

FREQUENTLY REQUESTED POLICIES
OF
THE GOVERNING AUTHORITY
OF
INTERACTIVE MEDIA AND CONSTRUCTION

An Ohio Non-Profit Corporation
and
Ohio Community School

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SECTION 1:
GOVERNANCE POLICIES

SECTION 110

POWER AND ETHICS OF BOARD

A. General Ethical Behavior. While serving on the Governing Authority, each Director agrees to:

1. Obey the law and follow and implement the School's policies;
2. Not disclose or use, without appropriate authorization, any information acquired in the course of the Director's duties that is privileged or confidential under the law;
3. Not speak or act for the Board unless granted proper authority;
4. Work with the Board to establish, review and revise effective policies;
5. Delegate authority for administration to School administrators/staff;
6. Make every effort to attend all Board meetings;
7. Become informed on issues before the Board and relating to Community Schools and school choice;
8. Debate matters before the Board, but once voted upon, accept and support the Board's decision; and
9. Act ethically and in conformance with the School's mission and goals.

B. Public Officers Ethics and Conflicts Rules – Improper Influence or Use of Authority.

Ohio law requires that all Board members and School officials, including teachers performing or possessing authority to perform administrative/supervisory functions, comply with these laws.

1. Revised Code Section 102.03(D) & (E). A Board member cannot use, or authorize the use of, the authority or influence of his/her office or employment, or solicit or accept anything of value of such character as to manifest a substantial and improper influence upon him/her with respect to his/her duties.
 - a. "Anything of value" includes money and every other thing of value.
 - b. A thing of value has an improper character when it is secured from a party interested in matters before, or doing or seeking business with, the community school, its Board or employees, or where it could impair a Board member's objectivity and independence of judgment regarding his/her official actions and decisions.
 - c. A Board member shall not participate in matters that will benefit parties with whom he or she has a close family, economic, or business relationship.
 - d. **Abstain.** A Board member may avoid a conflict under R.C. 102.03(D) and (E) by abstaining from voting and refraining from discussions or deliberations of the Board regarding the matter. The Board shall follow the procedures set forth in Part E of this policy when presented with a transaction to which R.C. 102.03(D) or (E) applies.

2. Revised Code Section 2921.42(A)(1). A Board member cannot authorize or employ the influence of his/her office to secure authorization of any public contract in which he/she, a member of his/her family, or any of his/her business associates has an interest.
 - a. A prohibited interest must be direct and definite and may be either pecuniary or fiduciary in nature.
 - b. **Abstain**. A Board member may avoid a conflict under R.C. 2921.42(A)(1) by abstaining from voting and refraining from discussions or deliberations of the Board regarding the matter. The Board shall follow the procedures of Part D of this policy when considering a situation involving R.C. 2921.42(A)(1).
3. Revised Code Section 2921.42(A)(3). A Board member shall not occupy any position of profit in the prosecution of a public contract which she or the community school board authorized, and which was not let by competitive bidding to the lowest and best bidder while the Board member holds a position on the Board or within one year thereafter.
 - a. A Board member occupies a position of profit in a public contract whenever he/she will receive a fee or compensation that is paid from or is dependent upon the contract, or the Board member will receive some other profit or benefit from the contract.
 - b. **Abstention** will not cure an R.C. 2921.42(A)(3) conflict.
4. Revised Code Section 2921.42(A)(4). A Board member cannot have an interest in the profits or benefits of a public contract entered into by or for the use of the community school.
 - a. A Board member has a prohibited interest in the profits or benefits of a public contract if the Board member would financially benefit from the contract, or the Board member has an ownership or fiduciary interest in the entity that is entering into the contract, unless the exception in R.C. 2921.42(C) applies.
 - b. For the exception to apply pursuant to R.C. 2921.42(C), the subject of the contract must be necessary supplies or services for the community school, and the supplies or services must be unobtainable elsewhere for the same or lower cost, or be furnished to the community school as part of a continuing course of dealing established prior to the Board member becoming associated with the community school, and, treatment of the community school must either be preferential to or the same as that accorded to other customers in a similar transaction. Under the exception, the entire transaction conducted at “arms-length” with the Board’s full knowledge of the Board member’s interest.
 - c. Abstention will not cure an R.C. 2921.42(A)(4) conflict unless the exception in R.C. 2921.42(C) applies.
5. Revised Code Section 2921.43(A). No public servant may knowingly solicit or accept improper compensation (a) other than as allowed by R.C. 102.03 (G), (H) and (I), to perform their acts, duties or services in their public servant capacity or as a supplement thereof, or, (b) for any additional or greater fees or costs than allowed by law in order to perform their official duties;
6. Revised Code Section 2921.43(B). No public servant shall solicit or accept anything of value for their own personal or business use or for the business or personal use of another public servant or party official, in consideration for (a) appointing, securing, maintaining, or renewing the appointment of any person to public office, employment or agency, or, (b) preferring or maintaining a public employee’s compensation, duties, placement, location,

promotion or other material aspect of employment. A person is not prohibited from making voluntary contributions.

7. Revised Code 2921.43(C). No person shall coerce any contribution for the benefit of a political party, campaign committee, legislative campaign fund, political action committee or political contributing entity, in consideration for (a) appointing, securing, maintaining or renewing the appointment of any person to any public office, employment or agency, or (b) preferring or maintaining the status of any public employee's compensation, duties, placement, location, promotion or other material aspects of employment. Coercion need not actually cause or prohibit any action from actually occurring. A person is not prohibited from making voluntary contributions.
8. Revised Code Section 2921.44. A fiscal officer shall be disqualified from serving as a public official for four years after being found guilty of dereliction of duty in Ohio and, also prohibited from holding a public office until all restitution or repayment required by a court has been satisfied. Dereliction of duty may include (a) recklessly creating a deficiency, incurring a liability, or expending a greater sum than is appropriated by the general assembly for the use in any one year for the entity to which the public official is connected; or, (b) recklessly failing to perform a duty expressly imposed or forbidden by law with respect to the public servant's office.

C. Excess Benefit Transaction. Internal Revenue Code Section 4958 provides for an excise tax that is imposed on a "disqualified person" who enters into an "excess benefit transaction" with the School. The tax may be imposed on members of management who approve the transaction. A transaction is an "excess benefit transaction" if the School pays more than fair market value for goods or services.

1. "Disqualified person" includes:

- a. A person in a position to exercise substantial influence over the affairs of the School at any time during a five year period ending on the date of the transaction;
- b. A member of the family of a person described in a, above;
- c. A corporation or other entity in which persons described in a and b, above, have a 35% or greater voting or ownership interest; and
- d. Any person having a relationship described in a, b, or c above with a company that has contracted to manage the School.

D. IRC Procedure for Matters Involving Conflicts. The Board shall follow the following procedures when it is called upon to consider any matter with respect to which an "interested person" has a "financial interest" as those terms are defined below. Please note: the fact that the Board of Directors has followed the procedures set forth below will not enable an "interested person" to avoid the legal prohibitions of R.C. 2921.42(A)(3) and (4) discussed in Parts B.3 and B.4, above.

1. For purposes of these procedures the following words have the following definitions.
 - a. An "interested person" is any Board member, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below.
 - b. A person has a "financial interest" if the person, directly or indirectly, through business, investment, or family has:

- i. An ownership or investment interest in any entity with which the School has a transaction or arrangement;
 - ii. A compensation arrangement with the School or with any entity or individual with which the School has a transaction or arrangement; or
 - iii. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the School is negotiating a transaction or arrangement.
 - c. "Compensation" includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.
2. Duty to Disclose. In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Board members and members of committees with governing board delegated powers considering the proposed transaction or arrangement.
3. Determining Whether a Conflict of Interest Exists. A financial interest is not necessarily a conflict of interest. Under this procedure, a person who has a financial interest will have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists. Please note: the situations described in Part B present a conflict of interest. As such, the Board need not determine whether a conflict exists for any situation described in Part B. If the situation is not described in Part B, after disclosure of the financial interest and all material facts, and after any discussion with the interested person that is permitted under these policies, he/she shall leave the Board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board or committee members shall decide if a conflict of interest exists.
4. Procedures for Addressing the Conflict of Interest.
 - a. Except as otherwise provided in these policies, an interested person may make a presentation at the governing board or committee meeting, but after the presentation permitted under these policies, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
 - b. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
 - c. After exercising due diligence, the governing board or committee shall determine whether the School can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.
 - d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested Board members whether the transaction or arrangement is in the School's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

E. Other Procedures and Record Keeping Requirements.

1. Violations of the Conflicts of Interest Policy.

- a. If the Board or committee has reasonable cause to believe a member has failed to disclose an actual or possible conflict of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
 - b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.
2. Documentation. The minutes of the Board and all committees with board- delegated powers shall contain:
 - a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board's or committee's decision as to whether a conflict of interest in fact existed.
 - b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.
3. Annual Statements. Each Board member, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:
 - a. Received a copy of the conflict of interest policy;
 - b. Read and understands the policy;
 - c. Agreed to comply with the policy;
 - d. Understands the School is charitable and must engage primarily in activities which accomplish one or more of its tax-exempt purposes to maintain its federal tax exemption;
 - e. Acknowledges that a voting Board member who receives compensation, directly or indirectly, from the School for services is precluded from voting on matters pertaining to that member's compensation;
 - f. Acknowledges that a voting committee member whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the School for services is precluded from voting on matters pertaining to that member's compensation; and
 - g. Acknowledges that no voting member of the Board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the School, either individually or collectively, is prohibited from providing information to any committee regarding compensation.
4. Periodic Reviews. To ensure the School operates in a manner consistent with its charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.
 - b. Whether partnerships, joint ventures, and arrangements with management companies conform to the School's written policies, are properly recorded, are a reasonable investment or a reasonable payment for goods and services, further its charitable purposes and do not result in inurement, impermissible private benefit, or an excess benefit transaction.
5. Use of Outside Experts. The School may use outside experts in conducting its reviews, but, such use does not relieve the Board's obligation to conduct periodic reviews.
6. Immediate Relatives. An "immediate relative" means the Board member's spouse, children, parents, grandparents, and siblings, as well as in-laws residing in the same household as the Board member.
- a. If the School is not sponsored by a school district or educational service center, no present or former Board member, or immediate relative of any present or former Board member, shall be an owner, employee, or consultant of the School's sponsor or operator, unless at least one year has elapsed since the person's Board membership ceased.
 - b. If the School is sponsored by a school district or educational service center, no present or former Board member, or immediate relative of any present or former Board member, shall (i) be an officer of the Sponsor's governing board, unless at least one year has elapsed since the person's Board membership ceased, or (ii) serve as an employee of or consultant for the department, division, or section of the Sponsor organization that is directly responsible for sponsoring community schools, or have supervisory authority over such a department, division, or section, unless at least one year has elapsed since the person's Board membership ceased.
7. Annual Disclosure Requirement. Each Board member shall annually file a disclosure statement setting forth the names of any immediate relatives or business associates employed, within the previous three (3) years, by (a) the sponsor or operator of the School, (b) a school district or educational service center that has contracted with the School, or (c) a vendor that is or has engaged in business with the School.

Each Governing Authority Director (Board member) shall sign a copy of this Ethics and Conflicts Policy in order to demonstrate his/her commitment to these principles.

Signature and Title

Date

Note: All School officials and employees, including teachers who do perform or who have the authority to perform administrative and supervisory functions, are subject to all Ohio Ethics and Conflicts Laws and should sign the above acknowledgment as well.

Ohio Revised Code Chapter 102, Sections 2921.42, 2921.43, 2921.44 and 3314.02.

115 Complaints/Judicial Powers

The Governing Authority may assume jurisdiction over any dispute or controversy within or about the School and concerning any matter in which authority has been vested in the Governing Authority by these Policies, or applicable Ohio or federal law.

The Governing Authority authorizes and directs the Principal to establish a Complaint Procedure to be attached as **Appendix 115-A** and to implement a procedure where the administration handles complaints not otherwise established as the jurisdiction of the Governing Authority in these Policies.

See Appendix 115-A Complaint Procedure.

SECTION 130

BOARD MEETINGS

131 Meetings/Executive Sessions

All pre-arranged gatherings by a majority of the Board to discuss School business shall be conducted in compliance with Ohio's Open Meetings Law.

Regularly Scheduled Meetings

A Regular meeting is a meeting that is pre-scheduled and pre-published, generally at the beginning of the school year. For all regularly scheduled meetings, the Board shall: 1) post the time, date, and place of all meetings on site; 2) post the time, date, and place on the School's website (if applicable); and 3) ensure the publication of an advertisement announcing the time, date, and place of all regularly scheduled Board meetings at least one time during the school year in a local newspaper of general circulation. All other meetings of the Board shall be special meetings, or, a less common form of special meeting called an emergency meeting.

Special Meetings

Special meetings are meetings that do not qualify as regular meetings, including re-scheduled regular meetings. Special meetings must have a stated purpose which can be broad or narrow, but which must be held only for the purpose noticed. The Board will provide at least twenty-four hours' advance notice of special meetings to the public, and to the news media that have requested individual notification. A special meeting notice must 1) include the time, date, place, and purpose of the special meeting; 2) be posted at the place of the meeting, on the School main entrance, and on the School's website (if applicable); and 3) sent to the news media that have requested individual notification.

Emergency Meetings

In the event of an emergency meeting requiring official action, where twenty-four hours' advance notice cannot be given, the member or members calling the meeting shall 1) immediately notify the news media that have requested individual notification of the time, date, place, and purpose of the meeting, and 2) post the time, date, place, and purpose of the emergency meeting at the meeting site and on the School main entrance, as soon as possible.

Advance Notification

Any person may obtain reasonable advance notification of School Board meetings. Upon request, a person may receive advance notification of School Board meetings: 1) electronically, by supplying a valid email address; or 2) via regular mail, by supplying the Board with self-addressed, stamped envelopes.

Executive Sessions

There are times when the Board may need to meet privately during a regular or special meeting to discuss or deliberate certain statutorily allowable matters requiring confidentiality. An executive session may be held to consider any matter authorized by law as a proper subject for executive session, including but not limited to:

- A. the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing;

- B. the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest, so long as no member of the Board shall use this section as a subterfuge for providing covert information to prospective buyers or sellers;
- C. conferences with an attorney for the Board concerning disputes involving the Board that are the subject of pending or imminent court action;
- D. matters required to be kept confidential by Federal or State laws and regulations or state statutes; and
- E. details relative to the security arrangements and emergency response protocols for the Board of School, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the School.

After the public meeting is convened, any member may make a motion for an executive session, stating the purpose of the session by citing one or more of the reasons set forth above. Upon receiving a second to the motion and a majority roll-call vote of those present and voting, the chairperson shall declare the Board in executive session.

If the session is to discuss a personnel matter listed in subparagraph A, above, the particular subject(s) for which the session has been called must be identified in the motion, but the motion does not need to identify the person by name.

No official action may be taken in executive session. All resolutions, rules, and formal actions of the Board resulting from deliberations that occurred in executive session shall be adopted during an open meeting.

Retreats or Seminars

Retreats or seminars attended by the Board for general training, professional development, or question-and-answer sessions with non-public officials, where discussion of public business is not the purpose of the activity, are not considered public meetings under the Open Meetings Law. Board retreats that are conducted as workshops or work-sessions for addressing School business shall be considered meetings that must comply with the Open Meetings Law.

R.C. 121.22.

Any person or group wishing to place an item on the agenda shall register their intent with the Principal no later than one (1) business day prior to the meeting and include:

- name and contact information of the participant;
- group affiliation, if and when appropriate; and
- topic to be addressed.

In order to permit the fair and orderly expression of such comment, the Board shall provide a period for public participation at every regular meeting of the Board, and, the Board may publish rules to govern such participation in Board meetings.

The presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

The presiding officer shall be guided by the following rules:

- A. Public participation shall be permitted as indicated on the order of business or at the discretion of the presiding officer.
- B. Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.
- C. Participants must be recognized by the presiding officer and will be requested to preface their comments by an announcement of their name, address, and group affiliation, if and when appropriate.
- D. Each statement made by a participant shall be limited to two (2) minutes duration.
- E. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- F. All statements shall be directed to the presiding officer; no person may address or question Board members individually.
- G. Video recordings are permitted, providing the person operating the recorder has contacted the Principal or his/her designee prior to the Board meeting to review possible placement and agrees to the placement of the equipment, and agrees to abide by the following conditions:
 - 1. No obstructions are created between the Board and the audience.
 - 2. No interviews are conducted in the meeting room while the Board is in session.
- H. The presiding officer may:
 - 1. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant;

2. request any individual to leave the meeting when that person does not observe reasonable decorum;
3. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
4. call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
5. waive these rules.

The portion of the meeting during which the participation of the public is invited shall be limited to twenty (20) minutes.

SECTION 140

GENERAL BOARD DUTIES

The School will utilize the following procedures regarding the availability of public records. Any person may inspect or obtain a copy of the public records of the School during the regular business hours of the office in which such records are maintained. An Employee or representative will be present during inspection of the records. Except as required or authorized by state or federal law, the Board shall not limit or condition the availability of public records by requiring disclosure of the requestor's identity or proposed use of the records, or by asking the request to be put in writing, unless it first discloses to the requester that a) none of that information is mandatory and b) whether disclosure of that information or making the request in writing would enhance the ability to identify, locate or deliver the records sought by the requestor. The School may require disclosure of the requester's identity or the intended use of student directory information in order to ascertain whether the directory information is for use in a profit-making plan or activity, and no student directory information, if any has been designated, shall be released to or accessed by any person or group for use in a profit-making plan or activity.

The School maintains a database or list that includes the name and birthdates of all Board Members and employees employed by the School. The database or list shall be made available upon a public records request.

A viewer, or a requester of copies of public records, may purchase copies of the School's public records upon payment of a fee not to exceed the cost for reproduction, supplies, mailing, delivery, transmission and/or handling. When making copies or records available, the preparer shall notify the requester of redactions or make redactions plainly visible to the requester. The current fee for copies shall be set by Board resolution.

If a request for public records is ambiguous, or overbroad, or does not reasonably identify what public records are being requested, the request may be denied so long as the requester is informed of the manner in which records are maintained and accessed by the School. Each ultimate denial, in whole or in part, shall provide the requester with an explanation, including the legal authority, as to why the request was denied, and such reasons shall be put in writing if the initial request was put in writing. The Board does not waive its rights to additional legal authority of reasons for denial by way of its written explanation to a requester.

No public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties.

The Board or its designee shall 1) participate in training concerning public records which is required by the Ohio Attorney General and which is free of charge under section 109.43 of the Ohio Revised Code, 2) erect a poster about its public records policy in a conspicuous place in all locations or branches of operations (See **Appendix 147-A**), 3) require its employee in charge of public records to sign an acknowledgement of receipt of its public records policies, and 4) include its public records policy in its manuals or handbooks of general policies and procedures for all employees. In addition, as of February 1, 2016, all Board members and administrators must attend public records training annually

The Board authorizes the Principal or his or her designee to dispose of, on a daily basis, routine messages transmitted by means of voicemail or email, provided the messages do not alter existing School records.

Redacting, Encrypting, or Truncating Personal Information

An individual may request that his/her personal information, (social security number, federal tax identification number, driver's license or state identification number, individual checking account, saving account, or credit card number) which is made available to the general public on the internet, be redacted. The request must be made in writing on the form contained in **Appendix 147-B**. Within five business days of receiving the request, the School shall redact the personal information requested to be redacted, if practicable. If impracticable, then the School shall the individual with a verbal or written explanation of why the redaction is impracticable.

The School shall redact, encrypt or truncate the social security number of any individual whose social security number is contained in a document which is available to the general public on the internet. If the School becomes aware that an individual's social security number was mistakenly not redacted, encrypted or truncated, the School shall do so within a reasonable period of time. This requirement does not apply to documents that are only accessible through the internet with a password.

Acknowledgement of Employee or Designee
in Charge of Public Records

Date

R.C. 149.43

See Appendix 147-A Public Records Poster; Appendix 147-B Request to Redact Personal Information. See also Policy 325.1 Public Records.

147.1 Records Retention and Disposal Policy

The orderly acquisition, storage and retention of School records and reports are essential for the overall efficient and effective operation of the School.

The Board President, Treasurer (fiscal officer), and Principal shall be Records Committee and meet annually to carry out the necessary work associated with the School's records. The procedures listed in **Appendix 147.1-A** shall guide them, as modified from time to time.

The Records Committee may not review or select for its custody either of the following:

- a. Records containing personally identifiable information concerning any pupil attending a public school other than directory information, as defined in section 3319.321 of the Revised Code, without the written consent of the parent, guardian, or custodian of each such pupil who is less than eighteen years of age, or without the written consent of each such pupil who is eighteen years of age or older;
- b. Records the release of which would, according to the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C.A. 1232g, disqualify a school or other educational institution from receiving federal funds.

Records shall be destroyed only as directed by the Records Committee.

Email and Correspondence Retention

The following retention policy for email and correspondence is endorsed by the Local Government Records Program of the Ohio Historical Society. In general, the policy is based on the premise that email does not constitute a category of records in and of itself. Rather email is a delivery medium, like paper or microfilm, and individual emails should be retained according to the information which is contained in the message. There are four categories of email and correspondence retention.

1. Non-Record Materials (delete immediately)

- A. Email messages and correspondence that do not meet the criteria of being a "public record" under R.C. 149.43, because they do not document the organization, functions, policies, decisions, procedures, operations or other activities of the office, may be deleted immediately. These emails include:
- B. Personal correspondence.
- C. Publications, promotional materials, and similar materials (unless specifically incorporated into other materials that are "records")

2. Official Records

A. Transient Retention (Retain until no longer of administrative value)

i. Transitory messages of very limited administrative value.

(e.g., a message of an upcoming meeting only has administrative value until the meeting occurs; telephone messages; drafts, and other documents which serve to convey information of temporary importance in lieu of oral communication).

B. Intermediate Retention

i. General Correspondence (Two years)

a. Internal Correspondence (letters, memos)

b. Correspondence from various individuals and organizations (requesting information or correspondence that is informative but does not attempt to influence policy)

ii. Routine Correspondence (One year)

a. Referral letters, requests for routine information, and requests for publications which are answered by standard form letters.

C. Long term Retention

i. Executive Correspondence

a. Correspondence dealing with significant aspects of the administration of their offices. (e.g., information concerning agency policies, program, fiscal, and personnel matters).

Storing Email Records

For purposes of record retention, it is acceptable to store emails: (1) in the current email system; (2) in an electronic format (e.g., in a file on a local hard drive); or (3) by saving paper print outs in a filing system.

In order to ensure that someone in the agency takes responsibility for maintaining the email record during the retention period, the School shall choose one of the following procedures:

- ___ 1. The individual who sends an email maintains the “record” copy. If an email is received from someone outside the organization, the recipient should retain it.
- ___ 2. A mailbox is created (i.e. admin@<School Name>) for individuals sending out email to copy (cc) when email is sent and retention will then be administered by the IT Department of the School or Management Company.

RC 149.41; RC 149.351

See Appendix 147.1-A Records Retention.

148.11 Crowdfunding

All crowd-funding campaigns shall be reviewed and pre-approved by the Principal or his/her designee.

The Principal or his/her designee shall ensure that the proposed crowdfunding campaign does not violate any federal or state law, including those governing the confidentiality of student information, and that the campaign seeks donations that comport with the School's education philosophy, needs, and technical infrastructure.

School employees must use a 501(c)(3) nonprofit crowdfunding service and donations must be sent directly to the School.

No donations will be accepted without the approval of the Board. All crowdfunding campaigns shall be through a School account. Any and all crowdfunding donations are the property of the School, which shall be entered promptly into the school property inventory or deposited in School bank accounts, and used exclusively for the stated purpose of the crowdfunding campaign. The Principal or his/her designee shall determine if the crowdfunding service obligates the School to assume any responsibility to file government-required reports of charitable activities, and if so, shall ensure such government-required reports are filed.

148.1 Purchasing/Invoicing

Before placing a purchase order, each party authorized to place a purchase order should consider whether the material requested may be available elsewhere in the School or in the management company network, if any. In the interests of economy, fairness and efficiency, the Board requires that:

- A. All purchase orders shall be numbered consecutively.
- B. An informal but documented assessment of the responsibility, reliability, comparative cost and reputation of available qualified suppliers shall have been conducted before the purchase order is submitted.
- C. Certain purchases may be below an amount of money allowed to be spent without a properly signed purchase order, as authorized by the management company, if any, and the Principal.
- D. Insofar as conditions permit, all legitimate business suppliers shall be treated courteously.
- E. Credit card agreements may be approved by the Principal and the management company, at their sole but joint discretion, and, if so approved, all credit cards shall be kept in the custody of the Principal in a locked area. All credit card purchases require the prior written approval of the Principal and the _____. Any staff member or Board member entrusted with a credit card shall be personally liable for the proper use and safekeeping of the credit card.
- F. Cooperative purchasing among schools managed by the same company is encouraged, if it results in an economic advantage. Other cooperative purchasing may be considered as well.
- G. If it results in an advantage of any kind, the School may prefer local vendors.
- H. All applicable ethical and conflicts rules shall be followed when purchasing or soliciting for purchasing. No director, officer, employee, staff or agent of the School shall 1) solicit or participate in the negotiations of a contract in which he or she has any direct or indirect pecuniary or beneficial interests or 2) accept any gift or favor from a vendor which might influence their recommendations in the eventual purchases of equipment, supplies or services.

These policies do not prevent any person from receiving royalties upon the sale of any textbook or similar educational product of which she or he is the author, which has been properly approved for use in the School.

If the Board is presented with an invoice from a vendor, the vendor must certify that the good or services were used for School purposes, the invoice must contain sufficient itemization to determine that the services or goods were used for School purposes and the fiscal agent or fiscal officer of the School shall pre-approve payment before the invoice is approved by the Board.

R.C. 102.03; OAC 117-2-02

See also Policy 148.6 Credit Cards and Policy 395.1 Purchase of Supplies and Materials, Equipment.

148.2 Fixed Asset Policy/Title I and Federal Grant Assets Policy

Purpose

The School's Fixed Asset/Title I and Federal Grant Assets policy establishes a fixed asset accounting system that, if followed, will ensure that the School properly handles and disposes of assets, including those assets obtained with Title I grant monies and other federal grant awards, and contains sufficient data to permit:

1. The preparation of fiscal year-end financial statements in accordance with Generally Accepted Accounting Principles (GAAP);
2. Adequate insurance coverage; and
3. Control, accountability and security.

Classifications of Fixed Assets. Fixed assets shall be classified as either: (1) equipment, (2) supplies, (3) furniture, (4) leased fixed assets, or (5) real property.

Criteria for Fixed Asset Capitalization and Valuation

An item is a Fixed Asset if it has a useful life of one (1) year or more and the cost of the asset is greater than \$5,000.00, or, it is a leased asset with a purchase price of greater than \$5,000.00.

Fixed Assets are to be valued at historical cost or, if that amount is not practicably determined, at estimated historical cost. The Controller shall determine the estimated historical cost. Donated Fixed Assets shall be valued at the donor's estimated fair market value at the time of gifting.

Depreciation in value of a Fixed Asset will be calculated using straight-line depreciation. The estimated life of a fixed asset shall follow Association of School Business Officials (ASBO) guidelines.

Management of Fixed Assets

The School shall conduct a physical inventory of its fixed assets at least every two years. The results of the physical inventories must be reconciled with the property records.

The School shall develop a control system to safeguard against loss, damage, or theft of fixed assets. The School shall investigate any loss, damage, or theft of any fixed asset. To the greatest extent possible, the School shall also maintain effective internal controls and safeguard all computing devices and assure that such devices are used solely for authorized purposes.

In order to prevent loss or theft of School property, all fixed assets (other than real property) will have a School fixed asset sticker indicating the School's ownership.

The School shall maintain its fixed assets in order to keep them in good condition and working order.

The following information shall be maintained for all fixed assets:

1. description of the asset

2. title information
3. serial number of the asset, if applicable
4. asset classification
5. location, use, and condition of the asset
6. purchase price and percentage of federal participation
7. vendor
8. date purchased or leased
9. percent of federal funds used for purchase or lease, if applicable
10. accumulated depreciation
11. date and method of disposal and sale price
12. records generated by physical inventories

Acquisition of Fixed Assets

Real Property Acquired with Title I or Other Federal Grants. Real property acquired with federal Title I or other federal grant monies received by the School shall be titled in the name of the School.

Except as otherwise provided by federal law or by the federal awarding agency, real property acquired with federal Title I or other federal grant monies shall be used for the purposes authorized by the grant(s). The School shall not dispose of or encumber its title or other interest in any real property acquired with federal Title I or other federal grant monies so long as the real property is needed for the originally authorized purpose.

Equipment Acquired with Title I or Other Federal Grants. Equipment acquired with federal Title I or other federal grant monies received by the School shall be titled in the name of the School.

For as long as needed, the School shall use equipment acquired with federal Title I or other federal grant monies in the program or project for which it was acquired, whether or not the project or program continues to be supported by federal funds. The equipment may be used in other activities currently or previously supported by a federal agency when it is no longer needed for the program or project for which it was acquired. The School shall give priority to activities under a federal award from the same agency then to activities under a federal award from other federal agencies.

The School can use equipment acquired with Title I or other federal grant monies on other projects or programs that are currently or were previously supported by the federal government provided that such use will not interfere with the program or project for which the equipment was acquired. First preference should be given to other programs or projects supported by the agency that awarded the grant monies.

The School shall not use the equipment acquired with federal Title I or other federal grant monies to provide services for a fee that is less than private companies charge for equivalent services.

The School shall obtain the approval of the awarding agency if required by the federal award before it (1) uses equipment acquired with federal Title I or other federal grant monies as a trade-in to acquire equipment to replace the old equipment, or (2) sells the old equipment and uses the sale proceeds to offset the cost of the replacement equipment.

Supplies Acquired with Title I or Other Federal Grants. Supplies acquired with federal Title I or other federal grant monies received by the School shall be titled in the name of the School.

The School shall not use the supplies acquired with federal Title I or other federal grant monies to provide services for a fee that is less than private companies charge for equivalent services.

Equipment Furnished by Federal Agency. The School shall ensure that the equipment remains titled in the name of the Federal Government. The School shall follow the rules and procedures of the federal agency for managing the property.

Disposal of Fixed Assets

The School shall establish and follow procedures to ensure that it receives the overall best possible return, if it sells any fixed asset. An independent valuation or market comparison may be used, among any other reasonable method of valuation.

Fixed Assets Not Acquired with Title I or Federal Grant Funds. Fixed assets that were not acquired in whole or part with federal grant monies will be disposed in a manner approved by the Governing Authority of the School. Upon recommendation of the Principal or Treasurer, such Board resolution shall designate the materials, equipment, supplies or other assets as obsolete, excess or unusable, and, shall identify the assets, and may sell, donate or lawfully dispose of them. Any proceeds shall be put in the general fund.

Real Property Acquired with Title I or Federal Grant Funds. When real property acquired with federal grant monies is no longer used for the originally authorized purpose(s), the School shall dispose of such property pursuant to instructions provided by the awarding agency.

Equipment and Supplies Acquired with Title I or Federal Grant Funds. The School may retain, sell, or otherwise dispose of equipment acquired with federal funds. However, the School shall contact the awarding agency for disposition instructions before it sells any equipment with a per unit value of greater than \$5,000 because the awarding agency may have a right to a portion of the proceeds of the sale. State law may dictate the procedures that must be followed or otherwise place restrictions on the ability of the School to sell the property.

Disposal of Equipment Provided by a Federal Agency. The School shall only dispose of federal equipment pursuant to instructions provided by the federal agency that provided the equipment, or should the assets or equipment be under a value or value per unit as applicable under the rules of the federal agency, then the School may dispose of the equipment or asset as if it was not acquired with federal grant funds.

2 C.F.R. 200.

See also Policy 148.8 Federal Grants Procurement, Monitoring, and Administration.

148.3 Audit Committee

The Board shall establish an audit committee which shall consist of one of the following: the entire Board membership, or, a minority of the Board membership, or, a minority of the Board membership and any outside consultants of the Board's choice. At least one member of the audit committee shall possess knowledge in the areas of accounting, auditing, financial reporting or school finance. The audit committee shall serve a one-year term and meet as often as necessary to carry out its responsibilities. Members of the audit committee shall attend to their responsibilities in good faith, and in a manner they reasonably believe to be in the best interests of the School.

The purpose of the audit committee is to ensure that both external and internal audit functions and other accountability issues receive adequate oversight. The audit committee's responsibilities include, but are not necessarily limited to, a review of the annual unaudited financial reports submitted to the Auditor of State; a periodic review of the interim financial information submitted to the Board; a review of all audit results; an assurance that audit recommendations are appropriately addressed; serving as a liaison between School management and the independent auditors. Any recommendations of the audit committee shall be presented to the Board and responsibility for official action remains with the Board.

OAC 117-2-05

148.4 Independent Contractor

For purposes of this policy, independent contractors are individuals who provide services to the School who are not treated as employees of the School for purposes of withholding federal employment and income taxes.

The School may contract with an independent contractor for a service if none of the School's employees are qualified to provide the service, or, if having Employees perform the service would interfere with the daily operations of the School, or, if the Board of Directors of the School or its authorized designee deems it in the best interest of the School.

The School shall maintain a list of the independent contractors with whom it has contracted.

To the extent required by law, the School shall issue a 1099 Form to each independent contractor reporting the amount paid to the contractor and file the form with the appropriate governmental agency(ies).

In contracting for services with any independent contractor, the School shall enter into a written contract on or before the date the independent contractor begins to provide services under the contract if the amount payable under the contract is \$600.00 or more. The contract shall specifically describe the services that the independent contractor will provide under the contract.

The School shall obtain a W-9 form from the independent contractor at the time the contract is executed.

Subject to the terms of the contract, the School shall require that the independent contractor substantiate that the services have been performed before the School shall remit payment for the services.

No independent contractor shall be paid as an employee on a W-2 form. If any state retirement system decides that School must pay into its system on behalf of a contractor, such funds will be deducted from the gross pay to the contractor.

All employees of independent contractors providing "essential school services" to the School must fulfill one of the following conditions:

1. The independent contractor has provided proof that it has requested a criminal records check, including an FBI check, within the five-year period prior to the date on which the person will begin working in the School and the records check indicated that the person had not been convicted of or pleaded guilty to an offense that would disqualify the person for employment with the School;

OR

2. During periods of time when the employee of the independent contractor will have routine interaction with a child or regular responsibility for the care, custody or control of a child, an employee of the School has been assigned to be present in the same room as the child or, if outdoors, to be within a 30-yard radius of the child or to have visual contact with the child.

The Principal or his/her designee is responsible for ensuring that employees of independent contractors have successfully completed a criminal records check or will be supervised when they have access to children.

The Principal has specified that “essential school services” are necessary services that would need to be provided by Employees if the services were not provided by an independent contractor (such as food, janitorial or clerical services).

IRC 6041; R.C. 3314.41

148.5 Annual Financial Report

The School shall file an annual financial report, which must be prepared using generally accepted accounting principles. The report must contain the following:

1. The amount of collections and receipts, and accounts due from each source;
2. The amount of expenditures for each purpose;
3. The income of each public service industry owned or operated by a municipal corporation, and the cost of such ownership or operation (if applicable); and
4. The amount of public debt of each taxing district, the purpose for which each item of such debt was created, and the provision made for the payment thereof (if applicable).

The School must prepare two copies of the report. The original must be filed with the auditor of state at "Auditor of State, Local Government Services Division, 88 East Broad Street, Columbus, Ohio 43216-1140" or "Post Office Box 1140, Columbus, Ohio 43216-1140" and the copy must be retained by the School's fiscal officer. The report must be filed either in paper form or electronically in a manner and format prescribed by the auditor of state and must be filed within one hundred and fifty (150) days after the close of the fiscal year. At the time the report is filed with the auditor of state, the School's fiscal officer must publish notice in a newspaper of general circulation in the political subdivision or taxing district.

R.C. 117.38; OAC 117-2-03.

148.6 Credit Cards

For purposes of this policy, credit cards are defined to include business check cards and debit cards. The Board recognizes the convenience and efficiency afforded by the use of School credit cards. A credit card shall not be used in order to circumvent the general purchasing procedures established by State law and Board policy. The Board affirms that credit cards shall only be used in connection with Board-approved or School-related activities and that only those types of expenses that are for the benefit of the School and serve a valid and proper public purpose shall be paid for by credit card. Any changes to credit card terms requiring consumer authorization, including changes to credit limits, shall be approved by the Board. As such, employees are required to abide by the following guidelines when using a School credit card.

1. All credit cards issued to and in the name of the School shall be held and supervised by the Principal.
2. Subject to the discretion of and the approval of the Principal, credit cards may be used for eligible goods and services including:
 - a. Transportation reservations and expenses.
 - b. Conference registrations.
 - c. Hotel reservation guarantees and expenses.
 - d. If monies are budgeted and deposited with the Principal in advance, credit cards may be used by Employees for student trips and competitions for safety and security reasons.
 - e. Reasonable real expenses, including a maximum gratuity of twenty percent (20%), but excluding alcoholic beverages, since the purchase of such beverages clearly fails to serve a valid and proper public purpose.
 - f. Purchases from vendors who do not accept purchase orders or vouchers, with prior approval from the Principal.
 - g. Other purchases approved by the Principal on a case-by-case basis.
3. Credit cards shall not be used for personal purchases or expenditures not allowed under this guideline. In particular, credit cards shall not be used for expenses that are not incurred in connection with Board-approved or School-related activities, are not for the benefit of the School, and do not serve a valid and proper public purpose. Use of credit cards in an unauthorized or illegal manner may result in revocation of credit card privileges, disciplinary action and/or, where appropriate, may require the user to pay any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase.
4. The Principal shall establish limits on the total dollar amount that an employee may incur as a part of any individual transaction based on the Principal's good faith estimate of the purchase or expense, which shall be approved or ratified by the Board of Directors.
5. Employees requiring the use of a School credit card shall request in writing such card

from the Principal, which shall include a signed statement that the requesting employee has read this policy, and understands and agrees to abide by its terms.

6. The School is a nonprofit instrumentality of the State of Ohio. Tax exemption forms shall be utilized and are available in the Principal's office.
7. Upon receipt of a School credit card, employees shall:
 - a. Inform merchants that the purchase is for "Official School Business" and is not subject to State or local sales tax. However, if the merchant fails to waive the tax, the employee shall pay it. For large purchases where the merchant refuses to waive the tax, the employee shall present a tax exemption form.
 - b. Maintain credit cards in a secure fashion and prevent unauthorized charges to the account.
 - c. Maintain sufficient documentation of all purchases, including, but not limited to, charge receipts, original cash register slip or other detailed receipt, and invoices.
 - d. Provide documentation of all purchases to the Principal in a timely manner to ensure prompt payment.
 - e. Immediately notify his or her immediate supervisor and the Principal if the card is lost or stolen.
 - f. After use, School credit cards are to be returned to the Principal, along with appropriate receipt copies of all charges.
 - g. Upon receipt of the appropriate documentation, credit card expenditures will be paid through the Principal's Office.
 - h. The Principal or his/her designee will monitor the credit card account(s) and reconcile all credit card accounts on a monthly basis. A report will be a part of the monthly Cash Activity Report reported to the Board.
 - i. If the employee is terminated or resigns, he or she must return the credit card and shall remain responsible for any inappropriate use.
8. Failure to turn in receipts and appropriate forms to the Principal within five (5) business days may result in the charges being deemed unrelated or unsubstantiated. This amount will then be charged back to the user.
9. Credit Cards shall never be used for any cash withdrawal transactions or advances from a financial transaction device or automated teller machine ("ATM"), or to obtain any cash back on a credit card transaction.

See also Policy 148.1 Purchasing/Invoicing.

148.7 Staff Reimbursement

Expenses which are incurred by professional staff members as a result of authorized travel for the School will be reimbursed to the extent provided for in these guidelines. Reimbursement is intended to provide for transportation, lodging, and food of reasonable and adequate quality. When traveling on School business, a professional Staff member is expected to use the same care in incurring expenses that a prudent person would exercise if traveling on personal business, and reasonable efforts will be made to reimburse actual expenses. Excessive costs, such as those caused by circuitous routes or luxury services or accommodations, will not be considered prudent, nor will they be accepted for reimbursement. No charges for alcoholic drinks will be reimbursed. Rental cars must be economy rentals unless approved in advance by the Treasurer as otherwise necessary or prudent.

Authorization and Procedure: When travel is expected, a requisition form should be completed and approved by the Superintendent at least ten (10) days prior to the date a decision is needed. This request should detail all estimated expenditures.

Reimbursement: Reimbursement will be at the current approved IRS rate if driving on School business. If transporting students to competition or trips, Staff volunteers will be reimbursed actual expenses, documented by receipt, or at the IRS Approved Charitable Rate.

A Travel Reimbursement Form must be completed and signed by a supervisor. All claims must be supported by original receipted bills. Reimbursement for reasonable charges for tolls and parking will be made upon presentation of supporting receipts.

Other Reimbursement: Staff must follow all rules concerning purchasing and School credit card use. If Staff otherwise personally advances money on behalf of the School, it does so completely at its own risk of non-reimbursement, provided however, the Board is authorized to reimburse such advances only if it finds that the expenditure was made without adequate opportunity for prior approval, or was an emergency and advanced as a necessity, for the benefit of the School. All reimbursements must be supported by detailed receipts.

Staff cannot be reimbursed for any expense if the Staff member received a benefit through a rewards program for that expense. Rewards programs allow users to earn rewards based on how much money they spend. Examples of rewards programs include, but are not limited to, frequent flier miles, grocery store loyalty card programs, and hotel free night programs. This prohibition includes rewards programs tied to credit cards and loyalty customer cards.

Ohio Ethics Comm. Advisory Opinion No. 91-010

See also Policies 395 Purchasing Policies and 395.1 Purchase of Supplies and Materials, Equipment.

148.8 Federal Grants Procurement, Monitoring, and Administration

In addition to the applicable policies set forth elsewhere in this manual, the following policies shall apply when the School expends federal grant funds to purchase property or obtain services, including but not limited to, purchases made under the School food service and nutrition programs.

- A. Competition. To the extent required by law, the School shall use procurement methods that provide for full, free, and open competition and comply with the federal procurement regulations. If the School solicits bids or competitive proposals to secure property or services, the School shall award the contract to the party whose bid or proposal, after considering all appropriate facts, is most advantageous to the School.

The School shall exclude from competition for procurements any contractor that develops or drafts specifications, requirements, statements of work, or invitations for bids or requests for proposals.

Unless allowed by law, the School shall not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals.

- B. Code of Conduct. No employee, officer, or agent of the School shall participate in selecting, awarding, or administering a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. A conflict arises when the employee, officer, or agent, a member of his/her family, his/her partner, or the employer or prospective employer of any of the above-mentioned individuals has a financial or other interest or a tangible personal benefit from the company selected to be awarded the procurement contract.

No employee, officer, or agent of the School may solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. Any gratuities, favors, or anything of monetary value includes money and every other thing of value, meaning having more than a de minimis or nominal worth.

All employees, officers, or agents of the School must disclose in writing any potential conflicts of interest, whether real or apparent, to the School prior to participation in the selection, award, or administration of a contract supported by a federal award.

The School shall not conduct any procurement action involving a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, if the School would be unable or appear to be unable to be impartial in that procurement action.

Any employee, officer, or agent of the School found to have violated this Code of Conduct or any other applicable ethics laws or regulations will be immediately excluded from further participation in the selection, award, or administration of the contract supported by a federal award and may be subject to disciplinary actions, up to and including termination. The School shall promptly report any violation of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting a federal award to the awarding federal agency and specify any corrective action taken by the School.

Nothing in this policy shall be read to alter the obligations and restrictions on public officials pursuant to Ohio Revised Code Chapters 3314 and 102, and Section 2921.42-.44 as applicable to community schools.

C. Procurement Procedures. To the extent required by law:

1. The School shall review any proposed procurement to avoid purchasing unnecessary property or services. The School shall avoid purchasing duplicative items.
2. Before acquiring an item, the School shall compare the advantages of leasing and purchasing property, purchasing surplus property, or sharing services where permitted by law in order to determine the most economical approach. The School shall also consider consolidation or breaking out procurements to obtain more economical purchases.
3. Prior to accepting bids or proposals, the School shall make independent estimates of cost and price. The School shall conduct a cost or price analysis in connection with every procurement transaction and procurement contract modification, including those over the Simplified Acquisition Threshold. This shall include making independent estimates before receiving bids or proposals.
4. The School shall ensure that its solicitations for goods and services contain clear and accurate descriptions and technical requirements of the goods and services sought, all factors to be used in evaluating bids or proposals, and provide any other information required under the applicable federal regulations. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The School shall not require brand name products unless the brand name is specified as a means to define the performance or other salient requirements of procurement.
5. The School shall attempt to ensure that the parties with which it contracts are responsible and capable of fulfilling the terms and conditions of the contract. The School shall give consideration to the contractor's integrity, compliance with public policy, record of past performance, and financial and technical resources.
6. The School shall only use time and material type contracts after a determination that no other contract is suitable and, if a contract includes a ceiling price, the contract must specify that the contractor exceeds the ceiling at its own risk.
7. The School shall create and maintain records that document the procurement process that the School followed in each procurement transaction, including the rationale for utilizing the selected procurement method, the selection of contract type, the basis for awarding or rejecting the contract, the justification for lack of competition if competitive bids or proposals are not sought, and the basis for the award cost or price.
8. The School shall make its procurement records available for review upon request by the awarding federal agency or pass-through entity.
9. Before deciding to use grant funds to host or attend a meeting or conference, the School shall ensure that the meeting or conference is (a) consistent with the School's approved grant application, (b) necessary to achieve the goals and objectives of the grant, and (c) for purposes of disseminating technical information, and (d) that the School has used only the grant funds

necessary to accomplish legitimate meeting and conference business.

10. Whenever practicable, the School shall utilize lower cost alternatives in lieu of attending meetings or conferences.
 11. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents relating to the use of federal grant funds for procurement purposes, the School shall state the percentage of the total cost funded by federal money, the dollar amount of federal funds available for the project or program, and the percentage and dollar amount of the total cost of the project or program financed by non-governmental sources.
 12. The School shall comply with the Buy American provision in 7 CFR Parts 210 and 220 for all solicitations and contracts that involve the purchase of food. The School must ensure that such solicitation and contract language includes the requirement for domestic agricultural commodities and products to the maximum extent practicable, and must retain records documenting any exceptions. The School will include a requirement for certifying the domestic percentage of the agricultural food component of commodities and products, and will monitor contractor compliance.
 13. The Principal and Treasurer, working in conjunction, or their designee shall be responsible for determining a relevant dollar threshold; crafting all solicitations, which shall include “Buy American” provisions and small-business/minority-owned business/women enterprise language; determining the appropriate method of procurement; obtaining quotes, bids or proposals.
- D. Contract Provisions. Procurement contracts shall, at minimum, include the terms and conditions that are required by the applicable federal procurement regulations, including all necessary terms as required by the Trafficking Victims Protection Act of 2000 (TVPA). To the extent required by law, the School shall require that the person awarded a contract satisfy the bonding requirements set forth in the applicable federal regulations and shall comply with the TVPA and its corresponding regulations.
- E. Contract Administration. The School shall delegate to one or more school employee the responsibility for administering all procurement contracts and ensuring that the party awarded the contract satisfies the terms, conditions, and specifications of the procurement contract or purchase order.
- F. Small/Minority/Women Businesses. The School shall take affirmative steps to contract with small businesses, minority-owned firms, and women’s business enterprises when possible. The School shall also require a contractor, if it subcontracts, to take affirmative steps to contract with small businesses, minority-owned firms, and women’s business enterprises when possible.
- G. Dispute Resolution. Any issues related to the procurement contract and administrative procedures, including source evaluation, protests, disputes, and claims, will be resolved according to the following dispute resolution procedures, and the School will disclose information regarding the dispute to the appropriate federal officials. Any grievant must file a written complaint requesting an opportunity to be heard by the Governing Board or the Board’s designee. The Board or its designee will review any information presented and provide a

written decision within a reasonable time. If the grievant is not satisfied with this decision, the matter shall be submitted to a qualified mediator for mediation. The parties will make every attempt to resolve such disputes through mediation and shall equally split all fees or costs of any third party mediator.

If the School suspects or determines that the contractor has likely violated local, state, or federal law, the School will refer the matter to the proper authority having jurisdiction over the matter.

H. Time and Materials Contracts. The School may use a contract whose cost to the School is the sum of the Actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit, but only:

1. After a determination that no other contract is suitable; and
2. If the contract includes a ceiling price that the contractor exceeds at its own risk.

I. Debarred, Suspended, or Ineligible Contractor. The School shall not award contract to parties that have been debarred, suspended, or otherwise excluded from or are ineligible for participation in Federal assistance programs and activities pursuant to the federal System for Award Management available at www.sam.gov.

The school shall verify that the contracting party is not excluded or disqualified by checking the federal system for award management, collecting a certification from the contracting party, or adding a clause or condition to the covered transaction with the contracting party.

J. Federal Grant Administration. The School shall ensure that these procedures are followed with respect to all federal grant applications submitted by the School and all federal grants that are awarded to the School.

1. Monitoring Grant Applications. The School shall delegate to one or more persons the responsibility for monitoring all pending federal grant applications, and that person or persons shall provide the Board with a report on the status of all federal grant applications at each regularly scheduled Board meeting.
2. Monitoring Grant Expenditures. The School shall delegate to one or more persons the responsibility for monitoring federal grant expenditures, and that person or persons shall provide the Board with a report on the expenditures made from each federal grant at each regularly scheduled Board meeting.
3. Final Expenditure Reports. The School shall delegate to one or more persons the responsibility for reviewing all final expenditure reports for each federal grant that the School was awarded, reconciling the report(s) with the School's financial records, and ensuring that the final expenditure report for each federal grant is complete and accurate.

4. Maintenance of Procurement Records. The Treasurer or his or her designee shall be responsible for maintaining records sufficient to detail the history of all procurements, including small purchases. For example, solicitation documentation and responses, records of the evaluation process, records of the rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price, the contract and any amendments or modifications, and supporting documentation such as receipts or invoices.

2 C.F.R. 200; 2 C.F.R. 175.15; 7 C.F.R. 210; 7 C.F.R. 220.

See Appendix 148.8-A Methods of Procurement Using Federal Grant Funds, Appendix 148.8-B Procurement Procedure for Soliciting Small/ Minority/ Women Owned Businesses and Labor Surplus Firms, Appendix 148.8-C Child Nutrition Programs Procurement. See also Policy 114 Ethics and Conflicts Policy, Policy 148.2 Fixed Asset Policy/Title I and Federal Grant Assets Policy, Policy 149 Use of Cellular Telephones and Other Wireless Technologies, and Policy 205 Program Assessment.

148.9 Investments

It is the policy of the Board to invest public funds, gifts, donations, or other monetary assets in a manner that will provide the investment return with the maximum security, safety, and preservation of principal, while meeting any cash flow demands of the School. Investments shall be made with the judgment and care that a reasonable person of prudence would exercise in the management of his/her own affairs.

The fiscal officer, in consultation with the Finance Committee of the Board, if any, shall inform the Board of the degree of risk, potential and likely returns, and security and safety of an investment. If the investment is a gift or donation and is already invested in a particular manner, the fiscal officer and/or Finance Committee shall review the investment and report to the Board a recommendation as to whether to accept, re-invest, alter, sell, or otherwise manage the investment. The fiscal officer shall inform the Finance Committee and the Board in a timely manner about any adverse development in an investment.

The fiscal officer is the investment officer of the School and is charged with the responsibility for the purchase and sale of investments and the carrying out of this investment policy. Acting in accordance with this policy and adherence to the prudent personal standard expressed in this policy shall relieve the fiscal officer of personal responsibility.

148.10 Cost Principles and Financial Management for Use of Federal Funds

Federal grant awards will be administered efficiently and effectively through the application of sound management practices consistent with federal, state, and local laws, including the federal Uniform Grant Guidance, and any underlying grant agreements.

Financial Management

Grant funds must be managed in compliance with all applicable federal, state and local laws and rules as well as the terms of any federal grant award.

The School shall do all of the following:

1. Identify in its accounts all federal award funds received and expended and shall specify the federal program under which those awards were received. Whenever applicable information is available, accounts must include the Catalog of Federal Domestic Assistance (“CFDA”) title and number, the federal award identification number and year, the name of the awarding federal agency, and the name of the pass-through entity.
2. Make accurate, current and complete disclosures of the financial results of each federal grant award as required by the terms the award.
3. Maintain records that adequately identify the source and application of funds used for federally funded activities. Records must contain information about the awards, authorizations, obligations, unobligated balances, assets, expenditures, income and interest and shall be supported by source documentation.
4. Exercise control over and accountability for all funds, property and other assets purchased with federal funds. All assets shall be safeguarded and the School shall assure that they are used only for authorized purposes.
5. Regularly compare expenditures with budget amounts for each federal award.

Cost Principles

All costs must conform to any limitations or exclusions set forth in the federal award. Costs must be accorded consistent treatment. The School shall only assign a cost to a federal award as a direct cost when no other cost incurred for the same purpose in like circumstances has been allocated as an indirect cost. Costs shall not be included to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period.

Costs shall be determined in accordance with generally accepted accounting principles (“GAAP”) and shall be consistent with policies and procedures that apply uniformly to both federally-financed and non-federally financed activities.

All costs must be adequately documented and shall be necessary, reasonable and allocable to the performance and administration of the relevant federal award. A cost must be allocable to a particular federal award or other cost objective if the goods or services in accordance with relative benefits received.

Costs must be reasonable in both the nature and amount. The following shall be considered when to determine if a cost is reasonable:

1. Whether the cost is a type recognized as ordinary and necessary for the School's operation or for the proper and efficient performance of the federal award;
2. Applicable restraints imposed on the cost, including sound business practices, arm's-length bargaining, relevant federal and state laws and rules, and terms and conditions of the awards;
3. Market prices for comparable goods and services for the geographical area;
4. Whether individuals authorizing the cost acted prudently when considering the costs; and
5. Whether the cost amounts to a significant deviation from established School practices that may unjustifiably increase costs.

Payments

Methods of payments utilized by the School must minimize the time elapsing between the transfers of funds to and from vendors. Any funds drawn in advance must be as close in time to the actual related expenditure as feasible.

Compensation

Employee or contractor compensation, including wages, salaries and fringe benefits, shall be permitted to the extent that:

1. The rate of compensation is reasonably consistent with (a) compensation paid for similar work in other activities by School employees or contractors, if any, or (b) compensation for similar work in the labor market; and
2. Compensation is supported by records that accurately reflect the work performed.

The School shall comply with all requirements to document the time and effort of personnel whose compensation is funded in whole or in part using federal grant funds. Reports must provide reasonable assurances that personnel charges are accurate, allowable and properly allocated. Time and effort reports shall be maintained by the School and shall comply with the School's established accounting practices.

Travel payment and reimbursement provided from federal funds must include documentation that demonstrates that the participation of the individual is necessary to the federal award and the costs are reasonable and consistent with the School's policies.

Uniform Grant Guidance, 2 C.F.R. 200 et seq.; 2 C.F.R. 200.302; 2 C.F.R. 200.305; 2 C.F.R. 200.430; 2 C.F.R. 200.431.

See also **Policy 148.2 Fixed Asset Policy/ Title I and Federal Grant Asset Policy** and **Policy 148.8 Federal Grants Procurement, Monitoring, and Administration.**

SECTION 150

ADMINISTRATION/PROGRAM/SCHOOL POLICIES

[Insert Mission Statement]

SECTION 2:
PROGRAM AND STUDENT POLICIES

SECTION 200

PROGRAM OPERATION

The School recognizes that having Parents and foster caregivers of Students actively involved in Students' education promotes Student success in educational efforts. This involvement of Parents and foster caregivers is likely to bring about overall improvements in academic achievement and encourage positive Student behavior.

In order for our faculty and staff to effectively educate our children, we welcome our Parents and foster caregivers as partners. Parents and foster caregivers are strongly encouraged to participate in a variety of activities and forums that will support our Students academically and add to the vitality of our school.

Parents and foster caregivers will be expected to participate in regularly scheduled status reviews and to sign an agreement with the School confirming their commitment to the educational success of their child. A status review is a formally scheduled conversation between faculty and Parents/foster caregivers in order to discuss their Student's development and progress. Parents and foster caregivers will be required to confer with faculty about their child's social and academic achievement on a regular basis, as scheduled by the School on the School calendar. Parents should attend status reviews in order to receive written report cards. The School also encourages Parents to initiate conferences about their questions and concerns with the Principal or his/her designee and/or faculty members.

The School further encourages Parents and foster caregivers to do the following:

1. Engage in consistent and meaningful communication with the School, including active participation in any parent-teacher conferences/ status reviews;
2. Prioritize Student learning in both the School setting as well as at home;
3. Be aware of School policies, procedures and curriculum and contribute in order to promote the improvement of the School;
4. Participate in School activities where appropriate, including through efforts as a volunteer; and
5. Support and reinforce Student learning at home.

The School will make available information regarding the School's policies, procedures, programs, and curriculum in both in a format and language that is understandable to Parents and foster caregivers.

R.C. 3313.472

203.1 Parent and Family Engagement in Title I Programs

In accordance with the requirements of Federal law, programs supported by Title I funds must be planned and implemented in meaningful consultation with Parents and family members (family) of the students being served. Accordingly, the School establishes this parent and family engagement policy, which will be reviewed and approved annually by the Board and distributed to family of children receiving Title I services. The School will address and strive to achieve the following:

- A. involve family in the development of the School's Title I plans and in the development of support and improvement plans, if necessary;
- B. provide coordination, technical assistance, and other support necessary to plan and implement effective family involvement activities;
- C. coordinate and integrate family engagement strategies, to the extent feasible and appropriate, with other federal, state, and local laws and programs;
- D. in consultation with family, annually evaluate the content and effectiveness of the parent and family engagement policy in improving the academic quality of schools, including:
 1. identifying barriers to greater family participation;
 2. identifying the needs of family to assist with the learning of their children;
 3. identifying strategies to support successful school and family interactions; and
 4. designing evidence-based strategies for more effective family involvement based on the findings of the annual evaluation, and revising the parent and family engagement policy, if necessary;
- E. provide opportunities for the informed participation of family who are English language learners, family with disabilities, and family of migratory children, including providing information and school reports in a format, and to the extent practicable, in a language such family can understand;
- F. conduct meetings with family including provisions for flexible scheduling and assistance to family to better assure their attendance at meetings;
- G. develop agendas for family meetings to include review and explanation of the curriculum, means of assessments, and the proficiency levels students are expected to achieve and maintain;
- H. communicate information concerning school performance profiles and their child's individual performance to family;
- I. assist family in helping their children in achieving the objectives of the program by such means as ensuring regular attendance, monitoring television-watching, providing adequate time and the proper environment for homework; guiding nutritional and health practices, and the like;
- J. provide timely responses to family questions, concerns, and recommendations;
- K. conduct other activities as appropriate to the Title I plan and state and federal requirements.
- L. convene an annual meeting at a convenient time to which all family of participating children are invited and encouraged to attend to explain the parents' rights to be involved and the school's obligations to develop a parent and family engagement plan. The School-

Family Compact will be given to parents prior to school opening. It describes how the staff, family, and students will share the responsibility for improving student achievement. See **Appendix 203.1-A**;

- M. provide materials and training to help family work with students to improve achievement;
- N. educate teachers, specialized instructional support personnel, school leaders, and other staff, with the assistance of family, about the value and utility of contributions of family, how to reach out to, communicate with, and work with family as equal partners, how to implement and coordinate family programs, and how to build ties between families and the school;
- O. consider training family to enhance the involvement of other families;
- P. consider establishing a family advisory council to provide advice on all matters related to family engagement programs; and
- Q. develop appropriate roles for community-based organizations and businesses in family engagement involvement activities.

The School shall reserve at least one percent of its Title I funds to carry out the activities described in this section, unless one percent constitutes less than \$5,000.00, in which case the School is not required to reserve a specific amount.

20 U.S.C. 6318 et seq.

203.2 Title I and Parent's Right to Know

In accordance with the requirement of Federal law, if the School receives Title I funds the School shall notify all parents that they may request, and the School will provide in a timely manner, the following information on the student's classroom teachers:

- A. whether the teacher(s) have met the State requirements for certification or licensure for the grade levels and subject areas in which they teach;
- B. whether the teacher(s) is teaching under any emergency or provisional status through which the State requirements have been waived;
- C. whether the teacher(s) is teaching in the field of discipline of their certification; and
- D. whether any paraprofessionals are providing services to their child(ren) and the qualifications of those paraprofessionals, where applicable.

In addition, the parents shall be provided:

- A. information on the level of achievement and academic growth of their child(ren), if applicable and available, on the required State academic assessments; and
- B. timely notice if the student is assigned to, or has been taught for more than four (4) consecutive weeks by, a teacher who does not meet applicable State requirements at the grade level and subject area in which the teacher has been assigned.

Testing Transparency

If the School receives Title I funds, the School shall notify all parents of students that they may request, and the School will provide in a timely manner, information about the School's policy regarding student participation in any required assessments, including the School's policy and/or procedure for the parent to opt the child out of such assessment, where applicable and permitted by federal and state law.

The School shall make publicly available information about all State-required assessments and, if such information is available and feasible to report, any assessments required by the School, for each grade served. Such information shall be posted in a clear and easily accessible location on the School's website or, if the School does not operate a website, the School shall post the information in a clear and easily accessible location in the building. Information about assessments shall include:

- A. the subject matter assessed;
- B. the purpose for which the assessment is designed and used;
- C. the source of the requirement; and
- D. if available, the amount of time students will spend taking the assessment, the schedule for the assessment, and the time and format for disseminating results.

The notices and information shall be provided in an understandable and uniform format, and to the extent practicable, in a language the parent(s) understand.

20 U.S.C. 6312(e); R.C. 3319.074.

See Appendix 203.2-A Parent's Right-to-Know Letter and Appendix 203.2-B Letter to Parent Regarding Instruction Provided by Teacher that Does Not Meet State Qualification Requirements. See also Policy 204.11 Assistance to English Language Learners and Immigrant Students and Policy 241.1 R.C. 3314.041 Notice

204.11 Assistance to English Language Learners and Immigrant Students

If the School receives Title I or Title III funds to provide a language instruction educational program, then not later than thirty (30) days after the beginning of the school year, the School shall notify Parents of English language learners (“ELL”) who are participating in or identified to participate in such a program of the following:

- A. the reasons for the child’s identification as an ELL in need of placement in a language instruction educational program;
- B. the child’s level of English proficiency, how such level was assessed, and the status of the child’s academic achievement;
- C. the methods of instruction used in the program or in other programs available to the child, including how those programs differ in content, instructional goals, and the use of English and a native language in instruction;
- D. how the program will meet the educational strengths and needs of their child;
- E. how the program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
- F. the specific exit requirements for the program, including the expected rate of transition from the program into non-ELL classrooms, and the expected rate of graduation from high school (including four-year and extended-year adjusted cohort graduation rates for such program) if Title I or Title III funds are used for high school students;
- G. in the case of a child with a disability, how the program meets the objectives of the child’s individualized education program;
- H. information about the parent’s rights to remove their child immediately from the program upon request, to decline to enroll their child in the program or to choose another program or method of instruction, if available, and to select from among various programs and methods of instruction with the assistance of the School, if multiple programs or methods are offered by the School.

If the School identifies a student as an ELL during the school year, the School shall provide the above-listed notifications to the parents within two weeks of placing the child in a language instruction educational program. A student shall not be admitted to or excluded from any such program or other federally funded program on the basis of surname or language-minority status.

Each School receiving Title I funds shall implement an effective means of outreach to parents of ELLs to inform the parents how they can be involved in the education of their children and be active participants in assisting their children to attain English proficiency, achieve at high levels within a well-rounded education, and meet the challenging State academic standards expected of all students. Such outreach must include holding, and sending notice of opportunities for, regular meetings for the purpose of developing and responding to recommendations from parents of students assisted under Title I or Title III.

All required notices and information shall be provided in an understandable and uniform format and, to the extent practicable, in a language the parent understands.

In order to obtain funding under Title III, federal law mandates that the School improve the education of its ELL and immigrant students by assisting the children to learn English and meet the state's academic standards. The School will use effective approaches and methodologies for teaching ELL and immigrant students.

The School shall implement an ELL plan to ensure that its programs are serving ELL students effectively. The ELL plan shall set forth affirmative steps that the School will take to rectify the language deficiency of its ELL students and to open its instructional program to these students. The steps shall include identifying and assessing students who need assistance; developing a program which, in the view of experts in the field, has a reasonable chance for success; ensuring that necessary staff, curricular materials, and facilities are in place and used properly; developing appropriate evaluation standards, including program exit criteria, for measuring the progress of students; and assessing the success of the program and modifying it where needed.

In implementing its ELL plan, the School may refer to Appendix 204.11-A which contains guidelines issued by the Ohio Department of Education for the Identification and Assessment of Limited English Proficient Students. The School may also utilize the form, included therein, to identify students whose home/native language is not English, to assess their English language, and to assist with the placement of students in an appropriate educational program.

The School shall comply with Title VI regulations that require a school to avoid discrimination on the basis of national origin in its programs and activities. To this end, the School shall provide any alternative language programs necessary to ensure that ELL students have meaningful access to the School's programs.

20 U.S.C. 6312(e); 20 U.S.C. 6825(a); Title VI of the Civil Rights Act of 1964; Lau v. Nichols, 414 U.S. 563 (1974).

See Appendix 204.11-A Guidelines for the Identification and Assessment of LEP Students.

204.13 College Credit Plus – Advanced Standing Program

College Credit Plus. The School recognizes the value to Students and to the School for participation in programs offered by accredited colleges and universities and shall offer high school Students (grades 9 through 12) and middle school Students (grades 7 through 8) opportunities to earn academy credit for both high school and college. “College Credit Plus” (the “Program”) enables Students to earn credit toward a degree from an institution of higher education while enrolled in high school.

High school Students (grades 9 through 12) and middle school Students (grades 7 through 8) may participate in the Program, so long as the student meets the following eligibility requirements:

1. Applies to a public or participating private college, or eligible out-of-state college participating in the Program, consistent with the college’s admissions procedures, and meet all college or program’s established standards for admission, enrollment, and course placement;
2. Is remediation-free, in accordance with the most recent Uniform Statewide Standards for Remediation-Free Status;
3. Has a cumulative grade point average at the School of at least a 3.0, or its equivalent for students in middle school; and
4. Receives a recommendation from the Principal, or School Counselor or Career-Technical Program Advisor, if any.

A student determined by the School to be an “underperforming student” may be limited in his or her participation or excluded from participation in the Program. Underperforming students mean a student who either (1) has a cumulative grade point average below 2.0 in the college courses taken through the Program, or (2) has withdrawn from or received no credit for two or more courses in the same term.

Underperforming students shall be placed on Program probation and shall only be permitted to enroll in one college course at a time, provided however that the course is not one in the same subject as a course in which the underperforming student previously earned a grade of “D” or “F” or received no credit. An underperforming student registered for more than one college course at the time of being placed on probation will be permitted to dis-enroll from any courses prohibited by his or her probationary status. A student who fails to dis-enroll from such a course will be responsible for all tuition, fees, and textbook costs and shall be dismissed from the Program for the following term. An underperforming student may be removed from Program probation and permitted to participate in the Program without restrictions if he or she achieves a cumulative grade point average of 2.0 or better. If a student on Program probation does not raise his or her cumulative grade point average to a 2.0 or higher, the School shall dismiss the student from the Program for the following term. A student who has been dismissed from the Program shall dis-enroll from any additional Program courses, or shall be responsible for all tuition, fees, and textbook costs and shall be dismissed from the Program for an additional term. The School will promptly notify the student, his or her parent, and all relevant institutions of higher education of the student’s status as underperforming and his or her probation or dismissal from the Program. A student dismissed from the Program or prohibited from taking a particular Program course may appeal the School’s decision to the Governing Authority, which shall consider any extenuating circumstances separate from academic performance that may have affected the student’s Program performance. Appealing student’s must

request an appeal within five (5) business days of the notice of probation or dismissal and the Governing Authority shall issue a decision on the student's appeal within ten (10) business days of the appeal. The decision of the Governing Authority shall be final.

A student dismissed from the Program shall be permitted to return to the Program on probation OR without restrictions [check one] if the student has demonstrated adequate academic achievement or progress to the satisfaction of the Principal or his or her designee. Academic progress includes improved course grades, an increased grade point average, academic advancement as demonstrated by teacher feedback, a review of the student's entire high school and college academic record, and any other academic progress factor deemed pertinent by the Principal or his or her designee. Failure to make adequate academic progress will result in an extension of the student's dismissal from the Program.

A Student participating in the Program shall elect one of two basic tracks: Option A – Elect to receive only college credit, in which case the cost of attending the college courses is borne entirely by the Student and his/her Parent; or, Option B – Elect to receive both college and high school credit, in which case the Student and his/her Parent may elect for participation to either (1) be subsidized by direct payments to the college out of the School's foundation funds or (2) be borne entirely by the Student and his/her Parent(s). If the School provides its own transportation to students, reimbursement for transportation costs may be available.

Prior to participating in the Program, a Student shall be provided with specific information and counseling designed to make the Student aware of the possible risks and benefits of the Program. The School shall provide information on the program to Students in the grades prior to the years of eligibility on or before February 1, at minimum, through a notice provided to Students annually (see **Appendix 204.13-B**). All communications sent to Students and Parent(s) related to academic planning shall include information on the Program. Information shall also be made available on the School's website. The School shall hold at least one informational session per year in conjunction with each participating college within a thirty (30) mile radius of the School. If no participating colleges are within a thirty (30) mile radius, the School shall partner with the closest participating college to offer an informational session. This informational session must occur between October 1 and February 15. The School may coordinate with other schools in the area to hold informational sessions.

A Student wishing to participate in the Program shall give notice to the School between February 15 and April 1. If notice is received after April 1, the Student must obtain the written consent of the Principal in order to participate. If the Principal refuses to give written consent, the Student may appeal the Principal's decision to the School's Board of Directors or its designee. All appeals must be filed within fourteen (14) days of the Principal's decision. The Board of Directors shall hold a hearing and make a final decision regarding the student's participation in the Program within thirty (30) days of receiving the student's notice of appeal. The Board's decision to either grant or deny the student's request to participate in the Program shall be final. Students wishing to participate in the Program during the summer term must also comply with the April 1 deadline for notice, but are strongly encouraged to give notice to the School in February in order to improve chances of meeting summer registration timelines.

Before actually enrolling, the Student and his/her Parent shall sign a form stating (1) that they have received the required counseling from the School; (2) that they understand the responsibilities they must assume under the program; and (3) that the School provided them with following information:

1. Program eligibility;
2. The credit awarding process and maximum credit requirements;

3. Financial responsibilities, if any;
4. Transportation and parking responsibilities;
5. Academic support services;
6. Course scheduling;
7. Student participation options, including opportunities to participate during the summer term and deadlines pertinent to participation;
8. The designated point of contact at the School who is available for questions regarding the Program; and
9. Any other possible benefits and consequences of participation in the Program.

The School shall notify each Student participating in the Program of the total number of college credits he/she may earn in an academic year through the Program prior to the date the Student registers for a course or courses in a term at an enrolling college. **Students will only be awarded high school or college credit for those college courses in which the student receives a grade “C” or better.**

Upon receipt of a pre-term notice from an enrolling college specifying the admission of a Student and courses and credit hours for which the Student is registered, the School shall verify (1) that the Student is not taking more than thirty (30) college credit hours during an academic year, which shall begin with the summer term, and (2) that the Student has not exceeded one hundred twenty (120) college credit hours total through the Program. In the event that the number of credits conferred by a college course partially exceeds the maximum number of allowable credits, then the whole course shall be considered to exceed the maximum allowable credits. This review shall be based upon a review of all pre-term notices received for the Student. If a Student has exceeded the maximum number of allowable credits permitted by law, the School shall promptly notify the Student and give the Student the option of (a) adjusting his/her schedule to comply with the maximum allowable credit requirement or (b) self-paying for those credits above the maximum permitted by the Program.

Participating Students must enroll in any non-remedial and nonsectarian courses, so long as the courses apply to a degree or professional certificate. Students must be assessed using the same standard of achievement and held to the same grading standard as non-Program Students enrolled in the college course. The School shall ensure that enrollment in the college course with an end-of-course exam does not circumvent the Student’s obligation to sit for any required end-of-course examinations.

The courses offered in the Program shall be the same courses that are included in the participating college’s regular course catalogue. High school credit for college courses taken under the Program shall be granted by the School. If a course comparable to one completed at a college is offered by the School, the School shall give comparable credit. If there is no comparable credit offered by the School, the School shall grant an appropriate number of “elective” credits. If there is a dispute as to what constitutes “comparable credit” or “appropriate credit” then the Student may appeal the School’s determination to the State Board of Education, the decision of which shall be final.

The School, in coordination with a participating college or university, may elect to provide Program courses at the School under the instructor of a qualified high school teacher. Such a course must follow the same college course syllabus, use the same textbook and other course materials, aspire to achieve the same course objectives and learning outcomes, and assess Students using the same methods as the corresponding college course delivered on a college campus. Students who are not enrolled in a college

through the Program, but nonetheless are enrolled in a Program course at the School, shall be held to the same academic standards as those Students enrolled in the Program, but shall not receive college credit for the course. The School shall provide written notice to such Students and those Students' Parent(s) stating that the Student is not earning college credit and that the course would likely need to be repeated upon enrollment in any post-secondary institution.

All high school teachers providing college instruction through the Program at the School must meet the qualifications to be an instructor as set forth by the Chancellor of the Ohio Department of Higher Education. If the School elects to offer college courses at the School, the coordinating college or university must offer such teachers at least one three-hour professional development session per academic year and must conduct at least one full-period classroom observation of each Program course taught by each high school teacher during the first academic year the teacher instructs that course, and alternating academic years thereafter. Any observer must provide the School's Principal with at least twenty-four (24) hours' advance written notice of each observation.

In coordination with at least one participating college, the School shall designate various course "pathways" which, amongst other things, may be based on major, career path, or core coursework. Pathways must provide Students with the opportunity to either earn fifteen (15) credits or thirty (30) credits. Pathways are merely guidance for Students as to the possible course of study that a Student may elect to pursue; however, Students are not precluded from participating in courses outside of any pathway. Pathways shall be included in the School's designated course offering book for Student reference.

Student participation in the Program is based solely on the participating college's established placement standards for college-level courses for which credit is awarded. A 7th, 8th, or 9th grade Student seeking high school credit may not participate in the program for more than the equivalent of four academic school years. Likewise, 10th, 11th, and 12th grade Students seeking high school credit may not participate for more than the equivalent of three, two, or one academic school year(s), respectively.

Students may participate in the Program during a summer term, unless the summer term begins during the Student's last quarter of high school or after the Student's anticipated high school graduation date. The Parent(s) of any Student electing to take summer courses through the Program shall be solely responsible for transportation to and from Program courses. Earned credit for summer courses shall be included on the Student's transcript for the coming school year.

Students wishing to take college courses at their own expense, and outside of regular school hours, may do so without participating in the Program. The School shall only recognize college course work that is successfully completed by a Student through the Program in full compliance with all Program requirements and restrictions, and it shall count such completion toward graduation and subject area requirements. Student records shall indicate the successful completion of any college courses taken and include the name of the college at which the credits were earned. Grades earned from the college will be averaged into each Student's high school and college grade point average. Students participating in the Program will receive the same preferential weighting in calculating their grade point average as those Students who participate in other Advanced Standing Programs (*e.g.*, Advanced Placement courses, International Baccalaureate courses, etc.).

If the Student receives a failing grade in any college course while participating in the Program, the Student and his or her Parent(s) may be held responsible to reimburse the amount of state funds paid to the college on the Student's behalf. A Student who receives a failing grade may have grades and credits

withheld by the School until such reimbursement occurs. However, the School shall not seek reimbursement from any participating Student who is economically disadvantaged.

The expulsion of a Student from the School may cause the Student to lose the privileges and benefits of the Program. Students who have been expelled from the School may not apply for college enrollment under the Program during the period of expulsion. With respect to Students already enrolled in college at the time of the expulsion, the Board shall deny such Student's high school credit earned in the Program during expulsion. Accordingly, the Board shall send written notice of the expulsion to the college at the time the expulsion is imposed and shall indicate that the School has adopted a policy denying high school credit for Program courses taken during an expulsion. The college may then withdraw its acceptance of the Student. If the college chooses not to withdraw its acceptance of the Student, the Student may continue in attendance for college credit only. In such circumstances, the Student is financially responsible for tuition and fees and must pay the college for any textbooks and materials that were previously supplied without charge.

Annually, the School and the participating college shall jointly submit the required data to the Chancellor of the Ohio Board of Higher Education for any Student participating in the Program by July 15. Nothing in the "College Credit Plus" program shall preclude a Student from also choosing to complete coursework in another Advanced Standing Program while enrolled in high school.

Advanced Standing Program. Students may earn credit toward a degree from an institution of higher education upon the Student's attainment of a specified score on an examination covering the coursework. Coursework in an Advanced Standing Program may include any of the following:

1. College Credit Plus;
2. Advanced Placement;
3. International Baccalaureate courses; or
4. Early college high schools.

R.C. 3313.6013; Chapter 3365; OAC 3333-1-65; OAC Chapter 3301-44. See Appendix 204.13-A Letter of Intent to Participate in College Credit Plus, Appendix 204.13-B College Credit Plus Informational Sheet, and Appendix 204.13-C Sample Invitation Letter for Informational Sessions.

204.14 Career Advising and Student Success Plans

This policy governs the School's plan for advising students on career readiness and shall be reviewed at least once every two years. This policy must be made available upon request and placed prominently on the School's website.

I. Definitions

Academic Pathways: A designated and specific plan for secondary and post-secondary coursework, academic programs and/or learning experiences that a student will complete in order to earn a diploma or other related credentials.

Career Advising: An integrated process that helps students understand how personal interests, values and strengths may predict educational and career satisfaction and success and may relate to academic and career goals.

Career Connection Learning Strategies: Grade-level examples linking schoolwork to one or more career fields as defined by the Ohio Department of Education.

Career Fields: Groups of occupations and broad industries based on common characteristics as defined by the Ohio Department of Education.

Career Pathways: An overview of the various career options and the amount of education or training necessary for each option.

Early Warning System: Data indicators that help identify students who are at risk of dropping out of school.

Online Tools: OhioMeansJobs K-12, or another similar tool that provides resources, tools and information for students to determine individual career interests, explore career and education options, and develop an individual plan for their future.

Student Success Plan: A formalized process that helps students develop goals and plans for success in their futures. The process is based on strategic activities and reflections in which students discover their interests, explore and evaluate options, and make informed decisions.

Successful Transition and Postsecondary Destinations: Acceptance to and enrollment in a postsecondary education or training program at an institution of higher education, without remediation. This includes apprenticeship, cooperative education, certificate, associate, or bachelor's degree; employment in a high-skill, high-wage career field; or, acceptance into the military.

II. Career Advising Plan

The School shall establish a school wide system of career advising. The School shall train staff to advise students on career pathways, including training and advising students to use online tools.

The School's career advising program:

1. will provide career advising to students in grades 6-12 through a combination of formal scheduled meetings with each student, classroom instruction regarding possible career options and career advice provided by teachers;
2. shall provide grade-level examples linking a student's schoolwork to one or more career fields by consulting the Career Connections Learning Strategies and/or any other career advising source the Principal of the School and/or the Board deems appropriate;
3. shall develop multiple academic pathways through high school that will allow a student to earn a high school diploma, including career technical programs and advanced standing programs;
4. will provide the supports necessary for students to transition successfully from high school to their post-secondary destination, including interventions and services necessary for students who need remediation in mathematics and English language arts; and
5. identify and publicize courses that can award students both traditional academic and career technical credit.

III. Documentation of the School's Career Advising Program

The School shall document the career advising provided to each student for review by the student, the student's parent, and future schools that the student may attend. The School shall not otherwise release any documentation of career advising provided to each student absent the written consent of the student's parent or the written consent of the student if the student is at least eighteen years old.

IV. Students at Risk of Dropping out of High School

The School shall identify students who are at risk of dropping out using one or more local, research-based methods, such as the Ohio Department of Education Early Warning System or any other method deemed appropriate by the Principal or his/her designee or by the Board. The School shall consider the input of teachers and guidance counselors in identifying students at risk of dropping out of school.

Any student identified as at risk shall be provided a Student Success Plan. A Student Success Plan shall address the role of career-technical education, competency-based education, and/or experiential learning, and create a pathway to high school graduation. The School shall offer the student's parent an opportunity to assist in developing the plan. If the student's parent does not participate in the development of the plan, the School shall provide the parent (1) a copy of the Student's Success Plan, (2) a statement of the importance of a high school diploma, and (3) a summary of the academic success pathways available to the student to succeed in graduation.

The School shall provide additional interventions and career advising for students who are identified as at risk of dropping out. Career advising shall be aligned with the student's success plan.

R.C. 3313.6020.

See Appendix 204.14-A Model Student Success Plan Invitation Letter to Parent and Appendix 204.14-B Model Letter to Parent After Development of Student Success Plan.

206 General Notice of Non-Discrimination

The School does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries regarding non-discrimination policies:

PRINCIPAL
ADDRESS
TELEPHONE NUMBER
EMAIL ADDRESS

The language above will be posted on the School's website within two clicks of the home page; in all other School-related documents made available to students, parents, staff, and applicants (*e.g.*, student newspapers, parent newsletters, student handbooks, employee handbooks, application forms, recruiting materials, etc.); and in a conspicuous place in the School building. This language will also be provided to parents, students, and employees prior to the start of each school year.

The designated individual will serve as the requisite coordinator for each of the following: **Policy 221 (Access to Equal Educational Opportunity), Policy 222 (Title IX Coordinator), Policy 228 (Section 504), Policy 264 (Sexual and Other Forms of Harassment), and Policy 305 (Nondiscrimination).**

SECTION 220

PROGRAM ADMINISTRATION

221 Access to Equal Educational Opportunity

It is the policy of the School to provide an equal opportunity for all children to achieve their maximum potential through the curriculum offered regardless of race, color, creed, disability, religion, sex, ancestry, national origin, social or economic background, or other legally protected category.

The Board appoints the Principal to be the Compliance Officer whose responsibility it will be to coordinate the School's efforts to comply with and fulfill its responsibilities under Federal and State regulations. The Principal shall also ensure that any complaints are dealt with promptly in accordance with law, and that proper notice of nondiscrimination rights under applicable laws is provided to students, their parents, staff members, and the general public.

Any complaints shall be addressed in accordance with the provisions, respectively, of:

Section 222.1 – Title IX Grievance Procedure; and/or

Section 223.1 – Title I Complaint Procedure; and/or

Section 228 – Section 504 of the Rehabilitation Act of 1973, Grievance Procedure.

See also Policy 206 General Notice of Non-Discrimination

The School intends to comply with Title IX of the Education Amendments Act of 1972, which states, in part: “No persons in the United States shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving financial assistance....”

As such, the School does not discriminate on the basis of sex in its education program or activities, and is required by Title IX and its regulations not to discriminate in such a manner. This requirement not to discriminate in the education program or activity extends to admission and employment.

The following person shall be the Compliance Officer/Title IX Coordinator and is responsible for investigating any complaint alleging noncompliance with Title IX.

PRINCIPAL
ADDRESS
TELEPHONE NUMBER
EMAIL ADDRESS

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Inquiries about the application of Title IX and its regulations to the School may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the Department, or both.

A specific procedure for grievances related to Title IX issues is set forth as the “Title IX Grievance Procedure.” *34 CFR 106*

The language above will be posted on the School’s website within two clicks of the home page; in all other School-related documents made available to students, parents, staff, and applicants (e.g., student newspapers, parent newsletters, student handbooks, employee handbooks, application forms, recruiting materials, etc.).

See also Policy 206 General Notice of Non-Discrimination

222.1 Title IX Grievance Procedure

The Title IX Grievance Procedure listed below is meant to provide for prompt and equitable resolution of student and employee complaints.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

Should any School employee, or School official who has authority to institute corrective measures on behalf of the School, receive notice of sexual harassment or allegations of sexual harassment, they shall immediately report it to the Title IX Coordinator.

Grievance Process for Complaints Not Alleging Sexual Harassment

Level I – Informal Procedure

Upon receiving a report of sexual discrimination that does not allege sexual harassment (as defined below), the Title IX Coordinator shall facilitate resolution through an informal procedure, if possible. This informal procedure is not required as a precursor to the filing of a complaint. The informal procedure is only available in those circumstances where the parties agree to participate in it. Individuals who believe that they have been unlawfully sexually discriminated/retaliated against may proceed immediately to the complaint procedure and individuals who seek resolution through the informal procedure may request that the informal procedure be terminated at any time to move to the complaint procedure. While there are no set time limits within which an informal procedure must be resolved, the Title IX Coordinator or his/her designee will exercise his/her authority to attempt to resolve the informal procedure within fifteen (15) business days of receiving the report.

Parties who are dissatisfied with the results of the informal procedure may proceed to file a complaint with the Title IX Coordinator.

Level II – Complaint Procedure

If a report is not resolved through the informal procedure, if one of the parties requests that the informal procedure be terminated to move to the complaint procedure, or if the individual elects to file a complaint initially, the complaint procedure shall be implemented. The School also reserves the right to investigate and resolve a complaint or report of sex discrimination/retaliation regardless of whether the individual alleging the unlawful discrimination/retaliation pursues a complaint.

The complaint should be in writing and state the date and nature of the alleged discrimination/retaliation and the relief sought. If the grievant is a student, the Title IX Coordinator shall assist in preparing the written complaint.

Upon receipt of the written complaint of sexual discrimination that does not allege sexual harassment, the Title IX Coordinator or his/her designee shall begin an investigation. The investigation will include, but not be limited to, interviews and a consideration of documentation or other information presented by any party that is reasonably believed to be relevant to the allegations, as applicable. Although certain cases may require additional time, the Title IX Coordinator or his/her designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the written complaint. The School reserves the right to have the complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

If an individual is alleged to have engaged in discrimination/retaliation, that individual shall be presumed to not be responsible for the alleged conduct until the conclusion of the complaint procedure. That individual must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

At the conclusion of the investigation, the Title IX Coordinator or his/her designee shall issue a written decision to the parties.

Level III – Appeal

If the student or employee believes that there still is a basis for a grievance, he or she may make a written statement of appeal to the Board. This written statement of appeal must be filed within ten (10) business days of the date of the Title IX Coordinator's decision

The Board or its designee (1-3 members of the Board) shall make a decision on the grievance appeal in a timely manner (ordinarily, within fifteen (15) business days of the appeal being received), and shall give that decision in writing to the Title IX Coordinator and the Student or employee.

Grievance Process for Complaints of Sexual Harassment

Definitions

For purposes of this grievance process,

“*Complainant*” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“*Formal complaint*” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the School investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the School with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator.

“*Respondent*” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“*Sexual harassment*” means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the School conditioning the provision of an aid, benefit, or service of the School on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the School's education program or activity; or
- (3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

"*Supportive measures*" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the School's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the School's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The School must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Training

Any individual designated by the School as a Title IX Coordinator, investigator, decision-maker, or any person designated to facilitate an informal resolution process, shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. In addition, these individuals shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

All Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, shall receive training on the definition of sexual harassment, the scope of the School's education program or activity, how to conduct an investigation and grievance process (including hearings, appeals, and informal resolution processes, as applicable), and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The School will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence, and that decision-makers receive training on any technology to be used at a live hearing, and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

Presumption of No Responsibility

Throughout this grievance procedure, there shall be a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. In addition, the School shall not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The School must comply with this grievance process before the imposition of any disciplinary sanctions, or other actions that are not supportive measures, against a respondent.

The investigation of the grievance shall include an objective evaluation of all relevant evidence – including both inculpatory and exculpatory evidence – and credibility determinations may not be based on a person’s status as a complainant, respondent, or witness. The standard of evidence to be used to determine responsibility will be the clear and convincing evidence standard.

Good Cause Delay

There may be a temporary delay of the grievance process or a limited extension of time-frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Level I – Response to Report

Upon receiving a report of sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures, consider the complainant’s wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. The School will maintain as confidential any supportive measures provided before or after the filing of a formal complaint or where no formal complaint has been filed, to the extent that maintaining such confidentiality would not impair the ability of the School to provide the supportive measures.

Level II – Formal Complaint

Upon receipt of a formal complaint (or later as additional allegations become known), the School will provide the following written notice to the parties who are known:

(A) Notice of the School’s grievance process that complies with this section, including any informal resolution process.

(B) Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and

location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice must also inform the parties of any provision in the School's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the School decides to investigate allegations about the complainant or respondent that are not included in the foregoing notice provided, the School must provide notice of the additional allegations to the parties whose identities are known.

The School may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Investigation:

The Title IX Coordinator or his/her designated investigator will investigate the allegations in a formal complaint. When investigating a formal complaint and throughout the grievance process, the Title IX Coordinator or his/her designated investigator must:

(A) Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the School and not on the parties provided that the School cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the School obtains that party's voluntary, written consent to do so for a grievance process (if a party is not an "eligible student," as defined in 34 CFR 99.3, then the School must obtain the voluntary, written consent of a "parent," as defined in 34 CFR 99.3);

(B) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;

(C) Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;

(D) Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance proceeding; however, the School may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

(E) Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;

(F) Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the School does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the School must send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least ten (10) business days to submit a written response, which the investigator will consider prior to completion of the investigative report; and

(G) Create an investigative report within thirty (30) business days of receipt of a formal complaint that fairly summarizes relevant evidence and, at least ten (10) business days prior to a time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

Question and Answer Period

After the School has sent the investigative report to the parties, the Title IX Coordinator or his/her designated investigator shall submit the investigative report to the [_____ INSERT DECISION-MAKER 1 (CANNOT BE TITLE IX COORDINATOR OR INVESTIGATOR)] as decision-maker to reach a determination regarding responsibility. The decision-maker cannot be the same person(s) as the Title IX Coordinator or the investigator(s).

Before reaching a determination regarding responsibility, the [_____ INSERT DECISION-MAKER 1] must afford each party five (5) business days to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. However, questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The [_____ INSERT DECISION-MAKER 1] must explain to the party proposing the questions any decision to exclude a question as not relevant.

Dismissal

The School must investigate the allegations in a formal complaint. If the conduct alleged in the formal complaint would not constitute sexual harassment even if proved, did not occur in the School's education program or activity, or did not occur against a person in the United States, then the School must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX. However, such a dismissal does not preclude action under another provision of the School's code of conduct.

The School may also dismiss the formal complaint or any allegations therein, if at any time during the investigation: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the School; or specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon a dismissal, the School will promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

Determination Regarding Responsibility

The [_____ INSERT DECISION-MAKER 1] as decision-maker must issue a written determination regarding responsibility within twenty-five (25) business days of receiving the investigative report.

The written determination must include:

- (A) Identification of the allegations potentially constituting sexual harassment;
- (B) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- (C) Findings of fact supporting the determination;
- (D) Conclusions regarding the application of the School's code of conduct to the facts;
- (E) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School's education program or activity will be provided by the School to the complainant; and
- (F) The School's procedures and permissible bases for the complainant and respondent to appeal.

The School must provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the School provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

If a determination of responsibility for sexual harassment has been made against a respondent, the School will provide remedies to a complainant. The Title IX Coordinator is responsible for effective implementation of any remedies. Possible remedies to the complainant that the School may implement include: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures or individualized services offered as may be appropriate and reasonably available, without fee or charge to the complainant, that are designed to restore or preserve equal access to the School's education program or activity, to protect the safety of the complainant or the School's educational environment, or to deter sexual harassment.

Possible disciplinary sanctions the School may implement following any determination of responsibility by the respondent may include: suspension, expulsion, reprimand, documenting the occurrence in the personnel file, referral to counseling, withholding of a promotion, demotion,

If the student (or their parent or guardian) or employee is not satisfied with the grievance process determination, he or she may appeal it to the Office for Civil Rights. However, use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

A student (or their parent or guardian) or employee who believes there is a basis for a grievance related to Title IX may file a written complaint with the Office for Civil Rights, U.S. Department of Education, 600 Superior Avenue East, Suite 750, Cleveland, Ohio 44114-2611. Any such written complaint must be filed within one hundred eighty (180) days from the date of the alleged discrimination, or, if this grievance procedure is utilized, within sixty (60) days after the last act of the grievance process.

Informal Resolution Process

The School may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment.

Similarly, the School may not require the parties to participate in an informal resolution process, and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility the School may facilitate an informal resolution process that does not involve a full investigation and adjudication, provided that the School:

(A) Provides to the parties a written notice disclosing: the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

(B) Obtains the parties' voluntary, written consent to the informal resolution process; and

(C) Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Any such informal resolution process should not exceed ten (10) business days.

Emergency Removal

Nothing in this grievance procedure precludes the School from removing a respondent from the School's education program or activity on an emergency basis, provided that the School undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. However, this provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Administrative Leave

Nothing in this grievance procedure precludes the School from placing a non-student employee respondent on administrative leave during the pendency of a grievance process. However, this provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

Recordkeeping

The School must maintain for a period of seven years records of:

- (A) Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the School's education program or activity;
- (B) Any appeal and the result therefrom;
- (C) Any informal resolution and the result therefrom; and
- (D) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The School must make these training materials publicly available on its website, or if the School does not maintain a website the School must make these materials available upon request for inspection by the public.

For each response to a report or formal complaint of sexual harassment in an education program or activity, the School must create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the School must document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the School's education program or activity. If the School does not provide a complainant alleging sexual harassment with supportive measures, then the School must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the School in the future from providing additional explanations or detailing additional measures taken.

Retaliation Prohibited

Neither the School, nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or this grievance procedure, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation or proceeding in this grievance procedure. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this grievance procedure, constitutes retaliation.

The School must keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by

the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder.

Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination complaints not alleging sexual harassment. The exercise of rights protected under the First Amendment does not constitute prohibited retaliation under this grievance procedure. Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of this grievance procedure does not constitute prohibited retaliation under this grievance procedure, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

See 34 CFR part 106; see also Policy 221, Policy 222, and Appendices 221.1-A through 221.1-J.

The Board elects to augment the educational program of educationally disadvantaged students by the use of Federal funds and in accordance with Title I of the Amendments in the Elementary and Secondary School Improvement Act of 1965.

Plan Development

The Principal or his/her designee shall prepare and present to the Department of Education a plan for the delivery of services which meets the requirements of the law, including those described below. The plan shall be developed, evaluated and, when necessary, amended by professional staff members involved in its implementation, parents and other members of the community who will be served by the plan, and, if appropriate and applicable, federal, state, or local programs.

Assessment

The Title I plan must be based on a comprehensive needs assessment of the entire school, taking into account information on the academic achievement of children on required State assessments and the particular needs of children who are failing or at-risk of failing to meet such standards.

The School shall annually assess the educational needs of eligible children, as determined by Federal and State criteria. Such assessment shall include academic performance standards mandated by the Department of Education, as well as those determined by the School professional staff, that will assist in the diagnosis, teaching, and learning of the participating students.

Scope

The School shall determine whether the funds will be used to upgrade the educational program of the entire School and/or to establish or improve programs that provide services only for eligible students in greatest need of assistance. The program shall include the components required by law, as well as those agreed upon by participating staff and parents.

Parent and Family Member Engagement

Parent and family member engagement shall meet the requirements of Section 1116 of the Act. See Policy 203.1.

Comparability of Services

Title I funds will be used only to supplement, not supplant, state and local funds. The Principal or his/her designee shall take steps as necessary to achieve comparability of services.

The determination of the comparability of services may exclude, in accordance with federal regulations, state and local funds spent on compensatory education programs, bilingual education programs, and programs for educationally-disabled students. The determination of comparability will not take into account unpredictable changes in student enrollments or personnel assignments.

Professional Development

Appropriate training will be provided to staff members who provide Title I services. The Principal or his/her designee shall develop administrative guidelines whereby members of the professional staff participate in the design and implementation of staff development activities and:

- A. involve parents in the training, when appropriate;
- B. combine and consolidate other available Federal and School funds; and
- C. foster cooperative training with institutions of higher learning and other educational organizations, including school districts.

Simultaneous Services

In accordance with law, a school offering Title I services may also serve other students with similar needs.

20 U.S.C. 6314; 20 U.S.C. 6318(c)

223.1 Title I Complaint Procedure

Complaints shall be directed to the Principal or his/her designee. Resolution of a complaint shall not exceed thirty (30) days. In accordance with regulations established by the Commission, the State Education Agency may extend the thirty (30) day limit due to exceptional circumstances.

Responsibilities of the Principal or his/her designee:

- A. The Principal or his/her designee must review the records, and, if necessary, request additional information within ten (10) working days.
- B. The Principal or his/her designee shall clarify the issues and attempt to resolve them.
- C. A complaint that is not resolved to the complainant's satisfaction within fifteen (15) working days shall be referred to the Board.

The Board shall appoint a hearing panel composed of the Principal or his/her designee, Board President and another member of the Board or a third party.

- A. It shall be the responsibility of the hearing panel to clarify the issues and attempt to resolve the problem.
- B. The hearing panel must keep official records of all proceedings.
- C. The complainant or complainant's representative will be given an opportunity to present evidence and question the parties involved.
- D. The Principal or his/her designee shall give written notice to the complainant of the panel's resolution of the complaint.
- E. The complainant has the right to appeal the resolution of the complaint to the State Educational Agency within thirty (30) days after receipt of the written decision.
- F. Actual expenses incurred, in accordance with the School's policies, may be a part of the local budget for the Title I program, subject to review and approval by the Board.

34 CFR 104.7

It is the policy of the School that no otherwise qualified person shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by the School.

As used in this policy, “an individual with a disability” means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Notice of the School’s policy on nondiscrimination in employment and education practices shall be given in this Policy manual, posted in the School, and published in any School statement regarding the availability of employment positions or special education services.

Employment

No employee or candidate for employment shall be discriminated against in recruitment, employment, promotion, training, or transfer solely because of his/her disabling condition.

No candidate for employment shall be required to answer a question regarding a disabling condition and no such candidate will be discriminated against on the basis of a disabling condition that is not directly related to the essential functions of the position for which she/he has applied.

Reasonable modifications in scheduling and the allocation of duties, not directly affecting the instructional program, shall be made to accommodate employment conditions to the needs of individuals with disabilities.

Facilities

Barrier free access to School facilities or an alternative means of providing services shall be provided as required by law so that no individual with a disability is excluded from participation in a School program solely by reason of his/her disability. The School will comply with the building, program and other accessibility requirements of the Americans with Disabilities Act (ADA) and other applicable laws.

Program

All reasonable efforts shall be made to serve the School’s special needs children eligible for special education and/or related services in accordance with the School’s Special Needs policy. A free appropriate public education shall be provided for each child determined to be in need of special education and/or related services. Such a program of special education shall be provided in the least restrictive environment and in barrier free facilities comparable to those provided for non-disabled students. To the maximum extent appropriate to the student’s disability, a disabled student shall be placed in an educational setting with non-disabled or less severely disabled students.

No student will be denied, because of his/her disability, participation in co-curricular, intramural, or interscholastic activities or any of the services offered or recognitions rendered regularly to the students of the School.

The due process rights of disabled students and their parents will be rigorously enforced.

Section 504

It is the intent of the School to ensure that students who are handicapped within the definition of Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), are identified, evaluated, and provided with appropriate educational services. Students may be identified as handicapped under Section 504 even though they are not eligible to receive services under the Individuals with Disabilities Act.

The Principal or his/her designee shall be the Section 504 Compliance Officer. A complaint regarding a violation of law and this policy in an employment decision shall be subject to a grievance procedure (Policy 228) that provides for the prompt and equitable resolution of disputes.

Procedures

The School shall annually adopt procedures for the Education of Children with Disabilities as approved by the Ohio Department of Education Office of Exceptional Children in **Appendix 227-A**.

20 USC 1412; 34 CFR 300.220.

227.1 Child Find

The School supports and complies with all applicable federal and state laws, procedures, and policies regarding the School's child find responsibilities. The School will conduct all child find activities for students who are enrolled in the School (its geographical area) so that they are appropriately located, identified and referred for evaluation. Parents or guardians have the right to review their child's records and refuse permission to release information (except as required by, or permitted by, law to be released).

Pursuant to Ohio law, the School is required to perform the same child find duties as city, local, exempted village school districts and will endeavor to adhere to its responsibilities in a manner that does not duplicate the duties of the city, local, or exempted village school districts.

A Child Find Notice shall be published in a newspaper of general circulation in the geographic area covered by the identification activity before any major identification activity.

See the Child Find Notice in **Appendix 227.1-A** and the Parent Notification of Scholarship Programs for Students with Disabilities in **Appendix 227.1-B**.

20 USC 1412 et seq.; OAC 3301-51-03.

Under Section 504 of the Rehabilitation Act of 1973 and its implementing regulations, no otherwise qualified individual with a disability shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The Board of Directors does not discriminate in admission or access to, participation in, or treatment, or employment in, its programs or activities. As such, the Board's policies and practices will not discriminate against employees and students with disabilities, will provide equal opportunity for employment, and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the School.

As used in this policy, “an individual with a disability” means a person who has, had a record of, or is regarded as having a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

With respect to employment, a qualified person with a disability means a disabled person who, with reasonable accommodation, can perform the essential functions of the job in question.

With respect to public preschool, elementary, and secondary educational services, a qualified person with a disability means a disabled person:

- A. who is of an age during which nondisabled persons are provided educational services;
- B. who is of any age during which it is mandatory under Ohio law to provide educational services to disabled persons; or
- C. to whom the State is required to provide a free appropriate public education pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA).

With respect to vocational education services, a qualified person with a disability means a disabled person who meets the academic and technical standards requisite to admission or participation in the vocational program or activity.

OFFICER

The Principal is the School’s Section 504 Compliance Officer. The Compliance Officer is responsible for coordinating the School's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the Americans with Disabilities Act. The Compliance Officer will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the School's adopted grievance procedure, and will attempt to resolve the grievances.

GRIEVANCE PROCEDURE

The grievance procedure shall follow these steps:

1. The grievant will file a written complaint, stating the specific facts of his/her grievance and the alleged discriminatory act, with the Section 504 Compliance Officer within fifteen (15) calendar days of the conduct alleged to be in violation of Section 504.

2. The compliance officer shall make all reasonable efforts to resolve the matter informally.
3. In the event the complaint cannot be resolved informally, the Compliance Officer will investigate the matter and will provide a written copy of his/her determination to both parties.
4. The grievant may appeal the determination of the compliance officer to the Board or a committee of the Board within ten (10) calendar days of the receipt of the Compliance Officer's determination. The appeal shall be in writing and attached to copies of the original complaint and the written determination of the compliance officer. The Board or its designated committee may, in its discretion, convene a hearing at which the parties may present testimony and argument.
5. The Board shall provide both parties with a written decision.

Employees of the School shall be informed that a complaint may be filed without fear of reprisal from the Board or any of its employees or agents. The grievant shall be notified of his/her rights of appeal at each step of the process, and accommodations to the needs of disabled grievant shall be made. A grievant shall be informed of his/her right to file a formal complaint under Section 504.

A complaint regarding the identification, evaluation, classification, or educational program of an educationally disabled student shall be reviewed in accordance with the School's Special Needs policy.

Evaluation and Compliance

The Principal or his/her designee shall evaluate School programs and practices on nondiscrimination, in accordance with law, and report evaluations to the Board. The Principal or his/her designee shall submit such assurances of compliance as are required by law.

A complainant who believes there is a basis for a grievance related to the Rehabilitation Act may file a written complaint with the Office for Civil Rights, U.S. Department of Education, 600 Superior Ave. East, Ste. 750, Cleveland, Ohio 44114-2611. Any such written complaint must be filed within the earlier of (i) 30 days from the date of the Board's decision, or (ii) 90 days from the date the complainant made his or her complaint to the compliance officer.

Employment Practices

Discrimination Prohibited

In accordance with Section 504/ADA, no qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment under any of the School's programs or activities. Further, the Board will take positive steps to employ and advance in employment qualified individuals with disabilities. The Board will not limit, segregate, or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

Reasonable Accommodation

The Board will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the

accommodation would impose an undue hardship on the operation of the School's program and/or activities.

Facilities

No qualified person with a disability will, because the School's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

The School is committed to operating its programs and activities so that they are readily accessible to person with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto. Programs and activities will be designed and scheduled so that the location and nature of the facility or area will not deny a student with a disability the opportunity to participate on the same basis as students without disabilities. The School will meet its obligation through such means as redesign of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, alteration of existing facilities and/or construction of new facilities, or any other method that results in making its programs and activities accessible to persons with disabilities. In choosing among available methods for meeting its obligations, the School will give priority to those methods that serve persons with disabilities in the most integrated setting appropriate.

Education

The Board is committed to identifying, evaluating, and providing a free appropriate public education (FAPE) to students within its jurisdiction who are disabled within the definition of Section 504, regardless of the nature or severity of their disabilities. The Board recognizes and acknowledges that students may be disabled and eligible for services under Section 504 even though they do not qualify for or require special education and/or related services pursuant the IDEIA. Students eligible for services under the IDEIA will be served under existing special education programs.

If a student has a physical or mental impairment that significantly limits his/her learning, but does not require specially designed instruction to benefit educationally, the student will be eligible for reasonable accommodations and/or modifications of the regular classroom or curriculum in order to have the same access to an education as students without disabilities. Such accommodations and/or modifications will be provided pursuant to a Section 504 Accommodation Plan.

If a student has a physical or mental impairment, but it does not significantly limit his/her learning, the student will not be entitled to a Section 504 Accommodation Plan, but s/he may still be eligible for a "Classroom Accommodation."

Parents/guardians/custodians are invited and encouraged to participate fully in the evaluation process. If the parents disagree with the determination made by the School's professional staff, they may request a hearing with an impartial hearing officer.

The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the School with persons who are not disabled to the maximum extent appropriate to the needs of the person with disabilities. Generally, the School will place a person with a disability in the regular educational environment unless it is demonstrated that the

education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. If the School places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.

The School will provide non-academic extracurricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such services and activities. Nonacademic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interests groups or clubs sponsored by the School, referrals to agencies that provide assistance to persons with disabilities, and employment of students. In providing or arranging for the provision of meals and recess periods, and nonacademic and extracurricular services and activities, including those listed above, the School will verify that persons with disabilities participate with persons without disabilities in such activities and services to the maximum extent appropriate to the needs of the person with a disability in question.

Notice of the Board's policy on nondiscrimination in employment and education practices and the identity of the School's Section 504/ADA Compliance Officer will be posted throughout the School.

The Board directs the Principal to prepare administrative guidelines for facilitating the prompt, fair and appropriate identification, referral, evaluation and placement of students with disabilities who qualify for accommodations under Section 504. The Board will provide in-service training and consultation to Staff Members on the education of persons with disabilities, as necessary and appropriate.

The Board will adopt a system of procedural safeguards that will provide for prompt and equitable resolution of complaints alleging violations of Section 504/ADA. Due process rights of students with disabilities and their parents under Section 504 will be enforced.

29 C.F.R. Part 1630; 34 C.F.R. Part 104; 29 U.S.C. 794, Section 504 Rehabilitation Act of 1973, as amended; 42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990

See also Policy 275.1 Disciplining a 504 Student.

The use of technology and computer resources at the School is a revocable privilege. Failure to abide by this policy may render you ineligible to use the School's computer facilities and may bring additional disciplinary action.

All users are expected to use the technology available at the School in a manner appropriate to the School's academic and moral goals. Technology includes, but is not limited to, cellular telephones, beepers, pagers, radios, CD/MP3/DVD players, video recorders, video games, personal data devices, computers, other hardware, electronic devices, software, Internet, email, and all other similar networks and devices. Users are expected to be responsible and use Technology to which they have access appropriately. Obscene, pornographic, threatening, or other inappropriate use of Technology, including, but not limited to, email, instant messaging, web pages, and the use of hardware and/or software which disrupts or interferes with the safety and welfare of the School community is prohibited, even if such uses take place after or off School property (i.e., home, business, private property, etc.).

Failure to adhere to this policy and the guidelines below will result in disciplinary action as outlined in the Student Code of Conduct.

Unacceptable uses of Technology/Internet include but are not limited to:

1. Violating the conditions of federal and Ohio law dealing with students' and employees' rights to privacy; trespassing in others' folders, work, or files; copying other people's work or attempting to intrude onto other people's files; or using other users' email addresses and passwords.
2. Using profanity, obscenity, or other language which may be offensive to another user; sending messages with derogatory or inflammatory remarks about an individual's race, sex, age, disability, religion, national origin, or physical attributes via the Internet or Technology; bullying, insulting, intimidating, or attacking others; or transmitting any material in violation of federal or state law.
3. Accessing profanity, obscenity, abusive, pornographic, and/ or impolite language or materials; accessing materials in violation of the Student Code of Conduct; or viewing, sending, or accessing materials that you would not want instructors and parents to see. Should a student encounter any inappropriate materials by accident, he/she should report it to his or her instructors immediately.
4. Violating copyright laws by illegally downloading or installing music, any commercial software, shareware, or freeware. You are required to strictly comply with all licensing agreements relating to any software. All copyright laws must be respected.
5. Plagiarizing works through the Internet or other Technology. Plagiarism is taking ideas of others and presenting them as if they were original to the user.
6. Damaging Technology devices, computers, computer systems, or computer networks (for example, by the creation, introduction, or spreading of computer viruses, physically abusing hardware, altering source codes or software settings, etc.).

7. Using the Technology or the Internet for commercial purposes or activities, which are defined as offering or providing goods or services or purchasing goods or services for personal use, and include, but are not limited to, the following:
 - a. any activity that requires an exchange of money and/or credit card numbers;
 - b. any activity that requires entry into an area of service for which the School will be charged a fee;
 - c. any purchase or sale of any kind; or
 - d. any use for product advertisement or political lobbying.
8. Neither the Internet nor any other Technology may be used for any purpose which is illegal or against the School's policies or contrary to the School's mission or best interests.

All users are expected to be responsible, courteous and thoughtful when using Technology and the Internet. Common sense should prevail. The use of the School computer network system should be in support of education and research, consistent with the educational mission or objectives of the School and in accordance with federal law, Ohio law, and the Student Code of Conduct

Students and Staff have no expectation of privacy with respect to the use of Technology, the Internet, intranet, or email. The School monitors the online activities of students. Maintenance and monitoring of the School network system may lead to the discovery that a user has or is violating School policy or the law. Violations of School policy, the Student Code of Conduct, or the law may result in severe penalties, up to and including expulsion.

The School makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the School technology system will be error-free or without defect. The School will not be responsible for any damage users may suffer, including but not limited to, loss of data, interruptions of service, or computer viruses. The School is not responsible for the accuracy or quality of the information obtained through or stored on the School system. The School will not be responsible for financial obligations arising through the authorized use of the system.

In accordance with the Children's Internet Protection Act ("CIPA"), the School has placed a filter on its Internet access as one step to help protect its users from intentionally or unintentionally viewing inappropriate material. The School blocks the categories that are determined to be potentially inappropriate. However, families must be aware that some material accessible via the Internet contains illegal, defamatory, inaccurate, or potentially offensive language and/or images. While the goal of the School is to use Internet resources to achieve educational goals, there is always a risk of students accessing other materials. Parents should be aware of these risks.

The School will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms. The School will also educate students on cyberbullying awareness and response.

My signature attests that I have read the above Internet Acceptable Use Policy and I agree to abide by it.

Signature of Parent/Guardian

Date

Signature of Student

Date

OR

Signature of Staff Member

Date

2001, Pub.L.No. 106-554 §§ 1701 et seq.; 2008, Pub.L.No. 110-385, Title II, 122 Stat. 4096.

See also Policy 149 Use of Cell Phones; Policy 234 Electronic Communications; Policy 271 Code of Conduct; and Policies 397.1-397.3.

SECTION 240

STUDENT ADMISSION/GRADING/GRADUATION

241 Admissions and Lottery Standards

The School is open to any individual entitled to attend school in Ohio pursuant to R.C. 3313.64 or 3313.65, except that admission may be limited to the geographic area and grade or age levels specified in the Community School Contract.

The School will not discriminate in the admission of students to the School on the basis of race, creed, color, disability, sex, intellectual ability, measures of achievement or aptitude, or athletic ability, provided, however, that the School may limit admission to students identified as “at risk” in the Community School Contract. Upon admission of a student with a disability, the School will comply with all federal and state laws regarding the education of students with disabilities.

If there are more applicants than there are spaces, a lottery will be conducted in the following manner:

- Each applicant will be assigned a number;
- The numbers will then be drawn at random by a disinterested third party;
- The first number drawn will be the first new applicant placed on a permanent waiting list and so on until all numbers are drawn;
- Applicants on a permanent waiting list prior to any lottery will retain their position on the waiting list;
- The school may separate the lottery and the waiting lists for each grade or age grouping;
- Students attending the previous year and students who reside in the district in which the school is located will have first preference for a position;
- Secondary preference may be given to siblings of existing students and students who are the children of full-time School Staff, provided the total number of students receiving this preference is less than five percent (5%) of the School’s total enrollment.

R.C. 3314.06.

See Policy 206 General Notice of Non-Discrimination, Policy 221 Access to Equal Educational Opportunity, Policy 241.3 Compulsory and Early Kindergarten Admission, Policy 241.5 Enrollment and Residency Policy, and Policy 241.6 Tuition for Out-of-State Students.

N O T I C E

Pursuant to the Ohio Revised Code Section 3314.041, the governing authority of each community school and any operator of such school shall distribute to parents of students of the school upon their enrollment in the school the following statement in writing:

The IMAC is a community school established under Chapter 3314 of the Revised Code. The school is a public school and students enrolled in and attending the school are required to take proficiency tests and other examinations prescribed by law. In addition, there may be other requirements for students at the school that are prescribed by law. Students who have been excused from the compulsory attendance law for the purpose of home education as defined by the Administrative Code shall no longer be excused for that purpose upon their enrollment in a community school. For more information about this matter, contact the school administrator or the Ohio Department of Education.

241.2 Records upon Enrollment

Newly enrolled student records:

9. Upon entry, a request for records will be made within twenty-four (24) hours from the public or nonpublic elementary or secondary school the pupil most recently attended.
 - a. "Entry" is defined as the beginning of learning opportunities by a student at the School.
10. If the records are not received, a second request and contact with the parent and former school should be made within the first fourteen (14) days by the Principal or his/her designee.
11. If the records are not received within fourteen (14) days of the date of request, or the pupil's previous school indicates that it has no record of the pupil's attendance, or if the pupil does not present any one of the following: (1) a certification of birth; (2) a passport or attested transcript of a passport 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; (3) an attested transcript of the certificate of birth; (4) an attested transcript of the certificate of baptism or other religious record showing the date and place of birth of the child; (5) an attested transcript of a hospital record showing the date and place of birth of the child; or (6) a birth affidavit, the Principal will contact the former school directly, then the Principal or his/her designee will notify the law enforcement agency having jurisdiction in the area where the pupil resides of this fact and of the possibility that the pupil may be a missing child.
12. The School shall not admit any student requesting admission to the School after discharge or release from the custody of the department of youth services until the School is in receipt of (1) an updated copy of the student's academic transcript; (2) a report outlining the student's behavior in school while in custody of the department; (3) the student's current IEP if applicable; and (4) a summary of the institutional record of the student's behavior.
13. The School shall not deny admission to a child who has been placed in a foster home or in a residential facility (*e.g.*, a group home, child's crisis care facility, children's residential center, residential parenting facility with 24-hour care, county children's home or district's children's home) if the child does not present a birth certificate, or a comparable certificate from another state or country, or another document specifically listed above in (3) to attest to the child's date and place of birth upon registration for admission. Required documentation must be presented within ninety (90) days of the child's initial entry into the School. If the required records are not produced within ninety (90) days of enrollment the Principal or his/her designee will notify the law enforcement agency having jurisdiction in the area where the pupil resides of this fact and of the possibility that the pupil may be a missing child. A student under the care of a domestic violence shelter at the time of initial enrollment shall notify the School of that fact, and the School shall inform the school from which it requests the pupil's records of that fact.

14. In the event that an order or decree is issued allocating or modifying an allocation of parental rights and designating a residential parent, or that a grandparent power of attorney or caretaker authorization affidavit is executed, that residential parent or grandparent shall provide the School with a complete and accurate copy of the order and any other relevant documentation.

Requests for student records:

15. Upon receipt of a request for student records, the School will comply within two (2) business days.
16. Copies of the student's records will be made and kept on file.

R.C. 3313.672; O.A.C. 3301-10-01.

See also Policy 252 Missing and Absent Children.

241.4 Enrollees Suspended or Expelled Elsewhere

The school has the authority to recognize and honor the disciplinary suspensions and expulsions imposed by other public schools. A student who has been suspended or expelled from another school district in Ohio may be denied admittance at the School for a period equal to the period of the original suspension or expulsion. The student will be provided an opportunity for a hearing before admittance is denied.

If the student has been expelled or otherwise removed for disciplinary purposes from a public school in another state, the School may deny admittance for the shorter of (1) the period of such expulsion or removal or (2) the period of expulsion or removal which would have been applied had the student committed the same offense in Ohio. Prior to denial of admission, the student will be given an opportunity for a hearing.

R.C. 3313.66(J)(1)-(2)

241.5 Enrollment and Residency Policy

The School admits students residing in the home district of _____, and [_____] contiguous districts, **OR**, [_____] statewide [check one] (“admissions areas”). The School serves grades ____ - ____ and/or ages ____ - ____ as per its Community School Contract with its Sponsor.

A child shall be admitted to the School as a student, if the child’s parent resides in the School’s admission areas. Residency is not determined solely by where the parents own or rent a home or an apartment, but rather by where the primary residence is and where substantial family activities take place. Any one (1) of the following documents can be used to establish proof of residency for verification of a child’s ability to be enrolled. These items must be current, be in the parent’s name, and include a street address. A post office box address cannot be used to validate residency records:

- a. A deed, mortgage, lease, current home owner’s or renter’s insurance declaration page, or current real property tax bill; or
- b. A utility bill or receipt of utility installation issued within ninety days of enrollment; or
- c. A paycheck or paystub issued to the parent or student within ninety days of enrollment that includes the address of the parent’s or student’s primary residence; or
- d. The most current available bank statement issued to the parent or student that includes the address of the parent’s or student’s primary residence; or
- e. Documented affirmation of the parent’s address from the district of residence where the parent currently resides; or
- f. Notarized affirmation of current address from parent or student if over age 18; or
- g. A USPS return receipt from a certified letter sent to the parents by the district of residence; or
- h. Written confirmation of the parent’s current address from the Ohio Department of Job and Family Services; or
- i. Written confirmation of the parent’s current address from a local law enforcement agency; or
- j. Any other official document issued to the parent or student that includes the address of the parent’s or student’s primary residence and as approved by the Ohio Superintendent of Public Instruction.

If there is a change in the location of the parent or student’s primary residence, the student’s parent must notify the School immediately.

The School shall monthly review the residency records of students enrolled in the School and shall provide an annual verification to the Ohio Department of Education that students are entitled to attend the School. Notwithstanding anything contrary in this policy, after a student's initial submission of one of the approved proof of residency records for enrollment purposes, the School may utilize either: one (1) newly submitted proof of residency documents listed in (a) through (j), or one (1) signed parent statement identifying the student's primary home address in order to conduct the monthly and annual verification. The Principal or his or her designee will compare each submitted proof of residence with the School's EMIS records to ensure that EMIS reporting is accurate that students are permitted to enroll.

All custody or court orders pertaining to the family or student must be turned in when asked, or at admission. If the School and Parent disagree as to residency status, the Superintendent of Public Instruction shall determine the public school in which the student may enroll. If the School and the Student's home district (district of residency) disagree about residency, this policy shall supersede any policy concerning the number of documents for initial residency verification adopted by the student's home district. If the district of residence challenges the student's residency, the Principal may request additional documentation from the Parent, which may be provided to the student's home district.

R.C. 3314.03(A); R.C. 3314.11; R.C. 3313.64(B)(1); R.C. 3313.64(K)

See also Appendix 241.5-A Residency Verification Procedures; Appendix 241.5-B Monthly Residency Verification Report; Policy 204.8 Migrant Students; Policy 241 Admissions and Lottery Standards; Policy 241.3 Compulsory and Early Kindergarten Admissions; Policy 252 Missing and Absent Children; Policy 294 Student Records and Release of Information; Policy 297 Homeless Children and Youth Policy; and Policy 298 Grandparent Caretaker Policy.

244 **Graduation Requirements**

Students must meet both curriculum and graduation testing requirements in order to earn an Ohio high school diploma. See **Appendix 246-A** for Ohio graduation requirements.

[Insert additional graduation requirements, if any]

See Appendix 246-A What It Takes to Earn an Ohio High School Diploma.

244.1 Graduation Requirements- Classes of 2018, 2019 and 2020 Only

The School expects that most students will graduate by meeting one of the four (4) existing pathways to graduation. However, as a result of changes to graduation assessment requirements, the School acknowledges that not all students will be successful in meeting the new testing standards required by law. For this reason, so long as students take and pass required curriculum courses and complete all end-of-course exams*, students shall be eligible to earn a high school diploma without achieving the required cumulative passing score on end-of-course exams, if either:

1. Students meet at least two of the following:
 - Students who enter ninth grade for the first time between July 1, 2014 and June 30, 2016 (“Classes of 2018 and 2019”), an attendance rate of 93% during the 12th grade year;
 - Earn a GPA of 2.5 on a 4.0 scale in all courses completed during the 12th grade for the Classes of 2018 and 2019, and a 2.5 on a 4.0 scale in all courses completed during 11th and 12th grade for students entering ninth grade for the first time between July 1, 2016 and June 30, 2017 (“Class of 2020”) (must complete at least 4 full-year or equivalent courses);
 - Successfully complete a capstone project during 12th grade. Student capstones for the Class of 2020 must be evaluated based on the framework that will be developed by the Ohio Department of Education;
 - During 12th grade, complete a work or community service experience totaling 120 hours, including internships, work study, co-ops, and apprenticeships as approved by the School. Approval and verification of student work for students in the Class of 2020 must comply with the guidance developed by the Ohio Department of Education and the Governor’s Office of Workforce Transformation;
 - Earn 3 or more transcribed credits through College Credit Plus at any time during high school;
 - Earn credit for an Advanced Placement or International Baccalaureate course and earn an AP exam score of 3 or higher or an IB exam score of 4 or higher at any time during high school;
 - Earn a WorkKeys exam score of 3 on each of the 3 test sections;
 - Earn a State Board-approved industry-recognized credential or credentials that equal at least 3 points; or
 - Meet OhioMeansJobs Readiness Seal requirements.
2. Career-Technical Education students** complete at least 1 of the following:

- Earn a total score of proficient or better based on all career-technical exams or test modules;
- Earn an industry-recognized credential or credentials that equal 12 points; or
- Complete a workplace experience, pursuant to an agreement between the School, the student and the employer, totaling 250 hours with evidence of positive evaluations.

*If a student receives a score of “1” or “2” on any math or English language arts test, the student must retake the test at least once.

**Students must finish a career-technical program that includes at least 4 courses in a single career pathway.

Ohio 132nd General Assembly, House Bill 49, Section 733.67; Ohio 132nd General Assembly, House Bill 491, Section 3.

244.2 Physical Education Waiver

Any student who, during high school, has participated in either two full seasons of interscholastic athletics, marching band, show choir, or cheerleading, or has participated in the junior reserve officer training corps (“JROTC”) for at least two (2) full school years, shall not be required to complete any physical education course as a condition to graduate. In lieu of a physical education course, the student shall be required to complete one-half (1/2) unit, consisting of at least sixty (60) hours of instruction, in another course of study. Credit received for participation in the junior reserve officer training corps may be used to satisfy the requirement to complete one-half (1/2) unit in another course of study.

Nothing in this policy denies participation in any physical education course to students who want to participate.

R.C. 3313.603(L).

See **Appendix 246-A** What It Takes to Earn an Ohio High School Diploma. See also **Appendix 244-A** Physical Education Waiver Form.

The Board recognizes that the personal, social, physical, and educational growth of children will vary, and that they should be placed in the educational setting most appropriate for their needs at the various stages of their growth. Each student will be moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development. Parent(s) and students are made aware of the instructional objectives, performance standards, and promotion criteria. Periodically during the year teachers shall provide written progress and grade reports. Teachers will also provide evaluation reports to parent(s) and students during teacher-parent conferences. The grading system used to measure student progress toward achieving the predetermined instructional objectives and performance standards is applied consistently throughout the School. All promotion and retention decisions are subject to the third grade reading guarantee requirements.

Promotion

A student will be promoted from one grade to the next provided the student meets the applicable promotion criteria. The decision to promote a student shall rest solely with the Principal, with appropriate input from the student's teacher(s), the professional staff, and parent(s).

Retention

A student is required to be retained if he/she is truant for ten percent (10%) or more of the required school days and has failed at least two (2) courses of study, unless the Principal and the teachers of the failed subjects determine that the student is academically prepared to be promoted.

Additionally, a student shall not be promoted or allowed to pass to a higher grade or course level if the student fails to meet established standards for a particular grade or course level.

Retention decisions will be made only after the Principal or applicable teachers have notified and conferred with parent(s) as to the student's progress or lack thereof. These notifications and conferences will take place as soon as teachers and the Principal identify that a student's promotion could be in jeopardy.

Factors

Teachers and the Principal will consider at least the following factors in arriving at decisions on promotion or retention. Factors are applicable in all grade levels.

- The student's level of academic aptitude and achievement;
- The student's level of social and emotional development and the student's ability to effectively interact with other students in his/her current grade level;
- The student's attendance patterns (absences, tardies, early checkout, excused, or unexcused) and its effect on the student's progress; and
- Any other factors thought to be appropriate by the Principal, teacher(s), and professional staff.

The School will not utilize a Student's failure to attain a specified score on any statewide achievement assessment as a factor in any decision to deny a Student's promotion to a higher grade level, except that the School may use a Student's failure to attain a score in at least the basic range as a factor in deciding to deny a Student's promotion to the next level on the following assessments:

- 3rd grade math and English language arts achievement assessments;
- 4th grade English language arts and math achievement assessments, and the formative or summative social studies assessment prescribed by the School;
- 5th grade English language arts, math, and science achievement assessments;
- 6th grade English language arts and math achievement assessments, and the formative or summative social studies assessment prescribed by the School;
- 7th grade English language arts and math achievement assessments; or
- 8th grade English language arts, math, and science achievement assessments.

The School may choose not to promote to the next grade level a Student who does not take a required statewide achievement assessment or make-up assessment, and who is not exempt from the requirement to take such assessment.

Disabled Students

Promotion and retention of previously identified disabled students shall be subject to the factors and policy above, but shall also consider the contents of the student's individualized educational plan (IEP).

Third Grade Guarantee

The School will not promote any student to the fourth grade who does not achieve at least the level equivalent to the level designated by the Ohio Board of Education unless:

- The student is an English learner who has been enrolled in U.S. schools for less than three full school years and has had less than three years' instruction in an English as a second language program;
- The student is a student with a disability entitled to special education and related services and the student's IEP exempts the student from retention;
- The student demonstrated an acceptable level of performance on an alternative standardized reading assessment as determined by the Ohio Department of Education;
- The student received intensive remediation for reading for two school years but still demonstrates a deficiency in reading and was previously retained in any grades K through 3; or
- All of the following apply:
 - The student is a student with a disability;
 - The student has taken the third grade English language arts achievement assessment;

- The student's IEP or 504 plan shows that the student has received intensive remediation in reading for two school years but still demonstrates a deficiency in reading; and
- The student previously was retained in grades K-3.

If a student is promoted despite not attaining the Ohio Board of Education specified level (which may change yearly), the student will continue to receive intensive reading instruction in the fourth grade, including an altered instructional day, specialized diagnostic information, and specific research-based reading strategies that have been successful in improving reading among low performing readers.

If the student is retained, the School shall:

- Provide intensive remediation until the student is able to read at grade-level, including intensive interventions in reading and a minimum of ninety (90) minutes of daily reading, that address the deficient areas; and
- Provide each student with a high-performing teacher, as determined by the teacher's student performance data when available, and performance reviews.

If a student who has been retained demonstrates that he or she is reading at or above grade level, the student may be promoted mid-year to the fourth grade at the Principal's discretion.

Intervention

Annually, the School will assess the reading skills of each student enrolled in grades 1 to 3 by September 30, and in kindergarten by November 1, and will identify students who are reading below grade level, except those students with cognitive disabilities or other disabilities as authorized by the Ohio Department of Education on a case-by-case basis. The students' classroom teachers shall be involved in the assessment and identification of students reading below grade level, however such assessment may be administered electronically using live, two-way video and audio connections if the teacher administering the assessment is in a separate location from the student.

Beginning with the 2019-2020 school year, the School will do the following for students reading below grade level, or for all students if less than 80% of the students at the School score at the proficient level or higher in the third grade English language arts assessment:

- Provide written notification to the student's parent(s) that includes the following:
 - A statement that the student has been identified as having a substantial deficiency in reading;
 - A description of the current services that are provided to the student;
 - A description of the proposed supplemental instructional services and supports that will be provided to the student that are designed to remediate the identified areas of reading deficiency;
 - A statement that if the student receives a score within a certain range on the assessment to measure English and language arts skills, the student will be retained unless the student is exempt; and

- A statement that the assessment is not the sole determinant of promotion and that additional evaluations and assessments are available to assist the School and parent(s) in knowing whether the student is reading at or above grade level and is ready for promotion.
- Provide intensive reading instruction services and regular diagnostic assessments to the student immediately following identification of a reading deficiency, including research-based reading strategies that have been shown to be successful in improving reading among low-performing readers and targeted at the student's identified deficiencies.
- Develop a reading improvement and monitoring plan within sixty (60) days after receiving the student's results on the diagnostic assessment. The plan must include:
 - Identification of the student's specific reading deficiencies;
 - A description of the additional instructional services and support that will be provided to the student to remediate the identified reading deficiencies;
 - Opportunities for the student's parent(s) to be involved in the instructional services and support;
 - A process for monitoring the extent to which the student receives the instructional services and support;
 - A reading curriculum during regular school hours that does all of the following: assists students to read at grade level, provides scientifically based and reliable assessment, and provides initial and ongoing analysis of each student's reading process; and
 - A statement that if the student fails to attain a level designated by the Ohio Board of Education on the assessment to measure skill in English language arts expected by the end of the third grade, the student may be retained in the third grade.

Teacher Qualifications

Each student with a reading improvement and monitoring plan shall be assigned a teacher who has at least one year of teaching experience and:

- Holds a reading endorsement on the teacher's license and has attained a passing score on the corresponding assessment for that endorsement, as applicable; or
- Completed a master's degree program with a major in reading; or
- Was rated "most effective" for reading instruction consecutively for the most recent two years based on assessments of student growth measures developed by a vendor and that is on the list of student assessments approved by the State Board of Education; or
- Was rated "above expected value added" in reading instruction, as determined by criteria established by the Ohio Department of Education, for the most recent consecutive two years; or

- Earned a passing score on a rigorous test of principles of scientifically research-based reading instruction approved by the State Board of Education; or
- Holds an educator license for teaching grades pre-kindergarten through three or four through nine issued on or after July 1, 2017.

The student may be assigned a teacher with less than one year of teaching experience provided that teacher meets one of the above criteria and is assigned a teacher mentor who also meets the qualifications above.

A student with a reading improvement and monitoring plan who enters the third grade after July 1, 2013 but prior to July 1, 2016, a student who is an English language learner and has been in the United States for three years or less, or a student who has an IEP may be assigned a teacher who holds an alternative credential approved by the Ohio Department of Education or who has successfully completed training based on principles of scientifically research-based reading instruction approved by the Ohio Department of Education. Beginning July 1, 2014, the alternative credentials and training must be aligned with the reading competencies adopted by the State Board of Education.

Nothing in the Third Grade Guarantee prevents a student with a reading improvement and monitoring plan from receiving reading intervention and remediation services from an individual employed as a speech-language pathologist who holds a license issued by the board of speech-language pathology and audiology and a professional pupil services license as a school speech-language pathologist issued by the State Board of Education.

A teacher other than the student's assigned teacher may provide any services required under the Third Grade Guarantee, provided that the teacher meets the qualification requirements and that the assigned teacher and Principal agree to the assignment. Any such assignment of services must be documented in the student's reading improvement and monitoring plan.

Reporting Requirement

The School shall annually report to the Department of Education its implementation and compliance with the Third Grade Guarantee.

When a student enrolls in the School, the School will provide the parent(s) with a copy of the most recent School report card.

R.C. 3313.608; 3313.609; 3301.0710; 3301.0711; 3313.6411(B); 20 USC 1400 et seq.

The Board recognizes that an effective educational program is one that provides opportunities for students to customize aspects of their learning around their respective needs and interests. Credit Flexibility is one method to motivate and increase student learning by allowing access to more resources, customization around individual student needs, and the use of multiple measures of learning.

Credit Flexibility allows students to earn units of high school credit and course credit based on an individually approved Credit Flexibility Plan. The intent of credit flexibility is to meet increased expectations for high school graduation in response to globalization, technology and demographics, and to meet the demand for 21st Century skills.

In accordance with State law, the School must develop and implement a Credit Flexibility Plan that enables students to earn high school credit by:

1. completing coursework;
2. testing out or showing mastery of course content;
3. pursuing an educational option and/or an individually approved option; and/or
4. any combination of the above.

The School may integrate academic content from multiple subject areas into a single course, including a career-technical course, in accordance with Ohio Department of Education standards. Upon successful completion of an integrated course, a student may receive credit for both subject areas that were integrated into the course. If an end-of-course exam is required for the subject area(s) delivered through integrated instruction, the School may administer the relevant subject area assessment(s) upon the completion of the integrated course.

The Principal and/or designee develops the School's Credit Flexibility Plan consistent with the provisions of the regulation contained in **Appendix 247-A**. Also, the School's Credit Flexibility Plan can be found in **Appendix 247-B**.

R.C. 3313.60; 3313.603; 3313.609; 3313.6013; 3313.611; 3313.613; 3313.614; 3313.90; 3321.04; Chapters 3324; 3365; O.A.C. Chapters 3301-34; 3301-35-06; 3301-46; 3301-51; 3301-61

It is the School's expectation that all students will graduate from high school with a high school diploma; however, the School recognizes that some students from time-to-time may face hardships that put them at-risk of not graduating. For this reason, the School will begin complying with this policy on July 1, 2020.

Graduation Plan

The School shall develop a graduation plan for each student enrolled in grades nine through twelve, unless the student is which shall address the student's academic pathway to meet graduation requirements. The graduation plan shall be developed jointly by the student and a representative of the School. Parents shall also be invited to participate in the development of the graduation plan. The plan shall be updated annually until the student graduates with a high school diploma or is no longer enrolled in the School.

A graduation plan is intended to supplement an existing student success plan. In lieu of a graduation plan, a student with a qualifying disability may use an individualized education program ("IEP") that contains academic goals substantively similar to those in a graduation plan.

Criteria and Identification of At-Risk Students

A student may be considered "at-risk" of not graduating if the student is in grades nine to twelve and has either (a) demonstrated a lack of adequate progress in meeting the requirements for graduation specified in the student's graduation plan, (b) is at least one grade level behind his or her cohort age group, or (c) the student experiences a crisis that significantly interferes with his or her academic progress.

During the course of the year, teachers have the most frequent and meaningful contacts with students, and are therefore the most likely to first notice that a student is experiencing a crisis that is significantly interfering with the student's academic progress. If a teacher becomes aware of a student meeting the at-risk criteria, the teacher should notify the Principal or his or her designee of concerns. The Principal or his or her designee in turn will investigate and determine if the student is at-risk of not graduating.

At least once each academic year, the Principal or his or her designee will determine the names of any students who failed to demonstrate adequate progress in meeting graduation requirements or are one or more years behind their respective cohort age group.

Parental Notification Process

The Principal or his or her designee shall provide written notice to the parent of any student identified as at-risk of not qualifying for a high school diploma. The written notice shall include a description of the School's curriculum and graduation requirements, or, if applicable, the requirements for graduation pursuant to a student's IEP. The notice shall also detail the additional instructional and support services available to the student to earn a high school diploma. Additional instructional or support services will be made available to students at-risk of not graduating. Instructional or support services may include mentoring programs, tutoring, earning credit through demonstration of subject area competency and adjusted curriculum options, career-technical programs, mental or physical health services (to the extent required by an IEP or Section 504 Plan), family engagement and support services, or other services deemed appropriate by the Principal or his or her designee.

R.C. 3313.617.

Appendix 248-A Graduation Plan Invitation Letter to Parent, Appendix 248-B Parental Notification That Student is At-Risk of Not Graduating, Appendix 248-C Graduation Plan. Policy 204.14 Career Advising and Student Success Plans.

SECTION 250

ATTENDANCE

General Policy

Students enrolled in the School must attend School regularly in accordance with the laws of the State. The educational program offered by the School is predicated upon the presence and punctuality of the student and requires continuity of instruction and classroom participation. A parent must contact the School in accordance with the procedure set forth in Policy 252 whenever a student is absent.

Attendance shall be required of all students enrolled at the School during the days and hours that the School is in session. Attendance need not always be within the School facilities, but a student will be considered to be in attendance if present at any place where School is in session by authority of the Board.

Excused Absences

Absences due to the following will be excused:

1. Personal physical illness that prevents attendance at School (at the discretion of the Principal or his/her designee, a written statement from a physician may be required).
2. Personal mental illness such that the student will not benefit from instruction (at the discretion of the Principal or his/her designee, a written statement from a physician/mental health professional may be required).
3. Illness in the family necessitating the presence of the child (at the discretion of the Principal or his/her designee, a written statement from a physician and an explanation as to why the child's absence was necessary may be required).
4. Quarantine of the home (absence will be excused for the duration of the quarantine as determined by proper health officials).
5. Death in the family (absence will be excused for no more than eighteen (18) hours unless the Principal or his/her designee determines that a longer absence is reasonably necessary).
6. Medical or dental appointments (at the discretion of the Principal or his/her designee, a written statement from a physician confirming the appointment may be required).
7. Observance of religious holidays consistent with the child's truly held religious beliefs.
8. College or university visits (at the discretion of the Principal or his/her designee, verification of the date and time of the visit may be requested).
9. Absence due to a placement in or changes to a foster care placement or any court proceeding related to a student's foster care status.
10. Absences due to a student being homeless.

11. The existence of an emergency condition at home such as absence, illness, or death of the parent.
12. Necessary work in a family business or on a family farm (after proof of necessary absence is provided to the Principal or his/her designee).
13. Necessary work directly and exclusively for a child's parent, if the child is over the age of fourteen (14) and has been in regular attendance at school during the current school year (after proof of necessary absence is provided to the Principal or his/her designee).
14. Instruction at home from a person qualified to teach the branches of education in which instruction is required, and such additional branches, as the advancement and needs of the child may require (after adequate certification of home instruction has been provided to the Principal or his/her designee).
15. An emergency or set of circumstances which in the judgment of the School constitutes a good and sufficient cause for absence.
16. If a student is absent from School for the sole purpose of traveling out of state to participate in a School-approved enrichment activity or extracurricular activity, the School shall count that absence as an excused absence, up to a maximum of twenty-four (24) hours per school year that the School is open for instruction. The student must complete any classroom assignments he/she misses due to the absence. If the student will be absent for twenty-four (24) or more consecutive hours that the School is open for instruction, a classroom teacher must accompany the student during the travel period to provide the student with instructional assistance in order to count the student as in attendance.

The Principal or his/her designee reserves the right to verify statements and to investigate the cause of absence.

Excuses from future school attendance:

1. Shall be limited to a period not to exceed thirty (30) school hours and can be renewed at the discretion of the Superintendent or his/her designee for thirty (30) additional hours. Absences shall not exceed sixty (60) consecutive hours unless the child's parent has recently died or become totally or partially incapacitated and there is no older sibling living in the home who is out of school. At the discretion of the Superintendent or his/her designee, a written statement from a physician may be required.
2. May not materially endanger the child's educational welfare and scholastic advancement.

Withdrawal

A student who fails to participate in seventy-two (72) consecutive hours of learning opportunities will be automatically withdrawn, unless the student's absence is excused. Otherwise, a parent may withdraw a student voluntarily by signing a Voluntary Withdrawal form with the Principal or his/her designee.

Whenever a student withdraws from the School voluntarily, the Student's teacher shall attempt to ascertain the reason for withdrawal and shall immediately inform the Superintendent or his/her designee of the reason for the withdrawal. If the Student voluntarily withdrew from the School as a result of a change in residence, the Superintendent or his/her designee shall notify the superintendent of the district to which the Student has moved of all essential information regarding the Student, including the Student's new address.

If the Superintendent or his/her designee becomes aware that a Student who has withdrawn from the School for reasons other than a change of residence is not enrolled in another school, the Superintendent or his/her designee shall notify the registrar of motor vehicles and the juvenile judge of the county in which the School is located of the Student's likely violation of the State's compulsory education laws. Notice shall be given within two (2) weeks and shall include the Student's name, address, date of birth, School, and the district where the Student resides. Any notice given in error shall be immediately rescinded by the Superintendent or his/her designee.

Disciplinary Action for Unexcused Tardiness or Absence

Repeated unexcused absences/tardiness may be grounds for disciplinary action that will not include suspension or expulsion.

A student is tardy when a student is more than five (5) minutes late for School or for a class. If a student misses more than half a class, the student will be marked absent for the class. When tracking hours of missed instruction for excessive absence and truancy purposes, the School shall (select one):

- Track tardiness and early dismissals to the nearest hour of missed instruction for each instance of tardiness or early dismissal per day (e.g., if a student is thirty-five (35) minutes tardy to school and leaves school forty-five (45) minutes early, the student shall be counted as absent for two (2) hours of that day).
- Track tardiness and early dismissal times based on the precise amount of missed instruction, tracked to the nearest minute (e.g., if a student is thirty-five (35) minutes tardy to school and leaves school forty-five (45) minutes early, the student shall be counted as absent for eighty (80) minutes of that day).
- Track tardiness and early dismissals to the nearest _____ minutes (not to exceed sixty (60) minutes) of missed instruction for each instance of tardiness or early dismissal per day.

Students shall not be considered absent for purposes of habitual truancy calculations while out of class for a legitimate reason, including but not limited to restroom breaks, visits to the nurses office, counselor meetings, or remediation sessions.

Any student who, due to a medically-documented physical or mental impairment, is absent for an extended period will not be disciplined. Such students may be entitled to receive an education tailored to their individual needs or abilities as provided for under federal and/or state law.

Truancy and Absence Intervention Strategies

The Principal or his/her designee may act as the School's attendance officer or delegate that duty as permitted by law. The School's attendance officer shall investigate possible School attendance violations, and is authorized under Ohio law, to serve warrants, to enter places where children of compulsory School age are employed, and to take such other actions as may be necessary to enforce the compulsory education laws.

A student is excessively absent from school if a student is absent from the School with or without legitimate nonmendical excuse for thirty-eight (38) or more hours in one (1) school month or sixty-five (65) or more hours in one (1) school year. Within seven (7) days of a student becoming excessively absent from School, the attendance officer shall notify the student's parents of the student's absences in writing.

A student is habitually truant if the student is absent without a legitimate excuse for thirty (30) or more consecutive hours, for forty-two (42) or more hours in one (1) school month, or seventy-two (72) or more hours in one (1) school year.

Legitimate excuses for the absence of a student otherwise habitually truant include but are not limited to:

1. the student was enrolled in another school;
2. the student's absence was excused in accordance with applicable law or policy; or,
3. the student has received an age and schooling certificate.

If the student is habitually truant and the student's parents have failed to cause the student's attendance, the School will assign the student to an absence intervention team ("AIT") within ten (10) days. The Principal or designee selects the AIT members, who shall include a representative of the School who knows the child and the child's parent, guardian, custodian, guardian ad litem, or temporary custodian. Members may also include a school psychologist, counselor, social worker, or representative of a public or nonprofit agency designed to assist students and their families in reducing absences.

Within seven (7) days of the School's determination that the student is a habitual truant, the School will make at least three (3) reasonable, meaningful attempts to secure the child's parent, guardian, or custodian's (for the purposes of this policy, "parent") participation on the AIT. If the parent responds to attempts but is unable to attend, the School will notify the parent of the right to participate by designee. In the event the parent does not respond to the attempts at all, the School will investigate whether the failure to respond triggers child abuse and neglect reporting requirements and instruct the other members of the AIT to develop a plan for the child.

Within fourteen (14) days after its formation, the AIT will develop a written plan ("AIT plan") to reduce or eliminate Student's further absences. The AIT plan will state that a complaint will be filed in juvenile court alleging that the child is an unruly child not later than sixty-one (61) days after implementation if the child refuses to participate in or fails to make satisfactory progress on the plan or other alternatives to adjudication. The School will make reasonable attempts to provide student's parent with written notice of the plan within seven (7) days of development.

If a student becomes habitually truant during the last twenty-two (22) school days of the year, the School may assign one official to work with the parent and develop an AIT plan in lieu of forming a full AIT. The plan shall be implemented not later than seven (7) days prior to the first day of instruction of the next school year.

AIT Exemption: The School shall be exempt from AIT procedural requirements if it has a chronic absenteeism rate of less than 5% of the student body per the last state report card.

The School shall employ absence intervention strategies for all students who are excessively absent from School. Such strategies shall include the following, if applicable:

1. Providing a truancy intervention plan for any student who is excessively absent from school;
2. Providing counseling for a habitual truant;
3. Requesting or requiring a parent to attend parental involvement programs;
4. Requesting or requiring a parent to attend truancy prevention mediation programs;
5. Notification of the registrar of motor vehicles of student's truancy status if the student misses sixty consecutive hours of instruction or ninety hours of instruction during the course of the school year; and
6. Taking legal action under R.C. 2919.222, 3321.20, and/or 3321.38.

On the 61st day after the implementation of an AIT plan or other intervention strategy, the attendance officer shall file a complaint with the juvenile court against a student, if all of the following apply:

1. the student is a habitual truant;
2. the School has made meaningful attempts to re-engage the student through the AIT plan, other intervention strategies, and any other offered alternatives to adjudication; and
3. the student has refused to participate in or failed to make satisfactory progress on the AIT plan, as determined by the AIT, or any offered intervention strategies or alternatives to adjudication.

If the 61st day falls during the summer months, at the School's discretion, the AIT or attendance officer may extend the implementation of the plan and delay filing the complaint for an additional thirty (30) days from the first day of instruction of the next school year.

If, however, at any time during the implementation phase of the AIT plan or other intervention strategy, the student is absent without legitimate excuse for thirty (30) or more consecutive hours or forty-two (42) or more hours in one school month, the attendance officer shall file a complaint with the juvenile court against the student, unless the AIT has determined that the student has made substantial progress on the absence intervention plan.

The Principal or his/her designee is also authorized to establish a parent education program for parents of students who are habitually truant. Any parent assigned to the program who does not complete the program is to be reported to law enforcement authorities for neglect of parent education, a fourth class misdemeanor if found guilty.

Reporting

The School shall report to the Ohio Department of Education, as soon as practicable, any of the following occurrences:

1. When a student is deemed habitually truant.
2. When a student is deemed excessively absent.
3. When a student has been adjudicated an unruly child for being a habitual truant and violates the court order regarding that adjudication.
4. When an AIT plan has been implemented for a student.

This Board consulted with the juvenile court of the counties in which the School is located, parents of students attending the School, and state and local agencies deemed appropriate by the Board prior to adopting this policy.

R.C. 2151.011; R.C. 2151.27; R.C. 3314.03(A)(6); R.C. 3314.11; R.C. 3321.01; R.C. 3321.041; R.C. 3321.13-.191; O.A.C. 3301-69-02.

The Board believes in the importance of trying to decrease the number of missing children. Therefore, efforts will be made to identify possible missing children and notify the proper adults or agencies.

At the time of his/her initial entry to school, a student, or if the student is a minor, a parent, shall present to the person in charge of admission (1) any records given to him/her by the elementary or secondary school she/he most recently attended (2) a certified copy of an order or decree, or modification of such an order or decree allocating parental rights and responsibilities for the care of the pupil and designating a residential parent and legal custodian of the pupil, if applicable; and (3) a certification of birth* issued pursuant to Section 3705.05 of the Ohio Revised Code or a comparable certificate or certification issued pursuant to the statutes of another state, territory, possession, or nation. Within twenty-four (24) hours of the student's entry into the school, a school official shall request the student's official records from the elementary or secondary school the student most recently attended. If the school the student claims to have most recently attended indicates that it has no records of the student's attendance or the records are not received within fourteen (14) days of the date of request, or the student does not present a certification of birth or comparable certificate or certification from another state, territory, possession, or nation, the Principal or his/her designee shall notify the law enforcement agency having jurisdiction in the area where the student resides of this fact and of the possibility that the student may, be a missing child, as this term is defined in Section 2901.30 of the Ohio Revised Code.

If the School receives notification from a law enforcement agency that it has made a missing child report for a current or a former student, then the School must mark the student's records so that whenever a copy of, or information regarding the records is requested, any School official responding to the request is alerted that the records are those of a reported missing child. In addition, when a request of records or information is received, the person in charge of admission must immediately report the request to the law enforcement agency that notified the School that the student might be a missing child. When forwarding a copy of, or information from the student's records in response to a request, the School must do so in such a way that the receiving school is not able to discern that the student's records are marked. The School must retain the mark in the records until notified that the student is no longer a missing child, at which time the School must remove the mark from the student's records in such a way that it would be impossible to tell that the records were ever marked. See **Appendix 252-A** for the Missing Child Reporting and Marking Form.

The School will immediately give notice to the Ohio Attorney General's missing children clearinghouse and the law enforcement agency where the missing child resides if the School becomes aware that any missing child might be in attendance at the School. To the extent that it can, the School will also assist parents in the case of a missing student by coordinating with local law enforcement and the missing children clearinghouse.

The School has established an informational program for students, parents, and community members relative to missing children issues, which is available from the School upon request, including information regarding the fingerprinting program, if applicable. The School's informational program is based on assistance and materials provided by the Ohio Attorney General's missing child education program and resources available from the National Center for

Missing and Exploited Children.

The primary responsibility for a student's attendance at School rests with his/her parent. A parent 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 procedure for absences is as follows:

17. A parent must call or email the School to inform the School that his/her child or children will be absent from School. This phone call should take place within the first hour that School is in session or as soon as practicable.
18. If a parent fails to call or email the School, the school's attendance officer or his/her designee will contact the parent or other person having care of the student to inform him/her of the student's absence. This contact shall occur within one hundred twenty minutes (120) after the beginning of each school day. Attempted contact shall be made one of the following ways:
 - (a) A telephone call placed in person;
 - (b) An automated telephone call via a system that includes verification that each call was actually placed, and either the call was answered by its intended recipient or a voice mail message was left by the automated system relaying the required information;
 - (c) A notification sent through the school's automated student information system;
 - (d) A text-based communication sent to the parent's or other emergency contact's electronic wireless communications device;
 - (e) A notification sent to the email address of the parent or other emergency contact; or
 - (f) A visit, in person, to the student's residence of record.

A community school, community school governing authority, or community school employee is not liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a community school employee's good faith efforts to comply with parental notification procedures.

Parents or other responsible persons shall provide the School with their current home and/or work telephone numbers and home addresses, as well as emergency telephone numbers for such purposes.

Parental notification is not necessary when students are absent with legitimate excuse, to students who are in home-based, online, or internet- or computer-based instruction, or to students who were not expected to be in attendance at a particular school building due to the student's participation in off-campus activities, including participation in a college credit plus program.

*May substitute any of the following documents for a birth certificate: 1) a passport or attested transcript showing the date and place of birth of the child; 2) an attested transcript of a birth certificate; 3) an attested transcript of a baptism certificate or other religious record showing the date and place of birth of the child; 4) an attested transcript of a hospital record showing date and place of birth, or 5) a birth affidavit.

R.C.109.65; R.C.3313.96; R.C.3313.672; R.C.3321.141.

Appendix 252-A Missing Child Reporting and Marking Form and Appendix 252-B Missing Child Educational Program.

SECTION 260

STUDENT CONDUCT/RIGHTS

263 Dress and Grooming

[Insert School Dress Code]

See also Policy 271 Student Code of Conduct.

Students have the right to learn in an environment untainted by sexual or other forms of harassment or discrimination. Offensive conduct that has the purpose or effect of unreasonably interfering with the learning atmosphere or creating an intimidating, hostile, discriminatory, or offensive learning environment, or which disrupts the educational process or impedes the legitimate pedagogical concerns of the School, is strictly prohibited.

Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature. Other prohibited conduct includes that which has the purpose or effect of creating an intimidating, hostile, discriminatory, or offensive learning environment on the basis of gender, religion, race, color, ethnicity, disability, and/or other legally protected category.

The harassment by a student of a staff member or fellow student is strictly forbidden. Any student who is found to have harassed a staff member or student will be subject to discipline.

The harassment of a student or a staff member should be reported immediately by the student or staff member to any teacher or to the Principal or his/her designee. Any person who receives such a report shall immediately advise the Principal or his/her designee or a Board member, who will investigate and take appropriate action in accordance with Board directives.

Should any School employee, or School official who has authority to institute corrective measures on behalf of the School, receive notice of sexual harassment or allegations of sexual harassment, they shall immediately report it to the Title IX Coordinator for further action in accordance with Board directives.

20 USC 1681 et seq.; R.C. 4112.02; See 34 CFR part 106.

See Appendix 264-A Form for Reporting Incidents of Harassment, Intimidation and Bullying. See also Policy 222.1 Title IX Grievance Procedure; Policy 271 Student Code of Conduct.

264.1 Anti-Harassment, Intimidation, and Bullying Policy

The following policy must appear in any student handbook, and in any publications that set forth the comprehensive rules, procedures, and standards for the School and students. Information regarding this policy must be incorporated into employee training materials. Annually, the School shall send a written statement describing the policy and the consequences for violating the policy to each student's custodial parent or guardian, either electronically or with report cards.

The School prohibits acts of harassment, intimidation, or bullying (including cyber-bullying) of any student on school property or at school-sponsored events (any event conducted on or off School property, including School buses and other School related vehicles, that is sponsored, recognized or authorized by the Board). A safe and civil environment in the School is necessary for students to learn and achieve high academic standards. Harassment, intimidation and bullying, like other disruptive or violent behaviors, are conduct that disrupts both a student's ability to learn and the School's ability to educate its students in a safe environment. Since students learn by example, school administrators, faculty, staff, and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate bullying.

"Harassment, intimidation, or bullying" means either of the following: (1) any intentional, written, verbal, electronic, graphic, or physical act that a student or group of students has exhibited toward another particular student more than once, and the behavior both causes mental or 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; or (2) violence within a dating relationship. The definition of "harassment, intimidation, or bullying" also includes the above described acts which are electronically generated, stored or transmitted, sometimes called "cyberbullying."

The School reserves the right to discipline students' off campus behavior which substantially disrupts the School's educational process or mission, or threatens the safety or well-being of a Student or Staff member. Factors which may be considered in determining whether the behavior warrants discipline include, but are not limited to, the following: (1) whether the behavior created material and substantial disruption to the educational process or the School's mission due to the stress on the individual(s) victimized or the time invested by Staff in dealing with the behavior or its consequences; (2) whether a nexus to on-campus activities exists; (3) whether the behavior creates a substantial interference with a Student's or Staff member's security or right to educate and receive education; (4) whether the behavior invades the privacy of others; or (5) whether any threat is deemed to be a true threat by the administration or Board, using factors and guidelines set out by the courts or by common sense, reasonable person standards.

Some acts of harassment, intimidation, bullying, and cyber-bullying may be isolated incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may be so serious or part of a larger pattern of harassment, intimidation, bullying, or cyber-bullying that they require a response either in the classroom, School building, or by law enforcement officials. Consequences and appropriate remedial actions for students who commit an act of harassment, intimidation, bullying, or cyber-bullying range from positive behavior intervention up to and including suspension or expulsion. Due process procedures for suspension and expulsion will be followed, as provided for under R.C. 3313.66. The disciplinary procedures and Code of

Conduct of the School shall be followed and shall not infringe on any student's First Amendment rights under the United States Constitution.

All school personnel, volunteers, and students are required to report prohibited incidents of which they are aware to the Principal or his/her designee. All other persons may report prohibited incidents of which they are aware to the Principal or his/her designee. Should any School employee, or School official who has authority to institute corrective measures on behalf of the School, receive notice of sexual harassment or allegations of sexual harassment, they shall immediately report it to the Title IX Coordinator. Anonymous communications, if necessary, may be made by telephone, electronic mail, or in writing. In the case of sexual harassment, the School shall follow the School's Title IX Grievance Procedure. For all other incidents, the Principal or his/her designee is responsible for determining whether an alleged incident constitutes a violation of this policy. In so doing, the Principal or his/her designee shall conduct a prompt and thorough investigation of the reported incident, and prepare a report documenting the prohibited incident that is reported (See **Appendix 264.1-A** Form for Reporting Incidents of Harassment Intimidation and Bullying). Once an investigation is completed, if the reported incident has been substantiated, the Parent of any Student involved in the prohibited incident shall be notified. Semiannually, the Principal will provide the Board President with a written summary of all reported incidents. To the extent permitted by R.C. 3319.321 and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g), Parents have access to any written reports pertaining to the prohibited incident, and, if the School has a website, the School shall post this summary of reported incidents on the School website. All School personnel, volunteers, and Students shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy promptly and in good faith.

The School prohibits reprisal or retaliation against any victim or person who reports an act of harassment, intimidation, or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Principal or his/her designee after consideration of the nature and circumstances of the act, in accordance with School policies and procedures.

Students are prohibited from deliberately making false reports of harassment, intimidation, or bullying, and Students who deliberately do so will be disciplined up to and including suspension or expulsion.

The School shall implement the following strategy for protecting victims from new or additional harassment, intimidation, or bullying, and from retaliation: supervise and discipline offending students fairly and consistently; provide adult supervision during recess, lunch time, bathroom breaks and in the hallways during times of transition; maintain contact with parents and guardians of all involved parties; provide counseling for the victim if assessed that it is needed; inform School personnel of the incident and instruct them to monitor the victim and the offending party for the indications of harassing, intimidating and bullying behavior. Personnel are to intervene when prohibited behaviors are witnessed; check with the victim daily to ensure that there has been no incidents of harassment, intimidation, bullying, or retaliation from the offender or other parties.

Harassment, intimidation, and bullying behavior can take many forms and can vary dramatically in seriousness and impact on the targeted individual and other students. Accordingly, there is no one prescribed response to verified acts of harassment, intimidation, and bullying. While conduct that rises to the level of "harassment, intimidation, or bullying" will warrant disciplinary action whether and to what extent to impose disciplinary action (*i.e.*, detention, in- and out-of-school suspension, or expulsion) is a matter left in the professional discretion of the Principal, or other

decision-maker in the case of sexual harassment. The following procedure sets forth possible interventions for the Principal to enforce the prohibition against harassment, intimidation, or bullying. Anonymous complaints that are not otherwise verified, however, shall not be the basis for disciplinary action.

1. Non-Disciplinary Interventions

When verified acts of harassment, intimidation, or bullying 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 harassment, intimidation or bullying, its prohibition and their duty to avoid any conduct that could be considered harassing, intimidating 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 such 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. Peer mediation may be deemed inappropriate to address the concern at the discretion of the School administration.

2. 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. 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 Directors, a committee of the board or an impartial hearing officer designated by the Board of Directors in accordance with Board policy. This consequence shall be reserved for serious incidents of harassment, intimidation, or bullying, and/or situations where past interventions have not been successful in eliminating prohibited behaviors.

Nothing in this policy prohibits a victim from seeking redress under any provision of Ohio or federal law that may apply.

To the extent state or federal funds are appropriate, the School shall require that all students enrolled in the School be provided with age-appropriate instruction of this policy annually, including a written or verbal discussion of the consequences for violations. The School may form a prevention task force and/or programs to educate students about this policy, such as holding an assembly on harassment, intimidation and bullying for Parents and Students, to raise the level of awareness and help prevent the prohibited conduct.

The School shall incorporate training on this policy into the in-service training required under R.C. 3319.073. The School may provide training, workshops, or courses to other Staff and volunteers who have direct contact with students.

R.C. 3313.666, 3313.667, 3319.073

See also Policy 222 Title IX Grievance Procedure; Policy 271 Student Code of Conduct; Policy 273 Expulsion and Suspension; Policy 232 Technology and Internet Acceptable Use; Policy 234 Electronic Communication Devices; Policy 261 Student Expression; Policy 262 Student Bill of Rights/Responsibilities; and Policy 264 Sexual and Other Forms of Harassment.

264.2 Anti-Hazing Policy

The School prohibits all acts of hazing. Hazing, like other violent and disruptive behaviors, is conduct that disrupts both a student's ability to learn and the School's ability to educate its students in a safe and civil environment.

Hazing or hazing activity 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. For purposes of this policy, mental harm means mental stress, anxiety, physical injury, sickness, injury to feelings, humiliation, mental anguish, and/or depression, connected to and arising from the hazing activity. Permission, consent or assumption of risk by an individual subjected to hazing does not lessen the prohibition contained in this policy.

Hazing activities of any type are inconsistent with the educational process and are prohibited at all times, regardless of whether the activity occurs on or off of property owned, used or controlled by the School, so long as the hazing activity is in any way connected to the activities or incidents that have occurred on property owned, used or controlled by the school. This policy will be actively enforced at all times.

Hazing is a violation of School policy separate and distinct from harassment or other prohibited conduct. No Student, including leaders of student organizations, may plan, encourage or engage in any hazing activity. Students having engaged in hazing activity and who fail to abide by this policy are subject to disciplinary action including suspension, expulsion, removal or permanent exclusion as set forth elsewhere in this policy manual, and may be liable for civil and criminal penalties pursuant to State law.

Staff are to be particularly alert to possible conditions, circumstances or events, which might include hazing. If hazing or planned hazing is discovered, involved students are informed by the discovering Staff member of the prohibition contained in this policy and are required to end all hazing activities immediately. All hazing incidences are reported immediately to the Principal or his/her designee.

No Staff shall encourage, permit, condone or tolerate any hazing activities, and Staff who fail to abide by this policy may be subject to disciplinary action and may be liable for civil and criminal penalties pursuant to State law.

R.C. 2307.44, 2903.31; 3313.661

See also Policy 271 Student Code of Conduct.

264.3 Gang Activity Policy

The Board believes gangs or gang activity create an atmosphere that seriously disrupts the educational process.

Students are prohibited from engaging in gang activities while at School, on School property, or at School-sponsored events.

As used herein the term “gang” means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or have engaged in a pattern of criminal gang activity.

The term “gang activity” shall mean any conduct engaged in by a student 1) on behalf of any gang; 2) to perpetuate the existence of any gang; 3) to effect the common purpose and design of any gang; or 4) to represent a gang affiliation, loyalty or membership in any way while on School grounds or while attending a School function. These activities include recruiting students for membership in any gang and threatening or intimidating other students or employees to commit acts or omissions against his/her will in furtherance of the common purpose and design of any gang.

A violation of this policy is grounds for suspension or expulsion from School.

See also Policy 271 Student Code of Conduct.

The School recognizes that the misuse of drugs is a serious problem with legal, physical, and social implications for the whole community.

For purposes of this policy, “drugs” shall mean:

1. all controlled substances as so designated and prohibited by applicable federal and Ohio law;
2. all chemicals that release toxic vapors;
3. all alcoholic beverages;
4. any prescription or patent drug, except those for which permission to use in School has been granted pursuant to Board policy;
5. anabolic steroids; and
6. any substance that is a “look-alike” to any of the above.

The School prohibits the use, possession, concealment, or distribution of any drug or any drug-related paraphernalia, as the term is defined by law, on School grounds, on School vehicles and vehicles used for School-sponsored events, and at any School-sponsored event.

The School's drug prevention program:

1. Emphasizes the prevention of drug use;
2. Provides for a comprehensive, age-appropriate, developmentally-based drug and alcohol education and prevention program which:
 - a. addresses the legal, social, psychological, and health consequences of drug and alcohol use;
 - b. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;
 - c. assists students to develop skills to make responsible decisions about substance abuse and other important health issues;
 - d. promotes positive emotional health, self-esteem, and respect for one's body;
 - e. advises students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful; and
 - f. meets the minimal objectives as stated in the essential performance objectives for health education as established by the State Department of Education.

Disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate this Policy.

The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs.

The School will provide information about any drug and alcohol counseling and rehabilitation and re-entry programs available to Students and will direct Students and their Parents to the appropriate programs.

This policy serves as notification to parents and students that compliance with this policy and other standards of conduct is mandatory.

The Principal or his/her designee will conduct a biennial review of the School's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced.

The School will provide a Student assistance program which includes guidelines for prevention, intervention, referral, treatment, and after-care. Such a program must be comprehensive in nature addressing all issues affecting students' academic, social, and emotional well-being in the educational setting which may negatively affect behavior and interfere with their ability to learn.

The School's policies and procedures on Search and Seizure, Suspension and Expulsion, and Permanent Exclusion, among others, will be complied with fully in dealing with Students suspected of drug use or possessing or distributing drugs in School.

The School shall develop a curriculum for instruction in the harmful effects of and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco for students at each grade level and conduct such in-service training programs for Staff members necessary to ensure effective teaching about drugs and assistance to Students with drug problems.

The Principal or his/her designee shall establish administrative guidelines necessary to implement this policy. Such guidelines shall ensure that the proper notice regarding the use of anabolic steroids is posted in all School locker rooms used by students in grades 7-12, as applicable.

20 USC 7114.

See also Policy 271 Student Code of Conduct.

The use of tobacco and some oral, stimulants, including betel nuts, present a health hazard that can have serious consequences both for the user and the nonuser and is, therefore, of concern to the School.

For purposes of this policy, “use of tobacco” shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substances that contain tobacco, as well as electronic, “vapor,” or other substitute forms of cigarettes. Additionally, “use of betel nuts” shall mean any and all use, possession, consumption or chewing of the areca nut (commonly known as the betel nut) or substances containing the areca nut.

The School cannot, even by indirection, condone the use of tobacco or the use of betel nuts. As such, the School prohibits the use of tobacco or betel nuts on School Property.

See **Appendix 269-A** for a “No Smoking” symbol sign which should be posted in areas where smoking is prohibited, including at each entrance. Each sign must also include a telephone number for reporting violations.

20 U.S.C. 6081-6084; R.C. 3313.751; R.C. Chapter 3794.

SECTION 270

STUDENT DISCIPLINE/PROCEDURE

271 Student Code of Conduct

All students are expected to conform to the Student Code of Conduct at School, on the School premises, at School activities or functions whether on or off the School premises and on transportation to and from School, if paid for or provided by the School and are subject to the School's disciplinary process when they fail to do so. Students may also be subject to the School's disciplinary process for a violation of the Student Code of Conduct, regardless where it occurs, if the misconduct is directed at School Staff or their property.

Progressive Discipline

First Level Offense

1. Teacher explains or reviews class and School rules and warns the student of possible consequences.
2. Teacher applies appropriate in school consequences.

Second Level Offense

1. Teacher applies appropriate consequences, including longer time-outs, or alternate areas for reflection, loss of privileges, detention, etc.
2. Teacher personally communicates the problem(s) with the student's parent(s).
3. Teacher sends a written report home and a copy to the office.

Third Level Offense

If actions taken at Levels 1-2 have not corrected the inappropriate behavior, or, if the student engaged in serious act(s) of misconduct for his or her grade level, the Principal may suspend the student from School, not to exceed ten School days, subject to Policy 273.

Fourth Level Offense

Subject to Policy 273, if actions taken at Levels 1-3 have not corrected the inappropriate behavior, or, if the student engaged in serious act(s) of misconduct for his or her grade level, the highest level administrator of the School likened to a Superintendent may expel the student from School, not to exceed 80 days, unless one year is specifically authorized, or, unless the student is permanently excluded under Policy 273.

Progressive discipline levels may be skipped for serious acts of misconduct at the discretion of the Principal and/or the highest level administrator of the School likened to a Superintendent.

Infractions and Likely Disciplinary Action

| | <u>DEFINITION</u> | FIRST OFFENSE | SECOND OFFENSE | THIRD OFFENSE |
|--|--|--|---|---|
| Academic Misconduct | Plagiarizing, cheating, copying another's work or internet materials, gaining unauthorized access to material, using, submitting, or attempting to obtain data or answers dishonestly or by means other than authorized by the teacher. Falsifying information (signing homework, etc.). | Level 1-2 disciplinary action. | Level 2-3 disciplinary action. | Level 3-4 disciplinary action. |
| Bomb Threat | 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. | Level 3-4 disciplinary action and 1 year discretionary expulsion. | Level 3-4 disciplinary action and 1 year discretionary expulsion. | Level 4 disciplinary action and 1 year discretionary expulsion. |
| Criminal Act | Committing an act that is a criminal offense when committed by an adult that results in serious physical harm to persons or serious physical harm to property. | Level 3-4 disciplinary action and 1 year discretionary expulsion. | Level 3-4 disciplinary action and 1 year discretionary expulsion. | Level 4 disciplinary action and 1 year discretionary expulsion. |
| Disruptive Behavior | Engaging in any conduct that causes or results in the breakdown of the orderly process of instruction and/or School activities, including but not limited to failure to carry out directions and/or School guidelines, failure to cooperate with School personnel or parent volunteers, verbally harassing other Students or Staff, and running and/or making excessive noise in the building. | Level 1-2 disciplinary action. | Level 2-3 disciplinary action. | Level 2-4 disciplinary action. |
| Dress Code Violations | See Dress Code | Change into school provided uniform for the day and return it at the end of the school day. Excessive dress code violations may result in additional consequences (Levels 2-3) | | |
| Electronic and Other Communication Devices | No Student shall display or possess any electronic devices (cellular telephones, PDA's, CD players, iPods, gaming devices, etc.) without approval on School property from the beginning of the day to the conclusion of School. | Level 1-2 disciplinary action. | Level 2-3 disciplinary action. | Level 2-4 disciplinary action. |
| Firearm | Bringing a firearm to the School or onto School Property (any Property owned, used, or leased by the School for School, | 1 year mandatory expulsion. | 1 year mandatory expulsion. | 1 year mandatory expulsion. |

| | | | | |
|------------------------|---|---|---|---|
| | School extracurricular or School-related events). | | | |
| | Bringing a firearm to an interscholastic competition, an extracurricular event, or any other School program or activity that is located at a School or on School property. | Level 4 disciplinary action and 1 year discretionary expulsion. | Level 4 disciplinary action and 1 year discretionary expulsion. | Level 4 disciplinary action and 1 year discretionary expulsion. |
| | Possessing a firearm at School, on School Property or at an interscholastic competition, an extracurricular event, or any other School program or activity which firearm was initially brought onto School Property by another person. | Level 4 disciplinary action and 1 year discretionary expulsion. | Level 4 disciplinary action and 1 year discretionary expulsion. | Level 4 disciplinary action and 1 year discretionary expulsion. |
| Gang Activity | No student shall be involved in initiations, hazing, intimidations and/or related activities of group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to Students or Staff. No Student shall wear, carry or display gang paraphernalia or exhibit behaviors or gestures which symbolize gang membership or cause and/or participate in activities which intimidate or affect the attendance of another student. See also Gang Policy. | Levels 1-3 | Level 2-4 | Level 3-4 |
| Homework | Daily homework assignments are an extension of, and reinforce class work, and may be assigned Monday through Friday evenings. The amount of homework and time required for its completion will depend on the grade level of the student and the type of skill or content being developed. All homework must be completed in a timely manner, as determined by the classroom teacher. Repeated failure to timely complete homework is of great concern, and may result in appropriate disciplinary measures. | Level 1 | Level 1-2 | Level 2 -3 |
| Inappropriate language | Using or directing, insulting, degrading, or demeaning language, written or verbal, toward School personnel or any member of the School community. See also Dignity Policy. | Level 1-2 disciplinary action. | Level 1-3 disciplinary action. | Level 2-4 disciplinary action. |

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| Insubordination | Verbal or nonverbal refusal to comply with a reasonable request or directive while on School property or at any School related activity or event. | Level 1 disciplinary action. | Level 2 disciplinary action. | Level 3 or 4 disciplinary action. |
| Intimidation/ Menacing/ Bullying/Cyber-Bullying | Threats, verbal or physical, that inflict fear, injury, or damage. Cyber-bullying is a sub-set of bullying and involves the use of information and communication technologies, including but not limited to email, cell phone and pager text messages, blogs, MySpace, Facebook, Wikipedia, Bebo, the Internet, Xanga, Piczo, instant messaging, defamatory personal Web sites, and defamatory online personal polling Web sites, to support deliberate or repeated, or hostile behavior by an individual or group, that is intended to harm, intimidate or harass others on School time or the School premises, at School events, programs or activities or off School time or School premises if such acts affect other Students or Staff of the School. See also Anti-Bullying. | Level 2-3 disciplinary action. | Level 3-4 disciplinary action. | Level 3-4 disciplinary action. |
| Knife | Bringing a knife capable of causing serious bodily injury to School, onto School property, to an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the School or which the School is a participant. | Level 4 disciplinary action and 1 year discretionary expulsion. | Level 4 disciplinary action and 1 year discretionary expulsion. | Level 4 disciplinary action and 1 year discretionary expulsion. |
| | Possessing a knife capable of causing serious bodily injury at School, on School Property or at an interscholastic competition, an extracurricular event, or any other School program or activity which knife was initially brought onto School Property by another person. | Level 4 disciplinary action and 1 year discretionary expulsion. | Level 4 disciplinary action and 1 year discretionary expulsion. | Level 4 disciplinary action and 1 year discretionary expulsion. |
| Lying | Intentionally giving untrue communication. | Level 1-2 disciplinary action. | Level 1-2 disciplinary action. | Level 2-4 disciplinary action. |
| Obscenities/ Verbal Abuse/ Vulgaries | Directing obscene, abusive, vulgar, profane, harassing, insulting, racial, sexual, religious, or ethnic slurs, written or verbal, toward School personnel or any member of the School community. This shall include use of obscene gestures and | Level 1-2 disciplinary action. | Level 2-4 disciplinary action. | Level 3-4 disciplinary action. |

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| | signs that willfully intimidate, insult, or in any other manner, abuse others. | | | |
| Physical Contact | Participating in unacceptable physical contact, including but not limited to fighting, pushing, intentionally hurting other students. See also Fighting Policy. | Level 1-3 disciplinary action. | Level 2-4 disciplinary action. | Level 3-4 disciplinary action. |
| Refusal to Do Classroom Work | The refusal to complete work, labs, projects, or other assignments given by the teacher. | Level 1 disciplinary action. | Level 2 disciplinary action. | Level 3 disciplinary action. |
| Minor Safety | Students shall be concerned about their own safety and that of others. Student actions that may be considered a minor safety risk include, but are not limited to: <ul style="list-style-type: none"> • Talking during safety drills • Running, pushing, yelling, or other inappropriate behaviors • Any inappropriate playground behaviors • Minor insubordination to adults | Level 1 disciplinary action. | Level 2 disciplinary action. | Level 2-4 disciplinary action. |
| Major Safety | Behavior that creates a more severe possibility of harm to oneself or others, including but not limited to <ul style="list-style-type: none"> • Leaving the school building or grounds without permission • Other acts which could harm the student or others | Level 2-4 | Level 2-4 | Level 2-4 |
| Sale, Use, Possession, or Distribution of Alcohol, Drugs, or other Chemical Controlled Substances | Using, selling/purchasing, distributing, possessing, or attempting to possess, mood altering chemicals, or substances (including counterfeit or look-alike substances), distributing any narcotics, drugs, controlled substances of any kind, or alcoholic beverages, or other intoxicant on School property or at School functions or event. See also Drugs and Alcohol. | Level 3-4 disciplinary action. | Level 3-4 disciplinary action. | Level 4 disciplinary action. |
| Sale, Use, Possession, or Distribution of Tobacco Product | Using, selling/purchasing, distributing, possessing or attempting to possess, any tobacco product or paraphernalia (including e-cigarettes, vapor-based nicotine, and lighters). See also Use of Tobacco on School Premises. | Level 1-2 disciplinary action. | Level 2 - 3 disciplinary action. | Level 2- 4 disciplinary action. |

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| School Property | <p>Textbooks, computers, and school facilities are available for student use. Proper care and use of school property is expected. All violations in this area require restoration and/or restitution. Violations include but are not limited to:</p> <ul style="list-style-type: none"> • Defacing textbooks, library books, and other school materials • Destruction or improper use of school computers, printers, or other technology • Defacing/destruction of school property including desks, walls, lockers, etc. • Failure to respect the property of other students, teachers, school personnel, etc. • Gum chewing on school property • Improper use of restrooms and/or supplies • Stealing | Level 1 disciplinary action. | Level 2 disciplinary action. | Level 2-4 disciplinary action. |
| Sexual or Other Harassment | <p>Unwelcome advances of a sexual nature, requests for sexual favors, and/or other verbal or physical conduct or communication of a sexual nature. Sexual harassment that includes unwelcome physical contact shall be assumed to have the effect of substantially interfering with the victim's employment or educational environment. See Harassment Policies.</p> | Level 1-3 disciplinary action. | Level 2-4 disciplinary action. | Level 3-4 disciplinary action. |
| Tardiness | <p>To class: The act of a student not being in his/her classroom or seat when class is scheduled to begin as defined in the School schedule.</p> | Disciplinary action consistent with Truancy Policy. | Disciplinary action consistent with Truancy Policy. | Disciplinary action consistent with Truancy Policy. |
| Theft | <p>Stealing, attempting to steal, possessing or transferring School or private property, or participating in the theft or attempted theft of School or private property.</p> | Level 1 disciplinary action. | Level 2 or 3 disciplinary action. | Level 3 or 4 disciplinary action. |

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| Toys or Play Objects | <p>School is a place of learning. Distractions cause students to be inattentive. Therefore students are to keep all toys or play objects at home unless the teacher designates a specific day for sharing what a student owns. If a Student chooses to share a toy or other object on such an occasion, the School is not responsible for these items. Violations include but are not limited to:</p> <ul style="list-style-type: none"> • Bringing toys or distracting objects to school • Creating toys or distracting objects at school | Level 1 disciplinary action. | Level 1-2 disciplinary action. | Level 1-2 disciplinary action. |
| Truancy | <p>Habitual or chronic absence from School or class without legitimate excuse and failure to follow proper attendance check-in/check-out and absence procedures. See also Truancy Policy.</p> | Disciplinary action consistent with Truancy Policy. | Disciplinary action consistent with Truancy Policy. | Disciplinary action consistent with Truancy Policy. |
| Violating Classroom Rules | <p>Not following the classroom rules as determined by the classroom teacher.</p> | Level 1 disciplinary action. | Level 2-3 disciplinary action. | Level 2-4 disciplinary action. |

Transportation Discipline

Bus suspensions (for bus riding privileges only, but not for suspension from School) may be imposed for any period of time as set forth in the School's Code of Conduct. Students are required to be provided notice of an intended suspension (which is not required to be in writing) and an opportunity to appear before the Principal before a suspension is imposed.

If immediate removal of a Student is authorized, the Student must be given notice, as soon as practicable, of the reasons for the removal and of a hearing before the Principal which must be held within seventy-two (72) hours of the removal. Immediate removal is authorized when the Student's presence poses a danger to persons or property or a threat to the safe operation of the school bus. The length of time removed from ridership shall be in accordance with the School's Code of Conduct. If students are being transported by the home district and not by the School, and if the home district requires its own code of conduct to be imposed, the School shall post the bus riding code of conduct of the home school districts from which Students are being transported, in a central location in each School building, and make them available to Students or Parents upon request.

Suspensions or immediate removal from bus riding privileges of disabled students shall be accomplished in accordance with the laws governing suspension and expulsion of disabled students.

R.C. 3313.66; R.C. 3313.668; R.C. 3327.014; OAC 3301-83-08

See Appendix 273-A Notice of Intended Suspension from School; Appendix 273-B Notice of Emergency Removal and Intent to Suspend from School; Appendix 273-C Notice of Suspension from School; Appendix 273-D Notice of Rights Re: Suspension from School; Appendix 273-E Notice of Intended Expulsion from School; Appendix 273-F Notice of Emergency Removal and Intent to Expel from School; Appendix 273-G Notice of Expulsion from School; Appendix 273 H Notice of Rights Re: Expulsion from School (for Use for Expulsions of 20 School Days or Less Only); and Appendix 273-I Notice of Rights Re: Expulsion from School (for Use for Expulsions of More than 20 School Days Only).

It is desirable and advisable that the School maintain a good relationship with police, the Court, parole officers, Children's Services Board, and other agencies that deal with the public welfare, insofar as it benefits and protects the student, the School, personnel, School property, and the home.

Whenever a law enforcement officer (including police, parole, children's services, Board, or other agency representative) calls at the School in the performance of duty, the officer shall, upon arrival, be required to:

1. contact the proper school official;
2. produce satisfactory personal identification indicating the source of authority; and
3. state the purpose of business with the School.

In cases where the officer requests permission to question a student during School hours, the Principal or his/her designee shall first contact the parent or guardian for permission to question the student, and the parent or guardian shall be given the opportunity to be present during the questioning. The student shall then be called to the office for the interview.

The Principal or his/her designee shall remain present during the questioning, to represent the best interests of the School and may facilitate the interview or otherwise assist the student and parent or guardian if it seems advisable.

If the parent or guardian gives permission for the interview to take place, but cannot be present, or waives that right, then the Principal or his/her designee must be present to facilitate the interview or otherwise assist the student to the best of their ability. The student may specifically request another counselor or teacher to be present also.

If the parent or guardian refuses permission to question the student during School hours or cannot be contacted, the officer shall be informed of this, and the student shall not be called to the office for the interview.

In any case in which the officer wishes to take the student from School premises for questioning, permission from the parent or guardian to release the student to the officer shall be secured by the Principal or his/her designee. However, if the officer actually arrests the student for the commission of a crime, the student is to be released, even though the parents or guardians cannot be reached for notification; or, having been reached, refuse consent.

Notwithstanding anything to the contrary in this policy, if a student is being questioned as a potential victim, and the officer states that law enforcement feels it inadvisable or inappropriate to contact a parent or guardian or have a parent or guardian present, the School will comply with the law enforcement officer and allow questioning of the student at the direction of the officer, provided the Principal or his/her designee is present to the fullest extent allowed by the officer.

Statutory regulations concerning the rights of students as citizens shall be observed at all times and complied with by both law enforcement and school officials. Students are entitled to full protection under the law.

All types of officers and agency representatives shall be required to follow the procedures described in this Policy.

The Principal or his/her designee may suspend a student for up to ten (10) school days. The person designated as Superintendent in OEDS-R (hereafter “Superintendent”) may expel a student for up to eighty (80) school days, and in some instances, one (1) year. Provided however, beginning with the 2019-2020 school year neither the Principal nor the Superintendent shall initiate the process of issuing an out-of-school suspension or expulsion to students in grades pre-kindergarten through three, unless the student has committed a firearm, bomb-threat, or knife offense; or other criminal offense that results in serious bodily injury or property damage; or where the student’s out-of-school suspension or expulsion is necessary to protect the immediate health and safety of the student, fellow classmates, or school personnel. The Principal or Superintendent may not suspend, expel, or remove any student from School solely on the basis of the student’s unexcused absences from School.

In the event that, in the opinion of the Principal or his/ her designee, a student's presence at the School creates a health risk, presents a danger to other persons or property or seriously disrupts the functions of the School, the student may be removed from the premises without formal suspension or expulsion procedures. A removed student in grades pre-kindergarten through three may be removed for the remainder of the school day and shall be permitted to return to curricular and extracurricular activities on the following school day without a hearing, unless the student’s conduct warranting the emergency removal is likely to result in an out-of-school suspension or expulsion. Students in grades four through twelve may be removed, and must be provided with notice and procedures to follow the removal in accordance with R.C. 3313.66, including a hearing on the next school day following the removal.

A student shall be expelled for one (1) year for bringing a firearm to the School or onto school property (any property owned, used, or leased by the School for School, School extracurricular, or School-related events).

A student may also be expelled for a period not to exceed one (1) year for:

1. bringing a firearm to an interscholastic competition, an extracurricular event, or any other School program or activity that is located at a School or on school property;
2. bringing a knife to the School, onto school property, or to an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the School or in which the School is a participant;
3. possessing a firearm or knife at School, on school property, or at an interscholastic competition, an extracurricular event, or any other School program or activity which firearm or knife was initially brought onto school property by another person;
4. committing an act that is a criminal offense when committed by an adult that results in serious physical harm to persons or serious physical harm to property;
5. 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.

A firearm is defined as any weapon, including a starter gun, which will or 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 silencer, or any destructive device. A destructive device, includes but is not limited to, any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one quarter ounce, mine, or other similar device.

A knife is defined as any cutting instrument consisting of at least one sharp blade that is capable of causing serious bodily injury.

The specific circumstances under which the Superintendent may modify a one (1) year expulsion could include:

1. a recommendation from the group of persons knowledgeable of the student's educational needs in accordance with the Individual with Disabilities Education Act;
2. the student was unaware that s/he was possessing a firearm or knife;
3. the student did not understand that the item s/he possessed was considered a firearm or knife;
4. the student brought the item to School as part of an educational activity and did not realize it would be considered a firearm or knife; and
5. the student may be eligible for participation in an alternative program.

A student may be expelled for up to eighty (80) days for serious misconduct or rules violations, or for other just cause.

During the period of suspension, removal, or expulsion, the student may not attend or participate in any School functions without permission from the Principal. The student may enter School facilities only when given permission by Principal or if accompanied by a parent or guardian who accepts responsibility for the student's actions and/or behavior at the facility.

Students issued an in-school suspension shall serve suspensions in a supervised learning environment and may be permitted to complete any classroom assignments missed because of the suspension. While serving an out-of-school suspension, the Board does or does not authorize students to receive instructional services from the School. If students are authorized to receive instructional services from the School, then such instructional services may include completing of tests and exams; homework packets; individual tutoring; library or online assignments; essay on behavior leading to suspension; and grading of all work. Any student serving an out-of-school suspension shall be permitted to complete any classroom assignment missed due to the suspension and receive at least partial credit for the completed assignment; however, the student may receive a reduced assignment grade on account of the suspension. The School will not automatically award a failing grade on any complete assignment solely based on the student's suspension.

The Board also authorizes the Principal to suspend a student from any or all co-curricular or extra-curricular activities for misconduct or rules violations. The length of suspension shall be determined by the Principal commensurate with the seriousness of the student's misconduct or rules violations in accordance with the Code of Conduct. Participation in extra-curricular activities is a privilege and not a right. Accordingly, students prohibited from participating in all or part of any extra-curricular activity are not entitled to notice, hearing, or appeal rights.

If the Principal determines that a student's behavior on a School vehicle violates School rules, s/he may suspend the student from School bus riding privileges for the length of time deemed appropriate for the violation and remediation of the behavior.

The Board authorizes the Principal the option to require a student to perform community service or another alternative consequence in conjunction with, or in place of, a suspension or expulsion, except when an expulsion is imposed for bringing a firearm to School or onto school property.

The Board designates the Superintendent or his/her designee as its representative at all hearings regarding the appeal of a suspension, provided the Principal and Superintendent are not the same person. If the Principal and Superintendent are the same person, the Board, a committee of the Board, or _____, an administrator who is not involved in the suspension decision, will hear the appeal of the suspension.

The Board, a committee of the Board, or _____, an administrator who is not the Superintendent and is not involved in the expulsion, will hear the appeal of an expulsion.

The Superintendent shall be responsible for implementing this policy and ensuring compliance with applicable laws.

A copy of this Policy is to be posted in common areas of the School and made available to students and parents upon request.

Due Process Rights

Suspension

The following procedure does not apply to in-school suspensions. The Principal may suspend a student if the following procedure is met:

1. Prior to the imposition of the suspension, a written Notice of Intent to suspend will be given to the student, which contains the following:
 - a. The reasons for the intended suspension; and
 - b. If the suspension is based on one of the serious criminal offenses for which permanent exclusion is allowed, and if the student is age 16 or older, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion.
2. Beginning with the 2019-2020 school year, if the student is in grades pre-kindergarten through three, whenever possible, the Principal shall consult with a mental health professional under contract with the School, if any, prior suspending the student.* If the events leading up to the suspension indicate a need for additional mental health services, the Principal or mental health professional shall, in any manner that does not result in a financial burden to the School, assist the student's parent or guardian with locating providers or obtaining those services, including referral to an independent mental health professional.
3. The student must be allowed an informal hearing before the Principal or his/her designee to challenge the reasons for the intended suspension or otherwise explain his/her actions. The student is not entitled to call witnesses at this informal hearing.
4. Within one school day after the suspension is imposed, the Principal or his/her designee shall provide written notification of the suspension to the parent, guardian, or custodian. The notice must contain the following:
 - a. The reasons for the suspension;
 - b. Notification of the right to appeal to the Board of Directors or its designee. The intent to appeal must be in writing and received by the Board of Directors within 14 days after receiving the notice.

- c. The right to representation at all appeals;
- d. The right to a hearing before the Board or its designee; and
- e. The right to request that the hearing be held in executive session.

If the suspension is based on one of the serious criminal offenses for which permanent exclusion is allowed, and the student is age 16 or older, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion.

If an out-of-school suspension is imposed during the last ten (10) days of the school year, the suspension will not be carried over into the following school year. However, the Principal may require the student to participate in a community service program or another alternative consequence for the number of hours equal to the remaining part of the period of the suspension, during the first full week day of the summer break. If the student fails to complete the community service or alternative consequence, the School may determine the next course of action, provided however, that the School not require the student to serve the remaining time of the out-of-school suspension at the beginning of the following school year. The Principal or his/her designee may develop an appropriate list of alternative consequences.

Expulsion

Only the Superintendent may expel a student. The following procedure is required:

1. Prior to the imposition of the expulsion, the Superintendent must provide not only the student, but also the parent, guardian, or custodian written notice of his intention to expel. The notice must include the following:
 - a. The reasons for the intended expulsion; and
 - b. The time and place for a hearing, which must be not less than three nor more than five school days after giving the notice, unless the period is extended by the Superintendent at the request of the student, his parent, custodian, guardian, or representative. The parent, guardian, or custodian must be sent written notice of any extension, and the subsequent notice should contain the same information required in the original notice.
 - c. If the student is age 16 or older and the expulsion is for one of the serious criminal offenses for which permanent exclusion is allowed, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion.
2. Beginning with the 2019-2020 school year, if the student is in grades pre-kindergarten through three, whenever possible, the Superintendent shall consult with a mental health professional under contract with the School, if any, prior to expelling the student.* If the events leading up to the expulsion indicate a need for additional mental health services, the Superintendent or mental health professional shall, in any manner that does not result in a financial burden to the School, assist the student's parent or guardian with locating providers or obtaining those services, including referral to an independent mental health professional.
3. A hearing must be scheduled not less than three or more than five school days after giving the notice, for the student and his parent, guardian, custodian or representative to appear in person before the Superintendent to challenge the reasons for the expulsion or otherwise explain his/her actions.

4. Within one school day after the expulsion is imposed, the Superintendent shall provide written notification to the parent, guardian, or custodian of the student and the treasurer of the Board of Directors of the expulsion. The notice must include the following:
 - a. The reasons for the expulsion;
 - b. Notification of the right to appeal to the Board of Directors or its designee. The intent to appeal must be in writing and received by the Board of Directors within 14 days after receiving the notice.
 - c. The right to representation at all appeals;
 - d. The right to an appeal hearing before the Board or its designee;
 - e. The right to request that the hearing be held in executive session;
 - f. If the expulsion is based on one of the serious criminal offenses for which permanent exclusion is allowed, and the student is age 16 or older, the notice must also indicate the possibility that the Superintendent may seek permanent exclusion;
 - g. When the Superintendent expels a student for more than twenty days or for any period of time extending into the next semester or school year, the School shall provide, along with this notice, the student and his parent, guardian, or custodian with information about services or programs offered by public and private agencies that work toward improving those aspects of the student's attitudes and behaviors that contributed to the incident giving rise to the expulsion. The information must include names, addresses, and phone numbers or the appropriate public and private agencies.

During the period of expulsion, the School may, but is not required to, continue educational services in an alternative setting.

The Superintendent is required to follow through on expellable offenses even if the student in question withdraws from the School prior to the hearing or the Superintendent's decision.

The Superintendent may apply any remaining part or all of the period of expulsion into the following year.

*A community school, community school governing authority, or community school employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a school employee's decision not to provide or procure mental health services for a suspended or expelled student in any of grades pre-kindergarten through three, unless the decision is made with malicious purpose, in bad faith, or in a wanton or reckless manner.

Prohibition of Corporal Punishment

All teachers, administrators, non-licensed school employees, and school bus drivers are prohibited from inflicting or causing to be inflicted corporal punishment as a means of discipline upon a pupil attending the School. However, they may, within the scope of their employment, use and apply 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 upon the person or within the control of the pupil, for the purpose of self-defense or for the protection of persons or property.

R.C. 3313.66-.662; R.C. 3313.668; R.C. 3321.13(B)(4); R.C. 4510.32(B); 20 USC 7961(b)(1)

See Appendix 273-A Notice of Intended Suspension from School; Appendix 273-B Notice of Emergency Removal and Intent to Suspend from School; Appendix 273-C Notice of Suspension from School; Appendix 273-D Notice of Rights Re: Suspension from School; Appendix 273-E Notice of Intended Expulsion from School; Appendix 273-F Notice of Emergency Removal and Intent to Expel from School; Appendix 273-G Notice of Expulsion from School; Appendix 273-H Notice of Rights Re: Expulsion from School (for Use for Expulsions of 20 School Days or Less Only); and Appendix 273-I Notice of Rights Re: Expulsion from School (for Use for Expulsions of More than 20 School Days Only).

In accordance with the law, the Board may seek to permanently exclude a student, sixteen (16) years of age or older, who has been convicted of or adjudicated delinquent for the reason of the following offenses:

1. carrying a concealed weapon or conveying or possessing a deadly weapon or dangerous ordnance on property owned or controlled by the Board or at an activity held under the auspices of this Board;
2. possessing, selling, or offering to sell controlled substances on property owned or controlled by the Board or at an activity under the auspices of this Board; and
3. complicity to commit any of the above offenses, regardless of where the complicity occurred.

In accordance with law, any student, sixteen (16) years of age or older, who has been convicted or adjudicated delinquent for committing the following offenses may be subject to permanent exclusion:

- A. rape, gross sexual imposition or felonious sexual penetration;
- B. murder, manslaughter, felonious or aggravated assault; and
- C. complicity to commit offenses described in paragraphs A and B, regardless of where the complicity occurs.

The above statement of policy on permanent exclusion is to be posted in a central location in each School facility as well as made available to students, upon request.

If the Superintendent has adequate evidence that a student, sixteen (16) years old or older at the time of the offense, has been convicted of or is an adjudicated delinquent resulting from any of the above offenses and determines that the Student's continued attendance in school may endanger the health and safety of other students or school employees, she/he shall submit a written recommendation to the Board that the student should be permanently excluded from the public School by the State Superintendent of Public Instruction (State Superintendent) after providing notice to the student's parent. The recommendation is to be accompanied by the evidence, other information required by statute, and the name and position of the person who should present the School's case to the State Superintendent.

The Board, after considering all available evidence, including the following, shall take action within fourteen (14) days after receipt of the Superintendent's recommendation.

1. The academic and extracurricular record of the student;
2. The disciplinary record of the student and any available records of the student's prior behavioral problems not contained in the disciplinary record;
3. The social history of the student;
4. The student's response to the imposition of prior discipline for behavioral problems;
5. Evidence regarding the seriousness of the offense and any aggravating factors;
6. Any mitigating circumstances surrounding the offense;

7. Evidence regarding the probable danger posed to the health and safety of other students or school employees by the continued presence of the pupil in a public school setting;
8. Evidence regarding the probable disruption to the School's graded course of study caused by the continued presence of the student; and
9. Evidence regarding the availability of alternative, less serious sanctions that would enable the student to remain in a public school setting without posing a significant danger to the health and safety of other students or employees and without posing a threat of the disruption to the School's graded course of study.

If the Board adopts the resolution, the Board shall submit it to the State Superintendent, together with the required documents and the name of the person designated by the Board as its representative to present the case to the State Superintendent. A copy of the resolution shall be sent to both the student and his/her parents. If the Board does not pass the resolution, it shall so notify the Superintendent, in writing, who, in turn, shall provide written notification of the Board's action to both the student and his/her parents.

If the State Superintendent rejects the Board's request, the School shall re-admit the student in accordance with statute and Board guidelines. If the State Superintendent acts on the Board's request, his/her actions shall be in accordance with the procedures described in Ohio Revised Code 3301.121.

Any information regarding the permanent exclusion of a student shall be included in the student's official records and shall be included in any records sent to any school that requests the student's records. The school shall remove and destroy all references to the exclusion from the student's file when the permanently excluded student reaches the age of twenty-two (22) or when the permanent exclusion of the student is revoked.

R.C. 3313.662; R.C. 3301.121.

In matters relating to the disciplining of disabled students, the Board shall abide by federal and state laws regarding suspension and expulsion. The Principal will follow the guidelines below and ensure they are properly used when disciplining any student with a disability.

Removals of Not More Than 10 Days – The 10-Day Rule

The School may unilaterally remove a Student with a disability who violates a code of student conduct from the Student's current placement for not more than ten (10) school days. This option may be used only if the disciplinary action is consistent with actions taken against nondisabled students. The School may place Students removed under the 10-day rule in an appropriate interim alternative educational setting (“IAES”) if applicable (see below), another setting, or suspend them. Removals under the 10-day rule are not considered a “change of placement” and the School is not obligated to provide services to Students during those removals. The School can use the 10-day rule to remove a student for either a single removal of ten (10) consecutive school days; or a series of shorter-term removals over the course of the school year that are more than ten (10) school days during that school year, so long as those removals do not constitute a pattern of removals (and therefore, a change of placement). When a removal is not a change of placement, an IEP meeting is not required. However, if one or more IEP team members believe that modifications are needed to the Student’s behavior plan, the team shall meet to modify the plan and its implementation to the extent the team determines necessary.

Removals of More than 10 Days – Change of Placement

A change of placement occurs if a removal is for more than ten (10) consecutive school days; or if a Student is subjected to a series of removals which accumulate to more than ten (10) school days, that constitute a pattern. If a change of placement occurs (after a Manifestation Determination Review (see below)), then the School must notify the parents or guardians of that decision. This notice must inform the parents or guardians of all the procedural safeguards accorded under the law. These safeguards include a Manifestation Determination Review, a right to receive services, and a continuation of services for a free appropriate public education. The School must provide services that:

- enable the Student to continue to participate in the general education curriculum (although in another setting); and
- enable the Student to progress toward meeting the goals set out in the Student’s IEP.

Manifestation Determination Review (“MDR”)

The School will conduct an MDR to examine a Student's behavior before imposing disciplinary consequences that would amount to a change of placement. The purpose of the MDR is to determine whether a Student’s disability caused, influenced or otherwise impacted the Student’s behavior in question. To make this determination, the Student’s IEP team is required to review certain information and determine whether the behavior causing the disciplinary infraction is or is not a manifestation of the Student’s disability.

The MDR is not required for disciplinary removals that do not constitute a change of placement, that is, less than ten (10) school days per incident or a series of removals accumulating to more than ten (10) school days in one school year that do not constitute a pattern.

No later than the date on which the decision to take a disciplinary action which may be a change of placement is made, the School must notify the parents or guardians of that decision and of all procedural safeguards, including the MDR. The School and the parents or guardians must determine which members of the IEP team are relevant to conduct the manifestation determination. The team will review all relevant information in the Student's file to determine whether the conduct in question was caused by, or had a direct and substantial relationship to, the Student's disability or was the direct result of the School's failure to implement the IEP. If the team determines that either condition is applicable for the Student, it must determine that the conduct is a manifestation of the Student's disability.

Manifestation – If the team determines that the behavior was a manifestation of the Student's disability, the full IEP team must meet the following requirements:

- conduct a functional behavior assessment and implement a behavior intervention plan for the student, unless the School conducted a functional behavior assessment prior to the manifestation determination;
- if the IEP team already developed a behavior intervention plan, it must review and modify the plan as necessary to address the behavior; and
- return the Student to the placement from which he or she was removed; 45-day rule exception applies.

No Manifestation – If the team determines that the behavior was NOT a manifestation of the disability, the School may discipline the Student using the relevant disciplinary procedures applicable to Students without disabilities in the same manner and for the same duration, continuing to provide services to Students with disabilities.

If a Student's behavior was not a manifestation of the disability, the School will still take steps to attend to the Student's behavior. The Student must receive, as appropriate, a functional behavior assessment, behavioral intervention services, and modifications designed to address the behavior violation in order to attempt to prevent a reoccurrence.

Exceptions to the MDR Requirement – The Unilateral Change in Placement and 45-Day Rule

School personnel may remove a Student to an IAES for up to forty-five (45) school days, without a prior MDR or IEP meeting, when a Student:

- carries or possesses a weapon (a device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except that the term does not include a pocket knife with a blade of less than 2 1/2 inches in length);
- knowingly possesses or uses illegal drugs (a controlled substance not legally possessed or used under the supervision of a licensed health care professional, or legally possessed or used under any other authority under the Controlled Substances Act (21 U.S.C. 812) or under any other provision of federal law), or sells or solicits the sale of a controlled

substance (a drug or other substance identified under Schedule I, II, III, IV or V in the Controlled Substances Act); or

- has inflicted serious bodily injury on another person (a cut, abrasion, bruise, burn or disfigurement, physical pain, illness, impairment of the function of a bodily member, organ or mental faculty, or any other injury, no matter how temporary).

This authority can be exercised if a Student commits any of the offenses described above at the School, on the School premises, or at a School function.

The IEP team will meet subsequent to the unilateral placement in an IAES and must determine what the permanent setting will be, take steps to modify the student's IEP, as appropriate, provide appropriate behavioral intervention services and modifications designed to address the behavior violation so that it does not recur, and continue to provide the Student with educational services to enable him or her to participate in the general education curriculum and to progress toward IEP goals.

The School must still do an MDR, but it can occur after the removal to the 45-day setting. If the conduct is a manifestation of the Student's disability, the School must still meet all of the requirements outlined above for the MDR, with the additional exception that the Student stay in the alternative placement for 45 school days, regardless of the outcome of the manifestation.

Due Process Complaint

Parents or guardians who disagree with any decision regarding placement or the outcome of an MDR may appeal the decision through the filing of a due process complaint and may request an expedited due process hearing.

The School may request a hearing to change a Student's placement if the School believes that maintaining the Student's current placement is substantially likely to result in injury to the Student or others. Under those circumstances, the hearing officer may order a change in placement of a Student with a disability to an IAES for a period of up to forty-five (45) school days if the hearing officer agrees with the School's assessment.

During any due process proceedings, the Student's placement, through a disciplinary action, must not change unless the parents/guardians and the School agree otherwise, or upon admissions to the School and parent/guardian consent. The School may change the Student's placement when taking disciplinary actions that constitute a change of placement against students with disabilities, or Students who may be eligible for IDEA services.

In the case where a Student has been placed in an IAES, the Student will remain in the IAES chosen by the School, pending the hearing officer's decision or until the time period expires, whichever occurs first, unless the Parent and School agree otherwise. An expedited hearing will be arranged during an IAES appeal and will occur within twenty (20) days of the hearing request, and the hearing officer must make a determination within ten (10) school days after the hearing.

275.1 Disciplining a 504 Student

Section 504 Manifestation Determination Reviews

A Student on a 504 Plan is to be afforded due process relating to any proposed change in educational placement where the Student is subject either to expulsion or suspension for a period of more than ten (10) consecutive school days or a series of suspensions that are each ten (10) or fewer school days in duration, but exceed ten (10) school days in the aggregate and create a pattern of exclusions. In all such cases, except in the case where such suspension or expulsion pertains to the use or possession of illegal drugs or alcohol as detailed below, the School shall follow the procedures outlined in Policy 275 Discipline/Suspension/Expulsion of Disabled Students.

Disciplinary Procedures for Students Possessing or Using Alcohol or Illegal Drugs

The School may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any Student on a 504 Plan who currently is engaging in the illegal use of drugs or in the use of alcohol to the same extent that such disciplinary action is taken against Students without disabilities, in accordance with Policy 273 Expulsion and Suspension Policies. In such a case, the disability due process procedures found in Policy 275 Discipline/Suspension/Expulsion of Disabled Students are inapplicable.

Emergency Removal from Placement

Emergency removal of a 504 student from his/her current placement may take place through parental agreement to an interim placement or through injunctive relief from a court, when the current placement presents a substantial likelihood of resulting in injury to the student or others.

29 USC 701 et seq. (Section 504 of the Rehabilitation Act of 1973)

See also Policy 228 Section 504 of the Rehabilitation Act of 1973.

This policy governs the use of positive behavioral methods and emergency safety interventions including seclusion and restraint. Any use of emergency safety interventions that does not meet the requirements set forth below is prohibited.

I. Definitions

Aversive behavioral interventions: an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including interventions such as: application of noxious, painful and/or intrusive stimuli, including any form of noxious, painful or intrusive spray, inhalants or tastes.

Chemical Restraint: a drug or medication used to control a student's behavior or restrict freedom of movement that is not (A) prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under State law, for the standard treatment of a student's medical or psychiatric condition; and (B) administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under State law.

De-escalation techniques: are strategically employed verbal and non-verbal interventions used to reduce the intensity of threatening behavior before a crisis situation occurs.

Functional Behavior Assessment (FBA): is a collaborative problem-solving process that is used to describe the function or purpose that is served by a student's behavior. Understanding the function that an impeding behavior serves for the student assists directly in designing educational programs and developing behavior plans with a high likelihood of success.

Mechanical Restraint: (A) any method of restricting a student's freedom of movement, physical activity, or normal use of the student's body, using an appliance or device manufactured for this purpose; and (B) does not mean devices used by trained school personnel, or used by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed, including: (1) restraints for medical immobilization; (2) adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or (3) vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

Parent: (A) a biological or adoptive parent; (B) a guardian generally authorized to act as the child's parent, or authorized to make decisions for the child (but not the State if the child is a ward of the State); (C) an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare; (D) a surrogate parent who has been appointed in accordance with O.A.C. 3301-51-05(E); and (E) any person identified in a judicial decree or order as the parent of the child or the person with authority to make educational decisions on behalf of the child.

Physical Escort: the temporary touching or holding of the hand, wrist, arm, shoulder, waist, hip, or back for the purpose of inducing a student to move to a safe location.

Physical Restraint: the use of physical contact that immobilizes or reduces the ability of a student to move his/her arms, legs, body, or head freely. This does not include a physical escort,

mechanical restraint, or chemical restraint, or brief, but necessary, physical contact for the following purposes: (A) to break up a fight; (B) to knock a weapon away from student's possession; (C) to calm or comfort; (D) to assist a student in completing a task if the student does not resist the contact; or (E) to prevent an impulsive behavior that threatens the student's immediate safety.

Positive Behavior Interventions and Supports: (A) a school-wide systematic approach to embed evidence-based practices and data driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes and increase learning for all students, and (B) that encompasses a wide range of systemic and individualized positive strategies to reinforce desired behaviors, diminishes reoccurrences of challenging behaviors, and teaches appropriate behavior to students.

Positive Behavior Support Plan: design, implementation, and evaluation of individual or group instructional and environmental modifications, including programs of behavioral instruction, to produce significant improvements in behavior through skill acquisition and the reduction of problematic behavior.

Prone Restraint: physical or mechanical restraint while the student is in a face down position.

Seclusion: involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier.

Student: a child or adult aged three to twenty-one enrolled in the school.

Student personnel: teachers, principals, counselors, social workers, school resource officers, teachers' aides, psychologists, bus driver or other School staff who interact directly with students.

Timeout: a behavioral intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

II. Creation of Positive Behavioral Intervention and Supports (PBIS)

The School shall establish an evidence-based school wide system of positive behavioral interventions and supports that will apply in all settings to all students and staff. The system shall include family involvement.

The School shall train staff to: (A) identify conditions such as where, under what conditions, with whom, and why specific inappropriate behavior may occur; and (B) conduct preventive assessments which include: (1) a review of existing data; (2) interviews with parents, family members, and students; and (3) examination of previous and existing behavioral intervention plans.

Based on the assessment data, the School shall develop and implement preventative behavioral interventions that (A) modify the environmental factors that escalate the inappropriate behavior; (B) support the attainment of appropriate behavior; and (C) use verbal de-escalation to defuse potentially violent dangerous behavior.

III. Prohibited Practices

The following are prohibited under all circumstances, including emergency safety situations:

- A. Prone restraint;
- B. Corporal punishment;
- C. Child endangerment as defined in R.C. 2919.22;
- D. Seclusion or restraint of preschool students (if any);
- E. Deprivation of basic needs;
- F. Restraint that unduly risks serious harm or needless pain to the student, including the intentional, knowing, or reckless use of any of the following:
 - i. Any method that is capable of causing loss of consciousness or harm to the neck or restricting respiration in any way;
 - ii. Pinning down with knees to torso, head and/or neck;
 - iii. Using pressure points, pain compliance and joint manipulation techniques;
 - iv. Dragging or lifting of a student's hair or ear or by any type of mechanical restraint;
 - v. Using students or untrained staff to assist with the hold or restraint;
 - vi. Securing a student to another student or to a fixed object; or
 - vii. Using any other technique used to unnecessarily cause pain.
- G. Any physical restraint that impacts the student's primary mode of communication;
- H. Mechanical or chemical restraints;
- I. Aversive behavioral interventions; or
- J. Seclusion of students in a locked room.

IV. Restraint

Restraint may be used only in a manner that is age and developmentally appropriate, when there is an immediate risk of physical harm to the student or to others and no other safe and effective intervention is possible, and, when performed by trained staff, except in the case of an unavoidable emergency situation. The physical restraint must not obstruct the student's ability to breathe.

Staff must:

- A. Be appropriately trained to protect the care, welfare, dignity, and safety of the student;
- B. Continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- C. Use verbal strategies and research based de-escalation techniques in an effort to help the student regain control;
- D. The least amount of force necessary should be used;
- E. Remove the student from physical restraint immediately when the immediate risk of physical harm to self or others has dissipated;

- F. Conduct a de-briefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- G. Complete all required reports and document staff observations of the students.

V. Seclusion

Seclusion shall only be used if: it is a last resort for the student to regain control; it is age and developmentally appropriate; there is an immediate risk of physical harm to the student or others; and there is no other safe and effective intervention.

The room or area used for seclusion cannot be locked, and must provide for adequate space, lighting, ventilation, clear visibility, and the safety of students.

Seclusion shall not be used as: a substitute for an education program, less restrictive alternatives, inadequate staffing, staff training in positive behavior supports and crisis prevention and intervention; a form of discipline or punishment; a means to coerce, retaliate; or in a manner that endangers the students.

Staff must:

- A. Be appropriately trained to protect the care, welfare, dignity, and safety of the student;
- B. Continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- C. Use verbal strategies and research based de-escalation techniques in an effort to help the student regain control as quickly as possible;
- D. Remove the student when the immediate risk of physical harm to self or others has dissipated;
- E. Conduct a de-briefing including involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- F. Complete all required reports and document the observation of the student.

VI. Functional Behavioral Assessment

If the student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, the School shall conduct a functional behavioral assessment (FBA) to identify the student's needs and more effective ways of addressing those needs. If necessary, this FBA should be followed by a behavioral intervention plan (BIP) that incorporates appropriate positive behavioral interventions. The use of an FBA or a BIP does not necessarily mean the student is a special education student in itself, but may be used for non-disabled as well as differently-abled or special education students.

VII. Training and Professional Development

The School shall train all staff working with students annually on the requirements of this policy and shall keep written or electronic documentation of the type of training and the participants. The School shall have a plan on training staff working with students, as necessary, to implement PBIS on a system-wide basis. The School shall ensure that an adequate number of personnel in each building are trained in crisis management and de-escalation techniques and that their training is kept current.

VIII. Required Data and Reporting

Staff must document each use of seclusion or restraint and report it to the building administration and the parent immediately. A written report of the incident must be created, given to the parent within twenty-four (24) hours of the incident, and placed in the student's file. This report is subject to the Family Educational Rights and Privacy Act.

The School shall report information concerning its use of seclusion and restraint annually to, and as requested by, the Ohio Department of Education.

The School shall make this policy available to parents annually, and shall post this policy on its website.

IX. Monitoring and Complaint Procedures

The School shall establish a procedure for parents to submit written complaints regarding an incident of seclusion or restraint. The Principal or his/her designee must investigate every complaint and respond to the parent in writing within thirty (30) days of filing the complaint.

Parent(s) may choose to file a complaint with the Ohio Department of Education, Office of Exceptional Children, in accordance with the complaint procedures available concerning students with disabilities.

O.A.C. 3301-35-15; R.C. 3319.46.

SECTION 280

STUDENT ACTIVITIES

The Board will not permit the use of School facilities by non-School-sponsored student clubs and activities or School-sponsored, non-curriculum-related clubs and activities during instructional hours. During non-instructional time, to the extent allowed by any owner, landlord, or lease of the School or School property, Students may be allowed an opportunity to meet, regardless of the size of the group and regardless of the religious, political, philosophical, or other content of the activity. The Board will not permit the organization of a fraternity, sorority, or secret society. The Board reserves the right to deny all non-school sponsored clubs or activities during non-instructional times.

SECTION 290

MISCELLANEOUS STUDENT POLICIES

The School will provide military recruiters with the same access to its secondary school students that the School provides to post-secondary educational institutions and employers. Upon the request of a military recruiter or institution of higher education, the School will provide access to the names, addresses, and telephone listings of its secondary school students.

The School will give notice to the parents of each of its secondary school students, or eligible students who are 18 years or older, that the eligible student or his/her parent may request in writing that the School not release the Student's name, address, and telephone listing to any military recruiter or institution of higher education without the prior written consent of a Parent, and the School shall comply with any such request.

20 U.S.C. 7908(a)

Parents and Eligible Students

For the purposes of this section, “eligible students” shall include any Student who is at least eighteen (18) years of age or an emancipated minor. Parents and eligible students shall receive annual notice of their rights under this section.

Parents and eligible students have the right to inspect and review the student’s education records within forty-five (45) days of the receipt of a request for access to such records. Such request must be in writing and the School shall make arrangements for access to such records and shall notify the parent or eligible student of the time and place where such records may be inspected.

Parents and eligible students have the right to request in writing an amendment of a record that they believe is inaccurate. In the event the School determines that the requested amendment will not be made, the Parent or eligible student shall be informed of the reasons for such decision in writing and the School shall advise the Parent or eligible student of their right to a hearing regarding the request for amendment.

Release of Directory Information

The School may disclose directory information if it has given public notice to parents or students of the types of personally identifiable information that the School has designated as directory information.

Accordingly, the School shall choose one of the options as indicated:

- (1) The School may choose not to identify or define any directory information. If the School so chooses, then it will not issue any personally identifiable information and will not be able to provide directory information in response to records requests or inquiries made by third parties.
- (2) The School may choose to issue a directory information designation notice to its students or their parents in order to designate personally identifiable student information as directory information. If the School so chooses, the School shall not permit the release of education records or personally identifiable information, other than directory information, without the written consent of a parent.

The School shall provide annual notice to parents and eligible students regarding their rights under FERPA and also whether the School will make available, upon request, “directory information”. Directory information may (but does not have to) include a student’s name, address, telephone listing, date and place of birth, photograph, major field of study, participation in officially recognized activities and sports, dates of attendance, date of graduation, awards received, honor rolls, and scholarships. In its notice, the School shall clearly specify which of the above information it designates as directory information. Such information shall not be provided to any organization for profit-making purposes. Within ten (10) days of receiving notice of the intent to disclose directory information, a parent or eligible student may object to the release of such information without prior written consent, upon notification of which the School shall not release directory information without first obtaining such consent.

See **Appendix 294-A** Notice of Rights Under the Family Educational Rights and Privacy Act (“FERPA”) and Authorization to Release Student Directory Information.

Exceptions to the released personally identifiable information are allowed in the following circumstances:

1. to school officials who have a legitimate educational interest.

A “School Official” is a person employed by the School in an administrative, supervisory, academic or support staff position; a member of the school law enforcement unit, which consists of _____; a person with whom the School has contracted to perform a special task (i.e. Attorney, auditor, outside consultant); a person serving on the Board.

A School Official has a “legitimate educational interest” in an education record when the official needs to review the record in order to fulfill his or her responsibility on behalf of the School, such as when the official is performing a task that is specified in his or her job description or by a contract agreement or other official appointment; performing a task related to a student’s education; performing a task related to the discipline of a student; providing a service or benefit relating to the student or student’s family, such as health care, counseling, assisting with the college application procedure; or any other purpose that the Board deems necessary as related to a student’s education.

2. to officials of other schools or school systems in which the student seeks or intends to enroll, upon the condition that the student’s parents be notified of the transfer, receive a copy if desired and have an opportunity for a hearing to challenge the content of the record.
3. to appropriate parties in connection with an emergency if such knowledge is necessary to protect the health and safety of the student or other individuals. This exception is limited to the period of the emergency and generally does not allow for a blanket release of personally identifiable information from a student’s education record.
4. when images of students captured on security video tapes are maintained by the School’s law enforcement unit;
5. when information is obtained through a school official’s personal knowledge or observation and not from the student’s education record. For example, if a teacher overhears a student making threatening remarks to other students, that information is not protected and the teacher may disclose what he or she overheard to appropriate authorities.

The School shall provide the Ohio Department of Education (“ODE”) with personally identifiable student information under the following circumstances:

1. A testing scoring company has notified ODE that the student’s written response to a question on a state achievement test included threats or descriptions of harm to the student or another person and ODE needs the information to identify the student for the purpose of alerting the School of the potential for harm;
2. The School asks ODE to verify the accuracy of the student’s score on an achievement test; or
3. The student has passed all but one of the Ohio Graduation Tests (OGT) and ODE must determine whether the student satisfies the alternative requirements for a high school diploma.

If agreed to in and required by its Charter Contract with its Sponsor, the School may provide its Sponsor, as an authorized representative of the ODE, with access to student or other records if necessary and in connection with the audit and evaluation of federally supported education programs, or in connection with the enforcement of the federal legal requirements which relate to such programs. When collection of personally identifiable information is specifically authorized by federal law, no such data shall be disclosed to anyone other than authorized representative of the ODE, or as otherwise allowed by law. The Sponsor must, by law, destroy such personally identifiable information when no longer needed for the audit, evaluation, and enforcement of the federal legal requirements.

Student Records Log

School officials maintaining records shall keep a log identifying all individuals (whether from the School or not), agencies or organizations, who request or obtain access to non-directory information within a student's education record. The log shall contain the reason why access was requested and shall be kept by the person responsible for maintaining the records. All student records must be reviewed on the School premises.

Health and Safety Emergency Exception

The School may, taking into account the totality of the circumstances, disclose personally identifiable information from an education record to appropriate parties in connection with an emergency, if knowledge of the information is necessary to protect the health or safety of a student or others. The School must determine and record the articulable and significant threat, and it then may disclose information from education records to any person whose knowledge is necessary to protect these individuals.

20 U.S.C. 1232g; R.C. 3319.321; R.C. 3301.0716

See Appendix 294-A Notification of Rights Under the Family Educational Rights and Privacy Act ("FERPA") and Authorization to Release Student Directory Information and Appendix 294-B Request and Consent for Release of Records. See also Appendix 242.1-A Standards for the Ethical Use of Tests.

295 Student Surveys

For purposes of this section, the term “eligible students” shall include any Student who is at least eighteen (18) years of age or an emancipated minor.

The School shall notify Parents and eligible students at least annually of the potential administration of any School-approved third party surveys, including the specific or approximate dates of any such survey, and upon a reasonable request parents and eligible students shall have the right to inspect any such survey or instructional materials used in connection with any survey.

No Student shall be required to submit to a survey, analysis, or evaluation (“protected survey”) that reveals any of the following without the prior written consent of a parent or eligible student:

4. political affiliations or beliefs of the Student or parent;
5. mental or psychological problems of the Student or the Student’s family;
6. sex behavior or attitudes;
7. illegal, anti-social, self-incriminating, or demeaning behavior;
8. critical appraisals of other individuals with whom respondents have close family relationships;
9. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
10. religious practices, affiliations, or beliefs of the Student or the Student’s parent; or
11. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.)

Parents shall be notified annually of this Policy, and within a reasonable period of time after any substantive change in the Policy.

The School shall provide notice to Parents and eligible students at least annually of the specific or approximate dates of the administration of any survey to collect, disclose, or use any student personal information for the purpose of marketing or selling the information. Parents and eligible students shall have the right to inspect the survey or other documents to be used in the collection of any such personal student information and shall have the right to opt their Student out of participation in such activity.

The preceding paragraph does not apply, however, to the collection, disclosure, or use of personal student information for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, Students or educational institutions, such as the following:

12. College or other postsecondary education recruitment, or military recruitment.
13. Book clubs, magazines, and programs providing access to low-cost literary products.
14. Curriculum and instructional materials used by elementary schools and secondary schools.

15. Tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments.
16. The sale by students of products or services to raise funds for School-related or education-related activities.
17. Student recognition programs.

The School will take measures to protect the identification and privacy of Students who participate in a protected survey, which may include limiting access to the completed surveys and results, as allowed by law. The School shall not release or permit access to the directory information of any student to any person or group for use in a profit-making plan or activity.

20 U.S.C. 1232h; R.C. 3319.321.

See Appendix 295-A Notice to Parents Regarding the Protection of Pupil Rights Amendment.

I. Definitions.

A. Homeless Children and Youth. Homeless children and youth are defined as children and youth who lack a fixed, regular, and adequate nighttime residence. This term includes children and youth who are:

- sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as doubled-up);
- living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
- living in emergency or transitional shelters;
- abandoned in hospitals;
- awaiting foster care placement, until December 10, 2016;
- children and youth who have 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;
- children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
- migratory children who qualify as homeless because they are living in circumstances described above; or
- children displaced from their housing during naturally occurring disasters. When children and their families are displaced from their housing as a result of a natural disaster, there is often a period of instability in which various private organizations and local, State, and Federal agencies provide assistance. The School should determine such children's eligibility for McKinney-Vento services on a case-by-case basis. In making this determination, they should take into consideration the services that are available through these other sources.

When determining if the setting in which the family, child, or youth is lives is "substandard housing," the School may consider whether the setting is substandard due to a lack of fundamental utilities such as water, electricity, or heat; infestation with vermin, pests or mold; lack of basic functional parts of a home, such as a working kitchen, working toilet, or working shower; or, the presence of unreasonable dangers to adults, children, or persons with disabilities.

If a child or youth's living situation does not clearly fall into the situations described above, the School should consider the relative permanence of the living arrangements. Determinations of homelessness should be made on a case-by-case basis. Incarcerated children and youth and children and youth in foster care are not considered homeless.

- B. Unaccompanied Youth. The term “unaccompanied youth” includes a homeless child or youth not in the physical custody of a parent or guardian. This would include youth living in runaway shelters, abandoned buildings, cars, on the streets, or in other inadequate housing, children and youth denied housing by their families, and school-age unwed mothers living in homes for unwed mothers who have no other housing available.
- C. School of Origin. The school of origin is the school that the child or youth attended when permanently housed, or, the school in which the child or youth was last enrolled, including a preschool. When a child or youth completes the final grade level served by the school of origin, the term “school of origin” will include the designated receiving school at the next grade level for all feeder schools.

II. School Liaisons for Homeless Children.

The School liaison serves as one of the primary contacts between homeless families and Staff, shelter workers, and other service providers. The liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed academically.

School liaisons help to ensure that:

- Homeless children and youth are identified by school personnel and through outreach and coordination activities with other entities and agencies;
- Homeless students are enrolled in, and have a full and equal opportunity to succeed in, the School;
- Homeless children, youth, and their families have access to and receive educational services for which they are eligible, including services through Head Start programs, early intervention services under Part C of the Individuals with Disabilities Education Act (IDEA), and preschool programs administered by the School;
- Homeless children, youth, and their families receive referrals to health, mental health and substance abuse, dental, housing, and other appropriate services;
- Parents or guardians of homeless children and youth are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;
- Parents or guardians of homeless children and youth, and unaccompanied youth, are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing transportation services;
- Enrollment disputes are mediated in accordance with the requirements of this policy and the McKinney-Vento Act;
- Public notice of the educational rights of homeless students is disseminated to locations frequented by parents or guardians of homeless children and youth, and unaccompanied youth, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to them;

- Immunizations or medical records are obtained;
- Staff is trained on the requirements regarding immediate enrollment and receive professional development and other support;
- Unaccompanied youth are enrolled in school, have opportunities to meet the same challenging State academic standards as are established for other children and youth, including through implementation of this Policy, and are informed of their status as independent students and that they may obtain assistance from the liaison to receive verification of that status for purposes of the Free Application for Federal Student Aid (FAFSA);
- Policies are reviewed to ensure that they comply with this Policy;
- Affidavits of residence or other forms replace typical proof of residency without creating barriers or delaying enrollment;
- School-based immunization or other opportunities for on-site immunizations are arranged;
- Community-based or public agencies are contacted who may provide school uniforms;
- School records are accepted directly from families and youth;
- Previous schools are contacted for records and assistance with placement decisions;
- Short-term educational assessments place students immediately while awaiting complete academic records;
- Families and youth are communicated with in a language they understand or in an accessible format, as appropriate, of their right to attend either their school of origin or local school;
- Staff places homeless children and youth and identifies and serve disabilities in accordance with the IDEA;
- The School works with State Coordinators for the Department of Education concerning the provision of education and related support services to homeless children and youth, including collecting and providing reliable, valid, and comprehensive data;
- Understandable forms are written and accessible explaining decisions and rights to appeal; and
- Follow-up is timely concerning special education, language assistance, referrals, and services.

School liaisons may be able to identify preschool-aged homeless children by working closely with shelters and social service agencies in their area. In addition, the liaison should work with school personnel, who can inquire, at the time they are enrolling homeless children and youth in school, whether the family has preschool-aged children.

III. School Placement and Enrollment.

The School shall make school placement determinations on the basis of the “best interest” of the homeless child or youth and shall:

- Continue the child’s or youth’s education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year if the child or youth becomes permanently housed during an academic year; or
- Enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.
- In determining a child’s or youth’s best interest, the School must presume that keeping a homeless child or youth in the “school of origin” is in the child’s or youth’s best interest, unless doing so is contrary to the request of the youth’s parent or guardian, or the unaccompanied youth. The School must consider student-centered factors related to the child’s or youth’s best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the parent or guardian or the unaccompanied youth. The School should also consider the placement of siblings when determining the best interest of the child.
- In the case of an unaccompanied youth, the School must ensure that the school homeless liaison assists in placement or enrollment decisions, gives priority to the views of the youth, and provides notice to the youth of the right to appeal the placement decision.
- If the School determines that it is not in the child’s or youth’s best interest to attend the school of origin or a school requested by the parent, guardian, or unaccompanied youth, the School must provide a written explanation of the reasons for its determination to the parent, guardian, or unaccompanied youth, together with information regarding the right to appeal the placement decision.

If a School is selected on the basis of a “best interest determination,” it must immediately enroll the homeless child or youth, even if the child or youth is unable to produce the records normally required for enrollment (such as previous academic records, records of immunization and other required health records, proof of residency, birth certificates, or other documentation), has missed application or enrollment deadlines during any period of homelessness, or is subject to outstanding fees or fines, or excessive absences. The School must immediately contact the school last attended by the child or youth to obtain relevant academic or other records. If a child or youth needs to obtain immunizations or other required health records, the School must immediately refer the parent or guardian, or the unaccompanied youth, to the school homeless liaison, who must assist in obtaining the immunizations, screenings, or records. The records must be maintained so that they are available in a timely fashion when the child enters a new school or school district.

IV. Placement Disputes between a School and a Parent.

If a dispute arises over eligibility, or school selection or enrollment, the School must immediately enroll the homeless student in the school in which enrollment is sought by the parent or guardian,

pending resolution of the dispute, including all available appeals. Similar provisions apply to placement of unaccompanied youth.

The School must provide the parent, guardian, or unaccompanied youth with a written explanation of any decisions related to school selection or enrollment made by the school or the Ohio Department of Education and the appeal rights. The School must refer the unaccompanied youth, parent, or guardian to the school homeless liaison, who must expeditiously carry out the dispute resolution process.

The School should consider the following strategies for effectively resolving school enrollment disputes:

1. Disputes should be resolved at the administrative, if possible;
2. If other Schools are involved, representatives from all involved schools and the State should be present to resolve the dispute;
3. A State-level appeal process, involving the State coordinator, should be available for appeals and resolution of inter-district disputes;
4. The dispute resolution process should be as informal and accessible as possible, and allow for impartial and complete review;
5. Parents, guardians, and unaccompanied youth should be able to initiate the dispute resolution process directly at the school they choose, as well as with the homeless liaison's office;
6. Parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their position;
7. Students should be provided with all services for which they are eligible while disputes are resolved;
8. Written notice should be complete, as brief as possible, simply stated, and provided in a language the parent, guardian, or unaccompanied youth can understand. The notice should include:
 - a. Contact information for the School homeless liaison and State coordinator, with a brief description of their roles;
 - b. A simple, detachable form that parents, guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process. (The School should copy the form and return the copy to the parent, guardian or youth for their records when it is submitted);
 - c. A step-by-step description of how to dispute the School's decision;
 - d. Notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
 - e. Notice that "immediate enrollment" includes full participation in all school activities;

- f. Notice of the right to appeal to the State if the School-level resolution is not satisfactory; and
- g. Timelines for resolving School- and State-level appeals.

V. Prohibition against Segregation.

Homelessness is not sufficient reason to separate students from the mainstream school environment. Services provided with McKinney-Vento Act funds must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the School's regular academic program.

- If a State receives funds under the McKinney-Vento program, every district in that State – whether or not it receives a McKinney-Vento subgrant from the State – is prohibited from segregating homeless students in separate schools or in separate programs within schools, based on the child's or youth's status as homeless.
- Schools may not provide services with McKinney-Vento funds on school grounds in settings that segregate homeless children and youth from other children and youth [except as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless children and youth].

VI. Transportation.

At the request of the parent or guardian (or, in the case of an unaccompanied youth, the liaison), transportation shall be provided to or from the "school of origin" in accordance with the following requirements:

- If the homeless child or youth continues to live in the area in which the school of origin is located, that School must provide or arrange for the child's or youth's transportation to or from the school of origin.
- If the homeless child or youth continues his or her education in the school of origin but begins living in an area served by another local educational agency (LEA), the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally.

VII. Comparable and Coordinated Services.

The School must provide services to each homeless child and youth that is comparable to services offered to other students in the School. Homeless children are also entitled to participate in the regular after-school program provided by the School, and the School must address barriers to their full participation in these programs. If no after-school programs are provided by the school or the programs provided do not meet the needs of homeless children, McKinney-Vento funds may be used for after-school services for homeless children, and for non-homeless children who are at risk of failing in, or dropping out of, school.

The School must provide comparable services to a homeless student who does not attend a Title I school. School must reserve funds for homeless children who do not attend participating Title I schools and may, for instance, provide support services to children in shelters and other locations where homeless children live. Services should be provided to assist homeless students to effectively take advantage of educational opportunities.

VIII. Privacy.

Information about a homeless child's or youth's living situation shall be treated as a student education record, and shall not be deemed to be directory information.

42 U.S.C. 11431, et seq.; 20 U.S.C. 6363(c)(3); 42 U.S.C. 11432(g)(1)(J)(iii)

See **Appendix 297-A** Identification of Homeless or Unaccompanied Youth Enrollment and Decision Appeal Form. See also Policy 294 Student Records and Release of Information.

297.1 Children in Foster Care

Consistent with Title I requirements and Ohio Department of Education guidelines, the School shall collaborate with the Ohio Department of Education and state and local child welfare agencies to provide educational stability for children in foster care.

Definitions

- A. Foster Care. Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. Foster care may include, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, child care institutions, and preadoptive homes. Any child meeting this definition shall be deemed to be in foster care regardless of whether the foster care facility is licensed and/or the foster caregiver receives payments from a federal, state, local, or tribal agency for the care of the child.
- B. School of Origin. The school of origin is the school in which the child is enrolled at the time of placement in foster care. If the child's foster care placement changes, the school of origin is the school in which the child is enrolled at the time of the placement change.

School Placement

A child in foster care shall remain enrolled in the school of origin unless it is determined that it is not in the child's best interest. Such determination will be made consistent with federal and state laws, rules, or guidance, and in collaboration with relevant child welfare agencies when practicable.

Any dispute regarding the best interest determination shall be decided according to federal and state laws, rules, or guidance. The relevant child welfare agency shall be the final decision maker in all best interest determinations. To the extent feasible and appropriate, the child shall remain in the school of origin until any dispute or determination is resolved.

Immediate Enrollment

If it is determined that a child's enrollment in the School is in the best interest of the child, the School shall immediately enroll the child, even if the child is unable to produce records normally required for enrollment, has missed application or enrollment deadlines, or is subject to outstanding fees or fines, or excessive absences. The School shall immediately contact the school last attended by the child to obtain relevant academic or other records. See **Policy 241.2** Records Upon Enrollment.

Transportation

Consistent with Title I requirements, the School shall coordinate with the state or local child welfare agencies and other relevant schools to develop and implement clear written procedures to ensure that transportation to the school determined to be in the child's best interest is provided, arranged, and funded. Such arrangements and funding agreements will consider federal and state laws, rules, and guidance for inter-district transportation. Children in foster care requiring transportation shall promptly receive transportation in a cost-effective manner. If there are

additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the School will provide transportation to the school of origin if (a) the local child welfare agency agrees to reimburse the School for the cost of such transportation, (b) the School agrees to pay for the cost of such transportation, or (c) the School and the local child welfare agency agree to share the cost of such transportation.

Point of Contact

The Principal or his/her designee shall be the point of contact to coordinate with the Ohio Department of Education and relevant child welfare agencies. The point of contact may be responsible for coordinating with the Ohio Department of Education and child welfare agencies on implementation of the Title I foster care provisions, developing best interest determination procedures and documentation requirements, facilitating the transfer of records, developing and coordinating local transportation procedures, and ensuring that children in foster care are immediately enrolled and regularly attending school.

Privacy

Information about the living situation of a child in foster care shall be treated as a student education record and shall not be deemed to be directory information.

20 USC 6311-6312; 45 CFR 1355.20(a)

See Appendix 297.1-A Local Transportation Procedures. See also Policy 241.2 Records Upon Enrollment.

The School is an Equal Opportunity Employer. It is our policy to administer all of our employment practices, including those pertaining to recruitment, hiring, placement, transfer, promotion, or compensation (i.e. wage rate), layoff or termination, and selection for training in a nondiscriminatory manner without regard to age, color, gender/sex, national origin, disability, race, religion, military or veteran status, genetic information, sexual orientation, or on any other basis prohibited by federal, state, or local law. The School will also make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship.

Any employee with a question or concern about discrimination in the workplace is encouraged to bring their concern to the attention of the Superintendent or his or her designee. No reprisal will be permitted for raising concerns or making a report. Anyone determined to have engaged in discrimination or retaliation for a report of discrimination will be subject to disciplinary action, up to and including termination of employment.

29 USC 631; 29 USC 206(d); 42 USC 2000ff et. seq.; 42 USC 2006(c); 42 USC 12101; R.C. 4112.02; 4111.17

306.1 Statement of Philosophy

The School strives for a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in an atmosphere which promotes equal opportunities and prohibits discriminatory practices and harassment based upon age, color, disability, national origin, race, religion, or gender/sex, military or veteran status, genetic information, or sexual orientation. Harassment, whether verbal, physical, or environmental, is unacceptable and will not be tolerated.

306.2 Definition of Harassment

For purposes of this policy, harassment is defined as unwelcome or unwanted conduct of an offensive nature (whether verbal, visual, or physical) when: 1) submission to or rejection of this conduct by an individual is used or threatened to be used as a factor in decisions affecting hiring, evaluation, promotion, or other aspects of employment; or 2) this conduct has the purpose or effect of unreasonably interfering with an individual's employment performance or creating an intimidating, abusive, hostile, or offensive work environment.

Examples of harassment include, but are not limited to: unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; repeated jokes which include offensive references to age, disability, national origin, race, religion, or gender; unwelcome flirtations, advances, or propositions; verbal abuse of a sexual nature; graphic, verbal commentary about an individual's body, sexual prowess, or sexual deficiencies; leering; whistling; touching; pinching; assault; coerced sexual acts; suggestive, insulting, threatening, or obscene comments or gestures; dissemination or display in the workplace of objects, written materials, or pictures which include offensive references to age, color, gender/sex, national origin, disability, race, religion, military or veteran status, genetic information, sexual orientation; asking questions about sexual conduct; or racial or ethnic slurs or epithets.

Harassment is unacceptable in the workplace itself and in other work-related settings, such as business trips, meetings, or business-related social events.

Harassment does not include consensual, romantic adult relationships, including sexual or dating relationships, willingly undertaken by all involved parties that are between: (a) staff and Parents of a student enrolled in the School; or (b) two (2) or more staff members; or (c) staff and any member of the Board of Directors. However, any party involved in such a relationship is expected to maintain the same level of respect and professionalism required of all other staff and Board of Directors' members. Notwithstanding this provision, unwelcome and/or unwanted conduct of an offensive nature within a consensual, romantic adult relationship may amount to harassment and will be treated in the same manner as all other allegations against employees or the Board of Directors. The School discourages consensual, romantic adult relationships like those outlined above. Such relationships may be inherently unequal and contain an imbalance in power or give rise to the perception of favoritism or bias. These perceptions undermine the spirit of trust and respect important in a positive School and workplace. In the event that a romantic, dating, intimate, and/or sexual relationship commences or ends, it is the duty of all staff and Board members to report the relationship to the Principal or Superintendent. If the Principal or Superintendent is involved in such a relationship, the relationship must be disclosed to the Board of Directors or its designee. By reporting such relationships, the School aims to ensure an environment free of sexual harassment. In consensual relationships staff or Board members may be asked to sign an acknowledgement at the time of reporting the consensual relationship by one of the parties at any time.

29 USC 631; 29 USC 206(d); 42 USC 2006(c); 42 USC 12101; R.C. 4112.02. See also Policy 264.1 Anti-Harassment, Intimidation, and Bullying.

306.3 Individuals Covered Under the Policy

This policy protects all employees. The School will not tolerate, condone, or allow harassment, whether engaged in by fellow employees or other non-employees who conduct business with the School. The School encourages reporting of all incidents of harassment, regardless of who the offender may be.

306.4 Reporting a Complaint

The School encourages all individuals who believe they are being harassed to firmly and promptly notify the offender that his or her behavior is unwelcome. The School does, however, recognize that, in some instances, power and status disparities between the alleged harasser and the individual may make such a confrontation impossible. In the event that such informal, direct communication between individuals is either ineffective or impossible, the following steps should be followed in reporting a harassment complaint. A complaint may be filed by one experiencing or witnessing harassment.

Notification of Appropriate Staff

Individuals who believe they have been subjected to harassment should report the incident to the Principal or his/her designee. When appropriate, the Principal or his/her designee will immediately consult with the Board. If the Principal or his/her designee is allegedly involved in the incident, then the individual should report the incident directly to the President of the Board.

The School encourages prompt reporting of complaints so that rapid response and appropriate action may be taken, but no limited time frame applies. Late reporting of complaints will not in and of itself preclude the School from taking remedial action.

Should any School employee, or School official who has authority to institute corrective measures on behalf of the School, receive notice of sexual harassment or allegations of sexual harassment, they shall immediately report it to the Title IX Coordinator. If the complaint involves sexual harassment as defined by Title IX, the School's Title IX Grievance Procedure shall be followed.

Protection Against Retaliation

The School will not in any way retaliate or permit retaliation against any individual who makes a good faith report of harassment or who assists or cooperates in an investigation thereof. Retaliation is a serious violation of this harassment policy and should be reported immediately. Any person found to have violated this policy by retaliating against another individual for making a report of harassment or for assisting or cooperating in the investigation thereof will be subject to the same disciplinary action provided for harassment offenders.

Investigating the Complaint

Any allegation of harassment brought to the attention of the School will be thoroughly and promptly investigated. Confidentiality will be maintained where possible throughout the investigatory process to the extent practical and appropriate under the circumstances.

Resolving the Complaint

Upon completing the investigation of a harassment complaint, the School will communicate its findings and intended actions. If the investigation finds that harassment occurred, the harasser will be subject to appropriate disciplinary procedures, as listed below. If the investigation determines that no harassment has occurred, this finding will be communicated as appropriate.

Sanctions

Individuals found to have engaged in misconduct constituting harassment will be disciplined, up to and including discharge. Appropriate actions will be determined by the School. For example, action may include reprimanding the offender, documenting the occurrence in the personnel file, referral to counseling, withholding of a promotion, demotion, reassignment, temporary suspension without pay, or termination of employment.

Although the School's ability to discipline a non-employee harasser (e.g., customer, supplier) is limited by the degree of control, if any, that the School has over the alleged harasser, any individual who has been subjected to harassment by such an individual should still file a complaint and be assured that the School will take those actions it deems appropriate to end any harassment.

SECTION 320

EMPLOYMENT STATUS/PERSONNEL FILES

The School is a state agency for purposes of Chapter 1347 of the Ohio Revised Code and maintains all personal information and personnel files in accordance with all relevant laws and rules.

“Personal Information” is any information describing anything about a person who is an employee of the School or about actions done to or by, or about personal characteristics of such an employee, if such Personal Information can be retrieved from a system by a name or other identifying number or symbol assigned to such employee. A “system” includes any record management scheme where any collection or group of records containing personal information, including personnel files, are searchable by name or other similar identifiers.

The School maintains personnel files on each of its employees. These files may contain the following Personal Information: application for employment; resume; copies of personal references; job evaluations; professional credentials or certification; copies of performance appraisals; disciplinary warning notices; letters of recommendation; criminal background reports; and any notices, and writings or reports related to the Employee.

To ensure that personnel files are accurate, relevant, timely, and complete at all times, it is the responsibility of each Employee to promptly notify the School of any changes in legal name, telephone number, home address, marital status, addition or deletion of dependents, change in beneficiaries, change in Federal or State tax deductions, scholastic achievements, the individuals to notify in case of an emergency, or any other Personal Information. Personal Information shall be updated annually by the Principal or his/her designee.

Personal Information shall be used and maintained in a manner consistent with state and federal laws and regulations. Personnel files are the property of the School, and access to the information they contain is restricted. This is subject only to applicable requirements of public records law. The School’s Governing Authority has a legitimate reason to review information in a file and is allowed to do so. The School will not place or use Personal Information in an “interconnected” or “combined system” as defined by Ohio law, unless the School has given notice of its intent to do so and the interconnected or combined system will contribute to the necessary and efficient implementation of the School’s programs. The Principal is directly responsible for the Personal Information systems and may adopt further procedural rules consistent with this policy. No Personal Information may be accessed without first completing a written request to the Principal. Unauthorized access or disclosure to Personal Information may result in employee discipline, though employees shall not be subject to discipline for notifying appropriate parties of the known or suspected unauthorized disclosure of Personal Information by another employee. The Principal may grant blanket access to all or part of the Personal Information systems for employees whose jobs require such access. All Employees granted access to any Personal Information in the files shall be informed of the substantive provisions of the policy and accompanying appendices. In an effort to protect Personal Information in the system from unauthorized modification, destruction, use or disclosure, the Principal shall keep a log of authorized parties and specific access granted, and all Personal Information systems shall be password protected.

The School shall maintain and use only Personal Information that is necessary and relevant to the functions that the School is required to perform and shall eliminate Personal Information when it

is no longer necessary and relevant to those functions.

If an Employee is asked to supply Personal Information to be maintained in the School's personnel files, the School shall inform the Employee whether that information is legally required, or whether the Employee may refuse to provide the Personal Information.

The Principal shall establish disciplinary measures for the unauthorized use of information contained in the system, which shall include, but not be limited to the following: reprimand; suspension or administrative leave with or without pay; termination; or referral to authorities for prosecution.

Employees who wish to review their own files should contact the Principal or his/her designee. With reasonable advance notice, Employees may review their own personnel files by appointment or may receive copies of Personal Information upon reasonable request. However, medical, psychiatric, or psychological information may not be disclosed if a physician, psychiatrist, or psychologist determines that the disclosure of the information is likely to have an adverse effect on the person.

Employees who dispute the accuracy, relevance, timeliness, or completeness of Personal Information may request that the School make a reasonable investigation into the information. Investigations will be conducted within a reasonable time as required by Ohio law, and results of any investigation will be provided to the complaining employee. In the event that an employee disagrees with the outcome of the investigation, the employee may be permitted to submit a statement, not to exceed one hundred (100) words, summarizing the dispute. Statements summarizing disputed information shall be included in any subsequent transfer, report or dissemination if the disputed information.

Affected employees will be notified in the event of a breach of security in any computerized data system that creates a material risk of identity theft or other fraudulent activity.

Procedural rules regarding the operation of the Personal Information System are in Appendix 324-A Personal Information Procedure. Each Employee, by signing the acknowledgement in this Section 300s, is informed of the rules contained in Appendix 324-A Personal Information Procedure.

Ohio Privacy Act; R.C. Chapter 1347; R.C. 149.43.

See Appendix 324-A Personal Information Procedure and Appendix 324-B Personal Information Notice.

SECTION 330

ETHICAL BEHAVIOR

Objective

To create a safe working environment for our employees and students by prohibiting the possession and/or use of weapons in the workplace. The School will not tolerate any weapon possession or use.

Scope

Persons subject to the terms of this policy are as follows:

- A. All employees of the School.
- B. All substitute teachers working in the School.
- C. All employees of contractors providing services on behalf of the School.
- D. All applicants for employment with the School.
- E. All other persons, including visitors, vendors, subcontractors, students, etc.
- F. All persons, except
 1. law enforcement personnel or state or federal officers, agents, or employees who are authorized to carry deadly weapons or dangerous ordnance and are acting within the official duties of such position;
 2. security officers employed by the Governing Authority who are on duty and authorized to convey or possess deadly weapons or dangerous ordnance in(to) the school safety zone; or
 3. any other person with written authorization from the Governing Authority to convey or possess deadly weapons or dangerous ordnance in(to) the school safety zone.

Policy

This policy prohibits possession and/or use of prohibited weapons at any time on School grounds, a School vehicle, or at a School sponsored event. However, an individual with a valid concealed-carry license or temporary emergency license who is either a driver or passenger in a motor vehicle and who is immediately in the process of dropping off or picking up a child in a school safety zone may convey, attempt to convey, or possess an unloaded handgun in(to) the school safety zone if one of the following applies:

1. the handgun is in a closed case, bag, box or other container that is in plain sight and that has a lid, cover or closing mechanism with a zipper, snap or buckle, which lid, cover or closing mechanism must be opened for a person to gain access to the handgun;
2. the handgun is located in a compartment that can be reached only by leaving the vehicle; or
3. the handgun is located in plain sight and secured in a holder for the purpose.

Prohibited weapons include any form of weapon and any form of explosive restricted under local, state or federal law or regulation. This includes all firearms, illegal knives or other weapons restricted by the law. The terms “deadly weapon” and “dangerous ordnance” are defined in R.C. 2923.11. If you have a question about whether an item is covered by this policy, please contact the Superintendent or his/her designee. You will be held responsible for making sure beforehand that any potentially covered item you possess is not prohibited by this policy.

Prohibitions

The School's policy prohibits:

- A. Use or possession of weapons on School grounds, on a School vehicle, or at a School sponsored event.
- B. Use or possession of weapons while performing any task on the School's behalf.
- C. Refusing to sign a statement agreeing to abide by the Weapons in the Workplace Policy.
- D. Failing or refusing to report a known violation of this policy.
- E. Failing or refusing to cooperate with any investigation relating to a possible violation of this policy.

Consequences For Violation of This Policy

- A. Violation of the Weapons Policy may result in severe disciplinary action, including discharge, at the School's sole discretion.
- B. Using or possessing a weapon on School grounds in violation of this policy will be considered an act of criminal trespass and will be grounds for immediate removal from School grounds and may result in criminal prosecution.

If you become aware of anyone violating this policy, take no action and immediately report it to your supervisor or to the Superintendent or his/her designee.

Gun Free School Zones Act, 18 USC 922(q); Gun Free Schools Act, 20 USC 7151; R.C. 2923.11; R.C. 2923.122; R.C. 2923.126; R.C. 2923.16.

See Appendix 333-A Notice Regarding Weapons in the Workplace. See also Policy 421 Dangerous Weapons.

The Ohio Revised Code prohibits employers from taking any disciplinary or retaliatory action against an employee for making a report of a violation of any state or federal statute that an employee believes is:

1. a criminal offense that is likely to cause either an imminent risk of physical harm to persons or a hazard to public safety,
2. is a felony; or
3. an improper solicitation for a contribution.

In order to receive the protection afforded by the Revised Code, the employee must orally notify his or her supervisor of the violation and subsequently file a written report with the supervisor that provides sufficient detail to identify and describe the violation. If the employee is unable to report the violation to his or her supervisor, the oral and written reports must be made to the Board. Employees must make a reasonable and good faith effort to determine the accuracy of any information that is reported verbally or in writing.

If the employer does not correct the violation or make a reasonable and good faith effort to correct the violation within twenty-four hours after the oral notification or the receipt of the report, whichever is earlier, the employee may file a written report that provides sufficient detail to identify and describe the violation with the prosecuting authority of the county or municipal corporation where the violation occurred, with a peace officer, with the inspector general if the violation is within the inspector general's jurisdiction, or with any other appropriate public official or agency that has regulatory authority over the employer and the industry, trade, or business in which the employer is engaged.

The employer will not retaliate or take part in any form of reprisal against the employee bringing the complaint. Employees who believe they may have been subject to retaliation should report suspected retaliation to the Board President.

An employee may be subject to discipline if it is determined that the report of wrongdoing was knowingly fabricated by the employee or was, knowingly distorted, exaggerated or minimized to either injure someone else or, to protect the reporting party or others.

Complaints of harassment will be handled in accordance with the anti-harassment policy.

In addition, the Ohio Auditor of State's office maintains a system for the reporting of fraud, including the misuse of public money by any official or office. You may make an anonymous complaint through a toll free number, through the Auditor of State's website, or through the United States mail at:

Telephone: 1-866-FRAUD OH (1-866-372-8364)

Ohio Auditor of State's Office
Special Investigations Unit
88 East Broad Street
P. O. Box 1140
Columbus, OH 43215

Web: www.ohioauditor.gov

You must sign either **Appendix 365-A** OR the acknowledgement of receipt of the employee handbook in order to confirm receipt and understanding of this information.

R.C. 4113.51; R.C. 117.103(B)(1)

r modify benefits at any time upon written notice.

SECTION 380

TIME OFF FROM YOUR JOB

Eligibility. To qualify for FMLA leave, an employee must meet each of the following criteria and have a qualifying reason for the leave:

- Be employed at a location that has at least fifty (50) of our employees within a seventy-five (75) mile radius.
- Have been employed by the School at least twelve months.
- Have worked at least 1,250 hours during the twelve month period or fifty-two (52) weeks immediately before the date the leave begins.

Even though the School may be a covered employer, employees must meet all three of the above requirements to be eligible.

General Policy. We provide eligible employees with twelve (12) weeks of unpaid, job-protected leave for any of the following family and medical reasons according to the Family and Medical Leave Act (FMLA).

- An employee's own serious health condition, as defined, that makes the employee unable to perform the essential functions of the job.
- For incapacity due to pregnancy, prenatal medical care or child birth.
- To care for an employee's spouse, child, or parent with a serious health condition.
- To care for an employee's newborn child, newly adopted child, or newly placed foster child as long as the leave is taken in the year following the child's birth or placement.
- To attend to a qualifying exigency relating to a spouse, child or parent on or called to active duty in the Armed Forces, including the National Guard or Reserves in support of a contingency operation. (Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post-deployment reintegration briefings.)

An eligible employee may take a total of twenty-six (26) weeks of unpaid leave during a single twelve (12) month period to care for the spouse, son, daughter, parent, or next of kin of a service member who is a current member or veteran (within five years) of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render him/her medically unfit to perform his/her duties. The leave may be taken to care for the covered servicemember while he or she is undergoing medical treatment, recuperation, or therapy or is in outpatient status or is on the temporary disability retired list.

If a husband and wife both work for the School, and each wishes to take FMLA leave for the birth or placement for adoption or foster care of a healthy child, or to care for an employee's parent (not parent "in law") with a serious health condition, the husband and wife may be limited to a combined twelve (12) weeks of leave.

Requesting a Leave. An employee must inform his/her supervisor/manager and Human Resources at least thirty (30) days in advance of the need to take FMLA leave when the need for the leave is foreseeable. If it is not possible to give thirty (30) days' notice, an employee must provide notice as soon as practicable and must comply with the School's normal call-in procedures and attendance policy. Failure to give appropriate notice of the need for leave may result in denial of the leave, disciplinary action and/or termination of employment.

To request a leave, the employee must notify his/her supervisor, complete the appropriate form(s) and return it to Human Resources by the required date.

Human Resources will inform the employee whether he/she is eligible for leave under the FMLA and, if so, will advise the employee of any information required and of the employee's rights and responsibilities associated with the leave. Human Resources will also inform the employee of the reason if the employee is not eligible for leave.

Additional Forms and the Leave Determination. An employee may be required to provide additional information to determine if the employee qualifies for FMLA protection. Information requests may include documentation of the employee's inability to perform his/her job, an employee's family member's disability status, continuing treatment and/or hospitalization needs or other circumstances surrounding the nature of the employee's leave. An employee must inform the School if any requested leave is for a reason for which FMLA leave was previously taken or certified. An employee will be required to provide sufficient information informing the School of the timing and duration of his/her leave. An employee may also be required to provide certification and periodic recertification supporting his/her need for leave.

Certification of Health Care Provider. An employee's treating health care provider must specify and certify the nature of the qualifying serious health condition, beginning/ending dates of incapacity, treatment, or care, etc. A Certification of Health Care Provider form must be fully completed, signed, and dated by the treating health care provider and submitted to Human Resources within fifteen (15) days of the date requested, absent extenuating circumstances. If leave is requested to provide care for an eligible family member, both the employee and the family member's treating health care provider will need to complete the applicable sections of a Certification form. If an employee fails to provide the Certification of Health Care Provider form within fifteen (15) days of the date requested, leave may be delayed or denied. It is an employee's responsibility to ensure timely completion and return of the Certification of Health Care Provider form.

The health care provider may be asked to authenticate the certification or the School may ask for the employee's authorization to contact the health care provider to obtain clarifying information related to the Certification of Health Care Provider form if questions arise at the time of approval reviews and any subsequent determination(s) related to leaves. The School may also request certification and other updates as appropriate and necessary.

The School may also seek second or third opinions (at School expense) from independent third party medical experts. An employee (or the employee's family member) may be required to submit to an examination by one or more of such experts. An employee's cooperation with such examinations is required and failure to cooperate may cause the leave to be delayed or denied. An employee will be granted provisional leave while the School waits for clarifications and/or the results of a second or third opinion.

Communicating Leave Status. Human Resources will inform the employee if the leave has been approved, usually after receiving the Certification of Health Care Provider form. The employee will also receive a designation of his/her FMLA leave status in writing which will detail the type of leave being approved, along with the approved leave period, return-to-work date, and related requirements. The time off prior to approval will be counted as part of the leave if eligibility and qualification are established. The School may retroactively designate time away from work that qualifies as job-protected FMLA and count the absences toward the twelve (12) week entitlement. An employee will be notified in writing of this designation while absent or after returning to work. If an employee's leave is determined to be non-qualifying, he/she will be advised in writing.

Serious Health Condition Defined. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- *Overnight Care* in a medical care facility.
- *Continuing treatment* by a health care provider that prevents the employee from performing the functions of his/her job (or prevents the employee's family member from participating in daily activities, like work or school.)
 - The continuing treatment requirement generally is met by a period of incapacity of *more than three consecutive calendar days* combined with:
 - At least two visits to a health care provider; or
 - A visit to a health care provider and a regimen of continuing treatment.

Note: Treatment does not include routine physical, eye, or dental examinations. A regimen of continuing treatment does not include the taking of over-the-counter medications such as aspirins, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a treating health care provider.
- Due to *pregnancy or prenatal care*.
- Due to a *chronic condition*.
 - Chronic Conditions Requiring Treatments. A chronic condition that is documented by a physician and requires all of the following:
 - Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
 - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - May cause episodic rather than a continuing period of incapacity (for example, asthma, diabetes, epilepsy, etc.).
- *Permanent/Long-term Conditions Requiring Supervision.* A period of incapacity that is permanent or long term due to a condition for which treatment may not be effective. The employee or his/her family member must be under the continuing supervision of, but need not be receiving active treatment by a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

- *Multiple Treatments (Non-Chronic Conditions)*. Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider, either for restorative surgery after an accident or injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days.

Personal Time Off (PTO). When an employee requests FMLA, he/she is required to use his/her PTO in accordance with the School's normal PTO policy unless he/she is receiving short-term disability or Workers' Compensation payments. After PTO is exhausted, unpaid leave will be granted until the end of the FMLA leave. Leave time compensated with PTO, short term disability and/or workers' compensation runs concurrent with (counts against) the employee's weeks of available FMLA leave.

Period of Leaves of Absence. The School measures the twelve (12) month FMLA leave period as a rolling twelve (12) month period counted backward from the date an employee uses leave under this policy. Each time an employee takes FMLA leave, the School will compute the amount of leave taken under this policy and subtract it from the twelve (12) weeks of available leave, specific to each rolling twelve (12) month period. The remaining balance is the maximum the employee is entitled to take at that time under FMLA.

Second Qualifying Event While on Leave. If an employee has a second qualifying leave while out on approved FMLA leave, he/she may request approval for a concurrent leave. The leave periods may partially or fully overlap. The employee will be required to complete the appropriate FMLA leave forms and provide a Certification of Health Care Provider form to establish qualification, the leave period and a return-to-work date, which may be different. If the leave is approved, the employee's return-to-work date is the latter of the two leave periods.

Benefits While On Leave. The School will continue to pay its portion of the employee's group health insurance benefit premiums during the leave period at the same level and under the same conditions as if he/she were actively at work. If the employee receives a paycheck during the period of leave, the employee will have his/her benefit premiums deducted as usual. If the employee does not receive a paycheck while on FMLA leave, he/she is responsible for paying the employee share of the benefit premiums while on FMLA leave. At the beginning of the leave, Human Resources will provide the employee with information on how and when to make premium payments. Premium payments must be made within thirty (30) days of the due date to avoid cancellation. *The employee must continue paying his/her share of premiums or the benefit coverage may be canceled.* If an employee does not return to work after FMLA leave, he/she may be required to reimburse the School for any benefit premiums paid on his/her behalf.

Use of FMLA will not cause an employee to lose any employment benefit that accrued prior to the start of the employee's leave.

Manner in Which FMLA Leave May be Taken. FMLA may be taken in a single block of consecutive weeks, or, when medically necessary, leave for some conditions (including qualified exigencies) may be taken intermittently or on a reduced leave schedule. **"Intermittent Leave"** is leave taken in separate blocks of time due to a single illness or injury, rather than for one continuous period of time. **"Reduced Leave"** is a leave that reduces an employee's usual number of working hours per workweek or per workday. In all cases, the total leave time may not exceed a total of twelve (12) weeks in a rolling twelve (12) month period.

An employee is required to schedule leave for planned appointments outside of work hours so as to not disrupt the School's operations or to consult with his/her supervisor prior to the scheduling of treatment in order to work out a treatment schedule which best suits the needs of both the employee and the School without unduly disrupting the School's operations.

Requests for intermittent leave are handled the same as any other FMLA leave (See "Requesting a Leave"). Once FMLA status has been established, further requests for intermittent leave require the employee to:

- Notify his/her supervisor/manager and Human Resources of the need to use intermittent leave as soon as possible.
- Follow the School's absence and call off requirements.
- Provide appropriate documentation for each time he/she uses intermittent leave.

Employees are not eligible for intermittent leave or reduced work schedules to care for a newly born or placed child.

The School may temporarily transfer an employee taking intermittent or reduced leave for planned medical treatment to an available alternative position with no loss of pay or benefits in order to better accommodate the intermittent or reduced leave schedule.

Return to Work. As soon as you know your return-to-work date, the employee must notify his/her supervisor and Human Resources. If the return to work date changes, the employee must notify the School immediately – no later than two (2) days after learning of the change.

An employee may be required to provide a fitness for duty certificate from the health care provider indicating the employee's capacity to return to work and to perform the work required. The employee must be able to perform the essential functions of his/her job upon return. Requests for different (light) duties because of work restrictions cannot generally be accommodated.

When an employee returns from FMLA leave, he/she will be reinstated to his/her former position or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. Exceptions may apply if business circumstances have changed and for certain highly compensated positions under conditions defined within FMLA legislation.

If an employee fails to provide a required fitness for duty certificate from his/her treating physician, does not complete the School's return-to-work requirements and/or fails to return to work in a timely manner, the employee may not be reinstated to his/her job and may have his/her employment terminated.

Restrictions While on Leave. No employee may not engage in other employment (including self-employment) while on FMLA leave (or on a leave of absence of any kind.) A leave must be used only for the purpose requested. If an employee uses a leave of absence for any other purpose, including for travel/vacation, the employee will be treated as if he/she voluntarily resigned from his/her position.

385.1 Emergency Family and Medical Leave Expansion Act

General Policy. Between April 1, 2020 and December 31, 2020, if an employee is unable to work (or telework) due to a need for leave to care for the son or daughter under eighteen (18) years of age* of such employee because such son or daughter's school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency, then the School will allow the employee to take up to twelve (12) weeks of leave under the Family Medical Leave Act ("FMLA"), pursuant to the Emergency Family and Medical Leave Expansion Act ("E-FMLA leave").

This E-FMLA leave is not in addition to, but is counted in conjunction with, the employee's traditional FMLA 12-week leave entitlement in a rolling twelve (12) month period ("Leave Entitlement"). For example: 1) If an employee has already taken six (6) weeks of FMLA, the employee is only entitled to an additional six (6) weeks of E-FMLA leave; or 2) Any amount of E-FMLA leave used will reduce the amount of FMLA leave an employee can take for other reasons during the applicable FMLA year.

Eligibility. To qualify for E-FMLA leave, the School must be a covered employer under the Emergency Family and Medical Leave Expansion Act and the employee must have been employed by the School for at least thirty (30) days. This policy, as well as the entitlement to any and all E-FMLA leave pursuant to it, expires on December 31, 2020. Any unused E-FMLA leave is not payable upon separation of employment.

Requesting E-FMLA Leave. An employee must inform his/her supervisor/manager and Human Resources as soon as practicable and must comply with the School's normal call-in procedures and attendance policy. Failure to give appropriate notice of the need for leave may result in denial of the leave, disciplinary action and/or termination of employment.

To request a leave, the employee must notify his/her supervisor, complete the appropriate form(s) and return it to Human Resources by the required date. Human Resources will inform the employee whether he/she is eligible for E-FMLA leave and, if so, will advise the employee of any information required and of the employee's rights and responsibilities associated with the leave. Human Resources will also inform the employee of the reason if the employee is not eligible for leave.

The E-FMLA Leave Determination. An employee may be required to provide sufficient information to determine if the employee qualifies for E-FMLA leave. Information requests may include documentation of the employee's inability to perform his/her job or other circumstances surrounding the nature of, or supporting, the employee's leave. An employee will be required to provide sufficient information informing the School of the timing and duration of his/her leave.

Communicating E-FMLA Leave Status. Human Resources will inform the employee if the leave has been approved, usually after receiving supporting information from the employee. The employee will also receive a designation of his/her E-FMLA leave status in writing which will detail the type of leave being approved, along with the approved leave period, return-to-work date, and related requirements. The time off prior to approval will be counted as part of the leave if eligibility and qualification are established. The School may retroactively designate time away from work, taken after April 1, 2020, that qualifies as E-FMLA leave and count the absences toward the employee's Leave Entitlement. An employee will be notified in writing of this designation while absent or after returning to work. If an employee's leave is determined to be

non-qualifying, he/she will be advised in writing.

Payment. The first ten (10) days of E-FMLA leave are unpaid; however, during that period, the employee may elect to use his/her PTO in accordance with the School's PTO policies, including Emergency Paid Sick Leave, and the leave time compensated with PTO runs concurrent with (counts against) the employee's first ten (10) days of available E-FMLA leave. After the initial 10-day period, the School will pay the employee 2/3 the employee's regular rate of pay for the hours the employee was or would have been normally scheduled to work for the remainder of the employee's E-FMLA leave. However, the employee cannot receive more than \$200 a day or \$10,000 in the aggregate for the remainder of the E-FMLA leave.

In certain circumstances, the employee may elect, or School may require the employee to use his/her PTO in accordance with the School's PTO policies for the care of a child, and the leave time compensated with such PTO runs concurrent with the employee's available E-FMLA leave. However, the School may not require the employee to first use any other PTO to which the employee is entitled before the employee uses Emergency Paid Sick Leave.

Period of Leaves of Absence. Each time an employee takes E-FMLA leave, the School will compute the amount of leave taken under this policy and subtract it from the employee's available Leave Entitlement. The remaining balance is the maximum E-FMLA leave the employee is entitled to take at that time.

Benefits While On Leave. The School will continue to pay its portion of the employee's group health insurance benefit premiums during the leave period at the same level and under the same conditions as if he/she were actively at work. If the employee receives a paycheck during the period of leave, the employee will have his/her benefit premiums deducted as usual. If the employee does not receive a paycheck while on E-FMLA leave, he/she is responsible for paying the employee share of the benefit premiums while on E-FMLA leave. At the beginning of the leave, Human Resources will provide the employee with information on how and when to make premium payments. Premium payments must be made within thirty (30) days of the due date to avoid cancellation. *The employee must continue paying his/her share of premiums or the benefit coverage may be canceled.* If an employee does not return to work after E-FMLA leave, he/she may be required to reimburse the School for any benefit premiums paid on his/her behalf.

Use of E-FMLA leave will not cause an employee to lose any employment benefit that accrued prior to the start of the employee's leave.

Manner in Which E-FMLA Leave May be Taken. E-FMLA may be taken in a single block of consecutive leave, or the school may allow in its sole discretion for leave to be taken intermittently in certain circumstances by agreement.

Return to Work. As soon as the employee knows their return-to-work date, the employee must notify his/her supervisor and Human Resources. If the return to work date changes, the employee must notify the School immediately – no later than two (2) days after learning of the change.

When an employee returns from E-FMLA leave, he/she will be reinstated to his/her former position or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. Exceptions may apply if business circumstances have changed, if the School has less than twenty-five (25) employees, and for certain highly compensated positions.

If an employee fails to return to work in a timely manner, the employee may not be reinstated to

his/her job and may have his/her employment terminated.

Restrictions While on Leave. No employee may engage in other employment (including self-employment) while on E-FMLA leave (or on a leave of absence of any kind.) A leave must be used only for the purpose requested. If an employee uses a leave of absence for any other purpose, the employee will be treated as if he/she voluntarily resigned from his/her position.

* A “son or daughter” is the employee’s own child, which includes a biological, adopted, or foster child, a stepchild, a legal ward, or a child for whom the employee is standing in loco parentis. This will also include an adult son or daughter (i.e., one who is eighteen (18) years of age or older), who (1) has a mental or physical disability, and (2) is incapable of self-care because of that disability.

Families First Coronavirus Response Act, H.R. 6201; See also Policy 385 Family and Medical Leave (FMLA); Policy 381.1 Emergency Paid Sick Time; Appendix 385.1-A; Appendix 385.1-B; and Appendix 381.1-A.

SECTION 4:
HEALTH AND SAFETY POLICIES

SECTION 400

GENERAL HEALTH AND WELFARE

401 Health Services

When a child is enrolled for the first time in either kindergarten or first grade:

1. Prior to November 1 of the school year, the child shall be screened for disorders in hearing, vision, speech and communication, for general health or medical problems, and for developmental disorders. This screening, or any of its elements, may be provided directly by the School or by contract with another person or governmental entity. The School may also establish a list of approved providers of screening services and request the parents to utilize one of these providers.
2. Prior to August 1 of the school year, the parents or guardians of the child must be provided with information about the screening program. If the School has determined that screening is to be obtained by the parents or guardians, it must prepare a list of providers together with information about screening services available in the community to those who cannot afford them. A parent or guardian may reject the requested screenings by signing a written statement to the effect that he/she does not wish to have his/her child receive such screening.

If the results of any health screening reveal the possibility of special learning needs, the School is required to conduct further assessment in accordance with laws regarding the education of children with disabilities.

Any child shall be exempted from the following examinations: (a) from a dental inspection if the child has been examined for dental defects by a regularly licensed dentist; (b) from a hearing test if he has been examined by a regularly licensed physician; and/or (c) from a vision test if he has been examined by a regularly licensed physician or optometrist. The parent shall provide evidence that the child was examined within the twelve (12) months immediately preceding the scheduled date of School examinations.

If the School provides hearing and vision screenings directly or by contract, the School shall:

1. Utilize methods and testing devices that are approved by the department of health;
2. Keep an accurate record of such tests and of measures taken to correct such hearing and visual defect on a form prescribed and furnished or approved by the Director of Health;
3. Make statistical data from such records available to official state and local health, education, and human services departments and agencies
4. Make individual records available to such departments and agencies only where there is evidence that no measures have been taken to correct defects determined by such tests. .

R.C. 3313.50; R.C. 3313.673; R.C. 3313.69; R.C. 3314.03.

Students enrolled in the School are required to have, at the time of initial entry into School and at the beginning of each School year thereafter, written evidence on file that they have been immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles (rubeola), mumps, chicken pox, rubella, hepatitis B, and meningococcal disease, as required by Ohio law and applicable Ohio Department of Health (“ODH”) regulations and guidelines (collectively, “Laws”). Adequate written evidence of such required immunizations shall consist of a statement indicating that the Student has received the required immunizations, including the immunizations received and the date of receipt, signed by a licensed physician, an official from another school, a public health department, or the Parent. In the case of a Parent’s statement, the Principal, in his/her sole discretion, may require any other evidence as s/he believes is needed to determine compliance with this policy including, but not limited to, a physician’s statement.

B. Record and Reporting

The School shall keep an immunization record for each student, available in writing to the student’s parent or guardian. No later than October 15 of each year, the School shall report a summary of the immunization records of all initial entry students to the director of health using the prescribed online reporting form, which may be accessed on the following website: <https://www.odh.ohio.gov/odhprograms/bid/immunization/schdayca.aspx>.

C. Exclusion and Readmission

In the event that (1) a Student has not received the required immunizations OR the Student is not “in the process of being immunized”, and (2) the Student’s Parent has failed to submit adequate written evidence of the required immunizations as set forth in this policy, the Student shall be:

- Excluded from School until such time as the Student’s Parent submits adequate written evidence that the Student has received the required immunizations or is “in the process of being immunized” , or that the Student is exempted from immunization requirements in accordance with this policy.
- Permitted to remain in School for no more than fourteen (14) days after initial enrollment in the School or, for a student previously enrolled in the School, no more than fourteen (14) days after the beginning of the school year.

Students who do not comply with this policy and any other immunization requirements of Laws shall be excluded from School no later than the fifteenth (15th) day after admission or, for students not being initially admitted, no later than the fifteenth (15th) day after the beginning of the school year.

Any Student who is admitted or commences a school year who is “in the process of being immunized”, and who does not complete the required immunizations, shall be excluded from School no later than the fifteenth (15th) day of the following school year.

“In the process of being immunized” means the student has been immunized against mumps, rubeola, rubella, and chicken pox, and if the student has not been immunized against polio, diphtheria, pertussis, tetanus, hepatitis B, and meningococcal disease, the student has received at least the first dose of the immunization sequence, and presents written evidence to the Principal of each subsequent dose required to obtain immunization at the intervals prescribed by the Director

of Health.

Any Student who is excluded for failure to comply with this policy shall be readmitted upon submission to the Principal of adequate written evidence, as set forth above, of compliance with this policy and the Laws.

D. Exemptions

Students may be exempted from required immunizations, subject to any requirements of Laws under the following circumstances:

1. A Parent may present a written statement to the Principal of objection to immunization for reasons of conscience, including religious convictions.
2. A Parent may present a written statement signed by a physician certifying that certain or all required immunizations are medically contraindicated.
3. A Parent may present a signed statement from the Parent or physician that the student has a history of measles (rubeola), mumps, and/or chicken pox and need not be immunized against the disease(s) for which the history so exists.
4. Pursuant to ODH regulations and guidelines, a parent may present laboratory testing results signed by a physician demonstrating that detectable rubella antibody is present in the Student and the Student need not be immunized against German measles (rubella).
5. Any other circumstances required by the Laws.

The Principal may require any other evidence she/he believes is needed to consider a request for exemption and, in his/her sole discretion, may determine whether to grant an exemption under the Laws to required immunizations.

The School may deny admission to a Student otherwise exempted from the chicken pox immunization requirement, if the Director of the ODH notifies the Principal that a chicken pox epidemic exists in the School's population. The denial of admission shall cease when the ODH notifies the Principal that the epidemic no longer exists. The academic standing of a Student who is denied admission during a chicken pox epidemic may be preserved in accordance with the admission, testing, and other policies of the School, and subject to Principal and Board approval.

E. Tuberculosis Testing

The Board and School shall follow the requirements and recommendations of Ohio law and the ODH, if any, with regard to tuberculosis testing of students.

R.C. 3313.67; 3313.671.

SECTION 420

PERSONAL SAFETY

421 Dangerous Weapons

Any visitor found possessing a weapon or other device designed to inflict serious bodily harm on School premises or on property being used by the School for School purposes may be charged with a felony. This restriction applies to visitors licensed to possess firearms unless serving as an authorized security officer or unless the Governing Authority has provided them with written authorization to convey or possess deadly weapons or dangerous ordnance in(to) the school safety zone. This policy does not apply to law enforcement personnel or state or federal officers, agents, or employees who are authorized to carry a deadly weapon or dangerous ordnance and are acting within the official duties of such position.

The Principal or his/her designee shall ensure that any visitor possessing a weapon or other device designed to inflict serious bodily harm is reported immediately to the appropriate law enforcement agency.

A weapon may be brought on School property for educational purposes under controlled circumstances when authorized by the Principal or his/her designee.

20 USC 7151; R.C. 2923.122.

See also Policy 333 Weapons in the Workplace and Appendix 333-A Notice Regarding Weapons in the Workplace.

No person shall assault, strike, threaten, or menace a teacher, instructor, or person in charge of a class of students, or any employee while in the performance of their duties, or disrupt, disturb, or interfere with any activity conducted in or on the School premises, or unlawfully assault, strike, threaten, menace, follow, pursue, or lay hands upon a student or other person in or on the School premises, or on the way to or from School or School-sponsored activity.

School officials have the authority to call a law enforcement officer if any individual violates this policy or other posted regulations, or does not leave School property when requested to do so.

SECTION 450
FOOD SAFETY

451.1 Unpaid Meal Charges

The School believes that all students should have access to healthy school lunches and wishes to minimize identification of students with insufficient funds, but recognizes the need to protect the financial stability of the school nutrition program. The School, as a school food authority, has established the following procedures, which will be implemented beginning in the 2017-2018 school year, (a) to handle situations in which a student eligible for reduced-price or full-price meal benefits has insufficient funds to pay for school meals, and (b) to collect unpaid meal charges and delinquent account debt.

Parents and students shall continue to comply with any and all School requests and procedures regarding pre-selection of meals, if applicable.

Unpaid Meal Charge

Students who qualify for free meals will not be denied a reimbursable meal even if they have previously accrued a negative balance. However, in these circumstances, students may be prohibited from purchasing a la carte or extra items. Students with unpaid meal charge debt who attend School with money to pay for a reduced-price or full-price meal at the time of that meal's service must be provided a meal, even if that student has accrued a negative balance. The School will not use the money intended to purchase a day's meal for repayment of a negative balance or other unpaid meal charge debt.

If a student does not have funds to pay for a reduced-price or full price meal at the time of that meal's service, the student [check one]:

- 1. may charge the meal to the student's meal account, if meals are available. The student may charge up to _____ meal(s) or \$_____. Students who charge a meal will receive a reimbursable meal. However, the School may limit the entrée choice to a less expensive option.
- 2. may charge an alternative meal to the student's meal account, if alternative meals are available. The alternative meal items must be priced individually, meet Smart Snacks requirements, and accommodate special dietary needs. The student may charge up to \$_____.
- 3. may receive an alternative meal from the School at no cost to the student, if alternative meals are available. This meal does not need to meet Smart Snacks requirements, but must accommodate special dietary needs. The meal cost must be funded from a non-federal source.
- 4. may not charge a meal to the student's meal account and will not receive a meal that day.

The School will notify the parent in writing if a student's meal account falls below \$_____. This notification will include the amount of any low or negative balance, expected payment date, consequences of non-payment, and information regarding where families can find assistance with applying for free and reduced-priced meals.

Collection of Delinquent or Bad Debt

The School shall consider debt delinquent and shall request payment ten (10) school days after the date in which the School provides parental notice of a student's negative account balance. The Principal or his/her designee will work directly with households to collect any delinquent meal charge debt and shall be responsible for managing charges and delinquent debt owed to the School. At the Principal's or his/her designee's discretion, the School may establish repayment plans for the collection of debt. Delinquent debt and repayment plans may carry over to the next school year.

If the Principal or his/her designee determines that delinquent debt is uncollectible at the end of the school year, the debt will be considered "bad debt." Bad debt may not be carried over to the next school year. Bad debt must be restored to the School and Nutrition Program from the general fund prior to the end of the same fiscal year. Bad debt may not be recovered using federal funds.

Notification

The School will communicate this policy in writing to all students and households at the beginning of each school year and upon a change in a student's eligibility for meal benefits. Forms and information regarding free or reduced price lunch shall be available at the School office, and the Principal or his/her designee shall be available to answer questions regarding the meal program and any unpaid meal charge debt. The School shall not disclose the identities of students eligible for free or reduced-priced meals except to those individuals who require that information to carry out an activity authorized by the National School Lunch Act, 42 U.S.C. 1751.

Community Eligibility Provision

Notwithstanding the above, if the Schools is a Community Eligibility Provision (CEP) provider, the School shall provide reimbursable meals for breakfast and lunch to all students free of charge.

Richard B. Russell National School Lunch Act, 42 U.S.C. 1751.

The School recognizes the importance of good nutrition to each student's educational performance.

The School shall provide eligible needy students with breakfast and/or lunch at a reduced rate or no charge to the student. Children eligible for free and reduced-price meals shall be determined by the criteria established by the Child Nutrition Program and National School Lunch Act. These criteria are issued annually by the Federal government through the State Department of Education.

The Board designates the Principal or his/her designee as the responsible party to determine the eligibility of students for free and reduced rate meals. Eligibility determinations may be appealed to the Principal or his/her designee at a formal hearing held pursuant to any applicable federal and state hearing procedures.

The School shall not overtly identify children receiving free and reduced price meals. No person shall be excluded from participation in, be denied the benefits of, or otherwise be subject to physical segregation or other discrimination under any program or activity for which the School receives federal financial assistance for food and nutrition services on the bases of race, color, national origin, age, disability, sex, gender identity, or income. See Policy 451 Food Services.

The School shall annually notify all interested persons of the availability, eligibility requirements, and application procedure for free and reduced rate meals by distributing an application to the family of each student enrolled in the School.

The Principal or his/her designee shall prepare and implement the necessary arrangements and guidelines to ensure proper operation of this program. She/he shall ensure that the appropriate policy attachments for Free and Reduced-Price Meals or Free Milk are properly completed and submitted for approval to the School Food Service Division of the Ohio Department of Education by the beginning of each School year.

42 USC 1751; 7 C.F.R. 245.

See Appendix 452-A Appeal Hearing Procedures; Appendix 452-B Application to Receive Free and Reduced-Price Meals; and Appendix 452-C Parental Notice of Availability of Free and Reduced-Price Meals. See also Policy 451 Food Services.

The School believes that healthy students are more likely to successfully complete their formal education. The School recognizes that it plays an important role in the development of students' health and nutrition habits by providing nutritious meals and snacks, supporting the development of good eating habits, and promoting increased physical activity.

The Board sets forth the following goals in an effort to enable students to establish good health and nutrition habits:

Nutrition Promotion and Education Goals

- The School shall provide for interdisciplinary, sequential skill-based health education that that supports hands-on classroom activities that promote health and reduce obesity.
- Nutrition and healthy living skills shall be integrated into classroom curriculum when appropriate.
- Students in grades pre-K-12 shall receive nutrition education that is interactive and teaches the skills they need to adopt healthy eating behaviors.
- Nutrition education shall be offered and promoted in the School cafeteria as well as in the classroom with coordination between the foodservice staff and teachers.
- Nutrition education and promotion information will be shared with parents and the community.

Physical Education and Activity Goals

- Students shall be provided opportunities for physical activity during the school day through physical education classes, daily recess periods for elementary students, and the integration of physical activity in the classroom.
- Physical education classes shall stress physical fitness, encourage healthy, active lifestyles and consist of physical activities as part of the curriculum.
- Physical activity will not be used as a form of discipline or punishment.
- Physical activity and promotion information will be shared with parents and the community.
- The School shall encourage parents and the community to support physical activity, to be physically active role models, and to include physical activity at events.

Other School Based Activities

- School based activities shall promote student wellness and, if appropriate, shall encourage nutrition and physical education.
- Nutrition shall be considered when planning school-based activities such as classroom snacks, fundraisers, etc.

- The School will provide students with a clean and safe environment and adequate time for eating meals.

Nutrition Guidelines

- In accordance with the School's Food Standards Policy, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages sold in the School.
- Any food provided outside of the food service program, but not sold during the school day on the School premises, shall align with the goals and standards stated in this Wellness Policy.
- Marketing of foods and beverages at the School during the school day shall be limited to those foods and beverages that meet the standards set forth in the School's Food Standard Policy. The Board reserves the right to further limit marketing of food and beverages.
- The food service program will provide all students affordable access to a variety of nutritious foods.

Implementation and Evaluation

- The Principal shall ensure that the School implements, complies with, and annually evaluates this Policy.
- The School will consult with administrators, board members, parents, students, community members, school health professionals, physical education teachers (if applicable), or representatives of the school food authority. The committee will be provided the opportunity to participate in the development, implementation, periodic review, and update of the Policy. In developing or updating goals, the committee will review and consider evidence-based strategies and techniques.
- At least once every three (3) years, the School will measure the implementation of this Policy, focusing specifically on the extent to which the School has complied with the Policy, the extent to which the Policy compares to model local wellness policies, and the extent to which the School has progressed toward achieving its stated goals in the Policy. The School will create a written assessment for each periodic measurement that it will disseminate to students, their families, and other members of the community or post on its website. The School will make appropriate modifications to this Policy, if necessary, based on this assessment.
- At the start of each school year, the School will disseminate this Policy and information about its implementation to families of school children and other members of the community or post it on its website and will notify such individuals of changes to the Policy in the same manner.

The School shall retain documentation demonstrating compliance with this Policy, including requirements related to community involvement, triennial assessments of this Policy, and public dissemination of this Policy and any updates thereto.

42 U.S.C. 1758b; 42 U.S.C. 1771; 7 CFR 210.31; R.C. 3313.814; R.C. 3313.816; R.C. 3313.817

See also Policy 455 Food Standards Policy and Appendix 455-A Nutritional Standards for Food and Beverages.

454.1 Illness Exposure Management of Food Service Employees

All current food service employee, or potential employee to whom a job offer has been made, shall report any known or suspected illnesses that are transmissible through food. Reports must be made to the food service supervisor or the Principal or his or her designee prior to beginning the preparation or service of food.

Employees and potential employees shall be temporarily restricted from food service duties or excluded from the School if the individual experiences any of the following:

1. Vomiting, diarrhea, jaundice, sore throat with fever, or open and draining wounds, unless the wound is covered by appropriate and/or impermeable covering;
2. Is diagnosed by a health care provider with an illness due to campylobacter, cryptosporidium, cyclospora, entamoeba histolytica, enterohemorrhagic or shiga toxin producing E. Coli, giardia, hepatitis A, norovirus, salmonella spp., salmonella typhi, shigella, vibrio cholerae, or yersinia (“Reportable Illnesses”); or
3. Was exposed to an outbreak of any of the Reportable Illnesses, or works or resides in the same household as an individual who is known to have been exposed to or diagnosed with a Reportable Illness.

Employees and potential employees may be permitted to return to food service duties when the individual is no longer symptomatic, or when the individual presents evidence from a health care provider or the Ohio Department of Health that he or she does not pose a threat to public health.

Compliance with this policy is mandatory and failure to abide by this policy may subject an employee or potential employee to discipline, up to and including discharge.

O.A.C. 3717-1-02.1.

I have read and understand the above stated expectations and agree to abide by them.

Signature: _____ Date: _____

Employee Name: _____

The Board shall create standards for the types of food and beverages sold or provided in the School and the time and place each type of food and beverage is sold or provided, in accordance with state law and based on the following guidelines:

- A. The types of food and beverages sold in the School will
 - 1. promote student health and reduce childhood obesity,
 - 2. significantly benefit the daily nutritional needs of students (per U.S. Department of Agriculture guidelines),
 - 3. align with School Wellness Policy (Policy 453) requirements, and
 - 4. follow requirements provided under state and federal law.
- B. The Board or its designee shall consult with a licensed dietician, a registered dietetic technician or a certified/credentialed school nutrition specialist to assist in drafting a plan:
 - 1. for complying with and enforcing the nutritional standards governing the types of food and beverages that may be sold on the School premises in compliance with State law; and
 - 2. specifying the time and place each type of food or beverage may be sold.

See Appendix 455-A Nutrition Standards for Food and Beverages.

- C. The times and locations of food and beverage sales to students on school grounds will be assigned based on nutrient intake needs and eating patterns of students and align with class schedules. With regard to non-breakfast/lunch food and beverage sales:
 - 1. The School will not operate vending machines offering foods or beverages that do not meet the nutritional standards established by the School during the school lunch period. The Board reserves the right to totally restrict the sale of non-nutritional foods and beverages in vending machines.
 - 2. Bake sales and other school fundraising activities involving food and beverage items may not be held during a school meal period. The School will limit the frequency of bake sales and other food based fundraisers where non-nutritional foods and beverages will be sold based on the standard established by the Department of Education.
- D. The types of food and beverages provided, but not sold, to students will align with the School Wellness Program and any applicable requirements provided under state law. The Board may provide parents with a list of acceptable snacks that may be provided in the School.
- E. Annually, the food services supervisor shall review and report the School's compliance with these standards to the Board and to the Ohio Department of Education. The Board may establish separate standards regulating the types of food and beverages to be sold to Staff Members and for special or extracurricular events.

This policy applies to the sale or provision of foods from the midnight before the school day until 30 minutes after the end of the regular school day on school premises. School premises, for the purpose of this policy, include any areas of property under the School's jurisdiction that is accessible to students during the regular school day.

7 C.F.R. 210.10-210.11; 7 C.F.R. 210.31(c)(2)-(3); 7 C.F.R. 220.8; R.C. 3313.814; R.C. 3313.816; R.C. 3313.817; OAC 3301-91-09; USDA Smart Snacks in School nutrition guidelines.

Appendix 147-A

AVAILABILITY OF PUBLIC RECORDS FROM THE «Name of school TE:LIKE THIS»

1. ANY PERSON MAY INSPECT OR OBTAIN COPIES OF PUBLIC RECORDS MAINTAINED BY THE SCHOOL DURING REGULAR BUSINESS HOURS OF THIS OFFICE.
2. NO STUDENT DIRECTORY INFORMATION WILL BE PROVIDED TO ANYONE FOR USE IN A PROFIT-MAKING ACTIVITY.
3. THE SCHOOL'S FEE FOR PROVIDING COPIES OF PUBLIC RECORDS IS ____ PER PAGE, WHICH MUST BE PAID PRIOR TO OBTAINING THE COPIES.
4. IF THE SCHOOL DENIES A REQUEST FOR INSPECTION OR COPIES OF PUBLIC RECORDS, THE SCHOOL WILL PROVIDE THE REQUESTOR AN EXPLANATION FOR THE DENIAL. THE EXPLANATION WILL BE PROVIDED IN WRITING IF THE REQUEST FOR PUBLIC RECORDS WAS SUBMITTED IN WRITING.
5. EXCEPT AS REQUIRED BY FEDERAL OR STATE LAW, A REQUEST FOR PUBLIC RECORDS DOES NOT NEED TO BE SUBMITTED IN WRITING, OR DISCLOSE THE REQUESTOR'S IDENTITY; HOWEVER, SUBMITTING A REQUEST IN WRITING AND IDENTIFYING THE REQUESTOR FREQUENTLY MAKES IT MORE LIKELY THAT THE SCHOOL WILL BE ABLE TO IDENTIFY, LOCATE, AND DELIVER THE PUBLIC RECORDS BEING REQUESTED.
6. IF THE SCHOOL IS UNABLE TO SATISFY A REQUEST FOR PUBLIC RECORDS BECAUSE THE REQUEST IS AMBIGUOUS, OVERBROAD, OR FAILS TO REASONABLY IDENTIFY WHAT PUBLIC RECORDS ARE BEING REQUESTED, THE SCHOOL MAY DENY THE REQUEST AND EXPLAIN TO THE REQUESTOR THE MANNER IN WHICH THE SCHOOL MAINTAINS AND ACCESSES ITS RECORDS.
7. THIS POSTER IS A GENERAL DESCRIPTION OF THE PUBLIC RECORD POLICY ADOPTED BY THE SCHOOL'S GOVERNING AUTHORITY. IN THE EVENT OF A CONFLICT BETWEEN THE STATEMENTS CONTAINED IN THIS POSTER AND THE SCHOOL'S PUBLIC RECORD POLICY, THE PROVISIONS OF THE PUBLIC RECORD POLICY WILL PREVAIL.

Appendix 147.1-A

Records Retention Schedule

This Policy applies to all records of the School. Its purpose is to properly manage records retention and eventual disposal for both electronic and non-electronic records in order to comply with all applicable statutes, regulations, and other legal requirements, and the guidelines set forth in the following Records Retention Schedules.

Overall administration of this Policy shall be the responsibility of the Principal.

The following records retention schedule was guided by three general objectives:

1. Documenting compliance with statutory and regulatory requirements;
2. Protecting the business from future litigation; and
3. Reducing the cost of operating a business by appropriately managing space requirements.

Employment Records

| | | |
|---|---|--|
| 1 | <p><u>Selection, Recruitment and Hiring Records.</u> All personnel records or employment records, including job applications, resumes, or other hiring records for employees hired and not hired and job inquiries; advertisements or notices to the public regarding openings; promotions; training opportunities; opportunities for overtime; promotion, demotion, transfer, termination decisions; refusal to hire or re-hire documents; job orders placed with employment agencies for recruitment; candidate test papers and results; physical examination results; job aids; internal notices relating to job openings or training opportunities.</p> | 7 years from date of application, personnel action or termination, whichever is longer |
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- a. Age Discrimination in Employment Act (ADEA), 29 U.S.C. 626(a) and 29 CFR 1627.3 – must keep records one year from date of creation or date of personnel action, whichever is longer;
- b. American with Disabilities Act (ADA), 29 CFR 1602.14 – must keep records one year from date of personnel action;
- c. Civil Rights Act of 1964, 42 U.S.C. 2000e-8 and 29 CFR 1602.14, 29 CFR 1602.21 and 29 CFR 1602.7 – for employers with 15 employees or more, must keep records one year from date of application or date of personnel action, whichever is longer;
- d. Executive Order 11246/0FCCP apply to Federal contractors – must keep records pertaining to hiring criteria – for employer with 150+ employees, for two years – if less than 150 employees, for one year;
- e. Uniform Guidelines on Employee Selection Procedures, 29 CFR 1607.4 – must keep records regarding impact of the employer's hiring practices, including number of persons hired, number of applicants, and the selection criteria utilized, etc., for two years after a determination of an adverse impact;
- f. Statute of limitations for statutory liability actions in Ohio is six years under R.C. 2305.07. Under Ohio law, charges of employment discrimination are brought under R.C. 4112.01, et seq., which requires an aggrieved party to first exhaust his/her administrative remedies before filing a lawsuit; however, there are exceptions which would trigger R.C. 2305.07 and the six years statute.

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| 2 | <p><u>Employee Compensation Records.</u> Payroll information; rate of pay; compensation earned each week hours worked and certificates and notices of the Wage and Hour Administrator; collective bargaining agreements; individual contracts; time cards; payroll reports; wage rate tables; work schedules; purchase, shipping, and billing records; pay deductions or additions (bonuses); merit pay; description of pay differentials; cost determination records; vouchers for any payments to employees; job evaluations; seniority systems; age certificates; applications for disability benefits; unemployment claims; job descriptions and merit descriptions; and substitute records</p> | 7 years after personnel action or termination, whichever is longer |
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- a. ADEA, 29 U.S.C. 626(a) – three years for payroll records or other records containing employee name, address, and date of birth;
- b. Older Worker Benefit Protection Act 29 U.S.C. 626(a) and 626(f) – three years for payroll information;
- c. ADA, 29 CFR 1602.14 – one year – medical records must be kept separately from personnel file;
- d. Civil Rights Act of 1964 – one year for apprenticeship records – limitation period for other records varies -maximum six years under R.C. 2305.07;
- e. Davis Bacon Act, 29 CFR 5.5 – three years for payroll records containing name, address, job classification, rate of hourly, daily and weekly pay, rates of contributions or costs anticipated for fringe benefits – for apprentices, must maintain written evidence of the registration of the apprenticeship programs for three years after completion of contract;
- f. Employee Polygraph Protection Act, 29 CFR 801.30 and 29 CFR 201.35 – three years from date of test;
- g. Equal Pay Act, 29 U.S.C. 206(d) and 29 CFR 1620.32 – two years for wage rates, job evaluations and descriptions, merit or seniority systems and other descriptions;
- h. Executive Order 11246/OFCC P Rules – two years for Federal contractors with over 150 employees, and one year for Federal contractors with less than 150 employees;
- i. Fair Labor Standards Act (FLSA), 29 U.S.C. 211, 29 CFR 516.5 and 516.6 – must maintain name, job symbol, address, date of birth, occupation, information about hourly rate, hours worked each day, total weekly straight time, earnings, overtime, additions or deductions to wages, dates of payment or pay period, and purchase and sales orders for three years for hourly employees. Employer must keep basic earnings card, wage rate tables, work time schedule and customer order and invoices for two years. Employer must keep age certificates for minor employees until the date of termination of employment of a minor;
- j. Family and Medical Leave Act (FMLA), 29 CFR 825.50 – must keep detailed pay rate and employee identification, date of birth, designation of leave dates, hours of FMLA, and notices regarding FMLA for three years. Medical records must be kept confidential and separate from personnel records;
- k. Federal Unemployment Tax (FUTA) – annual records showing total wages for each employee, amount of taxable pay, etc. – four years after tax is paid under Treas. Reg. 1.6001-1. However, the information can be used to support the employer's tax records, and the statute of limitations for non-payment or underpayment of taxes in some instances can be extended beyond the normal three years to six years for civil or criminal violations, IRC 6501 et seq. Therefore, it is recommended that the records be kept for six years plus the current year;
- l. Internal Revenue Code – records about employees, their Social Security numbers, and records for remuneration must be kept for six years, plus the current year, as explained above.
- m. Social Security Act – four years, although it is recommended that the records be kept for six years, plus the current year, as explained under FUTA above;
- n. FICA – six years as explained under FUTA above;
- o. Ohio statute of limitations for actions charging violation of wage and hour laws and minimum wage is two years from the date the cause of action accrues.

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| 3 | Immigration 1-9 Forms | 3 years after hire or 1 year after termination, whichever is longer |
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- a. Immigration Reform and Control Act, 8 CFR 274a(2)(A) – must keep separate from personnel file.

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| 4 | Employee Benefit Plan Documents and Collective Bargaining Agreements | Until expired or superseded, plus 8 years |
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- a. ADEA, 29 U.S.C. 676 – must keep employment benefit plans until they expire or are superseded, plus one year;
- b. Statute of limitations for bringing actions under ERISA for breach of fiduciary duties is six years. There is no specific statute of limitations for ERISA actions other than breach of fiduciary duties (i.e., benefits), but courts typically apply the most analogous state statute. The statute of limitations for bringing an action on a written contract under Ohio law is eight years;

- c. Health Insurance Portability and Accountability Act (HIPAA) – must keep employee medical records for six years from the date of creation or date when record was last in effect, whichever is later.

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| 5 | Pension and welfare benefit records to determine eligibility for benefits | Keep as long as needed to determine eligibility – for 8 years after termination based on contract claims for participants and indefinite for beneficiaries |
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- a. Employee Retirement Income Security Act Section 209, 29 U.S.C. 1059;
- b. Employee Retirement Income Security Act Section 107, 29 U.S.C. 1027 – six years for records supporting matters disclosed on any filing; ERISA Section 413 governs actions for breach of fiduciary duties – these actions must be brought within six years of last action constituting the breach or three years after the discovery of the breach. ERISA does not specify a limitation period for other actions but most courts rely on the most analogous state statute of limitations. The Ohio statute for a contract action is eight years.

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| 6 | COBRA related documents | Keep as long as particular employee is covered by COBRA, plus follow periods under #5 above |
| 7 | Occupational Safety and Health Act (OSHA work-related injuries) | a. OSHA 200 or 300 log – must be logged within 2 days, must be retained for 5 years b. OSHA 101 or 301 report – retain for 5 years c. Form 300A – totals for the calendar year – retain for 5 years. |
| 8 | OSHA Employee medical records pertaining to work-related conditions, including those prepared by outside doctors | Keep for length of employment, plus 30 years |
| 9 | Additional Employer-Specific OSHA requirements (i.e., noise, chemicals, etc.) | Must consult OSHA regulations |
| 10 | Public Employment Risk Reduction Program (PERRP) | 5 years following the year that records cover |
| 11 | Form EEO-1 (Employers with 100 or more employees) | Copy of most recent report for each reporting unit must be retained always be retained |

Building and Operational Records

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| 1 | School Emergency Management Plan (not a public record) | Until superseded, plus 8 years |
| 2 | Tornado and fire drill records | 1 year |
| 3 | Building health inspections | Until superseded, plus 2 years |
| 4 | Environmental reports and data (asbestos, etc.) | 4 years |
| 5 | Asset inventory | Until superseded |
| 6 | Repair, installation, and maintenance records | 8 years |
| 7 | Equipment warranty/guarantee | Life/warranty of equipment or 8 years, whichever is longer |
| 8 | Vehicle registration | Life of vehicle, plus 1 year |
| 9 | Transportation records, vehicle records | 4 years |

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| 10 | Staff and student handbooks | Until superseded, plus 1 year |
| 11 | Administrative regulations or procedures | Until superseded, plus 1 year |
| 12 | School calendars | 2 years |
| 13 | Field trip forms, volunteer driver forms | 2 years |

Tax and Business Records

| | | |
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| 1 | Depreciation schedules and documents supporting depreciation decisions | Must keep for entire period of depreciation, plus 7 years |
| 2 | Capital gain and all documents supporting taxpayer's determination of basis, including receipts, purchase orders, invoices, etc. | Must keep for full period that property is maintained, plus 7 years |
| 3 | Federal, state, and local tax returns, and any documents supporting the returns, tax audits, and adjustments | 7 years |

- a. IRC 6501(a) and 6501(e) govern the limitation period under the Internal Revenue Code – three to six years;
- b. Ohio's limitation period is four years.

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| 4 | Monthly trial balances, worksheets, accounts payable, receivables | Keep at least 7 years. Some records may have to be kept longer depending on the type of documents they support |
| 5 | Receipts, deposit slips, budget/appropriation records, sales records | 4 years |
| 6 | Annual Reports - Audit Reports, Ledgers | Permanent |
| 7 | Payroll Earning Records, W-4's and 1099 Misc. | 7 years |
| 8 | Worker's Compensation | 10 years after financial payment made |

- a. Federal recommendation Treas. Reg. 1.6001-1 – four years;
- b. Statute of limitation period for tax collection is three to six years;
- c. Ohio limitation period is four years.

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| 9 | State and federal grant files | 10 years |
| 10 | Food service records – menus, food production, milk sold, students served, cash register tape, daily reports, free and reduced lunch reports, inventories, | 4 years |
| 11 | Unsuccessful bids and specifications | 1 year |
| 12 | Purchase orders, invoices, successful bids, agreements, contracts, leases, rental information (use of facilities), notes | 8 years after expiration date |

- a. The limitations period for written contracts under Ohio law is now eight years, therefore any document that would support a contract must be kept for the length of the contract plus the limitation period.

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| 13 | Minute books, agendas, charter, by-laws, etc. | Permanent |
| 14 | Board Meeting Notes | Until superseded |
| 15 | Board policy books and other adopted policies | Until superseded, plus 1 year |
| 16 | Correspondence | Depends on the underlying reasons for the correspondence. If it supports a contract, keep for 8 years. If it is simple, ordinary course, keep for 4 years. |

| | | |
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| 17 | Deeds, bills of sale, blueprints, capital stock certificates | Permanent |
| 18 | Trademarks, registrations, and copyrights | Permanent |
| 19 | Court decisions, claims, and litigation documents | Permanent |
| 20 | Civil rights, civil services, and disciplinary reports | Permanent |
| 21 | Insurance policies | 15 years after expiration, provided all claims settled |
| 22 | Record disposal forms | 10 years |

Student Records

Student records are not public records because the release of these records is prohibited by the Family and Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g. However, the School retains student records under the following schedule. If a student transfers to another school, the School shall maintain student records according to this schedule.

Notwithstanding any time listed in the retention schedule, a record may not be destroyed if there is an outstanding student or parent request to inspect the file. *See* 34 CFR 99.10(e).

| | | |
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| 1 | Student enrollment records, applications, birth certificates, withdrawal, and attendance records | 1 year from withdrawal or graduation |
| 2 | Grades and transcripts, activities records, individual test results, foreign exchange records, and disciplinary records | If student graduates from this School, permanently. If student withdraws before graduation, for 1 year after records are transferred. |
| 3 | Free and reduced price lunch application | 4 years |
| 4 | Student emergency information, health/medical records, accident reports | 2 years after withdrawal or graduation from the School |
| 5 | Records of students receiving services under IDEA: name, address, telephone number, grades, attendance record, intervention records, classes attended, grade level completed, year completed, all due process or other notices, and all IEPs or other plans | 2 years after students expected date of graduation from any school |

- a. 34 CFR 300.573, OAC 3301-51-04 – school must inform parent when personally identifiable information that was collected, maintained, or used under Part B of IDEA is no longer needed and when it is destroyed

Investigations

Records subject to an investigation or the subject of a claim must be retained for as long as the claim or the investigation remains pending and can thereafter only be discarded after consultation with legal counsel.

Storing E-mail Records

For purposes of records retention, it is acceptable to store e-mails: (1) in the current e-mail system; (2) in an electronic format (e.g., in a file on a local hard drive); or (3) by saving paper print outs in a filing system.

In order to ensure that someone in the corporation takes responsibility for maintaining the e-mail records during the retention period, the corporation shall choose one of the following procedures:

- ___ 1. The individual who sends an e-mail maintains the “record” copy. If an e-mail is received from someone outside the organization, the recipient should retain it.
- ___ 2. A mailbox is for individuals sending out email to copy (cc) when email is sent.

Appendix 203.1-A

Sample School-Family Compact

The School and all Parents and family members (family) of students, including the family of the students participating in activities, services, and programs funded by Title I, Part A of the Elementary and Secondary Education Act ("ESEA"), agree that this compact outlines how the family, the entire school staff, and the students will share the responsibility for improved student academic achievement and the means by which the school and family will build and develop a partnership that will help children achieve the State's high standards.

This school-family compact is in effect during the school year _____.

School Responsibilities

The School will:

1. Provide high quality curriculum and instruction in a supportive and effective learning environment that enables the participating children to meet the State's academic standards as follows: [Describe how school will provide high quality curriculum and instruction, and do so in a supportive and effective learning environment.]
2. Hold parent-teacher conferences at least annually during which this compact will be discussed as it relates to the individual child's achievement. Those conferences will be held [Describe when the parent-teacher conferences will be held.]
3. Provide family with frequent reports on their children's progress. Specifically, the school will provide reports as follows: [Describe when and how the school will provide reports to family.]
4. Provide family reasonable access to staff. Specifically, staff will be available for consultation as follows: [Describe when, where and how staff will be available for consultation with family.]
5. Provide family opportunities to volunteer and participate in their child's class, and to observe classroom activities, as follows: [Describe when and how family may volunteer, participate, and observe classroom activities.]
6. Treat all members of the School's family with respect and dignity.
7. Know the curriculum and state standards.
8. Establish clear rules for acceptable behavior, class participation, grades and assignments.
9. Discipline students in a fair and consistent manner.

Family Responsibilities

We, as family, will support our children's learning in the following ways:

1. We will treat all members of the School family with respect and dignity.
2. We will know and understand school rules and cooperate with school personnel in the enforcement of school rules.
3. We will support the school's zero tolerance policy toward any physical aggression.
4. We will communicate our comments, questions, and concerns to the appropriate personnel.

5. We will send our child to school in accordance with the school dress code.
6. We will attend any meeting concerning the welfare and well-being of our child, including report card conferences, IEP meetings, and any other intervention meetings.
7. We will send our child to school on time and on a regular basis as required by the law.
8. We will inform the school of change of phone numbers and addresses.
9. We will support the completion of all homework and our child's reading for 15 minutes daily.
10. We will monitor the amount of television our child watches.
11. We will participate, as appropriate, in decisions relating to our child's education.
12. We will stay informed about our child's education and communicate with the school by promptly reading and responding to all notices from the school.
13. We will serve; to the extent possible, on policy advisory groups, such as being the Title I, Part A parent representative on the School's School Improvement Team, the Title I Policy Advisory Committee, the Policy Advisory Council, the School Support Team, or other school advisory or policy groups.
14. We will be sure that our child attends all Extended Day Educational Services, such as tutoring sessions before or after school or during weekends. We recognize that those supplemental activities are a required part of the child's educational program and the School curriculum and the failure to assure a child's attendance at such sessions could result in retention or discipline under school policy.

Student Responsibilities

I, as a student, will share the responsibility to improve our academic achievement and achieve the State's high standards. Specifically, I will:

1. Do my homework every day and ask for help when I need to.
2. Read at least thirty minutes every day outside of school time.
3. Give my family or the adult who is responsible for my welfare all notices and information received by me from my school every day.
4. [Describe other ways in which the student will support his or her academic achievement.]

School

Parent

Student

Date

Date

Date

Appendix 203.2-A

Parent's Right-to-Know Letter Dear Parent/Guardian,

Under federal law, _____ (School) must notify parents of their right to request certain information about their child's education. We are happy to provide this information to you, and we will do so in a timely manner.

At any time, you may request information about state or school policies or procedures regarding student participation in any required assessment. This information will include the right to opt out of the assessment, if such a right applies.

In addition, you may ask:

- Whether the teacher met State qualification requirements for the grade level and subject in which he/she teach,
- Whether the teacher is teaching under an emergency or provisional certificate through which the State requirements were waived, and
- Whether the teacher is teaching in the field of discipline of his/her certification.

You may also ask whether your child receives help from a paraprofessional. If your child receives this assistance, we can provide you with information about the paraprofessional's qualifications.

Our staff is committed to helping your child develop the academic knowledge and critical thinking he/she needs to succeed in school and beyond. That commitment includes making sure that all of our teachers and paraprofessionals are qualified.

If you have any questions about your child's assignment to a teacher or paraprofessional or about required assessments, please contact me at any time.

Sincerely,

Executive Director, IMAC

Appendix 203.2-B

Letter to Parents Regarding Instruction Provided by Teacher that Does Not Meet State Qualification Requirements

(For notification to parents of Title I students when a child is taught or assigned to be taught for four or more consecutive weeks by a teacher who does not meet applicable State qualification requirements)

Dear Parents/Guardian:

Your child, _____,

_____ has been taught by _____ [name of teacher] in _____ [grade, subject] for the past four consecutive weeks, or

_____ has been assigned to be taught by _____ [name of teacher] in _____ [grade, subject] for this school year or for a period of more than four consecutive weeks.

The Every Student Succeeds Act (ESSA) requires that any school receiving Title I funds to support achievement programs for low-income students must report whether students are taught by teachers who meet applicable state qualification requirements. Because the School receives Title I funding, we are notifying you that _____ [name of teacher] has not met the applicable state requirements for the assigned grade level and subject area at this time.

We remain committed to providing all of our students with the academic knowledge and critical thinking skills needed to succeed in school and beyond and to providing qualified instructors for your student. If you have any questions about your child's assignment to this class, please contact me.

Sincerely,

Executive Director
Principal of IMAC

Appendix 227.1-A

Child Find Notice

The School must establish and implement procedures to identify, locate and evaluate children who need special education programs and services because of the child's disability. This notice is to help find these children, offer assistance to parents and describe the parent's rights with regard to confidentiality of information that will be obtained during this process

The content of this notice has been written in English. If a person does not understand any of this notice, he or she should contact the School and a copy in his or her native language will be provided.

Identification Activity

Child find refers to activities undertaken by public education agencies to identify, locate, and evaluate children residing within the School's geographic boundaries, who are suspected of having disabilities, regardless of the severity of their disability, and determine the child's need for special education and related services. The purpose is to locate these children so that a free appropriate public education can be made available. The types of disabilities that, if found, cause a child to need services are a cognitive disability (mental retardation), a hearing impairment including deafness, speech or language impairment, visual impairment including blindness, emotional disturbance, orthopedic impairment, autism, traumatic brain injury, other health impairment, specific learning disability, deaf-blindness, or multiple disabilities, by reason thereof, the disabled child needs special education and related services.

The School is required to annually provide notice describing the identification activities and the procedures followed to ensure confidentiality of personally identifiable information. This notice is intended to meet this requirement.

Identification activities are performed to find a child who is suspected of having a disability that would interfere with his or her learning unless special education programs and services are made available. The activities include review of group data, conducting hearing and vision screening, assessment of student's academic functioning, observation of the student displaying difficulty in behavior,

_____ [insert additional child find activities performed by the School]. Input from parents/guardians is also an information source for identification. After a child is identified as a suspected child with a disability, he or she is evaluated, but is not evaluated before parents/guardians give permission for their child to be evaluated.

Confidentiality

If after screening a disability is identified, upon parent/guardian permission the child will be evaluated. A written record of the results is called an education record, which is directly related to the child and is maintained by the School. These records are considered personally identifiable to the child.

The School will gather information regarding the child's physical, mental, emotional and health functioning through testing and assessment, observation of the child, as well as through review of any records made available to the School through the child's physician or other providers of services.

The School protects the confidentiality of personally identifiable information. The School will inform the parent/ guardian when this information is no longer needed to provide educational services to the child and will destroy the information at the request of the parent/guardian.

The parent/guardian of the child has a number of rights regarding the confidentiality of the child's records. The parent/guardian has the right to inspect and review any education records related to the child that are collected, maintained, or used by the School. The School will comply with a request to review the records without unnecessary delay and before any meeting regarding planning for the child's special education program (IEP meeting), and before a hearing should there be a disagreement about how to educate the child who needs special education. In no case, may the school take more than 45 days to furnish the opportunity to inspect and review the child's records.

The parent/guardian has the right to an explanation and interpretations of the records, to be provided copies of the records if failure to provide the copies would effectively prevent exercising the right to inspect and review the records, and the right to have a representative inspect and review the records.

Upon request, the School will provide a list of the types and the location of education records collected, maintained, or used by the agency.

The parent/guardian has the right to request amendments on their child's education records that they believe are inaccurate or misleading, or violate the privacy or other rights of the child. The School will decide whether to amend the records within a reasonable time of receipt of the request. If the School refuses to amend the records, the parent/guardian will be notified of the refusal and right to a hearing.

Parent/guardian consent is required before personally identifiable information contained in a child's education records is disclosed to anyone other than officials of the School collecting or using the information for purposes of identification of the child, locating the child and evaluating the child or for any other purpose of making available a free appropriate public education to the child. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Additionally, the School, upon request, discloses records without consent, to officials of another School in which the child seeks or intends to enroll.

When a child reaches age 18, the rights of the parent/guardian with regard to confidentiality of personally identifiable information is transferred to the student.

Complaints alleging failures of the School with regard to confidentiality of personally identifiable information may be filed with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4605

The School will be providing ongoing screening services. If you wish to learn more, have questions, or believe your child may need to be identified, please contact the School.

Appendix 227.1-B

Per Ohio Revised Code Section 3323.052, each time a public school completes an evaluation for a child with a disability, or undertakes the development, review or revision of the child's IEP the school shall notify the child's parent by letter or electronic means of the following:

Parent Notification of Scholarship Programs for Students with Disabilities

Your child may be eligible for a scholarship under the Autism Scholarship Program or the Jon Peterson Special Needs Scholarship Program to attend a special education program that implements the child's individualized education program and that is operated by an alternative public provider or by a registered private provider. Information on scholarship programs is available from the Ohio Department of Education (ODE) website at www.education.ohio.gov.

- For information on the Autism Scholarship Program, search *Autism Scholarship Program*.
- For information on the Jon Peterson Special Needs Scholarship Program, search *Jon Peterson Scholarship*

For additional information or questions on these scholarship programs, contact:

Office of Nonpublic Educational Options
(614) 466-5743
Toll Free: (877) 644-6338
Email: autismscholarship@education.ohio.gov
Email: peterson.scholarship@education.ohio.gov

Sent or delivered to: _____

On date of: _____

By what means: _____

By whom: _____

Appendix 242-A

Assessment and Academic Prevention/Intervention Services Procedures

A. Procedures for Using Diagnostic Assessments to Measure Student Progress in Accordance with Academic Standards

[Insert School's Procedures]

B. Plan for the Design of Classroom-Based Intervention Services to Meet the Instructional Needs of Individual Students as Determined by the Results of the Diagnostic Assessments

[Insert School's Plan]

C. Procedures for the Regular Collection of Student Performance Data

[Insert School's Procedures]

D. Procedures for Using Student Performance Data to Evaluate the Effectiveness of Intervention Services and, If Necessary, to Modify those Services

[Insert School's Procedures]

Appendix 244-B

OhioMeansJobs Readiness Seal

Beginning with the graduating class of 2018, students who demonstrate certain professional skills and personal characteristics may earn an OhioMeansJobs Readiness Seal (“Seal”) printed on the student’s high school transcript and/or diploma.

Students may begin earning the Seal during the ninth (9th) grade and may cite experiences they had at any point during their time in high school. All skills must be monitored in at least two (2) of the following professional settings: (a) work, (b) school, or (c) the community. All experiences must be validated by at least three (3) experienced mentors who worked with and supervised the student perform or achieve the qualifying skill in at least one of the three professional settings. The Principal or his/her designee shall be responsible for implementing the process to earn a Seal.

Professional skills eligible for recognition of the OhioMeansJobs Readiness Seal include:

| Professional Skill | Demonstrable Characteristics |
|---|--|
| Career Management | The student self-advocates and articulates strengths, knowledge and experiences relevant. |
| Creativity/ Innovation | The student is original and inventive, and communicates new ideas to others by drawing on knowledge from different fields to find solutions. |
| Critical Thinking/ Problem Solving | The student exercises strong decision-making skills, analyzes issues effectively, and thinks creatively to overcome problems. |
| Digital Technology | The student has an understanding of emerging technology and leverages technology to solve problems, complete tasks and accomplish goals. |
| Discipline | The student abides by guidelines, stays on task and demonstrates self-control. |
| Drug Free | The student commits to be drug free. |
| Global/ Intercultural Fluency | The student values, respects and learns from diverse groups of people. |
| Leadership | The student leverages the strength of others to achieve goals, coaches and motivates peers, and can prioritize and delegate work. |
| Learning Agility | The student desires to continuously learn new information and skills. |
| Oral and Written Communications | The student articulates thoughts and ideas clearly and effectively orally and in writing. |
| Professionalism | The student demonstrates honesty, dresses and acts appropriately and responsibility, and learns from his or her mistakes. |
| Punctuality | The student arrives to commitments on time and ready to contribute. |
| Reliability | The student has integrity and responsibility in professional settings. |
| Teamwork/ Collaboration | The student builds collaborative relationships with others and can work as part of a team. |
| Work Ethic | The student has effective work habits, personal accountability and a determination to succeed. |

Appendix 244-C

Community Service Seal

Students who perform a high-quality community service experience project may earn a Community Service Seal (“Seal”) printed on the student’s high school transcript and/or diploma.

Students may begin earning the Seal during the ninth (9th) grade and use experiences they had at any point during their time in high school. All projects must be validated by documented hours, with supporting documentation, and supervisor verification and evaluation by a supervisor who worked with and supervised the student perform the community service.

The Principal or his/her designee shall be responsible for implementing the process to earn a Seal.

High-quality community service experiences will:

- Lead students to reflect on and address the needs of the communities in which they live and work;
- Promote meaningful community connections and a clearer understanding of the organizations and agencies that support community needs;
- Allow students to apply knowledge and skills in practical settings;
- Give students opportunities to gain new knowledge, skills and understanding that can support their future pursuits and successes;
- Connect students to the careers and professions available in the public, nonprofit and philanthropic sectors;
- Offer opportunities for students to show attributes such as foundational knowledge, social and emotional skills, and leadership and reasoning abilities that demonstrate their readiness to transition to an identified next step after high school; and
- Promote a better understanding of the importance and value of civic engagement, individual or group contributions and volunteerism in a local community.

Appendix 244-D

Fine and Performing Arts Seal

Students who demonstrate above average skills in the fine or performing arts according to an evaluation by the School may earn a Fine or Performing Arts Seal (“Seal”) printed on the student’s high school transcript and/or diploma. Above average skill levels may entail any of the following:

- Earning a grade of “B” or higher in three (3) or more fine art or performing art classes;
- Participation in at least two (2) theater productions;
- Participation in at least two (2) seasons of any performing arts group (e.g., marching band, jazz band, dance troupe);
- Participation in at least two (2) seasons of any fine arts or performing arts activity;
- A recommendation for the seal from a teaching, director, conductor, or faculty advisor based on the student’s above average skill level in any fine art or performing art activity.

Students may begin earning the Seal during the ninth (9th) grade and use experiences they had at any point during their time in high school.

The Principal or his/her designee shall be responsible for implementing the process to earn a Seal.

Appendix 244-E

Student Engagement Seal

Students who participate in extracurricular activities such as athletics, clubs, or student government to a meaningful extent may earn a Student Engagement Seal (“Seal”) printed on the student’s high school transcript and/or diploma. Meaningful participation may entail any of the following:

- Participation in an extracurricular activity for four (4) year;
- Serving as the captain of an extracurricular team;
- Election as the president of an extracurricular club or body of student government; or
- A recommendation for the seal from a coach or faculty advisor based on the student’s extensive, demonstrated commitment to the School.

Students may begin earning the Seal during the ninth (9th) grade and use participation in extracurricular activities at any point during their time in high school. Participation in qualifying activities must be validated by documented hours, with supporting documentation, and coach/faculty advisor verification with personal knowledge of the student’s engagement.

The Principal or his/her designee shall be responsible for implementing the process to earn a Seal.

Appendix 244-F

Ohio Seal of Biliteracy

A Seal of Biliteracy recognizes students within fifteen months of graduating who can demonstrate high levels of proficiency in English and at least one other world (foreign) language (which includes modern languages, classical languages, American Sign Language and native American Languages), and meet certain state-established guidelines.

Qualifying students will have:

1. Earned a proficient level or higher on Ohio's required state tests for high school English language arts I and II; or
2. Earned a remediation-free score on the English and reading sections of the ACT or SAT; or
3. Earned a proficient level or higher on an Ohio Department of Education-approved alternative assessment (TerraNova or Iowa Test); or
4. Earned a score of proficient or higher on the 9-12 Ohio English Language Proficiency Assessment (OELPA).

In addition, qualifying students will have:

1. Passed an Advanced Placement (AP) foreign language examination with a score of 4 or higher; or
2. Passed an International Baccalaureate (IB) foreign language examination with a score of 5 or higher on the Higher Level exam or a score of 6 or higher on the Standard Level exam; or
3. Attained a score of Intermediate High or higher in comprehension, speaking, reading and writing the foreign language based on the American Council on the Teaching of Foreign Languages Proficiency Guidelines found at actfl.org/, using assessments approved by the Ohio Department of Education; or
4. Qualified for proficiency-based credits through Ohio's credit flexibility program and attained a score of Intermediate High or higher in comprehension, speaking, reading and writing based on the American Council on the Teaching of Foreign Languages Proficiency Guidelines using assessments approved by the Ohio Department of Education; or
5. Attained a score equivalent to Intermediate High or higher on the American Council on the Teaching of Foreign Languages Proficiency Guidelines in interpersonal signing, presentational signing and demonstrating understanding of American Sign Language on an American Sign Language assessment approved by the Ohio Department of Education; or
6. Attained a score equivalent to Intermediate High or higher on the American Council on the Teaching of Foreign Languages Proficiency Guidelines in interpretive reading and presentational writing on a classical language assessment approved by the Ohio Department of Education.

Qualifiers must be validated by supporting documentation, and faculty advisor verification with personal knowledge of the student's engagement.

The Principal or his/her designee shall be responsible for determining whether the School will participate in the Ohio Seal of Biliteracy Program, and if so, for implementing the process to earn

a Seal.

Appendix 246-A

What It Takes to Earn an Ohio High School Diploma

Students must meet both curriculum and graduation testing requirements in order to earn an Ohio high school diploma. See the curriculum and graduation testing checklists below as well as information about alternatives to the Ohio core curriculum and mandatory testing requirements.

I. Curriculum Requirements for Students Who Entered Ninth Grade before July 1, 2010.

| CURRICULUM REQUIREMENTS | STATE MINIMUM | ADDITIONAL LOCAL CREDITS | CREDITS EARNED TO DATE | CREDITS REMAINING | HONORS DIPLOMA CREDITS |
|----------------------------|------------------|--------------------------------|------------------------------|----------------------|------------------------------|
| English Language Arts | 4 units | _____ | _____ | _____ | _____ |
| Health | ½ unit | _____ | _____ | _____ | _____ |
| Mathematics | 3 units | _____ | _____ | _____ | _____ |
| Physical Education | ½ unit | _____ | _____ | _____ | _____ |
| Science | 3 units* | _____ | _____ | _____ | _____ |
| History & Gov. | 1 unit** | _____ | _____ | _____ | _____ |
| Social Studies | 2 units | _____ | _____ | _____ | _____ |
| Electives | 6 units*** | _____ | _____ | _____ | _____ |

* Science units must include 1 unit of biological sciences and 1 unit of physical sciences.

** History and Government units must include a half unit of American history and a half unit of American Government.

*** Electives units must include 1 unit or 2 half units of Business/Technology, Fine Arts, or Foreign Language. If a school requires a foreign language as an additional graduation requirement, a student may apply one unit of instruction in computer coding to satisfy one unit of foreign language. If a student applies more than one computer coding course to satisfy the foreign language requirement, the courses shall be sequential and progressively more difficult.

II. Curriculum Requirements for Students Entering Ninth Grade for the First Time on or after July 1, 2010.

| CURRICULUM REQUIREMENTS | STATE MINIMUM | ADDITIONAL LOCAL CREDITS | CREDITS EARNED TO DATE | CREDITS REMAINING | HONORS DIPLOMA CREDITS |
|----------------------------|------------------|--------------------------------|------------------------------|----------------------|------------------------------|
| English Language Arts | 4 units | _____ | _____ | _____ | _____ |
| Health | ½ unit* | _____ | _____ | _____ | _____ |
| Mathematics | 4 units** | _____ | _____ | _____ | _____ |
| Physical Education | ½ unit*** | _____ | _____ | _____ | _____ |
| Science | 3 units**** | _____ | _____ | _____ | _____ |
| History & Gov. | 1 unit***** | _____ | _____ | _____ | _____ |
| Social Studies | 2 units***** | _____ | _____ | _____ | _____ |
| Electives | 5 units***** | _____ | _____ | _____ | _____ |

* The half Health unit shall include instruction in nutrition and the benefits of nutritious foods and physical activity for overall health.

** Math units shall include 1 unit of algebra II or the equivalent of algebra II, or, 1 unit of advanced computer science⁺ after signing and submitting a letter of understanding of the impact of such a course selection on college admissions. However, students who enter ninth grade for the first time on or after July 1, 2015, and who are pursuing a career-technical instructional track shall not be required to take algebra II or advanced computer science and instead may complete a career-based pathway mathematics course as an alternative.

*** For those schools that have adopted a physical education waiver policy, Any student who, during high school, has participated in interscholastic athletics, marching band, show choir, or cheerleading for at least two (2) full seasons, or has participated in the junior reserve officer training corps (JROTC) for at least two (2) full school years, shall not be required to complete any physical education course as a condition to graduate. In lieu of a physical education course, the student shall be required to complete one-half (1/2) unit, consisting

of at least sixty (60) hours of instruction, in another course of study. Credit received for participation in the JROTC may be used to satisfy the requirement to complete one-half (1/2) unit in another course of study.

**** Science units shall include inquiry based laboratory experiences, and shall include 1 unit of physical science, 1 unit of life science, 1 unit of advance study in one or more of the following sciences: chemistry, physics, or physical science; advanced biology or other life science; astronomy, physical geology, or other earth or space science; or computer science⁺. No student shall substitute a computer science course for a life science or biology course.

***** The 1 History unit shall include a half unit of American History and a half unit of American Government. For students who enter ninth grade for the first time on or after July 1, 2012, these half units shall include the study of: the Declaration of Independence; the Northwest Ordinance; the Constitution of the United States with an emphasis on the Bill of Rights; and the Ohio Constitution. Study of American History and American Government shall include the historical evidence of the role of documents such as the Federalist Papers and the Anti-Federalist Papers to establish the historical background leading to the establishment of the provisions of the Constitution and the Bill of Rights.

***** The School shall integrate the study of economics, financial literacy, and entrepreneurship into one or more existing social studies credits or into the contents of another class so that every high school student receives instruction in these concepts. Beginning with students who enter ninth grade for the first time on or after July 1, 2017, the 2 Social Studies units shall include at least a half unit of instruction in the study of world history and civilizations.

***** Elective units may consist of the combination of foreign language, fine arts, business, career-technical education, family and consumer sciences, technology, which may include computer science⁺, agricultural education, a junior reserve officer training corps program, or English language arts, mathematics, science, or social studies courses not otherwise required. Each student must complete two semesters or the equivalent of fine arts to graduate from high school. This coursework may be completed in grades 7 through 12; however, if completed in grade 7 or 8, the course must be taught by a person with a valid high school teaching license, and the course has been designated by the Board as meeting the high school curriculum requirements.

+ If a student applies more than one computer science course to satisfy curriculum requirements, the courses shall be sequential and progressively more difficult or cover different subject matter within the area of computer science.

A student who enters ninth grade on or after July 1, 2010, and before July 1, 2016, may qualify for graduation even though the student has not completed the Ohio core curriculum if:

1. During the student's third year of high school both the student and parent sign and file with the School a written statement asserting consent to the student graduating without completing the Ohio core curriculum and acknowledgment that a consequence of not completing the Ohio core curriculum is ineligibility to enroll in most Ohio state universities without additional coursework;
2. The student and parent fulfill any additional procedural requirements mandated by the School to ensure informed consent has been given;
3. The student, parent, and a representative of the School jointly develop a student success plan for the student that specifies the student matriculating to a two-year degree program, acquiring a business and industry- recognized credential, or entering an apprenticeship;
4. The student receives counseling and support from the School relating to the student success plan during the remainder of the student's high school experience; and
5. The student successfully completes the curriculum requirements listed above for students entering the ninth grade for the first time before July 1, 2010, or if the student entered ninth grade for the first time on or after July 1, 2014, the student must successfully complete the curriculum requirements listed above for students entering the ninth grade for the first time before July 1, 2010 allowing for the following modifications:
 - a. 4 units of Mathematics, with one unit on probability and statistics, computer programing, applied mathematics or quantitative reasoning, or any other course approved by ODE for such purposes;
 - b. 5 elective units;

- c. 3 units of Science, with one unit of biological sciences and one unit of physical science, which shall include inquiry based laboratory experiences.

III. Graduation Tests Requirements.

For Students Who Need to Pass the Ohio Graduation Tests (OGT):

- A) Notify student and parents about:
- Importance of earning a diploma
 - Need to meet both testing and curriculum requirements to earn a diploma
 - Any additional local graduation requirements
 - District's policy about participation in commencement ceremony
- B) How to access information (test blueprints, previous tests) on the web about OGT:
- <http://www.ode.state.oh.us> and enter *OGT* in the search box
- C) OGT test administrations before graduation:
- Spring of 10th grade
 - Summer between 10th and 11th grade (optional)
 - Fall and spring of 11th grade
 - Summer between 11th and 12th grade (optional)
 - Fall and spring of 12th grade
- D) How to access previous graduation tests:
- *OGT Reading and Mathematics*
 - <http://www.ode.state.oh.us> and enter *previous OGT tests* in the search box

For Students Required to Pass End-of-Course Exams Who Entered Ninth Grade for the First Time Prior to July 1, 2019:

- A) Students must take seven end-of-course State Tests
- B) For each of the seven end-of-course tests, a student must earn a minimum of 18 out of a maximum total of 35 possible points towards graduation overall from all tests. Students are scored between one and five points per test.

Students taking Advanced Placement or International Baccalaureate courses in American history or American government may take tests specially designed for these courses instead of the state end-of-course test to avoid double testing. Similarly, students taking College Credit Plus courses in these subjects will use their course grade, not end-of-course test points, to determine their points earned towards graduation.

For Students Required to Pass End-of-Course Exams Who Entered Ninth Grade for the First Time on or after July 1, 2019:

- A) Students must take five end-of-course State Tests (or six if required by the Ohio Department of Education).
- B) Only passage of the end-of-course tests for English language arts II and Algebra I shall be required for graduation. The school shall offer remedial support to any student who fails to attain a competency score on one or both of the Algebra I and English language arts II end-of-course examinations. Following the first administration of the exam, if a student fails to

attain a competency score on one or both of the Algebra I and English language arts II end-of-course examinations that student must retake the respective examination at least once.

IV. Alternative Way to Meet the Testing Requirements.

For Students Who Need to Pass the Ohio Graduation Tests (OGT): A student may meet the testing requirements for passing all five Ohio Graduation Tests if he/she meets ALL of the following criteria:

- Passes 4 of the 5 tests and has missed passing the 5th test by no more than 10 points;
- Has a 97% attendance rate, excluding any excuses absences, through all four years of high school and must not have had an expulsion in high school;
- Has at least a grade point average of 2.5 out of 4.0 in the courses of the subject area not yet passed;
- Has completed the high school curriculum requirements;
- Has participated in any intervention programs offered by the school and must have had a 97% attendance rate in any programs offered outside the normal school day; and

Has letters recommending graduation from the high school principal and from each high school teacher in the subject area not yet passed.

For Students Required to Pass End-of-Course Exams Who Entered Ninth Grade for the First Time Prior to July 1, 2019: A student shall satisfy at least one of the following conditions in order to qualify for a high school diploma:

- Earn a remediation-free score in English, mathematics, and reading on the ACT or SAT;
- Attain a score that demonstrates workforce readiness and employability WorkKeys assessment;
- Satisfy all diploma conditions required for students entering ninth grade for the first time on or after July 1, 2019.

For Students Required to Pass End-of-Course Exams Who Entered Ninth Grade for the First Time Prior to July 1, 2019: A student shall satisfy at least one of the following conditions in order to qualify for a high school diploma:

- Demonstrate competency in the failed subject area (ELA II or Algebra I) through one of the following options:
 - a. Earn course credit in the failed subject area through the College Credit Plus program;
 - b. Complete two of the following options, one of which must be foundational:
 - i. Foundational options to demonstrate competency:
 - Earn a score of proficient or higher on three or more state technical assessments in a single career pathway;
 - Obtain an industry-recognized credential;
 - Complete a pre-apprenticeship or apprenticeship in the student's chosen career field; or
 - Provide evidence of acceptance into an apprenticeship program after high school that is restricted to participants eighteen years of age or older;

- ii. Supporting options to demonstrate competency:
 - Complete two hundred fifty hours of a work-based learning experience with evidence of positive evaluations;
 - Obtain an OhioMeansJobs-readiness seal; or
 - Attain a workforce readiness score, as determined by the department of education, on the nationally recognized job skills assessment selected by the state board.

- c. Provide evidence that the student has enlisted in a branch of the armed services of the United States.

For any students receiving special education and related services, the individualized education program developed for the student under that chapter shall specify the manner in which the student will participate in the assessments administered above.

V. **Diploma Seal Requirements for Students Entering Ninth Grade for the First Time on or after July 1, 2019.**

Earn at least two of the state diploma seals, at least one (1) of which shall be a State-designed seal:

- a. State-designed Seal:
 - i. Biliteracy seal;
 - ii. OhioMeansJobs-readiness seal;
 - iii. One of the following seals:
 - An industry-recognized credential seal;
 - A college-ready seal;
 - A military enlistment seal;
 - A citizenship seal;
 - A science seal.
 - An honors diploma seal; or
 - A technology seal.

- b. Local-designed Seal:
 - i. A community service seal;
 - ii. A student engagement seal; or
 - iii. Fine and performing arts seal.

Appendix 294-A

Notice of Rights Under the Family Educational Rights and Privacy Act (“FERPA”) and Authorization to Release Student Directory Information

FERPA affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

1. The right to inspect and review the student’s education records within forty-five (45) days of the day the School receives a request for access. Parents or eligible students should submit to the Principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student’s education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the Principal [or appropriate school official], clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School in an administrative, supervisory, academic, or support staff position; a member of the school law enforcement unit, which consists of the Principal; a person with whom the School has contracted to perform a special task (i.e. Attorney, auditor, outside consultant); or a person serving on the Board. A school official has a “legitimate educational interest” in an education record when the official needs to review the record in order to fulfill his or her responsibility on behalf of the School, such as when the official is performing a task that is specified in his or her job description or by a contract agreement or other official appointment; performing a task related to a student’s education; performing a task related to the discipline of a student; or providing a service or benefit relating to the student or student’s family, such as health care, counseling, or assisting with the college application procedure; or any other purpose that the Board deems necessary as related to a student’s education. Upon request, the School discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

**Family Policy Compliance Office
U.S. Department of Education**

**400 Maryland Avenue, SW
Washington, DC 20202-5901**

5. The School intends to forward any and all education records to another school or post-secondary institution at which the students seeks or intends to enroll, upon the condition that the student's parents be notified of the transfer, receive a copy if so desired, and have an opportunity for a hearing to challenge the content of the record.

The Family Educational Rights and Privacy Act of 1974 (FERPA) protects the privacy of students' education records. Under FERPA, most information about our students cannot be made public without the consent of parents/guardians. However, if the School designates information as directory information, FERPA allows the release of student directory information unless the student's parent(s)/guardian(s) inform the School in writing not to release such information.

OFFICIAL DESIGNATION

The School must choose one of the following options and mark appropriate lines with an "X".

This School:

_____ HAS NOT designated any personally identifiable information as directory information and will not include such information in school publications, recognition lists, programs, or student directories or give such information to third parties without parental consent

OR

_____ HAS designated the following marked information as directory information ("X" applicable information below):

_____ Student's name

_____ Student's address

_____ Student's electronic mail address

_____ Student's photograph

_____ Student's telephone number

_____ Student's date and place of birth

_____ Student's major field of study

_____ Student's participation in officially recognized activities or sports

_____ the weight and height of members of athletic teams

_____ dates of attendance

_____ awards received

_____ date of graduation

The School will use the designated directory information (if any) in the following manner [check appropriate lines]

_____ all school related publications

_____ yearbook

_____ honor roll

_____ other recognition lists

- _____ activity programs
- _____ awards or awards ceremonies
- _____ graduation programs
- _____ sports
- _____ student directory
- _____ other _____
- _____ all of the above

Officially designated directory information can also be disclosed to outside organizations unless parent(s)/guardian(s) have advised the School that they do not want their student's information disclosed without their prior approval.

If the School has chosen to not designate directory information, no directory information will be released (see above) and no parental opt out is required.

If the School has chosen to release directory information, and if you do **NOT** want the School to disclose directory information from your child's education records without your consent, you must notify us in writing within ten (10) days of your receipt of this notice or on _____, whichever is later.

The form below may be utilized for that purpose.

Please do not make available my student's directory information without my prior written permission.

Name of Student(s): _____

Parent or Responsible Custodian/Guardian Signature

Date

Printed Name of Parent or Responsible Custodian/Guardian

Date

Appendix 294-B

Request and Consent for Release of Records

_____ authorizes the release of the records of
Parent/Guardian Name

Student's Last Name First Name Mid. Initial Birthdate Mo/Day/Yr

From the Following School/Institution:

Most Recent School/Institution _____

Address _____

City, State, Zip Code _____

Telephone No. _____ Fax No. _____

The following records may be released (please check).

- Transcript of subjects and grades
Ohio Proficiency Test Results
Attendance Record
Standardized Test Results
Psychological or Other Individual Test Results
Health Records
IEP and Special Education Records, if applicable
Disciplinary Records

The education records designated should be released and disclosed only to [name and address of recipient]

The education records designated are to be disclosed for the following reasons and purposes:

I am authorizing the release of these records for these reasons. Please check one.

- I am the subject of these records and 18 years of age or older.
I am the parent, guardian, or custodian of the subject of these records and the subject is under 18 years of age.

If this consent had been requested by me, I understand that I have the right not to consent to the release of records. Further, I recognize that a copy of the records must, upon request, be provided to me.

Signature of Parent/Guardian

Date

REQUEST FOR RECORDS

To the Registrar:

Please send the above records, if available for this student as soon as possible. If records are not available, please return our request indicating the following:

No records available. Reason: _____

Unable to find records. Reason: _____

The undersigned certifies that the above-captioned Request and Consent for Release of Records was complied with on _____ (date) by _____ (mail) or _____ (personal delivery) to _____.

Sincerely, _____
School Registrar

Date

Appendix 295-A

Notice to Parents Regarding the Protection of Pupil Rights Amendment

Dear Parent:

The Protection of Pupil Rights Amendment (“PPRA”) (20 U.S.C. 1232h) affords parents and students who are 18 or emancipated minors (“eligible students”) certain rights regarding our conduct of surveys, collection, and use of information for marketing purposes, and certain physical exams. These include the right to:

- A. *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is part of any program funded in whole or in part by a program of the U.S. Department of Education (ED):
 1. Political affiliations or beliefs of the student or student’s parent;
 2. Mental or psychological problems of the student or student’s family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical approvals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.
- B. *Receive* notice and an opportunity to opt a student out of:
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screening, or any physical exam or screening permitted or required under State law; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- C. *Inspect*, upon request and before administration or use:
 1. Protected information surveys of students;
 2. Instruments used to collect personal information from students for any of the above marketing sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

The School has developed policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The School will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes. The School will also directly notify parents and eligible students, such as through U.S. Mail or email, at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- Administration of any protected information survey.
- Any non-emergency, invasive physical examination or screening as described above.

Parents/eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4605

Following is a schedule of activities requiring parental notice and consent or opt-out for the upcoming school year: [Insert schedule of applicable activities.]

Sincerely,