY ATTENDANCE AGES

Children between the ages of 5 and 18 are of compulsory school age. Every person of compulsory school age must attend a school that conforms to the standards prescribed by the State Board of Education until one of the following occurs.

1. The person receives a diploma or certificate of high school equivalence granted by the Board or other governing authority indicating such student has successfully completed all state and local requirements.
2. The person receives an age and schooling certificate (work permit) and is enrolled in an educational program meeting the requirements of State law.
3. The person is excused from school under standards adopted by the State Board of Education pursuant to State law.

The parent(s) of any person who is of compulsory school age must send such person to school unless he/she is exempt as listed above.

[Adoption date: September 20, 2016]

LEGAL REFS.: ORC 3301.80; 3301.81  
3313.61  
3321.01 et. seq.  
3331.02  
OAC 3301-35-04  
3301-41

CROSS REFS.: IGBG, Home-Bound Instruction  
JEB, Entrance Age (Mandatory Kindergarten)  
JEG, Exclusions and Exemptions from School Attendance  
JFE, Pregnant Students

ENTRANCE AGE  
(Mandatory Kindergarten)

Each child who is five years of age on or before August 1 is eligible to enroll in kindergarten. Each child who is six years of age on or before August 1 and who has successfully completed kindergarten is eligible to enroll in the first grade.

[Adoption date: September 25, 2012]

LEGAL REFS.: ORC 3321.01

CROSS REFS.: IKEB, Acceleration  
JEA, Compulsory Attendance Ages  
JEBA, Early Entrance to Kindergarten

ENTRANCE AGE  
(Mandatory Kindergarten)

The following guidelines shall be followed for the registration of all kindergarten students.

1. A child who is a resident for school purposes of this District and who will be five years of age by August 1 of the current year and whose parent elects to enroll the child in kindergarten must do so within three weeks of the beginning of the school year.
2. Children must be registered by their parent(s) or guardian(s). Guardians must present proper certification of legal guardianship and, when applicable, a parent is to provide a copy of any custody arrangements.
3. A child who is not enrolled by the end of the third week of the school year will be required to wait until the beginning of the following school year.
4. This rule shall not apply to new residents of this District who have been enrolled in kindergarten in another school district during the school year in which the child establishes school district residence in this District.
5. Individual classroom assignments are made by the building principal.

(Approval date: June 21, 2011)

## EARLY ENTRANCE TO KINDERGARTEN

State law establishes minimum age requirements for admission to kindergarten. A child may be recommended for early admittance in accordance with the District's acceleration policy adopted under State law. A child who does not meet the age requirement for admittance to kindergarten or first grade shall be evaluated for early admittance upon referral by the child's parent or guardian, an educator employed by the district, a preschool educator who knows the child or a pediatrician or psychologist who knows the child.

Referrals for students to be evaluated and assessed should be made to the building principal. Students referred and having parental permission are tested using a variety of assessments. The assessments are reviewed by an acceleration evaluation committee to determine the most appropriate and available learning environment for the students.

The committee issues a written recommendation to the building principal and the students' parents. Parents have the right to appeal the committee's recommendation to the Superintendent/designee.

The committee develops a written acceleration plan for any student who is admitted early to kindergarten. The parents of the student are provided with a copy of the written plan.

[Adoption date: November 20, 2012]

LEGAL REFS.: ORC 3314.06  
3314.08  
3321.01  
3324.01 et seq.  
OAC 3301-51-15

CROSS REFS.: IGBB, Programs for Gifted and Talented Students  
IKEB, Acceleration  
JEB, Entrance Age (Mandatory Kindergarten)



## SCHOOL ADMISSION

The District provides free education to District residents between the ages of 5 through 21 who do not possess a diploma. Students who do not legally qualify as residents may be required to pay tuition as established by law and Board policy.

A student is considered a resident of the District if he/she resides with a parent, a grandparent with either power of attorney or caretaker authorization affidavit or a person or government agency with legal custody whose place of residence is within the boundaries of the District. Parents may be required to present legal proofs of residence.

New entrants at all grade levels are required to present at the time of enrollment a birth certificate or other document as evidence of birth, a certified copy of any child custody order or decree, proof of having received or being in the process of receiving required immunizations and copies of those records pertaining to him/her which are maintained by the school most recently attended. A protected child, as defined by State law, may not be denied admission to the school solely because the child does not present a birth certificate or comparable document upon registration. A protected child or parent, guardian or custodian of the child must present this documentation within 90 days after the child's initial entry into the school. The District immediately enrolls homeless students and foster students and assists in obtaining the necessary enrollment documents.

In addition, students released from the Department of Youth Services (DYS), just prior to requesting admission to the District, may not be admitted until the Superintendent has received all required documents provided by DHS. Forwarded documents are:

1. an updated copy of the student's transcript;
2. a report of the student's behavior in school while in DHS custody;
3. the student's current individualized education program (IEP), if developed, and
4. a summary of the institutional record of the student's behavior.

DYS has 14 days to send the documents to the Superintendent.

[Adoption date: December 20, 2016]

LEGAL REFS.: ORC 2152.18(D)(4)  
3109.52; 3109.53; 3109.65; 3109.66  
3313.48; 3313.64; 3313.67; 3313.671; 3313.672  
3317.08  
3321.01  
OAC 3301-35-04(F)

CROSS REFS: AFI, Evaluation of Educational Resources  
IGBA, Programs for Students with Disabilities  
JECAA, Admission of Homeless Students  
JECB, Admission of Nonresident Students  
JEE, Student Attendance Accounting (Missing and Absent Children)  
JHCA, Physical Examinations of Students  
JHCB, Immunizations  
JO, Student Records

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CROSS REFS.: AFI, Evaluation of Educational Resources  
IGBA, Programs for Students with Disabilities  
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## ADMISSION OF HOMELESS STUDENTS

The Board believes that all school-aged students, including homeless students and unaccompanied youth, have a basic right to equal educational opportunities. Accordingly, the District must enroll each homeless student or unaccompanied youth in the District in the school determined to be in the student's best interest. A homeless student is defined as an individual who lacks fixed, regular and adequate nighttime residence including:

1. sharing the housing with other people due to loss of housing, economic hardship or a similar reason;
2. living in a motel, hotel, trailer park or campground due to the lack of alternative adequate accommodations;
3. living in emergency or transitional shelters;
4. abandonment in hospitals;
5. a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
6. living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings;
7. migratory students living in circumstances described above and
8. an unaccompanied youth who is homeless and not in the physical custody of a parent or guardian.

In compliance with the McKinney-Vento Homeless Assistance Act, the District must make school placement determinations on the basis of the best interest of the student. The District presumes that keeping the homeless child or youth in the school of origin is in the child or youth's best interest, unless doing so is contrary to the request of the student's parent or guardian, or the unaccompanied youth. When considering the school of best interest, the District considers student centered factors related to the homeless child or youth's best interest including factors related to the impact of mobility on achievement, education, health and safety of the child or youth and gives priority to the homeless child or youth's parent or guardian or the unaccompanied youth.

The District complies with a request made by a parent(s) regarding school placement regardless of whether the student lives with the homeless parent(s) or is temporarily residing elsewhere.

The Board ensures that:

1. it reviews and revises Board policies and regulations to eliminate barriers to the identification, enrollment, retention and success in school of homeless students including barriers to enrollment and retention due to outstanding fees or fines, or absences;
2. the District does not segregate homeless children or youth into separate schools or separate programs within a school, based on the student's status as homeless;
3. it appoints a District liaison, able to carry out their duties, who ensures that homeless students are identified and enroll and succeed in school and ensures the liaison is trained in compliance with law;
4. it provides training opportunities for staff on identifying and serving homeless students;
5. homeless children or youth are immediately enrolled even if the child or youth is unable to produce records normally required for enrollment such as previous academic records, records of immunization and other required health records, proof of residency of other documentation, or if the student has missed application or enrollment deadlines during any period of homelessness;
6. homeless children or youth are provided with education, nutrition and transportation services that are at least comparable to the services provided to nonhomeless students and
7. homeless students and unaccompanied youth meeting the relevant eligibility criteria do not face barriers to accessing academic and extracurricular activities including: magnet school; summer school; career and technical education; advanced placement; online learning and charter school programs.

The liaison carries out all duties required by law, ensures compliance with the subgrant and coordinates services for homeless students with local social service agencies and programs, including those funded under the Runaway and Homeless Youth Act.

A student who ceases to be homeless may continue to receive services until the end of the period of time for which the service was originally intended to be provided, which may be the end of the school year or the end of a program cycle.

Information about a homeless child or youth's living situation is part of the student education record and is not considered directory information.

The District complies with the Ohio Department of Education's Plan and State and Federal laws for the education of homeless students.

[Adoption date: December 20, 2016]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
42 USC Sections 11431 et seq.  
ORC 9.60 through 9.62  
3313.64(F)(13)  
OAC 3301-35-02; 3301-35-04; 3301-35-06

CROSS REFS.: AC, Nondiscrimination  
JB, Equal Educational Opportunities  
JEC, School Admission  
JHCB, Immunizations  
JO, Student Records

***THIS IS A REQUIRED POLICY***

ADMISSION OF HOMELESS STUDENTS  
(Enrollment Dispute Resolution Process)

The District is committed to facilitating the timely resolution of disputes regarding the educational placement of homeless children and youth. The process may address issues concerning: eligibility, enrollment, transfer of records, transportation, comparable services, guardianship, medical records, residency, school of origin/school of choice issues along with any related homeless education concerns.

Should a dispute arise over school selection or enrollment in a school, the parents, guardians and unaccompanied youth may initiate the resolution process directly at the school they choose or with the District homeless liaison. Written and/or oral communication may be provided to support their views. Students are provided with all services for which they are eligible while the dispute is being resolved.

Disputes should be resolved at the District level, rather than the school level. The District makes the resolution process as informal and accessible as possible, allowing for impartial and complete review.

Written documentation from the District is complete, as brief as possible, simply stated and provided in a language the parent, guardian or unaccompanied youth can understand.

The following steps are taken when a dispute arises over school selection or enrollment in a school:

1. The District provides the parent/guardian or unaccompanied youth with a written explanation of the school's decision regarding school selection or enrollment.
2. The District informs the parent/guardian or unaccompanied youth in writing of their right to appeal the decision.
3. Should the dispute continue, the District refers the parent/guardian or unaccompanied youth to the District homeless liaison who shall review the complaint and issue an opinion in writing to the parent/guardian or the unaccompanied youth.
4. Should the dispute continue, the District homeless liaison assists the involved parties in presenting the situation to the Ohio Department of Education homeless education coordinator.
5. The state homeless education coordinator recommends a decision for distribution to the parent/guardian or unaccompanied youth, local Superintendent and District liaison.
6. Should the dispute continue, the final appeal is made to the State Superintendent of Public Instruction for review and disposition.

(Adoption Date: December 20, 2016)

## ADMISSION OF NONTUITION STUDENTS

In order to be eligible for a free public education in the District's schools, a student must be the child of a resident of the District or reside with a grandparent with either power of attorney or caretaker authorization affidavit. If legal or permanent custody or legal guardianship of the student has been granted by a court to a resident of the District or a government agency within the District, the student is entitled to attend District schools and tuition is paid in compliance with State law.

In compliance with State law and Board policy, students are exempt from paying tuition when:

1. an adult resident of the District submits a sworn statement that he/she has begun legal custody proceedings for the student (maximum 60 days permitted);
2. the student is at least 18 but not yet 22 years of age and resides in the District, lives apart from his/her parent(s), supports himself/herself by his/her own labor and does not possess a high school diploma;
3. the student is under 18 years of age, resides in the District and is married, regardless of the residence of the parent(s);
4. the student has a medical condition which may require emergency attention and his/her parent is employed in the District; (The parent(s) of such child must submit to the Board a statement from the child's physician certifying that the child's medical condition may require emergency medical attention.)
5. the student resides with a person other than his/her parent(s) and such student has a parent serving outside Ohio in the U.S. Armed Services; (The student's parent(s) must file an affidavit with the Superintendent stating (1) that the parent is serving outside the state in the U.S. Armed Services, (2) that the parent intends to reside in the District upon returning to the state, and (3) the name and address of the person with whom the student is living while the parent is outside the state. This tuition exemption may be granted only for a period of up to 12 months.)
6. the student resides with a parent who is planning to either have a home built or has purchased a home in the District and is waiting for the closing date of the mortgage loan; (The student's parent(s) must provide the Superintendent with a sworn statement revealing the location of the house and the parent(s)' intention to reside there. The parent(s) must also provide a statement from a homebuilder, real estate broker or bank officer confirming that the house construction is planned or is awaiting approval of the mortgage loan. The period for tuition-free attendance in these cases may extend up to 90 days.)



7. the student resides with his/her parent(s) under the care of a shelter for victims of domestic violence;
8. the student is not a resident of the District, does not require special education and resides with his/her grandparent(s), provided that the Board and the board of education of the district in which the student's parent(s) reside enter into a written agreement showing good cause for the student to be admitted to the District; (The grandparent(s) are required to sign all consent forms required by the District, even if the student would remain in the legal custody of the parent(s).)
9. the student is under the age of 22 and his/her parent(s) moved from the District, but within the county, after the first full week of October, for the remainder of the school year.
10. the student is under the age of 22 and hi/her parent(s) moved from the District following the commencement of classes during the student's senior year, for the remainder of the school year and for one additional semester.
11. the student is under the age of 22 and resides in a new school district because of the death of a parent; (The student is entitled to finish the current school year in the District upon approval of the Board.)
12. the student is under the age of 22 and the superintendent of the district in which the student is entitled to attend (the student's district of origin) enters into a contract with the Superintendent of this District (the district into which the student wishes to enroll) consenting to the attendance of the student in this District or (The Superintendent of this District specifies that the purpose of such attendance is to protect the student's physical or mental well-being or to deal with other extenuating circumstances deemed appropriate by the Superintendent.)
13. the student whose parent is a full-time employee of an educational service center may be admitted tuition free to the schools of the district where the parent's job is primarily located, pursuant to the admission policy of that district.

The Board does not waive the payment of tuition, except:

1. when agreements have been established with other boards of education to serve their students in career-technical or special education classes on a cooperative basis, as permitted by law;
2. when foreign exchange students, sponsored under an approved exchange program, reside in the District temporarily or
3. for adult residents or classified staff employees of the District who meet the criteria established by the Board.

In all cases, specific Board permission to waive tuition must be obtained for each individual case.

The District may temporarily deny admittance to any student who otherwise may be admitted to the District, if the student has been expelled from the schools of another district and if the period of expulsion has not expired. The student and parent(s) will have an opportunity for a hearing before the Superintendent/designee to determine the admittance or nonadmittance of the student.

Tuition Students

Applications from nonresidents to attend the schools on a tuition basis may be considered if space is available. The amount of tuition is set annually by the state, based on a per-student cost determined in compliance with State law. Nonresident students must provide all records required of resident students in compliance with State law.

[Adoption date: December 20, 2016]

LEGAL REFS.: ORC 2152.18(D)(4)  
3109.52 through 3109.61; 3109.65 through 3109.76; 3109.78; 3109.79;  
3109.80  
3311.211  
3313.64; 3313.644; 3313.645; 3313.65; 3313.672; 3313.90  
3317.08  
3319.01  
3323.04  
3327.04; 3327.06  
OAC 3301-35-04  
3301-42-01

CROSS REFS.: JEC, School Admission  
JECAA, Admission of Homeless Students  
JECBB, Admission of Interdistrict Transfer Students  
JO, Student Records

CONTRACT REFS.: Teachers' Negotiated Agreement  
Classified Staff Negotiated Agreement

***This is a Required Policy***

## ADMISSION OF INTERDISTRICT TRANSFER STUDENTS

The Board permits any student from any other district in the state to apply and enroll in the District schools free of any tuition obligation, provided that all procedures as outlined in the administrative regulations are met. Requirements include:

1. application procedures, including deadlines for application and notification to students of acceptance or rejection and the superintendents of other districts whenever another district's student's application is approved;
2. procedures for admission;
3. District capacity limits by grade level, school building and educational program are determined;
4. resident students and previously enrolled district students have preference over first-time applicants;
5. no requirements of academic, athletic, artistic or any other skill or proficiency;
6. no limitations on admitting students with disabilities, unless services required in an IEP are not available in the District, or the capacity limits would be exceeded;
7. no requirement that the student be proficient in the English language;
8. no rejection of any applying student because the student has been subject to disciplinary proceedings, except an applicant who has been suspended or expelled for 10 consecutive days or more in the term for which admission is sought or in the term immediately preceding the term for which admission is sought and
9. procedures to ensure maintenance of an appropriate racial balance in the District's schools.

The District cannot refuse to accept the credits earned by students who have participated in interdistrict open enrollment, neither will the Board adopt a policy that discourages resident students from participating in interdistrict open enrollment.

[Adoption date: June 21, 2011]

[Re-adoption date: March 21, 2017]

LEGAL REFS.: ORC 3313.97; 3313.98  
                  Chapter 3327  
                  OAC 3301-48-02

ADMISSION OF INTERDISTRICT TRANSFER STUDENTS  
(Guidelines)

The participating boards of education believe that students should, under certain prescribed circumstances, benefit from an interdistrict, open-enrollment policy. Guidelines for the transfer of students, based upon criteria established by the schools' administration and in conjunction with recommendations from officials of the Ohio Department of Education, are listed below. The specific criteria for this program is consistent with State law.

1. Any application for an interdistrict transfer must be submitted to the Office of the Superintendent between February 1 and the last Friday in May. Applications will be acted upon no later than August 15. One application must be submitted for each student who requests an interdistrict transfer. The superintendents of the sending and receiving districts may consider applications from students submitted after the end of May due to highly unusual circumstances.

The following represents enrollment capacity guidelines for grade levels with the actual number being determined on an annual basis by the Superintendent.

<u>Grade</u>	<u>School</u>	<u>Grade Level Enrollment Limit</u>
K	Elmwood-Primary	170
1	Elmwood-Primary	170
2	Elmwood-Primary	170
3	Maplewood Intermediate	170
4	Maplewood Intermediate	170
5	Middle School	180
6	Middle School	180
7	Middle School	180
8	Middle School	180
9	High School	180
10	High School	180
11	High School	180
12	High School	180

Individual high school class enrollment is set by available sections.

2. No student, once accepted by the receiving district, will be displaced on the basis of enrollment for one year should enrollment exceed the limits stated above.

3. The Board of Education may waive the application deadline for a resident student who moves outside of the district during the school year and wishes to continue attending Shawnee schools, if the student meets open enrollment eligibility requirements.
4. Enrollment in special education programs, dictates which building a student must attend, as many units are cooperative among several districts and may not be housed in the student's district of residence. Excess costs are charged back to the district of residence.
5. Districts are not required to institute any special education programs to serve open enrollment students.

Out-of-district students with disabilities are not accepted when the intervention specialist is assigned four or more students at the K-2 levels, six or more at the 3-8 grade levels, and eight or more at the 9-12 levels.

Out of district students who qualify for speech/languages services are admitted as long as the total caseload does not exceed 65.

6. All approved transfers are in effect for one school year.
7. Participating districts will accept no responsibility for the transportation of students to other districts unless it is deemed practical by the administration.
8. All applicants once accepted must remain in the receiving district for the duration of the school year.

### Student Records

Students who have applied for the interdistrict open enrollment plan may have school records included with the application or will be requested by the guidance department before entry is permitted.

### Notification

Once an applicant receives notification of acceptance, the applicant must notify the Superintendent's office if they choose not to attend.

(Adoption date: June 21, 2011)  
(Re-Adoption date: March 21, 2017)

ADMISSION OF STUDENTS  
FROM NONCHARTERED OR HOME SCHOOLING

Students entering the District from non-accredited schools, whether in state or out, and/or home schooling and other non-certified programs may be evaluated by grade level/subject area teachers or other designees assigned by the building principal. Placement is in accordance with the student's demonstrated ability on tests designed to assess knowledge and skills in the given grade or subject. These tests may include written examination, oral discussions, demonstration of physical proficiency, portfolio, journal or other demonstrable evidence of competency or mastery of a particular grade/subject.

Credit and/or grade placement are made at the discretion of the building principal on the basis of evidence and recommendations of persons conducting the examinations.

A student entering the District under these circumstances may be permitted up to nine weeks to complete all evaluations. At the conclusion of the examination(s), the parent/guardian will be offered an explanation of the resulting grade/credit assignment.

Students who have been approved for home schooling by the Superintendent, including as designee of the ESC Superintendent, for an entire school year or for the remainder of a school year or semester are allowed to re-enroll in the District before completion of the approved semester or school year only if the Superintendent/designee determines that special circumstances exist to warrant such early re-enrollment, such as early recuperation from a medical condition.

Participation in Extracurricular Activities (pupil-activity programs not included in the graded course of study)

Resident students attending a non-chartered nonpublic school are permitted to participate in the District's extracurricular activities at the school to which the student would be assigned if the non-chartered nonpublic school the student is enrolled in does not offer the extracurricular activity. Students must be of the appropriate age and grade level as determined by the Superintendent and must fulfill the same academic, nonacademic and financial requirements as any other participant.

Resident students receiving home instruction in accordance with State law are permitted to participate in District extracurricular activities at the school to which the student would be assigned. Students must be of the appropriate age and grade level as determined by the Superintendent and must fulfill the same academic, nonacademic and financial requirements as any other participant.

### State-Mandated Assessments

In order to be eligible for the District to administer state-mandated assessments, a student must be registered and in attendance in one of the District's programs.

This policy is to ensure proper, accurate and representative testing data of actual enrolled and attending District students in the state of Ohio.

[Adoption date: October 15, 2013]

LEGAL REF.: ORC 3313.535; 3313.537; 3313.5311; 3313.5312; 3313.664; 3321.04  
OAC 3301-34

CROSS REFS.: IGBG, Home-Bound Instruction  
IGCF, Home Schooling  
IGD, Cocurricular and Extracurricular Activities  
IGDK, Interscholastic Extracurricular Eligibility

## INTRADISTRICT OPEN ENROLLMENT

The Board directs the administration to develop an intradistrict open enrollment plan when additional facilities or grade assignments change. The organization of facilities then would provide students with intradistrict open enrollment opportunities.

[Adoption date: June 21, 2011]

LEGAL REFS.: ORC 3313.64; 3313.65; 3313.97  
OAC 3301-48-01

CROSS REFS.: IE, Organization of Facilities for Instruction  
IGBJ, Title I Programs



STUDENT WITHDRAWAL FROM SCHOOL  
(Loss of Driving Privileges)

When the Superintendent receives information that a student of compulsory school age has withdrawn from school, the Superintendent must, within two weeks after the withdrawal, notify the registrar of motor vehicles and the county juvenile judge of the student's withdrawal from full-time enrollment or withdrawal from an approved program to obtain a diploma or its equivalent.

Notification to the registrar of motor vehicles is not necessary if a student has withdrawn from school because of a change of residence; or the student is holding an age and schooling certificate (work permit), is regularly employed and enrolled part-time in and attending an approved program to obtain a diploma or its equivalent.

Notification to the registrar of motor vehicles must be given in a manner required by the registrar and notice to the county juvenile judge must be given in writing.

After receiving such information from the Superintendent, the registrar of motor vehicles is required to suspend the temporary instruction permit or driver's license of the student who is the subject of the notice. If a temporary permit or license has not been issued to that student, the registrar is prohibited from issuing a temporary permit or a license. Any denial of driving privileges would remain in effect until the student reaches 18 or until the denial of driving privileges is terminated for another reason allowable under State law.

In compliance with State law, a student whose driving privileges have been denied can file a petition seeking his/her reinstatement with the juvenile court in whose jurisdiction he/she resides.

[Adoption date: June 21, 2011]

LEGAL REFS.: Family Educational Rights and Privacy Act; 20 USC 1232g  
ORC 3319.321  
3321.13  
3331.01; 3331.02; 3331.04; 3331.06 through 3331.09  
4510.32

CROSS REFS.: JEDA, Truancy  
JEG, Exclusions and Exemptions from School Attendance  
JK, Employment of Students

STUDENT WITHDRAWAL FROM SCHOOL  
(Loss of Driving Privileges)

When the Superintendent receives information that a student of compulsory school age has been absent without legitimate excuse for more than 10 consecutive days or a total of at least 15 days in any term or semester, the following procedure applies.

1. The Superintendent notifies, in writing, the student and his/her parent(s) and states that information regarding the student's absences has been provided to the Superintendent, and, as a result of that information, the student's driving privileges are denied. This notification also states that the student and his/her parent(s) may appear before the Superintendent/designee to challenge the information provided to the Superintendent.
2. The notice from the Superintendent to the student includes the scheduled time, place and date of the hearing, which is scheduled between three and five days after the notification is given. Upon the request of the student or parent(s), an extension may be granted by the Superintendent. The Superintendent must then notify the student and the parent(s) of the new hearing time, place and date.
3. At the hearing before the Superintendent/designee, the student has an opportunity to present evidence that he/she has not been habitually absent without legitimate excuse. State law defines "legitimate excuses" for absence from school to include, but not be limited to:
  - A. enrollment in another school or school district in Ohio or another state;
  - B. possession of an age and schooling certificate (work permit);
  - C. a bodily or mental condition that prohibits attendance or
  - D. participation in a home instruction program.
4. If a habitually absent student does not appear at a hearing before the Superintendent or designee, or if the student does not convince the Superintendent or designee that the absences were legitimate, the Superintendent must notify the registrar of motor vehicles and the juvenile judge. Such notification must be given to the registrar and the juvenile judge within two weeks of the receipt of the information regarding habitual absences or, if the hearing for the student is held, within two weeks after the hearing.

Notification to the registrar of motor vehicles and the county judge must comply with State and Federal law.

The registrar of motor vehicles is required to suspend the temporary instruction permit or driver's license of the student who is the subject of the notice. If a temporary permit or license has not been issued for that student, the registrar is prohibited from issuing a temporary permit or a license.

Denial of privileges remains in effect until the student reaches age 18 or until the denial is terminated for another reason allowed by State law. In accordance with State law, a student whose driving privileges have been denied can file a petition seeking their reinstatement.

(Approval date: June 21, 2011)

## FULL-TIME ENROLLMENT

The District provides a free comprehensive educational program for all students who are entitled to enroll in this District, based upon residency or who are admitted under the open enrollment program. In order to effectively carry out its educational mission, it is the policy of this Board to provide education to students only on a full-time basis. It is, therefore, the policy of this Board not to permit part-time enrollment, except as required by law.

Only students admitted, enrolled and attending school in the District on a full-time basis may participate in co-curricular and extracurricular activities; students in compliance with Board Policy JECBC may try out for and participate in extracurricular activities.

This policy is based upon the belief that students are best served by a comprehensive and coordinated educational program provided from a single educational source and that permitting students to attend on less than a full-time basis is detrimental to such students and to the overall educational program of this District.

All students enrolled in this District are required to pursue the regular full-time educational program offered by this District except as follows:

1. students for whom an approved educational option program is developed;
2. enrolled students with disabilities for whom less than full-time attendance is required under their individualized educational program (IEP) or
3. resident students of this District who are enrolled at the Apollo Career Center.

[Adoption date: October 15, 2013]

LEGAL REF.: ORC 3313.20

CROSS REFS.; JEC, School Admission  
JECB, Admission of Nontuition Students

JECBB, Admission of Interdistrict Transfer Students

## STUDENT ABSENCES AND EXCUSES

Regular attendance by all students is very important. In many cases, irregular attendance is the major reason for poor schoolwork; therefore, all students are urged to make appointments, do personal errands, etc., outside of school hours.

Reasons for which students may be excused include, but are not limited to:

1. personal illness of the student;
2. illness in the student's family;
3. needed at home to perform necessary work directly and exclusively for parents or legal guardians (applies to students over 14 years of age only);
4. death in the family;
5. quarantine for contagious disease;
6. religious reasons;
7. traveling out of state to attend a Board-approved enrichment activity or extracurricular activity (applies to absences of up to 24 school hours or
8. as determined by the Superintendent.

Each student who is absent must immediately, upon return to school, make arrangements with his/her teacher(s) to make up work missed. Students who are absent from school for reasons not permitted by State law may, or may not, be permitted to make up work. Each case is considered on its merits by the principal and the respective teacher(s). Students are requested to bring a note to school after each absence explaining the reason for the absence or tardiness.

The Board does not believe that students should be excused from school for vacations or other nonemergency trips. The responsibility for such absences resides with the parent(s), and they must not expect any work missed by their child to be retaught by the teacher. If the school is notified in advance of such a trip, reasonable efforts are made to prepare a general list of assignments for the student to do while he/she is absent.

The Board authorizes the Superintendent to establish a hearing and notification procedure for the purpose of denying a student's driving privileges if that student of compulsory school age has been absent without legitimate excuse for more than 60 consecutive hours during a school month or a total of at least 90 hours during a school year.

[Adoption date: March 21, 2017]

LEGAL REFS.: ORC 3313.609  
3321.01; 3321.03; 3321.04; 3321.13; 3321.14; 3321.19; 3321.38  
4510.32

CROSS REFS.: IGAC, Teaching About Religion  
IKB, Homework  
JEDB, Student Dismissal Precautions  
JHC, Student Health Services and Requirements  
JHCC, Communicable Diseases

***THIS IS A REQUIRED POLICY***

## TRUANCY

The Board endeavors to reduce truancy through cooperation with parents, diligence in investigating the causes of absence and use of strict guidelines in regard to tardiness and unexcused absence.

When the Board determines that a student has been truant and that the parent, guardian or other person having care of a child has failed to ensure the child's attendance at school, State law authorizes the Board to require the parent to attend a specified educational program.

This program has been established according to the rules adopted by the State Board of Education for the purpose of encouraging parental involvement in compelling the child's attendance at school.

On the request of the Superintendent, or when it comes to the attention of the school attendance officer or other appropriate officer of the District, the designated officer must investigate any case of supposed truancy within the District and must warn the child, if found truant, and the child's parent in writing of the legal consequences of being a "habitual" truant.

A "habitual truant" is any child of compulsory school age who is absent without a legitimate excuse for 30 or more consecutive hours, 42 or more hours in one month or 72 or more hours in a school year.

The parent is required to have the child attend school immediately after notification. If the parent fails to get the child to attend school, the attendance officer or other appropriate officer, if directed by the Superintendent or the Board, must send notice requiring the child's parent to attend a parental education program.

Regarding "habitual truants," the Board must take as an intervention strategy and appropriate action contained in the Board policy.

The Board directs the administration to develop intervention strategies that include all of the following actions if applicable:

1. providing a truancy intervention plan meeting State law requirements for any student who is excessively absent from school;

2. providing counseling for a habitual truant;
3. requesting or requiring a parent having control of a habitual truant to attend parental involvement programs;
4. requesting or requiring a parent of a habitual truant to attend truancy prevention mediation programs;
5. notification to the registrar of motor vehicles or
6. taking appropriate legal action.

The attendance officer provides notice to the parent of a student who is absent without excuse for 38 or more hours in one school month or 65 or more hours in a school year within seven days after the date of the absence triggering the notice. At the time of notice, the District may take any appropriate action as outlined in this policy as an intervention strategy.

#### Absence Intervention Plan

Beginning with the 2017-2018 school year, when a student's absences surpass the threshold for a habitual truant, the principal or the Superintendent assigns the student to an absence intervention team within 10 days of the triggering event. The absence intervention team must be developed within seven school days of the triggering event and is based on the needs of the individual student. The team must include a representative from the student's school or District, a representative from the student's school or District who knows the student and the student's parent or their designee, and also may include a school psychologist, counselor, social worker or representative of an agency designed to assist students and their families in reducing absences. During the seven days while developing the team, the Superintendent or principal makes at least three meaningful, good faith attempts to secure participation of the student's parent. If the student's parent is unresponsive the District investigates whether the failure to respond triggers mandatory reporting to the appropriate children's services agency and instructs the absence team to develop the intervention plan without the parent.



Within 14 school days after a student is assigned to a team, the team develops a student specific intervention plan to work to reduce or eliminate further absences. The plan includes, at minimum a statement the District will file a complaint in juvenile court not later than 61 days after the date the plan is implemented if the student refuses to participate or fails to make satisfactory progress. The District makes reasonable efforts to provide the student's parent with written notice of the plan within seven days of development.

The absence intervention plan for a student may include contacting the juvenile court to have a student informally enrolled in an alternative to adjudication. The Board directs the Superintendent to develop written procedures regarding the use of and selection process for offering these alternatives to ensure fairness.

If the student becomes habitually truant within 21 school days prior to the last day of instruction of a school year, the District may either assign a school official to work with the student's parent to develop an intervention plan during the summer and implement the plan no later than seven days prior to the first day of instruction of the next school year, or reconvene the absence intervention process on the first day of instruction of the next school year.

#### Filing a Complaint with Juvenile Court

Beginning with the 2017-2018 school year, the attendance officer must file a complaint against the student in juvenile court on the 61st day after implementation of the absence intervention plan when:

1. the student's absences have surpassed the threshold for a habitual truant;
2. the District has made meaningful attempts to re-engage the student through the absence intervention plan, other intervention strategies and any offered alternatives to adjudication and
3. the student has refused to participate in or failed to make satisfactory progress on the plan or any offered intervention strategies or alternatives to adjudication as determined by the absence intervention team.

If the 61st day after intervention falls on a day during the summer months, the District may extend the implementation of the plan and delay the filing of the complaint for an additional 30 days after the first day of instruction of the next school year.

Unless the absence intervention team determines the student has made substantial progress on their absence intervention plan, the attendance officer must file a complaint against the student in juvenile court if the student is absent without legitimate excuse for 30 or more consecutive hours or 42 or more hours during a school month at any time during the implementation phase of the intervention plan or other intervention strategy.

[Adoption date: June 21, 2011]

[Re-adoption date: March 21, 2017]

LEGAL REFS.: ORC 3313.663; 3313.668  
3321.03 through 3321.04; 3321.07 through 3321.09; 3321.19; 3321.191;  
3321.22; 3321.38

CROSS REFS.: JED, Student Absences and Excuses  
JEG, Exclusions and Exemptions from School Attendance  
JK, Employment of Students  
JEE, Student Attendance Accounting (Missing and Absent Children)

***THIS IS A REQUIRED POLICY***

## STUDENT DISMISSAL PRECAUTIONS

Permission for a student to leave school when school is in session requires approval by the principal or a person specifically designated by him/her to exercise that authority. In evaluating requests for this permission, he/she gives primary consideration to the best interests of the student and/or public welfare. Requests are not approved without a parent's permission. When a request originates from a person other than the parent(s), the school official in authority contacts the parent(s) to obtain permission.

[Adoption date: June 21, 2011]

LEGAL REF.: ORC 3313.20

CROSS REF.: JEE, Student Attendance Accounting (Missing and Absent Children)

STUDENT ATTENDANCE ACCOUNTING  
(Missing and Absent Children)

The Board believes in the importance of trying to decrease the number of missing children; therefore, efforts are made to identify missing children and to notify the proper adults or agencies.

Except where required by State law, at the time of initial entry into school, a student shall present to the person in charge of admission an official copy of a birth certificate and copies of those records pertaining to him/her which were maintained by the school which he/she most recently attended. In lieu of a birth certificate, birth documentation may include:

1. a passport or attested transcript thereof filed with a registrar of passports at a point of entry of the United States showing the date and place of birth of the child;
2. an attested transcript of the certificate of birth;
3. an attested transcript of the certificate of baptism or other religious record showing the date and place of birth of the child;
4. an attested transcript of a hospital record showing the date and place of birth of the child or
5. a birth affidavit.

Except where required by State law, if the student does not present copies of the required documents, the principal shall call the school from which the student transferred and request the information. If that district has no record on file of the student or if that district does not send the records within 14 days, the principal shall notify the law enforcement agency having jurisdiction in the area where the student resides of the possibility that the student might be a missing child.

The primary responsibility for supervision of a student resides with his/her parent(s). The staff provides as much assistance as is reasonable to parents with this responsibility.

Parents must notify the school on the day a student is absent unless previous notification has been given in accordance with school procedure for excused absences. The principal or his/her designee is also required to notify a student's parent(s) when the student is absent from school. The parent(s) or other responsible person shall be notified by telephone or written notice, which is mailed on the same day that the student is absent. Parents or other responsible persons shall provide the school with their current home and/or work telephone numbers, home addresses and any emergency telephone numbers.

The Board shall designate the Superintendent to develop informational programs for students, parents and community members relative to the subject of missing children.

[Adoption date: December 20, 2016]

LEGAL REFS.: ORC 109.65  
2901.30  
3313.205; 3313.672; 3313.96  
3319.321; 3319.322  
3321.12  
3705.05

CROSS REFS.: JEC, School Admission  
JECAA, Admission of Homeless Students  
JED, Student Absences and Excuses  
JEDB, Student Dismissal Precautions  
JHF, Student Safety

***THIS IS A REQUIRED POLICY***

## EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

A student of compulsory school age residing in the District may be legally excused from full-time enrollment by:

1. holding an age and schooling certificate (work permit), being regularly employed and attending school on a part-time basis in a program approved by the Superintendent or his/her designee;
2. receiving approved home schooling;
3. attending a private or parochial school or
4. having received a diploma from an approved high school or a certificate of high school equivalency from the Ohio Department of Education..

The District may temporarily deny admittance to any student who is otherwise entitled to be admitted to the District if the student has been suspended or expelled from the schools of another district in the state of Ohio or an out-of-state district and if the period of suspension or expulsion has not expired. The student and parent(s) will have an opportunity for a hearing before the Superintendent/designee to determine the admittance or nonadmittance of the student.

[Adoption date: September 20, 2016]

LEGAL REFS.: ORC 3301.80; 3301.81  
3313.66  
3321.02; 3321.03; 3321.04; 3321.07  
3331.01; 3331.02; 3331.04; 3331.06 through 3331.09

CROSS REFS.: IGCF, Home Schooling  
JEA, Compulsory Attendance Ages  
JECE, Student Withdrawal from School (Loss of Driving Privileges)  
JEGA, Permanent Exclusion  
JHCC, Communicable Diseases  
JK, Employment of Students

## PERMANENT EXCLUSION

The Board may seek the permanent exclusion of a student 16 years of age or older who is either convicted in criminal court or adjudicated delinquent by a juvenile court of any of the following offenses that occur on school grounds or at a school function:

1. illegal conveyance or possession of a deadly weapon or dangerous ordnance, carrying a concealed weapon, aggravated trafficking, trafficking in drugs, trafficking involving the possession of a bulk amount of a controlled substance or the sale of a controlled substance and/or
2. aggravated murder, murder, voluntary or involuntary manslaughter, felonious or aggravated assault, rape, gross sexual imposition or felonious sexual penetration, if the victim is a District employee.

In addition, complicity in any of the above acts may be the basis for permanent exclusion.

Any building administrator witnessing, or having knowledge of, one of these acts must report the incident to the Superintendent within 24 hours, whether or not the student is over 16 years of age.

If the Superintendent receives notification that a student has been found guilty of or is adjudicated delinquent for any of the listed offenses, a determination must be made whether the student's continued attendance endangers the health and safety of other students or employees or whether the student's attendance poses a danger of disruption to the graded course of study. If the Superintendent determines that either danger exists, he/she may recommend that the Board adopt a resolution requesting the State Superintendent of Public Instruction to permanently exclude the student from attendance in any Ohio school. Written notice of the Superintendent's recommendation for permanent exclusion is provided to the student and his/her parent(s).

The Board acts upon the Superintendent's recommendation within 14 days. Among the items the Board considers is information on:

1. academic and extracurricular activity record of the student;
2. disciplinary record of the student;
3. social history of the student;
4. response to prior discipline and sanctions;
5. seriousness of the offense and any aggravating circumstances;

6. any mitigating circumstances;
7. evidence regarding the possible danger to other students and employees if the student remains in the District;
8. evidence regarding the probable disruption of the graded course of study and
9. availability of less serious sanctions that would permit the student to stay in the District without conflict with either (7) or (8).

The Board may allow for the hearing of witnesses and the presentation of additional evidence.

If the Board adopts the resolution to permanently exclude the student, the Board:

1. forwards the written resolution, together with the adjudication or conviction and a copy of the student's entire school record, to the State Superintendent;
2. promptly designates a representative to present the District's case for permanent exclusion to the State Superintendent and
3. forwards a copy of the resolution to the student and his/her parent(s).

If the State Superintendent rejects the resolution, the student shall be re-admitted to the District's schools.

No employee shall knowingly admit, or cause by inaction to be admitted, any student who has been permanently excluded.

#### Re-Admission

If the Superintendent determines that a permanently excluded student no longer represents a danger to the health and safety of other students or staff, the Superintendent may recommend that the student be re-admitted.

On the recommendation of the Superintendent, the Board considers a resolution requesting the State Superintendent to revoke the permanent exclusion. If the Board adopts the resolution, it is forwarded to the State Superintendent, together with the reasons for the resolution and any relevant information.



Probationary Admission Following Permanent Exclusion

Under State law, a student permanently excluded from school may request probationary admission for a period not to exceed 90 days in any public school district.

If a student requests consideration of probationary admission into this District, the Superintendent may enter into discussions with the student and his/her parent(s) to develop a probationary admission plan designed to meet the educational needs of the child and the disciplinary requirements of the District.

If a satisfactory plan is developed, the Superintendent recommends that the Board allow the student to attend classes according to the terms of the plan. The Board acts on the recommendation within 14 days.

If a student violates the terms of the re-admission plan, the Superintendent may immediately remove the student, pending action by the Board. The Board's action must take place within five days from receipt of the Superintendent's recommendation to revoke the re-admission.

A student in compliance with his/her probationary re-admission plan may request either an extension of the plan for an additional 90 days or for the Superintendent to recommend that the permanent exclusion be revoked.

[Adoption date: June 21, 2011]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

CROSS REFS.: JFCJ, Weapons in the Schools  
JGD, Student Suspension  
JGE, Student Expulsion

## STUDENT RIGHTS AND RESPONSIBILITIES

Students, like all citizens, have civil rights guaranteed by the Constitution of the United States. The First Amendment, which ensures the freedom of religion, speech, press, assembly and petition, and the Fourteenth Amendment, which guarantees due process and equal protection, apply in school environments.

The rights of an individual are preserved only by the protection and preservation of the rights of others. A student is responsible for the way rights are exercised and must accept the consequences of actions and recognize the boundaries of rights. Each exercise of an individual's rights must demonstrate respect for the rights of others.

These statements set forth the rights of students and the responsibilities, which are inseparable from these rights, which include the right to:

1. equal educational opportunity and freedom from discrimination and the responsibility not to discriminate against others;
2. attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school;
3. due process of law with respect to suspension and expulsion;
4. free inquiry and expression and the responsibility to observe rules regarding these rights and
5. privacy, which includes privacy with respect to the student's school records.

As part of the educational process, students should be made aware of their legal rights and of the legal authority of the Board to make rules and delegate authority to its staff to make rules necessary for the orderly operation of the schools.

A copy of the school discipline code is posted in each of the schools and given to each student. This code describes in detail the offenses for which disciplinary action may be taken. Copies of the code are available to any parent in the principal's office.

[Adoption date: June 11, 2011]

[Re-adoption date: March 21, 2017]

LEGAL REFS.: U.S. Const. Amend. I  
U.S. Const. Amend. XIV, Section 1  
ORC 3313.20; 3313.66; 3313.661; 3313.662; 3313.668

CROSS REFS.: ABC, Student Involvement in Decision Making (Also JFB)  
JFC, Student Conduct (Zero Tolerance)  
JFG, Interrogations and Searches  
Student Handbooks

## STUDENT DUE PROCESS RIGHTS

The Board and school officials have the legal authority to deal with disruptive students and student misconduct. Due process, in the context of administrative proceedings carried out by school authorities, does not mean that the procedures used by the courts in juvenile proceedings must be followed. The Ohio and Federal Rules of Evidence do not apply.

Students have clearly established means by which administrative due process is available for the protection of his/her rights.

Due process procedures are:

1. applied equally to all and
2. enforced in a manner which involves:
  - A. adequate and timely notice and opportunity to prepare a defense;
  - B. an opportunity to be heard at a reasonable time and in a meaningful manner and
  - C. the right to a timely and impartial hearing on the merits of the case.

In cases of student suspension or expulsion, the specific due process procedures set by the Board's policy are followed.

[Adoption date: June 21, 2011]

LEGAL REFS.: ORC Chapter 2506  
3313.66; 3313.661; 3313.662

CROSS REFS.: JB, Equal Educational Opportunities  
JFC, Student Conduct (Zero Tolerance)  
JFCA, Student Dress Code  
JFCC, Student Conduct on School Buses (Also EEACC)  
JFCEA, Gangs  
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
JFCG, Tobacco Use by Students  
JFCH, Alcohol Use by Students  
JFCI, Student Drug Abuse  
JFCJ, Weapons in the Schools  
JFCL, Unsafe Schools (Persistently Dangerous Schools)  
JGD, Student Suspension  
JGE, Student Expulsion  
Student Handbooks

## STUDENT INVOLVEMENT IN DECISION MAKING

Students share responsibility for developing a climate in the school that is conducive to learning. Through participation in the decision-making process, students can be an important resource for the improvement of the school, the educational system and the community. Periodically, students may be asked to review Board policies and school rules and regulations. Final authority for all decisions rests with the Board.

[Adoption date: June 21, 2011]

LEGAL REF.: OAC 3301-35-04

CROSS REFS.: AD, Development of Philosophy of Education  
BCE, Board Committees  
BCF, Advisory Committees to the Board  
JF, Student Rights and Responsibilities

## STUDENT CONDUCT (Zero Tolerance)

Students are expected to conduct themselves in a way that exhibits respect and consideration for the rights of others. Students of the District must conform with school regulations and accept directions from authorized school personnel. The Board has “zero tolerance” of violent, disruptive, harassing, intimidating, bullying or any other inappropriate behavior by its students.

A student who fails to comply with established school rules or with any reasonable request made by school personnel on school property and/or at school-related events is subject to approved student discipline regulations. Students are also subject to discipline, as outlined in the Student Code of Conduct for misbehavior that occurs off school property when the misbehavior endangers the health and safety of students within the District or adversely affects the education process. The Superintendent/designee develops regulations that establish strategies ranging from prevention to intervention to address student misbehavior, and provides continuing instruction in dating violence prevention in health education courses in grades 7 through 12.

Students and parents receive, at the beginning of each school year or upon enrolling in the District schools during the year, written information on the rules and regulations to which they are subject while in school or participating in any school-related activity or event. The information includes the types of conduct that are subject to suspension or expulsion from school or other forms of disciplinary action. The Board directs the administration to make all students aware of the Student Code of Conduct and the fact that any violations of the Student Code of Conduct are punishable. The rules also apply to any form of student misconduct directed at a District official or employee or the property of a District official or employee, regardless of where the misconduct occurs.

If a student violates this policy or the Student Code of Conduct, school personnel, students or parents should report the student to the appropriate principal. The administration cooperates in any prosecution pursuant to the criminal laws of the state of Ohio and local ordinances.

A student may be expelled for up to one year if he/she commits an act that inflicts serious physical harm to persons or property if it was committed at school, on other school property or at a school activity, event or program.

The Superintendent is authorized to expel a student from school for a period not to exceed one year for making a bomb threat to a school building, or to any premises at which a school activity is occurring at the time of the threat. Any expulsion under this provision extends, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

Matters which might lead to a reduction of the expulsion period include the student's mental and/or physical characteristics or conditions, the age of the student and its relevance to the punishment, the prior disciplinary history of the student and/or the intent of the perpetrator.

The Student Code of Conduct is made available to students and parents and is posted in a central location within each building.

[Adoption date: June 21, 2011]

LEGAL REFS.: Gun-Free Schools Act; 20 USC 8921  
The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
Children's Internet Protection Act; 47 USC 254(h)(5)(b)(iii);  
(P.L. 106-554, HR 4577, 2000, 114 Stat 2763)  
ORC 3313.20; 3313.534; 3313.66; 3313.661; 3313.662; 3313.66

CROSS REFS.: AC, Nondiscrimination  
EBC, Emergency/Safety Plans  
ECAB, Vandalism  
EDE, Computer/Online Services (Acceptable Use and Internet Safety)  
JFCA, Student Dress Code  
JFCEA, Gangs  
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
JFCJ, Weapons in the Schools  
JG, Student Discipline  
JGA, Corporal Punishment  
JGD, Student Suspension  
JGDA, Emergency Removal of Student  
JGE, Student Expulsion  
JM, Staff-Student Relations (Also GBH)  
Student Handbooks



## STUDENT DRESS CODE

School dress should enhance a positive image of the students and the District and not threaten the health, welfare and safety of the members of the student body. Any form of dress or grooming which attracts undue attention, prompting a disruption of the learning environment or violating the previous statement, is unacceptable.

Requirements include the following.

1. Dress and grooming standards require cleanliness in the interest of health, sanitary conditions and safety requirements.
2. When a student is participating in school activities, his/her dress and grooming must not disrupt his/her performance or that of other students or constitute a health threat to himself/herself or other students.
3. Dress and grooming are not such as to disrupt the teaching/learning process.

[Adoption date: June 21, 2011]

LEGAL REFS.: U.S. Const. Amend. I  
ORC 3313.20; 3313.665

CROSS REFS.: JFC, Student Conduct (Zero Tolerance)  
JFCEA, Gangs  
Student Handbooks

## STUDENT CONDUCT ON DISTRICT MANAGED TRANSPORTATION

The Board furnishes transportation in compliance with State law. This fact does not relieve parents of students from the responsibility of supervision until such time as the student boards the vehicle and after the student leaves the vehicle at the end of the school day.

Students on District managed transportation are under the authority of, and directly responsible to, the driver. The driver has the authority to enforce the established regulations for rider conduct. Disorderly conduct or refusal to submit to the authority of the driver is sufficient reason for refusing transportation services or suspending transportation services to any student once proper procedures are followed.

The Board authorizes the Superintendent or other administrators to suspend a student from District managed transportation privileges for a period not to exceed one school year. The only due process required is the student must receive notice of an intended suspension from District managed transportation and an opportunity to appear before the Superintendent or other administrator before the suspension is imposed.

The Board's policy regarding suspension from District managed transportation privileges must be posted in a central location in each school building and made available to students upon request.

Regulations regarding conduct on District managed transportation, as well as general information about the school transportation program, are available to all parents and students.

[Adoption date: October 18, 2016]

LEGAL REFS.: ORC 3327.01; 3327.014  
OAC 3301-83-08

CROSS REFS.: JFC, Student Conduct (Zero Tolerance)  
JG, Student Discipline  
Staff Handbooks  
Student Handbooks

## **STUDENT CONDUCT ON DISTRICT MANAGED TRANSPORTATION**

The following regulations pertain to student conduct on District managed transportation and are intended to ensure the safety and welfare of the students, the driver and other drivers on the road and to ensure safety and proper maintenance of school vehicles.

Students will:

1. be careful in approaching bus stops, walk on the left facing oncoming traffic, be sure that the road is clear both ways before crossing the highway and wait in a location clear of traffic;
2. arrive at the bus stop before the bus is scheduled to arrive in order to permit the bus to follow the time schedule;
3. not exhibit behavior at the bus stop that threatens life, limb or property of any individual;
4. sit in assigned seats (drivers have the right to assign a student to a seat and to expect reasonable conduct similar to conduct expected in a classroom);
5. reach assigned seat without disturbing or crowding other students and remain seated while the vehicle is moving;
6. obey the driver promptly and respectfully and recognize that he/she has an important responsibility and that it is everyone's duty to help ensure safety;
7. keep the vehicle clean and sanitary, refrain from chewing gum or consuming candy, food or drinks on the vehicle at any time (except as required for medical reasons);
8. refrain from using profane language and from loud talking or laughing (unnecessary confusion diverts the driver's attention and might result in a serious accident);
9. remain seated keeping aisles and exits clear, keep head, arms and hands inside the vehicle at all times and not throw or pass objects on, from or into the vehicle;
10. be courteous to fellow students and to the driver;
11. treat equipment as one would treat valuable furniture in his/her home (damage to the school vehicle is strictly forbidden);

12. not use tobacco on the vehicle or possess alcohol or drugs on the vehicle except as prescription medications may be required for a student and
13. carry on the vehicle only items that can be held in their laps.

Students must remain seated until the vehicle stops, then promptly unload and wait in their designated place of safety until the vehicle leaves. Students who must cross the street to reach the residence side of the street must wait for the signal from the driver and cross in front of the vehicle after also checking for traffic themselves.

Failure of a student to follow these regulations may result in his/her forfeiting the right of transportation on District managed transportation.

### Discipline

The Board authorizes the Superintendent or other administrators to suspend a student from transportation privileges only for a period of up to one school year. The only due process required is notice to the student of an intended bus riding suspension and an opportunity to appear before the administrator considering the suspension before it happens. The administrator's decision is final.

When discipline problems with individual students arise, use the following guidelines.

1. If possible, the driver should resolve the problem.
2. When the driver is unable to resolve the problem, he/she should report it to the transportation supervisor. The transportation supervisor and driver, if necessary, confer with the principal. Any discipline is imposed by the principal of the school.
3. Problems that cannot be resolved by measures specified above are referred to the Superintendent.

(Approval date: October 18, 2016)

## GANGS

The Board believes gangs or gang activity create an atmosphere where violations of policies, regulations and State laws may occur. Gangs that initiate, advocate or promote activities which threaten the safety or well-being of persons or which are disruptive to the school environment are not tolerated by the District

Incidents involving initiations, hazings, intimidations and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, personal degradation or disgrace resulting in physical or mental harm are prohibited.

The Board directs the administration to establish regulations to ensure that any student wearing, carrying or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership or causing and/or participating in activities which intimidate or affect the attendance of another student is subject to disciplinary action. This includes all forms and instruments of harassment and bullying, including electronic communications devices.

To provide increased awareness of the threat to the safety of students, staff and school property which gang-related activity poses, training is provided on an as-needed basis. Presentations provide training in current identification symbols used by those involved in gang-related activity and include things such as the identification of hand signals, apparel, jewelry and/or any other pertinent gang-related information.

[Adoption date: June 21, 2011]

LEGAL REFS.: ORC 3313.20; 3313.66; 3313.661

CROSS REFS.: AC, Nondiscrimination  
EDE, Computer/Online Services (Acceptable Use and Internet Safety)  
JFC, Student Conduct (Zero Tolerance)  
JFCA, Student Dress Code  
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
JGD, Student Suspension  
JGE, Student Expulsion  
Student Handbooks

HAZING AND BULLYING  
(Harassment, Intimidation and Dating Violence)

Hazing means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.

Throughout this policy the term bullying is used in place of harassment, intimidation and bullying.

Bullying, harassment and intimidation is an intentional written, verbal, electronic or physical act that a student has exhibited toward another particular student more than once. The intentional act also includes violence within a dating relationship. The behavior causes both mental and physical harm to the other student and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student. This behavior is prohibited on school property or at a school-sponsored activity. Students found responsible for harassment, intimidation or bullying by an electronic act may be suspended.

Permission, consent or assumption of risk by an individual subjected to hazing, bullying and/or dating violence does not lessen the prohibition contained in this policy.

The District includes, within the health curriculum, age-appropriate instruction in dating violence prevention education in grades 7 to 12. This instruction includes recognizing warning signs of dating violence and the characteristics of healthy relationships.

Prohibited activities of any type, including those activities engaged in via computer and/or electronic communications devices or electronic means are inconsistent with the educational process and are prohibited at all times. No administrator, teacher or other employee of the District shall encourage, permit, condone or tolerate any hazing and/or bullying activities. No students, including leaders of student organizations, are permitted to plan, encourage or engage in any hazing and/or bullying.

Administrators, teachers and all other District employees are particularly alert to possible conditions, circumstances or events that might include hazing, bullying and/or dating violence. If any of the prohibited behaviors are planned or discovered, involved students are informed by the discovering District employee of the prohibition contained in this policy and are required to end all such activities immediately. All hazing, bullying and/or dating violence incidents are reported immediately to the Superintendent/designee and appropriate discipline is administered.

The Superintendent/designee must provide the Board President with a semiannual written report summary of all verified reported incidents of hazing and/or bullying and post the report summary on the District's website, to the extent permitted by law.

The administration provides training on the District's hazing and bullying policy to District employees and volunteers who have direct contact with students. Additional training is provided to elementary employees in violence and substance abuse prevention and positive youth development.

District employees, students and volunteers have qualified civil immunity for damages arising from reporting an incident of hazing and/or bullying. Administrators, teachers, other employees and students who fail to abide by this policy may be subject to disciplinary action and may be liable for civil and criminal penalties in compliance with State and Federal law.

No one is permitted to retaliate against an employee or student because he/she files a grievance or assists or participates in an investigation, proceeding or hearing regarding the charge of hazing and/or bullying of an individual.

[Adoption date: September 25, 2012]

LEGAL REFS.: ORC 117.53  
2307.44  
2903.31  
3301.22  
3313.666; 3313.667  
3314.03  
3319.073

CROSS REFS.: AC, Nondiscrimination  
EDE, Computer/Online Services (Acceptable Use and Internet Safety)  
IGAE, Health Education  
IIBH, District Websites  
JFC, Student Conduct (Zero Tolerance)  
JFCEA, Gangs  
JG, Student Discipline  
JHG, Reporting Child Abuse  
JO, Student Records  
Student Handbooks

HAZING AND BULLYING  
(Harassment, Intimidation and Dating Violence)

The prohibition against hazing, dating violence, harassment, intimidation or bullying is publicized in student handbooks and in the publications that set the standard of conduct for schools and students in the District. In addition, information regarding the policy is incorporated into employee handbooks and training materials.

School Personnel Responsibilities and Complaint Procedures

Hazing, bullying behavior and/or dating violence by any student/school personnel in the District is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. Hazing bullying and/or dating violence means any intentional written, verbal, graphic or physical acts, including electronically transmitted acts, either overt or covert, by a student or group of students toward other students/school personnel with the intent to haze, harass, intimidate, injure, threaten, ridicule or humiliate. Such behaviors are prohibited on or immediately adjacent to school grounds, at any school-sponsored activity; in any District publication; through the use of any District-owned or operated communication tools, including but not limited to District e-mail accounts and/or computers; on school-provided transportation or at any official school bus stop.

Hazing, bullying and/or dating violence can include many different behaviors. Examples of conduct that could constitute prohibited behaviors include, but are not limited to:

1. physical violence and/or attacks;
2. threats, taunts and intimidation through words and/or gestures;
3. extortion, damage or stealing of money and/or possessions;
4. exclusion from the peer group or spreading rumors;
5. repetitive and hostile behavior with the intent to harm others through the use of information and communication technologies and other web-based/online sites (also known as “cyber bullying”), such as the following:
  - A. posting slurs on websites, social networking sites, blogs or personal online journals;
  - B. sending abusive or threatening e-mails, website postings or comments and instant messages;



- C. using camera phones to take embarrassing photographs or videos of students and/or distributing or posting the photos or videos online and
  - D. using websites, social networking sites, blogs or personal online journals, e-mails or instant messages to circulate gossip and rumors to other students.
6. excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

In evaluating whether conduct constitutes hazing or bullying, special attention is paid to the words chosen or the actions taken, whether such conduct occurred in front of others or was communicated to others, how the perpetrator interacted with the victim and the motivation, either admitted or appropriately inferred.

#### Teachers and Other School Staff

Teachers and other school staff who witness acts of hazing, bullying and/or dating violence as defined above, promptly notify the building principal/designee of the event observed, and promptly file a written incident report concerning the events witnessed.

Teachers and other school staff who receive student or parent reports of suspected hazing, bullying and/or dating violence promptly notify the building principal/designee of such report(s). If the report is a formal, written complaint, the complaint is forwarded to the building principal/designee no later than the next school day. If the report is an informal complaint by a student that is received by a teacher or other professional employee, he/she prepares a written report of the informal complaint that is forwarded to the building principal/designee no later than the next school day.

#### Complaints

##### 1. Formal Complaints

Students and/or their parents or guardians may file reports regarding suspected hazing, harassment, intimidation, bullying and/or dating violence. The reports should be written. Such written reports must be reasonably specific including person(s) involved; number of times and places of the alleged conduct; the target of suspected harassment, intimidation and/or bullying and the names of any potential student or staff witnesses. Such reports may be filed with any school staff member or administrator. They are promptly forwarded to the building principal/designee for review and action.

2. Informal Complaints

Students, parents or guardians and school personnel may make informal complaints of conduct that they consider to be harassment, intimidation and/or bullying by verbal report to a teacher, school administrator or other school personnel. Such informal complaints must be reasonably specific as to the actions giving rise to the suspicion of hazing, harassment, intimidation and/or bullying, including person(s) involved, number of times and places of the alleged conduct, the target of the prohibited behavior(s) and the names of any potential student or staff witness. The school staff member or administrator who receives the informal complaint promptly documents the complaint in writing, including the above information. This written report by the school staff member and/or administrator is promptly forwarded to the building principal/designee for review and action.

3. Anonymous Complaints

Students who make informal complaints as set forth above may request that their name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. The anonymous complaint is reviewed and reasonable action is taken to address the situation, to the extent such action (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of hazing, bullying and/or dating violence.

4. False Complaints

Students are prohibited from deliberately making false complaints of harassment, intimidation or bullying. Students found responsible for deliberately making false reports of harassment, intimidation or bullying may be subject to a full range of disciplinary consequences.

Intervention Strategies

1. Teachers and Other School Staff

In addition to addressing both informal and formal complaints, school personnel are encouraged to address the issue of hazing, bullying and/or dating violence in other interactions with students.

School personnel may find opportunities to educate students about harassment, hazing, intimidation and bullying and help eliminate such prohibited behaviors through class discussions, counseling and reinforcement of socially appropriate behavior.

School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student/school personnel, even if such conduct does not meet the formal definition of harassment, hazing, intimidation or bullying.

## 2. Administrator Responsibilities

### A. Investigation

The principal/designee is notified of any formal or informal complaint of suspected harassment, hazing, intimidation or bullying. Under the direction of the building principal/designee, all such complaints are investigated promptly. A written report of the investigation is prepared when the investigation is complete. The report includes findings of fact, a determination of whether acts of hazing, bullying and/or dating violence were verified, and when prohibited acts are verified, a recommendation for intervention, including disciplinary action, is included in the report. Where appropriate, written witness statements are attached to the report.

Notwithstanding the foregoing, when a student making an informal complaint has requested anonymity, the investigation of such complaint is limited as is appropriate in view of the anonymity of the complaint. Such limitation of the investigation may include restricting action to a simple review of the complaint (with or without discussing it with the alleged perpetrator), subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

### B. Nondisciplinary Interventions

When verified acts of hazing, bullying and/or dating violence are identified early and/or when such verified acts do not reasonably require a disciplinary response, students may be counseled as to the definition of the behavior, its prohibition and their duty to avoid any conduct that could be considered harassing, hazing, intimidating and/or bullying.

If a complaint arises out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring some cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. The victim's communication and assertiveness skills may be low and could be further eroded by fear resulting from past intimidation and fear of future intimidation. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

C. Disciplinary Interventions

When acts of harassment, intimidation and bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints that are not otherwise verified, however, cannot provide the basis for disciplinary action.

In and out-of-school suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation.

Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an impartial hearing officer designated by the Board of Education in accordance with Board policy. This consequence is reserved for serious incidents of harassment, intimidation or bullying and/or when past interventions have not been successful in eliminating prohibited behaviors.

Allegations of criminal misconduct are reported to law enforcement, and suspected child abuse is reported to Child Protective Services, per required timelines.

Report to the Custodial Parent or Guardian of the Perpetrator

If, after investigation, acts of harassment, intimidation and bullying by a specific student are verified, the building principal/designee notifies the custodial parent or guardian of the perpetrator, in writing, of that finding. If disciplinary consequences are imposed against such student, a description of such discipline is included in such notification.

Strategies are developed and implemented to protect students from new or additional harassment, intimidation or bullying, and from retaliation following reporting of incidents.

Reports to the Victim and His/Her Custodial Parent or Guardian

If, after investigation, acts of bullying or hazing against a specific student are verified, the building principal/designee notifies the custodial parent/guardian of the victim of the finding. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator.

Bullying matters, including the identity of both the charging party and the accused, are kept confidential to the extent possible. Although discipline may be imposed against the accused upon a finding of guilt, retaliation is prohibited.

School administrators shall notify both the custodial parents or guardians of a student who commits acts of harassment, intimidation, bullying and/or dating violence and the custodial parents or guardians of students against whom such acts were committed, and shall allow access to any written reports pertaining to the incident, to the extent permitted by law.

Police and Child Protective Services

In addition to, or instead of, filing a complaint through this policy, a complainant may choose to exercise other options including, but not limited to, filing a complaint with outside agencies or filing a private lawsuit. Nothing prohibits a complainant from seeking redress under any other provision of the Ohio Revised Code or common law that may apply.

The District must also investigate incidents of hazing, bullying and/or dating violence for the purpose of determining whether there has been a violation of District policy or regulations, even if law enforcement and/or the public children's services are also investigating. All District personnel must cooperate with investigations by outside agencies.

(Approval date: September 25, 2012)

## TOBACCO USE BY STUDENTS

The Board has a duty to protect and promote the health and wellbeing of all students and staff. The Board is acutely aware of the serious health risks associated with the use of tobacco products, both to users and nonusers, and that most tobacco use begins by the age of 18. Therefore, the Board adopts this 100% tobacco-free District policy to endorse a healthy lifestyle and prevent tobacco use.

For the purpose of this policy, "tobacco" is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, alternative nicotine products, electronic cigarettes and any other smoking product, and spit tobacco, also known as smokeless, dip, chew and snuff, in any form.

### Tobacco Use Prohibited

No student is permitted to smoke, inhale, dip or chew tobacco at any time, including non-school hours:

1. in any building, facility or vehicle owned, leased, rented or chartered by the District or
2. on school grounds, athletic facilities or parking lots.

No student is permitted to smoke, inhale, dip or chew tobacco at any time, including non-school hours, at any school-sponsored event off campus.

Additionally, no student is permitted to possess cigarettes, other tobacco products, papers used to roll cigarettes, lighters or other paraphernalia at any time.

### Providing Notice

"No Tobacco" signs will be posted throughout the District at entrances and other appropriate locations in all academic buildings, administrative spaces and athletic fields. Students are provided notice of this policy through student handbooks. District vehicles will display the international "No Smoking" insignia. Announcements will be made during home athletic events both before the event and during intermission, as well as at all school functions where deemed appropriate. School programs will include a written reminder of the no tobacco use on District property policy.

Students and parents are given copies of the standards of conduct and statement of disciplinary sanctions, and notified that compliance with the standards of conduct is mandatory.

Enforcement

Disciplinary measures taken against students for violations of this policy comply with the requirements of Federal and State law and related District policies and regulations. Specific measures are outlined in the Student Code of Conduct.

Educational Reinforcement

Tobacco use prevention education shall be closely coordinated with the other components of the school health program. Staff responsible for teaching tobacco use prevention education shall have adequate pre-service training and participate in ongoing professional development activities to effectively deliver the education program. Preparation and professional development activities shall provide basic knowledge about the effects of tobacco use and effects of peer pressure on tobacco use combined with skill practice in effective instructional techniques and strategies and program-specific activities.

[Adoption date: May 20, 2014]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
Goals 2000: Educate America Act; 20 USC 6081 through 6084  
ORC 3313.66; 3313.661; 3313.751  
3794.01; 3794.02; 3794.03(F); 3794.04; 3794.06  
OAC 3301-35-02; 3301-35-04

CROSS REFS.: JFA, Student Due Process Rights  
JFC, Student Conduct (Zero Tolerance)  
JGD, Student Suspension  
JGE, Student Expulsion  
Student Handbooks

## ALCOHOL USE BY STUDENTS/STUDENT DRUG ABUSE

The Board recognizes its share of the responsibility for the health, welfare and safety of the students who attend the District's schools. The Board is concerned about the problems of alcohol and drug abuse and recognizes that illegal or inappropriate use of alcohol, narcotic drugs, depressants or other controlled substances is wrong and harmful and constitutes a hazard to the positive development of all students.

To promote an alcohol and drug-free school, Shawnee High School enforces regulations which prohibit student contact with alcoholic beverages, intoxicants and drugs of abuse within 24 hours prior to and during the time the student is subject to the authority of the school.

A student shall not possess, attempt to possess, use, exhibit evidence of use, transmit, sell, purchase, attempt to purchase, conceal or consume any alcoholic beverage or intoxicant or any of the drugs of abuse. This provision is applicable to any conduct on school grounds, during and before or after school hours; on school grounds at any other time when the school is being used by a group; off school grounds at a school-sponsored activity, function or event; on a school bus or conveyance; or at any other time during the same calendar day when the student is or will be subject to the authority of the school.

Moreover, the student shall not consume any alcoholic beverages or intoxicants or drugs of abuse at any time before the student's arrival at school or at a school-sponsored or related event or activity or manifest evidence of such use, such as odor, reddened eyes or other similar characteristics. Examples of drugs of abuse include, but are not limited to, narcotic drugs, hallucinogenic drugs, generic drugs, amphetamines, steroids, barbiturates, marijuana, glue, cocaine, as well as look-alike, synthetics or other substances that could modify behavior.

The Board wishes to emphasize the following requirements:

1. A student is required to obey existing laws on school grounds and while involved in school activities. School authorities have the same responsibility as any other citizen to report violations of the law. The final disposition of any problem, however, is determined by the building principal with due consideration of the welfare of the student and of any other relevant factors involved.
2. Discipline is imposed independent of court action. Students are subject to immediate suspension or expulsion proceedings for possession or use of illegal drugs or alcoholic beverages.

Whenever a student is suspended or expelled from school for the possession of alcohol or drugs, the Superintendent will notify the registrar of motor vehicles and the juvenile judge of the county of the student's residence. After receiving such



notification, the registrar of motor vehicles is required to suspend the temporary instruction permit or driver's license of the student who is the subject of the notice. If a temporary permit or license has not been issued for that student, the registrar is prohibited from issuing a temporary permit or license. Driving privileges may be restored once the Superintendent notifies the registrar that the student has satisfied any conditions established by the Superintendent.

Notification to the registrar of motor vehicles and the county judge must comply with Federal and State law. A student whose driving privileges have been denied can file a petition with the juvenile court in which he/she resides for reinstatement.

3. Parents and students are given a copy of the standards of conduct and the statement of disciplinary sanctions and are notified that compliance with the standards of conduct is mandatory.
4. If conditions warrant, the administration refers the student for prosecution and offers full cooperation in a criminal investigation.
5. A reduction in penalty may be considered if the student receives professional assistance. Professional assistance may include but not be limited to an alcohol/drug education program; assessment with follow-through based on the assessment findings, counseling, outpatient treatment or inpatient treatment.

The Superintendent establishes and the Board considers for approval detailed procedures for dealing with students who may have a drug or alcohol problem. These procedures are in compliance with all applicable laws and observed by all staff members. It is the desire of the Board for students with problems to feel secure enough to ask for help from their teachers or counselors without fear of reprisal. Confidentiality shall be maintained within the limits of the law. The long-range welfare of the student is paramount.

[Adoption date: June 21, 2011]

LEGAL REFS.: Drug-Free Campus and Schools Act; 20 USC 3224(a)  
ORC 2925.01; 2925.11; 2925.14; 2925.37  
3313.66; 3313.661  
3719.011; 3719.41

CROSS REFS.: IGAG, Drugs, Alcohol and Tobacco Education  
JFC, Student Conduct (Zero Tolerance)  
JHCD, Administering Medicines to Students  
Student Handbooks

## WEAPONS IN THE SCHOOLS

The Board is committed to providing the students of the District with an educational environment that is free of the dangers of firearms, knives and other weapons.

The definition of a firearm is any weapon (including a starter gun) which is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer or any destructive device (as defined in 18 U.S.C.A. Section 921), which includes any explosive, incendiary or poisonous gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the devices described above. A knife is defined as a cutting instrument having a sharp blade.

Unless a student is permanently excluded, the Superintendent shall expel a student from school for a period of one year for bringing a firearm or knife to a school within the District or onto any other property owned or controlled by the Board, or for possessing a firearm or knife at a school or on any other property owned or controlled by the Board, which firearm or knife was initially brought onto school property by another person, except that the Superintendent may reduce this requirement on a case-by-case basis in accordance with this policy. Any such expulsion shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

A student may be expelled for up to one year for firearm-related or knife-related incidents occurring off school property while at a school-sponsored interscholastic competition, extracurricular event or other school-sponsored activity.

A student suspended, expelled, removed or permanently excluded from school for misconduct involving a firearm or knife also loses his/her driving privileges. The District must notify the county juvenile judge and registrar of motor vehicles within two weeks of the suspension, expulsion or permanent exclusion.

The Board prohibits students from knowingly possessing an object on school premises, in a school or a school building, at a school activity or on a school vehicle if both of the following apply.

1. The object is indistinguishable from a firearm, whether or not the object is capable of being fired.
2. The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm.

As defined by State law and for purposes of this policy, an “object that is indistinguishable from a firearm” means an object made, constructed or altered so that, to a reasonable person without specialized training in firearms, the object appears to be a firearm.

Students found in violation of numbers 1 and 2 above may be reported to the local law enforcement authority and may be prosecuted under state criminal statutes, as well as disciplined in accordance with the provisions of the District’s Student Code of Conduct and State law.

The Superintendent is authorized to expel a student from school for a period not to exceed one year for making a bomb threat to a school building, or to any premises at which a school activity is occurring at the time of the threat. Any expulsion under this provision extends, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

Matters which might lead to a reduction of the expulsion period include the student's mental and/or physical characteristics or conditions, the age of the student and its relevance to the punishment, the prior disciplinary history of the student and/or the intent of the perpetrator.

[Adoption date: June 21, 2011]

LEGAL REFS.: 18 USC 921  
20 USC 2701 et seq., Title IX 9001-9005  
Gun-Free Schools Act; 20 USC 8921  
ORC 2923.122  
3313.66; 3313.661; 3313.662  
3321.13

CROSS REFS.: JEGA, Permanent Exclusion  
JFC, Student Conduct (Zero Tolerance)  
JFCL, Unsafe Schools (Persistently Dangerous Schools)  
JGD, Student Suspension  
JGDA, Emergency Removal of Student  
JGE, Student Expulsion  
Student Handbooks

UNSAFE SCHOOLS  
(Persistently Dangerous Schools)

The Board complies with State and Federal law in adopting a policy on persistently dangerous schools.

A student attending a “persistently dangerous” school in this District or who becomes a victim of a “violent criminal offense,” “as determined by State law,” anywhere on District “grounds” or during school-sponsored activities is allowed to attend another school in the District that is not persistently dangerous that offers instruction at the student’s grade level. However, there is no transfer option if there is no other school in this District that offers instruction at the student’s grade level.

A “persistently dangerous” school is defined by State law as a school that has two or more violent criminal offenses in or on school grounds, per 100 students, in each of two consecutive school years. In schools with 300 or fewer students enrolled, six or more violent criminal offenses must occur. Likewise, if a school has 1,350 or more students enrolled, 27 or more violent criminal offenses must occur in each of two consecutive school years.

“Violent criminal offense” refers to any violent criminal offense set forth and defined in State law as violent in nature.

“As determined by State law” means that the student has been identified as the victim and the perpetrator has pled guilty to, been adjudicated or convicted of a violent criminal offense in an Ohio court.

“Grounds” includes school bus transportation to and from school and school-sponsored activities and designated bus stops.

[Adoption date: June 21, 2011]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
OAC 3301-35-02; 3301-35-04

CROSS REFS.: JECBD, Intradistrict Open Enrollment  
JFC, Student Conduct (Zero Tolerance)  
JFCJ, Weapons in the Schools  
Student Handbooks

## PREGNANT STUDENTS

The Board affirms the right of a pregnant student to continue her participation in the educational program.

As soon as the pregnancy is medically confirmed, the Board recommends that the student consult with a member of the student personnel staff or the principal to plan her educational program.

With the staff member involved, the student may elect any of the following educational plans or suggest alternatives.

1. She may remain in her present school program, with modifications as necessary until the birth of her baby is imminent or until her physician states that continued participation would be detrimental to her health or that of the baby.
2. When information has been obtained from the student's physician indicating that the student is unable to attend school, homebound instruction is available at school expense until her physician states that she is physically able to return to school.
3. She may temporarily withdraw from school and enroll in an approved educational program in which she can continue her education.

Efforts are made to ensure that the educational program of the student is disrupted as little as possible and that she receives health and counseling services, as well as instruction. Students under the age of 18 are still subject to compulsory education requirements. Students 18 or older are encouraged to return to school after delivery and complete requirements for graduation.

[Adoption date: June 21, 2011]

LEGAL REFS.: Education Amendments of 1972, Title IX; 20 USC 1681 et seq.  
ORC 3321.01; 3321.04

CROSS REFS.: JB, Equal Educational Opportunities  
JEA, Compulsory Attendance Ages

## INTERROGATIONS AND SEARCHES

The District has responsibility for the control and management of students during the school day and hours of approved extracurricular activities. While discharging its responsibility, the administration is to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. The administration has developed regulations to be followed in the case of searches and interrogations.

The right to inspect students' school lockers or articles carried upon their persons and to interrogate an individual student is inherent in the authority granted school boards. All searches are conducted sparingly and only when such search is reasonably likely to produce tangible results to preserve discipline and good order and the safety and security of persons and their property. The Board permits building administrators to search any unattended bag for safety and identification purposes.

Student lockers are the property of the District, and since random searches have a positive impact on reducing drugs and other criminal activity, the Board permits the building administrators to search any locker and its contents as the administrator believes necessary. Such notice will be posted at or near the entrance to the school grounds and at the main entrance to each school building.

The Board directs the Superintendent to authorize the use of dogs trained in detecting the presence of drugs and explosive devices. The dogs may be used to patrol the school facilities and grounds, including the lockers and parking areas. Use of dogs may be unannounced and random. If a trained canine alerts to a particular vehicle, locker or other container, it shall create reasonable suspicion to search that vehicle, locker or container in accordance with this policy.

[Adoption date: December 20, 2016]

LEGAL REFS.: U.S. Const. Amend. IV  
ORC 3313.20

CROSS REFS.: JF, Student Rights and Responsibilities  
JHG, Reporting Child Abuse

**THIS IS A REQUIRED POLICY**

## INTERROGATIONS AND SEARCHES

### Searches of School Property Assigned to a Student

The following rules apply to the search of school property assigned to a student (locker, desk, etc.) and the seizure of items in his/her possession.

1. General housekeeping inspection of school property may be conducted with reasonable notice. Random searches of lockers may be conducted.
2. A search of a desk or other storage space may be conducted when there exists reasonable suspicion for school authorities to believe that the area being searched contains evidence of a crime or violation of school rules.
3. Search of an area assigned to a student should be for a specifically identified item and should be conducted in his/her presence and with his/her knowledge.
4. Items, the possession of which constitutes a crime or violation of school rules, or any other possessions reasonably determined to be a threat to the safety or security of others may be seized by school authorities at any time.

### Searches of a Student's Person or Personal Property by School Personnel

Building administrators are permitted to search the person and personal property (purse, backpack, gym bag, etc.) of a student where there is reason to believe that evidence will be obtained indicating the student's violation of either the law or school rules. The following rules apply in such cases.

1. There should be reasonable suspicion to believe that the search will result in obtaining evidence which indicates the student's violation of the law or school rules.
2. Searches of a student's person are conducted by a member of the same sex as the student.
3. Searches are conducted in the presence of another administrator or staff member.
4. Parents of a minor student who is the subject of a search may be notified of the search and are given the reason(s) for the search as soon as feasible after completion of the search.
5. When evidence is uncovered indicating that a student may have violated the law, law enforcement officials shall be notified.

6. Strip searches should be discouraged. A substantially higher degree of certainty (more than a reasonable belief) is required prior to conducting such a search. In cases in which school officials believe a strip search is necessary, law enforcement officials should be called to conduct the search.

#### Searches of Unattended Bags by School Personnel

Building administrators are permitted to search any unattended bag found on District property for safety and identification purposes. Once the administrator has determined the identity of the owner and that no safety or security issue exists, any subsequent searches of the item are based upon reasonable suspicion.

#### Searches of Student Property by Law Enforcement Officials

A law enforcement agency must have probable cause or produce a warrant prior to conducting any search of a student's personal property kept on school premises. When the law enforcement officials have reason to believe that any item which might pose an immediate threat to the safety or security of others is kept in a student locker, desk or other storage space, searches may be conducted without a previously issued warrant.

#### Interrogations by Law Enforcement Officials

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to try to protect each student under its control; therefore, the following steps shall be taken.

1. The questioning of students by law enforcement agencies is limited to situations where parental consent has been obtained or the school official has made an independent determination that reasonable grounds exist for conducting an interrogation during school hours.
2. Whenever possible, law enforcement officials should contact and/or question students out of school. When it is absolutely necessary for an officer to make a school contact with a student, the school authorities will bring the student to a private room and the contact is made out of the sight of others as much as possible.
3. The school principal must be notified before a student may be questioned in school or taken from a classroom.
4. The administration shall attempt to notify the parent(s) of the student to be interviewed by the law enforcement officials before questioning begins, unless extenuating circumstances dictate that this not be done.



5. To avoid possible criticism, a school official requests to be present when an interrogation takes place within the school.
6. When law enforcement officials remove a student from school, the administration will make an attempt to notify the parent(s).
7. Law enforcement officials should always be notified by the school principal whenever a student is involved in any type of criminal activity. When the principal learns of this involvement, he/she should notify the juvenile officer or detective bureau of the law enforcement agency. The school should not attempt to handle matters which are properly in the realm of a law enforcement agency.

(Approval date: December 20, 2016)

***THIS IS A REQUIRED REGULATION***

CARE OF STUDENT PROPERTY WHILE ON SCHOOL PREMISES

It shall be the policy of the Board that no liability will be assumed for private property belonging to students or their parents that is lost, stolen or damaged while on school property, unless such damage was caused by the negligent action by a school employee. This policy further directs the Superintendent to advise all employees of this policy to assure that students and their parents are notified as to the potential risk of personal loss if personal property is brought to school.

[Adoption date: June 21, 2011]

## STUDENT DISCIPLINE

Effective discipline, which requires respect for the rights of others, is necessary if all students are to attain a quality education. The Board delegates to school officials the authority to enforce District policies, regulations and school rules governing student conduct.

A complete statement governing or describing all the relationships and processes involved in student discipline would be very extensive. The most important part of such a statement would be the relationship of the teacher and the principal in matters of discipline. Teachers must feel free to consult and work closely with the building principal in dealing with any problem with which the teacher might need guidance. This working relationship is one key to desirable discipline and a quality instructional environment.

The Board also believes that the teacher-student relationship in the classroom, halls and on school property is important and should be one of mutual respect at all times. The teacher is recognized as the person in authority at all times in the classroom, halls, buildings, school grounds and at school-related events.

Each case of unsatisfactory behavior by a student is handled individually. The classroom teacher may take the steps that he/she believes are justified in each case. If the student does not respond to these measures, the teacher then refers the student to the principal.

In terms of the relationship of the teacher and principal in discipline matters, the Board expects that whenever a discipline problem appears to extend beyond the classroom, the teacher discusses the problem with the principal. The teacher(s) and the principal work together in attempting to control or correct the problem.

A student's failure to comply with the requirements for conduct outlined in the student handbooks may result in the student being disciplined. A student cannot be suspended, expelled or removed from school solely because of unexcused absences. The student may lose all rights to participate in school-related social events or extracurricular activities for a period of time determined by the principal. Depending on the seriousness of the offense committed by the student, suspension or expulsion may also result. Discipline is always administered in a reasonable manner.

If several methods of discipline have been used in an effort to solve a problem and it appears necessary, in the judgment of the principal and Superintendent, to discipline or withdraw privileges from a large group, this action may be taken. Any punishment technique involving an entire class or large group is used only as a last resort.

The Board may require a parent of a student who is suspended or expelled from school or who is truant or habitually absent from school to attend a parental education or training program. If the parent fails to attend the program, he/she will be charged with a misdemeanor of the fourth degree, punishable by a maximum fine of \$250 and imprisonment of up to 30 days.

[Adoption date: June 21, 2011]

[Re-adoption date: March 21, 2017]

LEGAL REFS.: ORC 3313.20; 3313.66; 3313.661; 3313.662; 3313.668  
3319.41  
OAC 3301-32-09  
3301-37-10

CROSS REFS.: ECAB, Vandalism  
IGD, Cocurricular and Extracurricular Activities  
JFC, Student Conduct (Zero Tolerance)  
JGA, Corporal Punishment  
JGD, Student Suspension  
JGDA, Emergency Removal of Student  
JGE, Student Expulsion  
Student Handbooks

## STUDENT DISCIPLINE

Whenever a student is suspended or expelled from school for the possession of alcohol or drugs, the Superintendent may notify the registrar of motor vehicles and the Juvenile Judge of the County of the student's residence. After receiving such notification the registrar of motor vehicles is required to suspend the temporary instruction permit or driver's license of the student who is the subject of the notice. If a temporary permit or license has not been issued for that student, the registrar is prohibited from issuing a temporary permit or license. Driving privileges may be restored once the Superintendent notifies the registrar that the student has satisfied any conditions established by the Superintendent.

The Superintendent will notify the registrar of motor vehicles and the Juvenile Judge of Allen County in writing of the suspension, expulsion, removal or permanent exclusion of a student within two weeks after such action is taken against a student for misconduct involving a firearm, knife or other weapon. The notice shall be given to the registrar in the manner the registrar requires by rule.

Notification to the registrar of motor vehicles and the county judge must comply with federal and State law.

A student whose driving privileges have been denied can file a petition with the juvenile court in which he/she resides for reinstatement.

The Superintendent is authorized to prohibit a student from participating in any particular or all extracurricular activities of the District or of a school of the District for the remainder of the season, semester, school year and/or the following season, semester or school year.

No high school credit shall be given for post-secondary courses any portion of which were taken during the period of an expulsion imposed by the Superintendent or extended by the Superintendent in accordance with law.

The Superintendent may expel a student for a period not to exceed one year for committing an act that is a criminal offense when committed by an adult and that results in serious physical harm to persons or property while the student is at school, on any other property owned or controlled by the Board or at an interscholastic competition, an extracurricular event or any other school program or activity.

(Approval date: June 21, 2011)

## CORPORAL PUNISHMENT

Corporal punishment is prohibited and shall not be used as a form of discipline in the District. The Board expects the administration, faculty and staff to use other forms of discipline, counseling and referral, including communication and meetings with the parents to promote appropriate, positive behavior.

A student who fails to comply with established school rules or with any reasonable request made by school personnel on school property and/or at school-related events is dealt with according to approved student discipline regulations.

Teachers, principals, administrators and classified staff are authorized by law to use, within the scope of their employment, “such amount of force and restraint as is reasonable and necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects, for the purpose of self-defense or for the protection of persons or property.”

[Adoption date: June 21, 2011]

LEGAL REFS.: ORC 2903.11  
3313.20  
3319.41

CROSS REFS.: ECAB, Vandalism  
JFC, Student Conduct (Zero Tolerance)  
JG, Student Discipline  
Student Handbooks

## STUDENT SUSPENSION

The Superintendent, principals, assistant principals and other administrators may suspend a student from school for disciplinary reasons outlined in the Student Code of Conduct. A student cannot be suspended from school solely because of unexcused absences. No period of suspension is for more than 10 school days. If at the time a suspension is imposed, fewer than 10 days remain in the school year. The Superintendent cannot apply any or all of the period of suspension to the following year.

The Superintendent may instead require a student to perform community service or another alternative consequence for the number of hours remaining in the student's suspension. The Board directs the Superintendent to develop a list of alternative consequences that may be used. If the student is required to perform community service or another alternative consequence during the summer, he/she will be required to begin serving the consequence during the first full weekday of summer break. If a student fails to complete the community service or assigned alternative consequence, the Superintendent may determine the next course of action but still cannot require the student to serve the remaining time of the out of school suspension at the beginning of the following school year.

The guidelines listed below are followed for all out-of-school suspensions.

1. The student is informed in writing of the potential suspension and the reasons for the proposed action.
2. The student is provided an opportunity for an informal hearing to challenge the reason for the intended suspension and explain his/her actions.
3. An attempt is made to notify the parent(s) by telephone if a suspension is issued.
4. Within 24 hours, a letter is sent to the parent(s) stating the specific reasons for the suspension and including notice of the right to appeal such action.
5. Notice of this suspension is sent to the:
  - A. Superintendent;
  - B. Treasurer
  - C. EMIS Coordinator
  - D. student's school record (not for inclusion in the permanent record).

6. Permanent Exclusion - If the offense is one for which the District may seek permanent exclusion, the notice contains that information.

#### Appeal Procedure

Should a student or a student's parent(s) choose to appeal the principal's suspension, he/she must do so within three school days of the notice of suspension. The appeal shall be in writing and made to the Superintendent. If dissatisfied with the Superintendent's decision, an appeal may be made to the ESC. At the request of the student or of the student's parent(s) or attorney, the meeting may be held in executive session. All witnesses are sworn and a verbatim record is kept of the hearing. The decision of the ESC Board shall be acted upon at a public meeting. The student may be excluded from school during the appeal process.

#### Appeal to the Court

Under State law, appeal of the Board's or its designee's decision may be made to the Court of Common Pleas.

[Adoption date: March 21, 2017]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662; 3313.668

CROSS REFS.: IGCI, Community Service  
JEGA, Permanent Exclusion  
JFC, Student Conduct (Zero Tolerance)  
JFCEA, Gangs  
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
JFCJ, Weapons in the Schools  
JG, Student Discipline  
JGE, Student Expulsion

***THIS IS A REQUIRED POLICY***



## EMERGENCY REMOVAL OF STUDENT

If a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the Superintendent, principal, assistant principal or personnel employed to direct, supervise or coach a student activity program may remove the student from the premises.

If either suspension or expulsion is contemplated, a due process hearing is held within three school days after the removal is ordered. Written notice of the hearing and the reason for removal and any intended disciplinary action is given to the student as soon as practicable prior to the hearing. The student has the opportunity to appear at an informal hearing before the principal, assistant principal and Superintendent/designee and has the right to challenge the reasons for the removal or otherwise explain his/her actions. The person who ordered or requested the removal is present at the hearing. Within one school day of the decision to suspend, written notification is given to the parent(s) of the student and the Treasurer of the Board. This notice includes the reasons for the suspension and the right of the student or parent(s) to appeal to the Superintendent/designee.

If the Superintendent or principal reinstates a student prior to the hearing for emergency removal, the teacher may request, and is given, written reasons for the reinstatement. The teacher cannot refuse to reinstate the student.

In an emergency removal, a student can be kept from class until the matter of the alleged misconduct is disposed of either by reinstatement, suspension or expulsion.

In all cases of normal disciplinary procedures in which a student is removed from a curricular or extracurricular activity for less than 24 hours and is not subject to further suspension or expulsion, due process requirements do not apply.

[Adoption date: June 21, 2011]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

CROSS REFS.: ECAB, Vandalism  
JFC, Student Conduct (Zero Tolerance)  
JFCJ, Weapons in the Schools  
JG, Student Discipline  
JGD, Student Suspension  
JGE, Student Expulsion

## STUDENT EXPULSION

At times, the behavior of a student can be considered so serious as to justify total removal from the educational program for a prolonged period of time. Actions meriting expulsion are outlined in the Student Code of Conduct. A student cannot be expelled from school solely because of unexcused absences. Only the Superintendent may expel a student. Expulsion is the removal of a student for more than 10 days, but not more than one year. An expulsion can extend beyond the end of the school year if there are fewer school days than expulsion days remaining. The Superintendent may apply any remaining part or all of the period of the expulsion to the following school year.

The Superintendent may require a student to perform community service in conjunction with an expulsion. The Board may adopt guidelines to permit the Superintendent to impose a community service requirement beyond the end of the school year.

The Superintendent shall give the student and parent(s) written notice of the intended expulsion, including reasons for the intended expulsion. The student and parent(s) or representative have the opportunity to appear on request before the Superintendent/designee to challenge the action or to otherwise explain the student's actions. This notice shall state the time and place to appear, which must not be fewer than three days nor more than five days after the notice is given.

Within 24 hours of the expulsion, the Superintendent shall notify the parent(s) of the student and the Treasurer.

The notice shall include the reasons for the expulsion, the right of the student or parent(s) to appeal to the Board or its designee, the right to be represented at the appeal and the right to request that the hearing be held in executive session.

The Superintendent will initiate expulsion proceedings against a student who has committed an act that warrants expulsion even if the student withdraws from school before the Superintendent has held the hearings or made the decision to expel the student.

### Permanent Exclusion

If the offense is one for which the District may seek permanent exclusion, the notice shall contain that information.

Appeal to the Board

A student or a student's parent(s) may appeal the expulsion by the Superintendent to the Board or its designee. The expulsion appeal must be within 14 calendar days after the notice of intent to expel was provided to the student, parent, guardian or custodian. The appeal request shall be in writing to the Treasurer and at the request of the student or of the student's parent(s) or attorney, the meeting may be held in executive session. The student may be represented in all such appeal proceedings and is granted a hearing before the Board or its designee. All witnesses are sworn and a verbatim record is kept of the hearing. The decision of the Board or its designee shall be acted upon at a public meeting. The student may be excluded from school during the appeal process.

Appeal to the Court

Under State law, the decision of the Board may be further appealed to the Court of Common Pleas.

Any student who is expelled from school for more than 20 days or into the following semester or school year is referred to an agency, which works towards improving the student's attitudes and behavior. The Superintendent provides the student and his/her parent(s) with the names, addresses and telephone numbers of the public and private agencies providing such services.

[Adoption date: March 21, 2017]

LEGAL REFS.: ORC Chapter 2506  
3313.66; 3313.661; 3313.662; 3313.668

CROSS REFS.: ECAB, Vandalism  
JEGA, Permanent Exclusion  
JFC, Student Conduct (Zero Tolerance)  
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
JFCJ, Weapons in the Schools  
JG, Student Discipline  
JGD, Student Suspension  
JGDA, Emergency Removal of Student

***THIS IS A REQUIRED POLICY***

## STUDENT HEALTH SERVICES AND REQUIREMENTS

The Board recognizes the responsibility of the schools to help protect the health of students. Health services are an integral part of comprehensive school improvement, assisting all students to increase learning, achievement and performance. Health services coordinate and support existing programs to assist each student in achievement of an optimal state of physical, mental and social well-being. Student health services ensure continuity and create linkages between school, home and community service providers. The District's comprehensive school improvement plan, needs and resources determine the linkages. The principal is responsible for the administration of the health program in his/her school.

Of necessity, school health services must be limited to the prevention and detection of health problems, referral of problems through parents to the family physicians or community health agencies and emergency care.

Each school shall have on file for each student an emergency medical authorization form providing information from the parent(s) on how they wish the school to proceed in the event of a health emergency involving the student and authorization for the school in case emergency action must be taken.

Annually, the District will notify parents of physical exams or screenings conducted on students except for vision, hearing or scoliosis.

[Adoption date: June 21, 2011]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
Health Insurance Portability and Accountability Act; 29 USC 1181 et seq.  
42 USC Section 12101 et seq. (1997)  
20 USC 1232 g Section 1400 6301 et seq. (1997)  
29 USC Section 794(a)(1988)  
ORC 3313.50; 3313.67 through 3313.73  
OAC 3301-35-04; 3301-35-06

CROSS REFS.: IGBA, Programs for Students with Disabilities  
JHCB, Immunizations  
JHCD, Administering Medicines to Students  
JHG, Reporting Child Abuse

## PHYSICAL EXAMINATIONS OF STUDENTS

The District requires health records of students under the following circumstances.

1. Kindergarten and first grade students entering school for the first time must have a completed health record before being admitted to school.
2. Health records are requested for all students transferring into the District. If the previous school does not forward a record or if it is incomplete, it is the parents' responsibility to comply with health requirements for students.
3. Students must have physical examinations prior to their participation in interscholastic athletic programs.

Parents have the right to refuse to allow their child to participate in nonemergency invasive physical examinations or screenings. Invasive physical exam is defined as any "medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion or injection into the body, but does not include a hearing, vision or scoliosis exam."

The District notifies parents, on an annual basis, of the administration of health and physical screenings and examinations and, thereby, gives parents the opportunity to exclude their children.

[Adoption date: June 21, 2011]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
ORC 3313.50; 3313.671; 3313.673; 3313.68; 3313.73

CROSS REFS.: JEC, School Admission  
JHC, Student Health Services and Requirements  
JHCB, Immunizations

## IMMUNIZATIONS

In order to minimize the spread of preventable illnesses in schools and provide students with a healthier learning environment, the Board requires immunizations in compliance with State law and the Ohio Department of Health for each student unless the parent(s) file an objection. The Board may also require tuberculosis examinations in compliance with law.

Students eligible for kindergarten and students new to the District must present written evidence of similar immunizations, or written evidence to indicate that they are in the process of receiving immunizations, to be completed no later than the day of entrance. The District will immediately enroll homeless students and foster students and assist in obtaining necessary immunization records. Students failing to complete immunizations within 14 days after entering are not permitted to return to school.

The District maintains an immunization record for each student, available in writing to parents upon request.

[Adoption date: December 20, 2016]

LEGAL REFS.: ORC 3313.67; 3313.671; 3313.71; 3313.711  
3701.13

CROSS REFS.: JEC, School Admission  
JECOA, Admission of Homeless Students  
JHCA, Physical Examinations of Students  
JHCC, Communicable Diseases

### ***This is a Required Policy***

LEGAL REFS.: ORC 3313.67; 3313.671; 3313.71; 3313.711  
3701.13

CROSS REFS.: JEC, School Admission  
JHCA, Physical Examinations of Students  
JHCC, Communicable Diseases

## COMMUNICABLE DISEASES

The Board recognizes that controlling the spread of communicable diseases through casual contact is essential to the well-being of the school community and to efficient District operation.

In order to protect the health and safety of students and staff, the Board follows all State laws and Ohio Department of Health regulations pertaining to immunizations and other means for controlling communicable diseases that are spread through casual contact in the schools.

All students with signs or symptoms of diseases suspected as being communicable to others are given immediate attention and sent home if such action is indicated.

Any student suspected or reported to have a communicable disease is examined by a school nurse or public health nurse. Upon the recommendation of the school nurse, the student may be excluded from school. Re-admission is dependent upon a decision by a physician, school nurse or public health nurse.

Parents are informed when a communicable disease occurs in their child's classroom or on the bus so that early signs or symptoms can be observed and appropriate preventive measures can be instituted.

[Adoption date: June 21, 2011]

LEGAL REFS.: ORC 3313.67; 3313.671; 3313.68; 3313.71  
3319.321  
3707.04; 3707.06; 3707.08; 3707.16; 3707.20; 3707.21; 3707.26

CROSS REFS.: JHCA, Physical Examinations of Students  
JHCB, Immunizations

## ADMINISTERING MEDICINES TO STUDENTS

Many students are able to attend school regularly only through effective use of medication in the treatment of disabilities or illnesses that do not hinder the health or welfare of others. If possible, all medication should be given by the parent(s) at home. If this is not possible, it is done in compliance with the following.

1. Only employees of the Board who are licensed health professionals, or who are appointed by the Board and have completed a drug administration training program meeting State law requirements, conducted by a licensed health professional and considered appropriate by the Board, can administer prescription drugs to students.
2. The school nurse or an appropriate person appointed by the Board supervises the secure and proper storage and dispensation of medications. The drug must be received in the container in which it was dispensed by the prescribing physician or others licensed to prescribe medication.
3. Written permission must be received from the parent(s) of the student, requesting that the school nurse or an appropriate person comply with the physician's order.
4. The school nurse or other designated individual must receive and retain a statement which complies with State law and is signed by the physician who prescribed the drug or other person licensed to prescribe medication.
5. The parent(s) must agree to submit a revised statement, signed by the physician or other licensed individual who prescribed the drug, to the nurse or other designated individual if any of the information originally provided by the physician or licensed individual changes.
6. No employee who is authorized by the Board to administer a prescribed drug and who has a copy of the most recent statement is liable in civil damages for administering or failing to administer the drug, unless he/she acts in a manner which would constitute "gross negligence or wanton or reckless misconduct."
7. No person employed by the Board is required to administer a drug to a student except pursuant to requirements established under this policy. The Board shall not require an employee to administer a drug to a student if the employee objects, on the basis of religious convictions, to administering the drug.



### Inhalers for Asthma

Students have the right to possess and use a metered-dose inhaler or a dry-powder inhaler to alleviate asthmatic symptoms or before exercise to prevent the onset of asthmatic symptoms. The right applies at school or at any activity, event or program sponsored by or in which the student's school is a participant.

In order for a student to possess the inhaler, he/she must have written approval from the student's physician and parent or other caretaker. The principal and/or the school nurse must have received copies of these required written approvals.

### Epinephrine Autoinjectors

Students are permitted to carry and use an epinephrine autoinjector (epi-pen) to treat anaphylaxis (severe allergic reactions). The right to carry and use an epi-pen extends to any activity, event or program sponsored by the student's school or activity, event or program in which the school participates.

Student possession of an epi-pen is permitted only if the student has written approval from the prescriber of the medication and, if a minor, from his/her parent. Written approval must be on file with the principal and, if one is assigned, the school nurse. In addition, the principal or school nurse must receive a backup dose of the medication from the parent or student.

### Diabetes Medication

If a student's treating physician determines a student with diabetes is capable of performing diabetes care tasks, the student is permitted to attend to the self-care and management of his/her diabetes during regular school hours, and at school-sponsored activities upon written request from the student's parent/guardian or other person having care or charge of the student. Students may perform these tasks in the classroom, in any area of the school or school grounds, and at any school-sponsored activity. Students are permitted to possess, at all times, the necessary supplies and equipment to perform the tasks in accordance with the student's treating physician's orders. This right may be revoked if the student performs any care tasks or uses medical equipment for purposes other than the student's own care. The student is provided with a private area for performing self-care tasks if requested by the student, student's parent/guardian or other person having care or charge of the student.

[Adoption date: June 21, 2011]

[Re-Adoption date: April 25, 2017]

LEGAL REFS.: ORC 2305.23; 2305.231  
3313.64; 3313.712; 3313.713; 3313.716; 3313.718  
3314.03; 3314.141  
OAC 3301-35-06

CROSS REFS.: EBBA, First Aid  
JFCH, Alcohol Use by Students  
JFCI, Student Drug Abuse

ADMINISTERING MEDICINES TO STUDENTS  
(General Regulations)

Students needing medication are encouraged to receive the medication at home, if possible.

Only employees of the Board who are licensed health professionals, or who are appointed by the Board and have completed a drug administration training program meeting State law requirements, conducted by a licensed health professional and considered appropriate by the Board, can administer prescription drugs to students.

1. The person or persons designated to administer medication receives a written request, signed by the parent(s) having care or charge of the student, that the drug be administered to the student.
2. Each person designated to administer medication receives a statement, signed by the physician or other person licensed to prescribe medication, which includes all of the following information:
  - A. the name and address of the student;
  - B. the school and class in which the student is enrolled;
  - C. the name of the drug and the dosage to be administered;
  - D. the times or intervals at which each dosage of the drug is to be administered;
  - E. the date on which the administration of the drug is to begin;
  - F. the date on which the administration of the drug is to cease;
  - G. any severe adverse reactions which should be reported to the physician and one or more telephone numbers at which the person who prescribed the medication can be reached in case of an emergency and
  - H. special instructions for administration of the drug, including sterile conditions and storage.
3. The parent(s) agree to submit a revised statement signed by the physician who prescribed the drug to the person designated to administer medication if any of the information provided by the person licensed to prescribe medication as described above changes.

4. The person authorized to administer the drug receives a copy of the statement described above.
5. The drug is received by the person authorized to administer the drug to the student for whom the drug is prescribed in the container in which it was dispensed by the prescribing physician or other licensed professional.

The person designated by the Board establishes a location in each school building for the storage of drugs to be administered. Unless otherwise authorized by State law, all such drugs shall be stored in that location in a locked storage place. Drugs which require refrigeration may be kept in a refrigerator in a place not commonly used by students.

No person who has been authorized by the Board to administer a drug and has a copy of the most recent statement which was given to him/her prior to administering the drug is liable for administering or failing to administer the drug, unless such person acts in a manner which constitutes "gross negligence or wanton or reckless misconduct."

A person employed by the Board is not required to administer a prescribed drug to a student unless a Board regulation establishes a requirement; furthermore, the Board shall not require an employee to administer a drug to a student if the employee objects, on the basis of religious convictions, to administering the drug.

Board policy and regulations regarding dispensation of medication must be formally adopted by the Board and may be changed, modified or revised only by action of the Board.

(Approval date: June 21, 2011)

ADMINISTERING MEDICINES TO STUDENTS  
(Use of Asthma Inhalers)

In order for a student to possess and use an inhaler, he/she must have written approval from the student's physician and parent or other caretaker. The principal and/or the school nurse must have received copies of these required written approvals.

The physician's written approval must specify the minimum following information:

1. the student's name and address;
2. the name of the medication contained in the inhaler;
3. the date the administration of the medication is to begin;
4. the date, if known, that the administration of the medication is to cease;
5. written instructions which outline the procedures school personnel should follow in the event that the asthma medication does not produce the expected relief from the student's asthma attack;
6. any severe adverse reactions that may occur to the student using the inhaler that should be reported to the physician;
7. any severe reactions that may occur to another student for whom the inhaler is not prescribed, should he/she receive a dose of the medication;
8. at least one emergency telephone number for contacting the physician;
9. at least one emergency telephone number for contacting the parent, guardian or other person having care or charge of the student in an emergency and
10. any other special instructions from the physician.

In no circumstances will the District, any member of the Board or any Board employee be liable for injury, death or loss of person or property when a District employee prohibits a student from using an inhaler because the employee believes, in good faith, that the required written approvals have not been received by the principal. Additionally, liability cannot accrue because the employee permits the use of an inhaler when the employee believes, in good faith, that the written approval(s) have been received by the appropriate authority.

(Approval date: June 21, 2011)

ADMINISTERING MEDICINES TO STUDENTS  
(Use of Epinephrine Autoinjectors)

Student possession of an epi-pen is permitted only if the student has written approval from the prescriber of the medication and, if a minor, from his/her parent. Written approval must be on file with the principal and, if one is assigned, the school nurse. In addition, the principal or school nurse must receive a backup dose of the medication from the parent or student.

The prescriber's written approval must specify at least the following information:

1. student's name and address;
2. names and dose of the medication contained in the autoinjector;
3. the date the administration of the medication is to begin and, if known, the date the administration of the medication is to cease;
4. acknowledgement that the prescriber has determined that the student is capable of possessing and using the epi-pen appropriately and has provided the student with training in the proper use of the epi-pen;
5. circumstances in which the epi-pen should be used;
6. written instructions that outline procedures school personnel should follow if the student is unable to administer the medication or the medication does not produce the expected relief from the student's anaphylaxis (allergic response);
7. any severe reaction that:
  - A. the student may experience that should be reported to the prescriber or
  - B. that may occur to another student for whom the medication is not prescribed, if that student receives a dose of the medication;
8. at least one emergency telephone number each for contacting the prescriber and the parent and
9. any other special instructions from the prescriber.

Whenever a student is administered epinephrine at school or at an activity, event or program sponsored by the school or in which the school is a participant, a school employee must immediately request assistance from an emergency medical service provider. Request for medical assistance applies whether the student self-administers the medication or a school employee administers it to the student.

The Board and District employees are not liable in damages in a civil action for injury, death or loss to person or property allegedly arising if:

1. a school employee prohibits a student from using an epi-pen because he/she has a good faith belief that the conditions for carrying and using the medication have not been satisfied;
2. a school employee permits a student to carry and use an epi-pen because of the good faith that the conditions have been satisfied or
3. in instances in which a student is rightfully permitted to carry an epi-pen, the medication is used by a student for whom it was not prescribed.

All immunities granted to schools under the sovereign immunity law or any other law apply.

(Approval date: June 21, 2011)

## STUDENT SAFETY

The Board believes that students have the right to be protected in all facets of the education program and directs the Superintendent/designee to develop and maintain a safety instruction program for all students. Safety instruction in the District includes:

1. establishing appropriate safety rules;
2. learning how to practice safety and prevent accidents;
3. learning how to safely use and properly care for tools and equipment so as to reduce the potential for accidents;
4. developing habits of good housekeeping, proper storage and handling of materials, and sanitation;
5. becoming familiar with personal protection devices and the proper clothing to be worn for safety purposes;
6. learning how to cooperate with others in the promotion and operation of a safety program in the schools, on school grounds and in school vehicles;
7. instructing students not to accept gifts or automobile rides from strangers. Students are also instructed to tell staff members, parents or law enforcement officials of any suspicious strangers in or around school property;
8. providing instruction in personal safety and assault prevention in grades kindergarten through 6. Upon the written request of a parent, a student shall be excused from such instruction and
9. providing age-appropriate instruction in dating violence prevention in grades 7 through 12.

In an attempt to further ensure student safety, staff members:

1. shall not send students on errands that would require the student to leave school property and/or drive a vehicle;
2. are encouraged to listen to students, but shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance;

3. shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background and
4. shall immediately report any suspected signs of child abuse or neglect.

In addition to instruction in safety, buildings are inspected annually to detect and remedy health and safety hazards. Staff members shall immediately report to the building administrator any accident or safety hazard he/she detects. The Superintendent is authorized and directed to develop appropriate means for the implementation of this policy.

[Adoption date: June 21, 2011]

LEGAL REFS.: ORC 3313.60; 3313.643; 3313.96  
3737.73  
OAC 3301-35-06

CROSS REFS.: AFI, Evaluation of Educational Resources  
EB, Safety Program  
GBH, Staff-Student Relations (Also JM)  
IGAE, Health Education  
JEE, Student Attendance Accounting (Missing and Absent Children)  
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
JFCH, Alcohol Use by Students  
JFCI, Student Drug Abuse  
JHG, Reporting Child Abuse  
JHH, Notification About Sex Offenders  
JO, Student Records



## REPORTING CHILD ABUSE

All employees of the District who know or have reasonable cause to suspect that a child under 18 years of age or a disabled child under 21 years of age has suffered, is suffering or faces a threat of suffering any type of abuse or neglect are required to immediately report such information to the public children services agency or the local law enforcement agency.

To ensure prompt reports, procedures for reporting are made known to the school staff. A person who participates in making such reports is immune from any civil or criminal liability, provided the report is made in good faith.

The Board directs the Superintendent/designee to develop a program of in-service training in child abuse prevention for all school nurses, teachers, counselors, school psychologists and administrators. This program is developed in consultation with public or private agencies or persons involved in child abuse prevention or intervention programs.

Each person employed by the Board to work as a school nurse, teacher, counselor, school psychologist or administrator shall complete at least four hours of in-service training in the prevention of child abuse, violence and substance abuse, school safety and the promotion of positive youth development within two years of commencing employment with the District, and every five years thereafter.

In addition, middle and high school employees who work as teachers, counselors, nurses, school psychologists and administrators must receive training in dating violence prevention. The curriculum for training in dating violence prevention is developed by the Superintendent/designee and training must occur within two years of commencing employment and every five years thereafter.

Conversely, public children services agencies must notify the Superintendent of any allegations of child abuse and neglect reported to them involving the District, as well as the disposition of the investigation.

[Adoption date: June 21, 2011]

LEGAL REFS.: ORC 2151.011; 2151.421  
3313.662; 3313.666  
3319.073

CROSS REFS.: EB, Safety Program  
EBC, Emergency/Safety Plans  
IGAE, Health Education  
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
JHF, Student Safety

## NOTIFICATION ABOUT SEX OFFENDERS

Megan's Law requires certain sexual predators and sex offenders to register with the sheriff in the county of their residence. In some circumstances the sheriff notifies the Superintendent that a sexual predator or habitual sex offender has moved into the area.

If the Superintendent receives information from the sheriff concerning a sexual predator or habitual sex offender subject to community notification, the Superintendent disseminates the information regarding the sexual predator or habitual sex offender to employees whose duties include supervision of or responsibility for students. Employees who receive the information are instructed to promptly notify the Superintendent if the sexual predator or habitual sex offender is observed in the vicinity of the school. The Superintendent notifies the local law enforcement agency if, in the judgment of the Superintendent, the presence of the sexual predator or habitual sex offender appears to be without a legitimate purpose or otherwise creates concern for the safety of the students. The law enforcement agency evaluates the situation and takes whatever action it deems appropriate. The law enforcement agency informs the Superintendent of any action taken and may provide advice regarding any additional action which the Superintendent should consider taking.

If the Superintendent receives information from the sheriff concerning a sexual predator or habitual sex offender subject to community notification, the Superintendent may inform parents, guardians and adult students that he/she has received notice that a sexual predator or habitual sex offender is residing within the District and that certain information concerning the offender is public record and is open to inspection at the office of the sheriff with whom the offender has registered.

With juvenile sex offenders, the Superintendent's notification duties are the same as with adult offenders. The Superintendent provides a copy of the county sheriff's sexual offender notice to his/her staff so that they are aware of the juvenile offender's information and photograph. The Superintendent must then notify parents that the school has received notice that a juvenile sex offender is attending school (or if an adult offender, working or attending school) in the District, and direct parents who want more information to the county sheriff's office.

If the Superintendent receives information from the sheriff concerning a sexual predator or habitual sex offender subject to community notification, he/she shall not release any other information and shall direct any inquiries to the office of the sheriff with whom the offender has registered.

[Adoption date: June 21, 2011]

LEGAL REFS.: 42 USC 14071  
ORC 149.43  
2151.355; 2152.83; 2152.84  
Chapter 2950

CROSS REFS.: GBQ, Criminal Records Check  
JO, Student Records

## EMPLOYMENT OF STUDENTS

The Board believes that a student's school responsibilities are to take precedence over nonschool-related jobs. However, the Board acknowledges that extenuating circumstances may surface when a student may need to forgo the traditional method of obtaining an education in order to work and provide support or care for himself/herself or his/her family members.

If a student needs to work while attending school, he/she is cautioned against assuming work commitments which interfere with his/her studies and achievement in school. Opportunities for employment may be provided through work-experience programs and other employers in accordance with the following provisions for obtaining age and schooling certificates.

### Age and Schooling Certificates (Work Permits)

All students under the age of 18 must apply for a work permit in order to legally obtain paid employment. Students, ages 16 and 17, must have valid work permits for paid employment during the school year. Students, ages 14 and 15, must obtain valid work permits for employment at all times of the year.

In compliance with State law, the Superintendent/designee is responsible for processing requests for and issuing all work permits as necessary. Students must provide all the documentation required by State law including, but not limited to, proof of age and physical fitness. Proof must also be provided identifying the potential employer as places of employment where minors can legally work.

### In-School Employment

The Board may make available to students part-time and summer jobs commensurate with their abilities and the needs of the District for student employees.

The Board approves appointments and establishes pay rates. These rates comply with requirements of the minimum wage law.

[Adoption date: June 21, 2011]

LEGAL REFS.: 48 USC 1324a et seq.  
ORC 3313.56; 3313.93  
3321.08 through 3321.11  
3331.01; 3331.02; 3331.04; 3331.06 through 3331.09  
Chapter 4109  
4111.02

CROSS REFS.: IGADA, Work-Experience Opportunities  
JECE, Student Withdrawal from School (Loss of Driving Privileges)  
JEG, Exclusions and Exemptions from School Attendance

## STUDENT GIFTS AND SOLICITATIONS

There are differences in the economic status of families represented by the students in the District, and the Board wishes to avoid any embarrassment to students or hardship on families which lack financial resources. The Board does not wish to burden the community with numerous, repeated solicitations by the students.

The following guidelines are in effect.

1. Teachers discourage gifts from students. Notes of appreciation are appropriate.
2. Charity or general solicitations from students are permitted only after written approval has been given by the Superintendent. The Superintendent annually approves all solicitations which are permitted in the schools.
3. There is no solicitation of money from local industry, businesses, District residents, parents or by any school organization without the approval of the Superintendent. All solicitations and fundraising activities by student groups must be in compliance with the District's policy on student fundraising activities.

[Adoption date: June 21, 2011]

LEGAL REF.: ORC 3313.20

CROSS REFS.: GBI, Staff Gifts and Solicitations  
IGDF, Student Fundraising Activities  
KI, Public Solicitations in the Schools  
KJ, Advertising in the Schools

## STAFF-STUDENT RELATIONS

The relationship between the District's staff and students must be one of cooperation, understanding and mutual respect. Staff members have a responsibility to provide an atmosphere conducive to learning and to motivate each student to perform to his/her capacity.

Staff members should strive to secure individual and group discipline, and should be treated with respect by students at all times. By the same token, staff members should extend to students the same respect and courtesy that they, as staff members, have a right to demand.

Although it is desired that staff members have a sincere interest in students as individuals, partiality and the appearance of impropriety must be avoided. Excessive informal and/or social involvement with individual students is prohibited. Such conduct is not compatible with professional ethics and, as such, will not be tolerated.

Staff members are expected to use good judgment in their relationships with students both inside and outside of the school context including, but not limited to, the following guidelines.

1. Staff members shall not make derogatory comments to students regarding the school, its staff and/or other students.
2. The exchange of purchased gifts between staff members and students is discouraged.
3. Staff-sponsored parties at which students are in attendance, unless they are a part of the school's extracurricular program and are properly supervised, are prohibited.
4. Staff members shall not fraternize, written or verbally, with students except on matters that pertain to school-related issues.
5. Staff members shall not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
6. Dating between staff members and students is prohibited.
7. Staff members shall not use insults against students as a method of forcing compliance with requirements or expectations.
8. Staff members shall maintain a reasonable standard of care for the supervision, control and protection of students commensurate with their assigned duties and responsibilities.
9. Staff members shall not send students on personal errands off District property.



10. Staff members shall, pursuant to law and Board policy, immediately report any suspected signs of child abuse or neglect.
11. Staff members are encouraged to listen tot students, but shall not attempt to counsel, assess, diagnose or treat a student’s personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance.
12. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background.

#### Social Networking Websites

1. District staff who have a presence on social networking websites are prohibited from posting data, documents, photographs or inappropriate information on any website that might result in a disruption of classroom activity. The Superintendent/designee has full discretion in determining when a disruption of classroom activity has occurred.
2. District staff are prohibited from providing personal social networking website passwords to students.
3. Fraternalization between District staff and students via the Internet, personal email accounts, personal social networking websites and other modes of virtual technology is also prohibited.
4. Access of personal social networking websites during school hours is prohibited.

Violation of the prohibitions listed above will result in staff and/or student discipline in accordance with State law, Board policies and regulations, the Staff and Student Codes of Conduct and handbooks and/or staff negotiated agreements. Nothing in this policy prohibits District staff and students from the use of educational websites and/or use of social networking websites created for curricular, cocurricular or extracurricular purposes.

[Adoption date: June 21, 2011]

LEGAL REF.: ORC 3313.20

CROSS REFS.: GBCA, Staff Conflict of Interest  
GBCB, Staff Conduct  
GBI, Staff Gifts and Solicitations  
IIBH, District Websites  
JFC, Student Conduct (Zero Tolerance)  
JG, Student Discipline  
JHF, Student Safety  
JHG, Reporting Child Abuse  
JL, Student Gifts and Solicitations  
JO, Student Records  
KBA, Public's Right to Know  
Staff Handbooks  
Student Handbooks

## STUDENT FEES, FINES AND CHARGES

State law states that notwithstanding the provisions dealing with free public education, the Board may establish by rule or regulation a schedule of fees for material utilized by students attending the District and may prescribe a schedule of charges for loss or damage or destruction of school apparatus, equipment, musical instruments, library materials and textbooks that are required to be furnished without charge. Therefore, this District shall enforce the payment of fees and charges by withholding the grades and credits of the students concerned. It is understood that students are expected to pay all debts incurred each school year, with any unpaid fees accumulating from year-to-year until paid. All bills must be paid prior to graduation.

The District, in its desire to provide the maximum educational opportunities for each student regardless of the ability to meet the above outlined obligations, shall provide a waiver of the requirements of this policy to any student determined to be eligible for free lunch under the National School Lunch Act or Child Nutrition Act. In addition, fees shall be reduced by 50% for those students eligible for reduced price lunches under the National School Lunch Act or Child Nutrition Act.

Occasionally, students will transfer to the District from another district where charges have not been paid. The student and his/her family shall make every effort to make payment promptly to allow credits to be transferred.

In special hardship situations, credits may be awarded as outlined by Board policy.

The Board recognizes the need for certain persons issuing checks for payment of various school purchases of goods and activities.

Personal checks shall not only be accepted for the amount required for the goods/activities purchased. The check shall not be accepted in any amount exceeding the purchase.

If any checks issued to the District are returned to the Treasurer from a financial institution for non-payment, the check will be turned over to a collection service, with any and all fees necessary to make proper payment to the District paid by the issuer. In the absence of the District contracting with a collection service, there shall be a fee of \$10 charged to the payer. If the returned check is an error of the financial institution, this fee can only be waived by a written document from an official of the paying financial institution.

If those checks are not collected by the Treasurer within 30 days, the Treasurer may pursue the assistance of the prosecuting attorney for collection.

[Adoption date: June 21, 2011]

LEGAL REFS.: National School Lunch Act of 1946, 42 USC 1751  
Child Nutrition Act of 1966, 42 USC 1771  
ORC 3313.642  
3329.06

CROSS REF.: IGCD, Educational Options (Also LEB)

## STUDENT RECORDS

In order to provide students with appropriate instruction and educational services, it is necessary for the District to maintain extensive educational and personal information. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parent(s) or the student in compliance with law, and yet be guarded as confidential information.

The Superintendent is responsible for the proper administration of student records in keeping with State law and federal requirements and the procedures for the collection of necessary information about individual students throughout the District.

Upon request, all records and files included in the student's cumulative file are available to parent(s) or the student (if he/she is over 18 years of age). This request must be in writing and is granted within seven calendar days. No records are to be removed from the school. A principal, teacher or other qualified school personnel must be present to explain any of the tests or other material.

All rights and protections given to parents under law and this policy transfer to the student when he/she reaches age 18 or enrolls in a postsecondary school. The student then becomes an "eligible student."

The District uses reasonable methods to identify and authenticate the identity of parents, students, school officials and any other parties to whom the agency or institution discloses personally identifiable information from education records.

The District provides notice to parents and eligible students annually, in accordance with the procedures set forth under administrative regulations, of the rights held by parents and eligible students under law and this policy. It is the intent of the District to limit the disclosure of information contained in the student's education records except:

1. by prior written consent;
2. as directory information and
3. under other limited circumstances, as enumerated under administrative regulations.

The following rights exist:

1. the right to inspect and review the student's education records;
2. the right, in accordance with administrative regulations, to seek to correct parts of the student's education records, including the right to a hearing if the school authority decides not to alter the records according to the parent(s)' or eligible student's request;

3. the right of any person to file a complaint with the U.S. Department of Education if the District violates relevant Federal law, specifically the Family Educational Rights and Privacy Act (FERPA) and
4. the right to acquire information concerning the procedure which the parent(s) or eligible student should follow to obtain copies of this policy, the locations from which these copies may be obtained, as well as any fees to be charged for such copies. \*(See administrative regulations.)

The District proposes to designate the following personally identifiable information contained in a student's education records as "directory information."

1. student's name
2. student's address
3. telephone number(s)
4. student's date and place of birth
5. participation in officially recognized activities and sports
6. student's achievement awards or honors
7. student's weight and height, if a member of an athletic team
8. major field of study
9. dates of attendance ("from and to" dates of enrollment)
10. date of graduation

The above information is disclosed without prior written consent, except when the request is for a profit-making plan or activity or when the parent/eligible student has informed the Board that any or all such information should not be released without their prior written consent.

Administrative regulations set forth a procedure for annual notification to parents and eligible students of the District's definition of directory information. Parents or eligible students then have two weeks in which to advise the District in writing, in accordance with such regulations, of any or all items which they refuse to permit as directory information about that student.

To carry out their responsibilities, school officials have access to student education records for legitimate educational purposes. The District uses the criteria set forth under administrative regulations to determine who are "school officials" and what constitutes "legitimate educational interests."

Other than requests as described above, school officials release information from, or permit access to, a student's education records only with the prior written consent of a parent or eligible student, except that the Superintendent or a person designated in writing by the Superintendent may permit disclosure in certain limited circumstances outlined under administrative regulations

The District maintains, in accordance with administrative regulations, an accurate record of all requests to disclose information from, or to permit access to, a student's education records and of information disclosed and access permitted.

[Adoption date: September 20, 2016]

**This is a Required Policy**

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
Family Educational Rights and Privacy Act; 20 USC Section 1232g  
Health Insurance Portability and Accountability Act; 29 USC 1181 et seq.  
ORC 111.41; 111.42; 111.43; 111.46; 111.47; 111.99  
149.41; 149.43  
1347.01 et seq.  
3317.031  
3319.32; 3319.321; 3319.33  
3321.12; 3321.13  
3331.13

CROSS REFS.: AFI, Evaluation of Educational Resources  
EHA, Data and Records Retention  
IL, Testing Programs  
JECAA, Homeless Students  
KBA, Public's Right to Know  
KKA, Recruiters in the Schools

## STUDENT RECORDS

1. Each student's official school records include the following.
  - A. Records to be retained permanently
    - 1) name and address of parent(s)
    - 2) verification of date and place of birth
    - 3) dates and record of attendance
    - 4) course enrollment and grades
    - 5) test data
    - 6) date of graduation or withdrawal
  - B. Records of verifiable information to be retained during the student's school career
    - 1) medical/health data
    - 2) individual psychological evaluation (gathered with written consent of parent(s))
    - 3) individual intelligence tests, tests for learning disabilities, etc. (counselor-administered)
    - 4) other verifiable information to be used in educational decision making
2. Maintaining student records
  - A. Transcripts of the scholastic record contain only factual information. The District confines its recordkeeping to tasks with clearly defined educational ends.
  - B. Items listed under 1-A are retained for 100 years. Those listed under 1-B are retained during the student's enrollment and destroyed after graduation unless the school code imposes other restrictions.
  - C. Teacher and staff comments on student records are confined to matters related to student performance. Value judgments are excluded from the record.
  - D. Student records are considered as current educational and/or therapeutic tools and are available for use as such.

The following definitions of terms pertain to this statement of policy.

Student — any person who attends or has attended a program of instruction sponsored by the Board.

Eligible student — a student or former student who has reached age 18 or is attending a postsecondary school.

Parent — either natural parent of a student, unless his/her rights under the FERPA have been removed by a court order, a guardian or an individual acting as a parent or guardian in the absence of the student's parent(s).



Dates of attendance—means the period of time during which a student attends or attended an educational agency or institution. Examples of dates of attendance include an academic year, a spring semester or a first quarter. The term does not include specific daily records of a student’s attendance at an educational agency or institution.

Education records — any records (in handwriting, print, tapes, film or other medium) maintained by the District, an employee of the District or an agent of the District which are related to a student, except:

1. a personal record kept by a school staff member that meets the following tests:
  - A. it is in the sole possession of the individual who made it;
  - B. it is used only as a personal memory aid and
  - C. information contained in it has never been revealed or made available to any other person, except the maker’s temporary substitute;
2. an employment record which is used only in relation to a student’s employment by the District (employment for this purpose does not include activities for which a student receives a grade or credit in a course);
3. alumni records which relate to the student after he/she no longer attends classes provided by the District and the records do not relate to the person as a student and
4. peer-graded papers before they are collected and recorded by a teacher.

Personally Identifiable Information — any data or information which makes the subject of a record known, including the student’s name, the student’s or student’s family’s address, the name of the student’s parent or other family members, a personal identifier such as a student’s Social Security number or a biometric record, other indirect identifiers, such as the student’s date of birth, place of birth or mother’s maiden name, other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

#### ANNUAL NOTIFICATION

Within the first three weeks of each school year, the District publishes in a notice to parents and eligible students their rights under State and Federal law and under this policy. The District also sends home with each student a bulletin listing these rights; the bulletin is included with a packet of material provided to parents or eligible students when the students enroll during the school year.

The notice includes:

1. the right of a parent(s) or eligible student to inspect and review the student's education records;
2. the intent of the District to limit the disclosure of information contained in a student's education records, except: (1) by the prior written consent of the student's parent(s) or the eligible student, (2) as directory information or (3) under certain limited circumstances, as permitted by law;
3. the right of a student's parent(s) or an eligible student to seek to correct parts of the student's education records which he/she believes to be inaccurate, misleading or in violation of student rights; this right includes a hearing to present evidence that the records should be changed if the District decides not to alter them according to the parent(s)' or eligible student's request;
4. the right of any person to file a complaint with the Department of Education if the District violates the FERPA and
5. the procedure that a student's parent(s) or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

An administrator arranges to provide translations of this notice to non-English-speaking parents in their native language.

#### LOCATIONS OF EDUCATION RECORDS

TYPES	LOCATION	CUSTODIAN
<u>Cumulative School Records</u> <u>Cumulative School Records</u> (Former Students)	Principals' Offices High School Office	Principals High School Principal
<u>Health Records</u> <u>Speech Therapy Records</u> <u>Psychological Records</u>	Principals' Offices Principals' Offices	Principals Principals
<u>School Transportation Records</u>	School Bus Garage	Transportation Supervisor
<u>Special Test Records</u>	Principals'/Special Education Offices	Principals/Director of Special Education
<u>Occasional Records</u> (Student education records not identified above; such as those in Superintendent's office, in the school office, in the school attorney's office, or in the personal possession of teachers)	Principals' Offices	Principals

## PROCEDURE TO INSPECT EDUCATION RECORDS

Parents or eligible students may inspect and review education records to which they are entitled to have access upon request. In some circumstances, it may be mutually more convenient for the record custodian to provide copies of records. (See the schedule of fees for copies.)

Since a student's records may be maintained in several locations, the school principal may offer to collect copies of records or the records themselves from locations other than a student's school, so that they may be inspected at one site. If parents and eligible students wish to inspect records where they are maintained, school principals accommodate their wishes.

Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records which he/she wishes to inspect.

The principal (or other custodian) contacts the parent(s) of the student or the eligible student to discuss how access is best arranged (copies, at the exact location or records brought to a single site).

The principal (or other custodian) makes the needed arrangements as promptly as possible and notifies the parent(s) or eligible student of the time and place where the records may be inspected. This procedure must be completed within 45 days or earlier after the receipt of the request for access.

If for any valid reason, such as working hours, distance between record location sites or health, a parent(s) or eligible student cannot personally inspect and review a student's education records, the District arranges for the parent(s) or eligible student to obtain copies of the records. (See information below regarding fees for copies of records.)

When records contain information about students other than a parent(s)' child or the eligible student, the parent(s) or eligible student may not inspect and review the records of the other students.

## FEES FOR COPIES OF RECORDS

The District does not deny parents or eligible students any rights to copies of records because of the following published fees. When the fee represents an unusual hardship, it may be waived, in part or entirely, by the records custodian. The District reserves the right to make a charge for copies, such as transcripts, which it forwards to potential employers or to colleges and universities for employment or admissions purposes. The District may deny copies of records (except for those required by law) if the student has an unpaid financial obligation to the District.

Federal law requires the District to provide copies of records for the following reasons:

1. when the refusal to provide copies effectively denies access to a parent(s) or eligible student;
2. at the request of the parent(s) or eligible student when the District has provided the records to third parties by the prior consent of the parent(s) or eligible student or

3. at the request of the parent(s) or eligible student when the District has forwarded the records to another district in which the student seeks or intends to enroll.

The fee for copies provided under Federal law may not include the costs for search and retrieval. This fee is five cents per page (actual copying cost less hardship factor).

The fee for all other copies such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience is five cents per page (actual search, retrieval copying cost and postage, if any).

### DIRECTORY INFORMATION

The District proposes to designate the following personally identifiable information contained in a student's education record as "directory information"; it discloses that information without prior written consent, except that directory information is not released for a profit-making plan or activity or when disclosure is otherwise prohibited by law. Such information includes:

1. student's name
2. student's address
3. telephone number(s)
4. student's date and place of birth
5. participation in officially recognized activities and sports
6. student's achievement awards or honors
7. student's weight and height, if a member of an athletic team
8. major field of study
9. dates of attendance ("from and to" dates of enrollment)
10. date of graduation

Within the first three weeks of each school year, the District publishes the above list, or a revised list, of the items of directory information that it proposes to designate as directory information. For students enrolling after the notice is published, the list is given to the student's parent(s) or to the eligible student at the time and place of enrollment.

After the parents or eligible students have been notified, they have two weeks in which to advise the District in writing (a letter to the Superintendent's office) of any or all of the items which they refuse to permit the District to designate as directory information about that student.

At the end of the two-week period, each student's records are appropriately marked by the record custodians to indicate the items which the District designates as directory information about that student. This designation remains in effect until it is modified by the written direction of the student's parent(s) or the eligible student.

### USE OF STUDENT EDUCATION RECORDS

To carry out their responsibilities, school officials have access to student education records for legitimate educational purposes. The District uses the following criteria to determine who are school officials. An official is a person:

1. duly elected to the Board;
2. certificated by the state and appointed by the Board to an administrative or supervisory position;
3. certificated by the state and under contract to the Board as an instructor;
4. employed by the Board as a temporary substitute for administrative, supervisory or teaching personnel for the period of his/her performance as a substitute;
5. employed by, or under contract to, the Board to perform a special task such as a secretary, a Treasurer, Board attorney or auditor for the period of his/her performance as an employee or contractor or
6. a contractor, consultant, volunteer or other party to whom an agency or institution has outsourced institutional services or functions may be considered a school official, provided that the outside party:
  - A. performs an institutional service or function for which the District would otherwise use employees;
  - B. is under the direct control of the District with respect to the use and maintenance of education records and
  - C. abides by the legal requirements governing the use and redisclosure of personally identifiable information from education records.

School officials who meet the criteria listed above have access to a student's records if they have a legitimate educational interest in those records. A "legitimate educational interest" is the person's need to know in order to perform:

1. an administrative task required in the school employee's position description approved by the Board;
2. a supervisory or instructional task directly related to the student's education or
3. a service or benefit for the student or the student's family such as health care, counseling, student job placement or student financial aid.

NOTE: The District must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests. A District that does not use physical or technological access controls to records must ensure that its administrative policy for controlling access to education records is effective and that it remains in compliance with the legitimate educational interest requirement.

The District releases information from or permits access to a student's education records only with a parent's or an eligible student's prior written consent, except that the Superintendent or a person designated in writing by the Superintendent may permit disclosure under the following conditions:

1. when students seek or intend to enroll in another school district or a postsecondary school. The District makes reasonable attempts to notify the parent or eligible student at their last known address unless the disclosure is initiated by the parent or eligible student or unless the District's annual notification includes notice that the District forwards education records to other education entities that request records in connection with a student's transfer or enrollment. Upon request, the District provides copies of the records and an opportunity for a hearing (upon the condition that the student's parents be notified of the transfer, receive a copy of the record and have an opportunity for a hearing to challenge the content of the record);
2. when certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the District;
3. when parties who provide, or may provide, financial aid for which a student has applied or received, need the information to:
  - A. establish the student's eligibility for the aid;
  - B. determine the amount of financial aid;

- C. establish the conditions for the receipt of the financial aid or
  - D. enforce the agreement between the provider and the receiver of financial aid;
4. if a State law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials;
  5. when the District has entered into a written agreement or contract for an organization to conduct studies on the District's behalf to develop tests, administer student aid or improve instruction;
  6. when accrediting organizations need those records to carry out their accrediting functions;
  7. when parents of eligible students claim the student as a dependent;
  8. when it is necessary to comply with a judicial order or lawfully issued subpoena; the District makes a reasonable effort to notify the student's parent(s) or the eligible student before making a disclosure under this provision; except when a parent is party to a court proceeding involving child abuse or neglect or dependency, and the order is issued in the context of that proceeding;
  9. if the disclosure is an item of directory information and the student's parent(s) or the eligible student has not refused to allow the District to designate that item as directory information for that student;
  10. the disclosure is in connection with a health and safety emergency;
  11. the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the educational agency or institution under 42 U.S.C. 14071 and applicable federal guidelines and
  12. to an agency caseworker or other representative of a state or local child welfare agency, when the agency is legally responsible for the care and protection of the child. Information obtained will not be disclosed by the agency to any other agency or individual, unless they are engaged in addressing the education needs of the child and authorized by the agency to have access and the disclosure is consistent with the State laws applicable to protecting the confidentiality of the student's education records.

The District discloses personally identifiable information from an education record to appropriate parties, including parents, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

When deciding whether to release personally identifiable information in a health or safety emergency, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

The District records the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:

1. the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure and
2. parties to whom the District disclosed the information.

The District is required to permit the Ohio Department of Education to have access to personally identifiable information about a student if the Ohio Department of Education needs the information to:

1. notify the District or school attended in the District of threats or descriptions of harm included in the student's response to an achievement test question;
2. verify the accuracy of the student's achievement test score or
3. determine whether the student satisfies the alternative conditions for a high school diploma.

District officials may release information from a student's education records if the student's parent(s) or the eligible student gives his/her prior written consent for the disclosure. The written consent must include at least:

1. a specification of the records to be released;
2. the reasons for the disclosure;
3. the person or the organization or the class of persons or organizations to whom the disclosure is to be made;
4. the parent(s) or student's signature and
5. the date of the consent and, if appropriate, a date when the consent is to be terminated.

The District uses reasonable methods to identify and authenticate the identity of parents, students, school officials and any other parties to whom the agency or institution discloses personally identifiable information from education records. The student's parent(s) or the eligible student may obtain a copy of any records disclosed under this provision.



The District does not release information contained in a student's education records, except directory information, to any third parties, except its own officials, unless those parties agree that the information is not redisclosed, without the parent(s)' or eligible student's prior written consent.

#### RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

The District maintains an accurate record of all requests for it to disclose information from, or to permit access to, a student's education records and of information it discloses and access it permits, with some exceptions listed below. This record is kept with, but is not a part of, each student's cumulative school records. It is available only to the record custodian, the eligible student, the parent(s) of the student or to federal, state or local officials for the purpose of auditing or enforcing federally supported educational programs.

The record includes:

1. the name of the person who or agency which made the request;
2. the interest which the person or agency has in the information;
3. the date on which the person or agency made the request;
4. whether the request was granted and, if it was, the date access was permitted or the disclosure was made and
5. in the event of a health and safety emergency, the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure; and the parties to whom the agency or institution disclosed the information.

The District maintains this record as long as it maintains the student's education record.

The records do not include requests for access or information relative to access which has been granted to parent(s) of the student or to an eligible student, requests for access or access granted to officials of the District who have a legitimate educational interest in the student; requests for, or disclosures of, information contained in the student's education records if the request is accompanied by the prior written consent of a parent(s) or eligible student or if the disclosure is authorized by such prior consent or for requests for, or disclosures of, directory information designated for that student.

#### PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

Parents of students or eligible students have a right to seek to change any part of the student's records which they believe is inaccurate, misleading or in violation of student rights.

For the purpose of outlining the procedure to seek to correct education records, the term “incorrect” is used to describe a record that is inaccurate, misleading or in violation of student rights. The term “correct” is used to describe a record that is accurate, not misleading and not in violation of student rights. Also, in this section, the term “requester” is used to describe the parent(s) of a student or the eligible student who is asking the District to correct a record.

To establish an orderly process to review and correct the education records for a requester, the District may make a decision to comply with the request for change at several levels in the procedure.

First-level decision. When a parent of a student or an eligible student finds an item in the student’s education records which he/she believes is inaccurate, misleading or in violation of student rights, he/she should immediately ask the record custodian to correct it. If the records are incorrect because of an obvious error and it is a simple matter to make the record change at this level, the records custodian makes the correction. If the records are changed at this level, the method and result must satisfy the requester.

If the custodian cannot change the records to the requester’s satisfaction, or the records do not appear to be obviously incorrect, he/she:

1. provides the requester a copy of the questioned records at no cost;
2. asks the requester to initiate a written request for the change and
3. follows the procedure for a second-level decision.

Second-level decision. The written requests to correct a student’s education records through the procedure at this level should specify the correction which the requester wishes the District to make. It should at least identify the item the requester believes is incorrect and state whether he/she believes the item:

1. is inaccurate and why;
2. is misleading and why and/or
3. violates student rights and why.

The request is dated and signed by the requester.

Within two weeks after the records custodian receives a written request, he/she:

1. studies the request;
2. discusses it with other school officials (the person who made the record or those who may have a professional concern about the District’s response to the request);
3. makes a decision to comply or decline to comply with the request and

4. completes the appropriate steps to notify the requester or moves the request to the next level for a decision.

If, as a result of this review and discussion, the records custodian decides the records should be corrected, he/she effects the change and notifies the requester in writing that he/she has made the change. Each such notice includes an invitation for the requester to inspect and review the student's education records to make certain that the records are in order and the correction is satisfactory.

If the custodian decides the records are correct, he/she makes a written summary of any discussions with other officials and of his/her findings in the matter. He/She transmits this summary and a copy of the written request to the Superintendent.

Third-level decision. The Superintendent reviews the material provided by the records custodian and, if necessary, discusses the matter with other officials such as the school attorney or the Board (in executive session). He/She then makes a decision concerning the request and completes the steps at this decision level. Ordinarily, this level of the procedure should be completed within two weeks. If it takes longer, the Superintendent notifies the requester in writing of the reasons for the delay and indicates a date on which the decision will be made.

If the Superintendent decides the records are incorrect and should be changed, he/she advises the record custodian to make the changes. The record custodian advises the requester of the change as he/she would if the change had been made at the second level.

If the Superintendent decides the records are correct, he/she prepares a letter to the requester which includes:

1. the District's decision that the records are correct and the basis for the decision;
2. a notice to the requester that he/she has a right to ask for a hearing to present evidence that the records are incorrect and that the District grants such a hearing;
3. advice that the requester may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense and
4. instructions for the requester to contact the Superintendent or his/her designee to discuss acceptable hearing officers, convenient times and a satisfactory site for the hearing. (The District is not bound by the requester's positions on these items but may, as far as feasible, arrange the hearing as the requester wishes.)

Fourth-level decision. After the requester has submitted (orally or in writing) his/her wishes concerning the hearing officer, the time and place for the hearing, the Superintendent, within a week, notifies the requester when and where the District will hold the hearing and who it has designated as the hearing officer.

At the hearing, the hearing officer provides the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education records are incorrect as shown in the requester's written request for a change in the records (second level).

Within one week after the hearing, the hearing officer submits to the Superintendent a written summary of the evidence submitted at the hearing. Together with the summary, the hearing officer submits his/her recommendation, based solely on the evidence presented at the hearing, that the records should be changed or remain unchanged.

The Superintendent prepares the District's decision within two weeks of the hearing. That decision is based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. The District's decision is based solely on the evidence presented at the hearing. The Superintendent may overrule the hearing officer if he/she believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the District's decision, the Superintendent takes one of the following actions.

1. If the decision is that the District changes the records, the Superintendent instructs the records custodian to correct the records. The records custodian corrects the records and notifies the requester as in the context of the second-level decision.
2. If the decision is that the District does not change the records, the Superintendent prepares a written notice to the requester which includes:
  - A. the District's decision that the records are correct and will not be changed;
  - B. a copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the District's decision and
  - C. advice to the requester that he/she may place in the student's education records an explanatory statement which states the reasons why he/she disagrees with the District's decision and/or the reasons he/she believes the records are incorrect.

Final administrative step in the procedure. When the District receives an explanatory statement from a requester after a hearing, it maintains that statement as part of the student's education records as long as it maintains the questioned part of the records. The statement is attached to the questioned part of the records and whenever the questioned part of the records is disclosed, the explanatory statement is also disclosed.

(Approval date: January 21, 2013)

## STUDENT SURVEYS

The Board recognizes the importance of maintaining student records and preserving their confidentiality. Student records containing personally identifiable information are kept confidential at collection, storage, disclosure and destruction stages. Boards that receive funds under any applicable program must provide reasonable notice to parents at least annually at the beginning of the school year that their children may be involved in Board-approved third party surveys. The school must also give the parents the opportunity to opt their child out of the activity. A student shall not be required, as part of any applicable program, to submit to a survey, analysis or evaluation that reveals information concerning:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family, "potentially embarrassing to the student or family";
3. sex behavior or attitudes;
4. illegal, antisocial, self-incriminating or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
7. religious practices, affiliations or beliefs of the students or student's parent, or
8. income (other than that required by law to determine eligibility for participation in a program and/or for receiving financial assistance under such program).

Parents have a right to inspect a survey created by a third party before that survey is administered by the school to students. Parents are notified by the school when a survey is to be administered and will have at least two weeks to review the materials.

In order to protect student privacy rights when a school survey is to be administered that contains one of the prohibited eight items identified in this policy, parents have the right to inspect the survey. If parents do not want their child to be a participant in the survey, they must notify the school.

The collection, disclosure or use of student personal information for the purpose of marketing or selling that information, or providing the information to others for that purpose, is prohibited. This does not include personal information collected for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions such as:

1. postsecondary institutions or military recruiters;
2. book clubs, magazines and programs providing access to low-cost literary products;
3. curriculum and instructional materials used by K-12 schools;
4. tests and assessments used by grades K-12 to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students, or to generate other statistically useful data for the purpose of securing these tests and assessments, and the subsequent analysis and public release of the aggregate data from these tests and assessments;
5. the sale by students of products or services to raise funds for school or education-related activities or
6. student recognition programs.

For specific events, the school must notify the parents annually of the projected or approximate dates of the following activities:

1. the collection, disclosure or use of student personal information for the purpose of marketing or selling that information, or providing the information to others for that purpose;
2. the administration of a survey containing any of the eight items identified in this policy and
3. annually, the District will notify parents of physical exams or screenings conducted on students except for vision, hearing or scoliosis.

[Adoption date: June 21, 2011]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
USA Patriot Act, Sec. 507, P.L. 107-56  
Family Educational Rights and Privacy Act; 20 USC Sec. 1232g  
ORC 149.41; 149.43  
1347.01 et seq.  
3317.031  
3319.32; 3319.321; 3319.33  
3321.12; 3321.13  
3331.13  
OAC 3301-35-04; 3301-35-07