

**POLICIES**  
**OF THE**  
**LAKE ERIE PREPARATORY SCHOOL**

**An Ohio Public Benefit Corporation**  
**And**  
**Ohio Community School**

**Re-Adopted**

**June 2019**

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**SECTION 1:**  
**GOVERNANCE POLICIES**

**SECTION 100**

**IDENTIFICATION/DEFINITIONS**

101        **Name**

The Governing Authority of this Ohio Community School known as \_\_\_\_\_ School shall be referred to herein as the "Governing Authority" or "Board of Directors" or "Board".

102        **Type of Corporation**

The School was established as an Ohio Public Benefit Corporation under Chapter 1702 of the Ohio Revised Code to operate a community school (R.C. 3314.03(A)(1).

103        **Facility**

The physical location of The School is comprised of a certain area as described in the contract with the authorized Sponsor.

104        **Address**

The official address of the Governing Authority shall be:

\_\_\_\_\_.

**Definitions and Headings**

Whenever the following items are used in these policies, they shall have the meaning set forth below:

**Board or Governing Authority**

The Board of Directors of the Corporation.

**Charter Contract**

The contract ("Contract") between the Sponsor and the School.

**Corporation**

The Ohio Public Benefit Corporation known as \_\_\_\_\_ School.

**Head of School**

The Head of School, Director of Business Operations, Director of Education (Co-Director), or Chief Executive Officer of the School. Head of School also means, to the extent permissible by law, the Head of School's designee.

**Headings**

Headings are for convenience only. Headings have no substantive meaning.

**Management Company**

A Company, if any, contracted with the Board to manage certain functions of the School.

**May**

This word is used when an action is permitted but not required.

**Parent**

The natural or adoptive parents, or, the party designated by the courts as the legal guardian or custodian of a student. Both parents will be considered to have equal rights unless a court of law decrees otherwise.

**Policy**

A general, written statement adopted by the Governing Authority which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.

**School**

The \_\_\_\_\_ School, sometimes referred to herein as “\_\_\_\_\_” or School.

#### School Property

School Property refers to any property owned, used or leased by the School for School, School extracurricular or School-related events.

#### Shall

This word is used when an action is required. (The words "will" or "must" also signify a required action.)

#### Sponsor

An entity which is approved by the Ohio Department of Education or by statute to sponsor Ohio Community Schools, pursuant to section 3314.02 of the Ohio Revised Code, which has entered into a Contract with the School, pursuant to section 3314.03 of the Ohio Revised Code.

#### Staff or Employee

"Staff" or the words "Staff Member" includes and is interchangeable with the words teacher or administrator or employee. "Employee" means an employee of the Board or of a Management Company, if any.

#### Student

A student is a child who is officially enrolled in the School or a program of the School.

**SECTION 110**

**POWER AND ETHICS OF BOARD**

**Authority**

The Board is authorized, constituted and governed by Chapter 3314 of the Revised Code of the State of Ohio (R.C. 3314) and by Chapter 1702 of the Revised Code of the State of Ohio (R.C. 1702). The Board serves a purpose to oversee an Ohio public community school. Its authority is derived from both corporate and public laws which are deemed applicable to its operations.

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### **Board Powers**

The Governing Authority may ensure the performance of any act or function that is in compliance with the Ohio Constitution, R.C. Chapter 3314 or Chapter 1702, other statutes applicable to Ohio Community Schools and the Contract (“Charter Contract” or “Contract”) entered into with the School's Sponsor.

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### **Board Members' Powers**

Board members as individuals do not separately possess the powers that reside in the Board as the Governing Authority of the School.

If in the opinion of the majority of the Board, a Board member's request(s) for facts and information is administratively unreasonable, the administration may withhold said facts or materials until a ruling is made by the Board.

**Ethics and Conflicts Policy****A. Ethical Behavior**

While serving as a member of the Board of the School, each Director shall agree to abide by the following:

1. obey the laws of Ohio and the United States, and respect and carry out all policies of the School;
2. respect the confidentiality of privileged information;
3. recognize that as an individual Board member, the member has no authority to speak or act for the Board;
4. work with other members to establish, review and revise effective policies;
5. delegate authority for the administration of the schools to the administrators and staff;
6. make every effort to attend all Board meetings;
7. become informed concerning the issues to be considered at each meeting and the issues of school choice and Ohio Community Schools in general;
8. express personal opinions, but, once the Board has acted, accept the will of the majority; and
9. act in an ethical manner consistent with the mission, goals and policies of the School.

**B. Community School Law (ORC 3314.03(A)(11)(e))**

1. The Board shall comply with Chapter 102 (Ethics for Public Officers) and Section 2921.42 of the Ohio Revised Code ("ORC").

**C. Improper Influence or Use of Authority (ORC Chapter 102) (ORC 2921.42)**

1. Section 102.03(D) and (E). A Board member is prohibited from using, or authorizing the use of, the authority or influence of his or her office or employment, or soliciting or accepting anything of value that is of such a character as to manifest a substantial and improper influence upon the Board member with respect to his or her duties.
  - a. "Anything of value" includes money and every other thing of value.
  - b. A thing of value has an improper character whenever it is secured from a party that is interested in matters before, or doing or seeking to do business with, the community school, its board or employees, or where the thing of value could impair the Board Member's objectivity and independence of judgment with respect to official actions and decisions for the community school.

- c. A Board Member shall not participate in matters that will benefit parties with whom she has a close family, economic, or business relationship because the relationships may impair the Board Member's objectivity and independence of judgment.
  - d. Abstain. A Board Member may avoid a conflict under R.C. 102.03(D) and (E) by abstaining from any vote and refraining from discussions or deliberations of the community school board of directors concerning the conflicted matter.
- 2. Section 2921.42(A)(1). A Board Member is also prohibited from authorizing or employing the influence of her office to secure authorization of any public contract in which she, a member of her family, or any of her business associates has an interest.
  - a. A prohibited interest may be either pecuniary or fiduciary in nature.
  - b. Abstain. A Board Member may abstain from participation in any part of the decision-making process with respect to the contract in which the Board Member, a family member, or a business associate has an interest.
- 3. 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.
  - a. A Board Member occupies a position of profit in a public contract whenever 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. A Board Member cannot use abstention to avoid a conflict arising under R.C. 2921.42(A)(3).
- 4. Section 2921.42(A)(4). A Board Member is prohibited from having an interest in the profits or benefits of a public contract entered into by or for the use of the community school.
  - a. A prohibited interest in the profits or benefits of a public contract arises when the Board member would financially benefit from the contract, or if the Board Member has an ownership or fiduciary interest in the entity that is entering into the contract with the community school, unless the exception in R.C. 2921.42(C) applies.
  - b. For the exception to apply, 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.

- c. A Board Member cannot use abstention to avoid a conflict arising under R.C. 2921.42(A)(4).

D. Improper Compensation (ORC 2921.43)

A Board member is prohibited from soliciting or accepting either of the following: (a) any compensation, other than that allowed by Ohio law, to perform his or her official duties, to perform any other act or service in the Board member's public capacity, for the general performance of the duties of the Board member's public office or public employment, or as a supplement to the Board member's public compensation; or (b) additional or greater fees or costs than are allowed by law to perform the Board member's official duties.

E. Using Anything of Value to Gain an Advantage (ORC 2921.43)

A Board member, for his or her own personal or business use, and a person, for his or her own personal or business use or for the personal or business use of a Board member, is prohibited from soliciting or accepting anything of value in consideration of either of the following: (1) appointing or securing, maintaining, or renewing the appointment of any person to any public office, employment, or agency; or (2) preferring, or maintaining the status of, any public employee with respect to his or her compensation, duties, placement, location, promotion, or other material aspects of his or her employment.

The Board also adopts the following regarding Ohio nonprofit corporations and a Director's interest in any contracts authorized by the Board.

F. Corporate Conflicts Law (ORC 1702.301)

Except as prohibited by R.C. 102.03 or R.C. 2921.42, any contract or other transaction between the Board and one or more of its Directors, or between the School and any entity of which one or more of the School's Directors are interested, whether such Director is a member of the Board of the School or not, shall be valid for all purposes, notwithstanding the presence of the Director at the meeting at which the Board of the School acts upon, or in reference to, such contract or transaction, and notwithstanding the participation of the Director in such action, if the fact of such interest shall be disclosed or known to the Board, and the Board nevertheless, authorizes, approves or ratifies such contract or transaction by a vote of a majority of the Directors present. The interested Director may be counted in determining whether a quorum is present, but may not be counted in voting upon the matter or in calculating the majority of such quorum necessary to carry such vote.

### **Conflict of Interest Policy**

## **Section 1. PURPOSE**

The purpose of the conflict of interest policy is to protect the School, an Ohio non-profit corporation and tax-exempt organization (the "Organization") interest when it is contemplating entering into a transaction or arrangement that might benefit the

private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

## **Section 2. DEFINITIONS**

A) Interested Person. Any director, principal officer, or member of a committee with Corporate Board or Governing Board (collectively the “Board”) delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

During the public official’s (interested person’s) term of office or within one year thereafter, the interested person cannot occupy any position of profit in the prosecution of a public contract authorized by a public official or by a legislative body, commission, or board of which the public official was a member at the time of authorization, unless the contract was let by competitive bidding to the lowest and best bidder.

B) Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

1. An ownership or investment interest in any entity with which the Organization has a transaction or arrangement;
2. A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement; or
3. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Section 3 (B), a person who has a financial interest may have a conflict of interest only if the appropriate Board or committee decides that a conflict of interest exists.

## **Section 3. PROCEDURES**

A) 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 directors and members of committees with Board delegated powers considering the proposed transaction or arrangement.

B) Determining Whether a Conflict of Interest Exists.

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, 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.

C) Procedures for Addressing the Conflict of Interest.

1. An interested person may make a presentation at the Board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
2. The chairperson of the Board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
3. After exercising due diligence, the Board or committee shall determine whether the Organization 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.
4. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the Board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization'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.

D) Violations of the Conflicts of Interest Policy.

1. If the Board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts 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.
2. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the 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.

This is to acknowledge receipt of the policy concerning Conflict of Interest. I have carefully read and understand the policy and procedures contained in the policy concerning Conflict of Interest and acknowledge that it applies to me both in my present capacity and in any future position I may hold with the school and/or board of directors. I will comply with all said policies and procedures as set forth in the policy concerning Conflict of Interest. I understand that I should immediately report any violation of this policy.

I hereby agree to notify the Governing Authority and Sponsor of any change that may create a conflict of interest or an appearance of a conflict of interest.

I understand this Policy Acknowledgement/Affirmation Statement will be filed in my official personnel folder and/or board member folder.

Signature: \_\_\_\_\_  
\_\_\_\_\_

Date:

Printed Name: \_\_\_\_\_

Each Director agrees that he or she shall disclose any personal or business interests and also abstain from voting on a contract in which he or she has an interest. For purposes of part F of this policy, "interested in" is interpreted as meaning a monetary interest or monetary value, control, status, or a promise to do beneficial things for a Director, his or her family or relatives, businesses or business associates.

Each Director shall sign a copy of this Ethics and Conflicts Policy in order to demonstrate his/her commitment to these principles.

\_\_\_\_\_  
\_\_\_\_\_  
Director

\_\_\_\_\_  
\_\_\_\_\_  
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 Law restrictions found in R.C. Chapter 102 and R.C. 2921.42 and 2921.43. See above Policy for summaries of these restrictions.

**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.

**SECTION 120**

**GENERAL GOVERNANCE**

**Code of Regulations**

The Code of Regulations is the document setting out the corporate governance of the Board in accordance with Chapter 1702 of the Ohio Revised Code, as changed from time to time by the Board pursuant thereto.

See **Appendix A** Code of Regulations.

**Orientation**

The Board of Directors believes that the Orientation Process is an essential process used to ensure continuous and consistent Board performance. The Board's intent is to ensure materials, training, and information are provided to new members to encourage knowledgeable and active participation from day one of membership throughout each Board member's full term.

Preparation and orientation of each Board member is critical to the Board's long term effectiveness. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the School, and learn Board procedures.

Each prospective Board member candidate will be required to submit a resume or bio, with current contact information, to the Board and I CAN SCHOOLS for consideration of membership. The Board member candidate's information will be reviewed with the Board and leadership.

The prospective Board member candidate may be asked to meet with the Board president and leadership to discuss potential membership and continue the Orientation Process.

It is important to ensure that all new members are committed to the mission and vision of the Board and the management company. It is critical to the success of the school that each Board member understands the roles of governance and the roles of management to ensure a cohesive and functional partnership. The meeting will allow for the candidate to meet with the management company leadership to gain an understanding of the School operations in addition to governance responsibilities.

The Orientation Process includes the following:

1. Potential Board member candidate submits a resume or bio, with current contact information, to the president of the Board or to the management company or school leader.
2. Application and potential board member candidate information is shared with president, founders and school leader for consideration.
3. A meeting with the Board president, founders and/or school leader is scheduled to discuss the Board functions, policies and procedures, expectations and requirements, and general information about the School operations. At this time, the candidate will receive the Commitment Statement and the annual Board and School calendars and informational references to ensure that he/she has the required time and resources necessary to commit to membership of the Board.
4. If the candidate appears to have skills, expertise and ample time to commit to the Board as needed, the candidate application and resume/bio is shared with all Board members and the Orientation Process continues. If it is agreed that the potential candidate may not be the right fit for the Board, a thank you letter is sent to the candidate thanking him for his/her interest, but declining his Application.
5. Upon continuation of the Orientation Process, the potential Board member candidate is invited to tour the School and attend the next Board meeting. The candidate will observe the meeting and be available to answer any questions the current Board members may have.
6. Upon discussion with the Board members, attendance at a meeting, touring of the School, and meeting with management and school leader, the management company will prepare and provide the potential Board candidate with an electronic Board Binder for reference and review.
7. If the Board is considering new membership at the time, the Board will discuss and put to a vote the potential Board member candidate's application at the next Board meeting. If a majority of the current members vote in favor of the new Board member candidate, then the vote will approve the new member and he will become a member of the Board of Directors of the School.
8. Upon formal Board approval, the new Board member will sign the Commitment Statement and Code of Ethics/Conflict of Interest Policy as well as commit to attending any required current or future training.

Board Documentation includes the following:

New Board members will have access to the following critical Board documents that are important for Board members to review and have available for reference throughout their term:

- A. Board member and staff rosters with contact information
- B. A copy of the School's contract with the Sponsor including all attachments including the educational plan, the accountability plan, the budget, the organizational chart and management agreement, etc.;
- C. A copy of the Board's organizational documents including Bylaws;
- D. A copy of adopted Governance Policies;
- E. A copy of the Ohio Open Meetings Law (R.C. 121.22);
- F. Board Member reference sheets for roles, responsibilities and meeting conduct;
- G. Most recent Board Member training/schedule information;
- H. Most recent promotional / informational brochures for the schools
- I. Annual handbook, school and event calendar, and board meeting calendar.
- J. A copy of the current School year budget and related financial information;
- K. Board Member Annual Commitment Statement (for signature);
- L. Board Member Code of Ethics / Conflict of Interest Policy (for signature);
- M. Log in and password to the "Board on Track" system to access all Board documentation and information (which will ultimately ease in the accessibility of viewing electronic copies of these essential documents.)

**Contracts with Sponsor/Fiscal Agent**

The Governing Authority may enter into a contract with a Sponsor and is authorized to make payments to the Sponsor pursuant to Ohio Revised Code Section 3314.03(C) and to designate a third party to be its fiscal agent.

**Compensation/Reimbursement**

The following guidelines have been established by the Board to ensure appropriate and proper reimbursement of expenses for Board members.

Expenses will be reimbursed only for activities authorized by the Board at a rate determined by the Board.

When attending a Board-approved conference, fees, parking, mileage, meals, and housing which are reasonable can be submitted for approval.

No entertainment expenses or purchases of alcoholic beverages are reimbursable.

A voucher detailing the amount and nature of each expense must be submitted to the Board for approval within ten (10) days after the expenses have been incurred.

The Board approves compensation for meeting attendance.

No compensation, other than the reasonable expenses described above, shall be paid to Board members unless approved beforehand by the Board.

**Background Checks of Board Members**

Each Board member may be required to submit to a background check, including criminal history and fingerprinting at the time of proposed election to the Board or any time thereafter, if required at any time or by the Contract. The Sponsor, or the Board, may disapprove of any background check, at its or their discretion.

**SECTION 130**

**BOARD MEETINGS**

**Meetings / Executive Sessions**

Meetings of the Board shall be open to the public.

The Board hereby establishes a reasonable method whereby any person may determine the time and place of all regularly scheduled public School Board meetings and the time, place, and purpose of all special meetings of the Board. The Board shall not hold a regular or special meeting unless it posts advanced notice as required by law and as stated in the Board's bylaws, and provides notice to those persons or entities that have requested notification, except in the event of an emergency requiring immediate official action. In the event of an emergency, the member or members calling the meeting shall immediately notify the customary news media and those persons or entities that have requested notification of the time, place, and purpose of the meeting.

Board shall post, put on its website (if applicable) and send to a local newspaper of general circulation, its pre-scheduled regular meetings for each school year. All other meetings of the Board shall be special meetings or emergency meetings, unless such meetings are continued from a regular meeting. Special meetings shall be posted and sent to a local newspaper of general circulation at least 24 hours in advance of the meeting time.

There are times when the Board may need to meet privately during a regular or special meeting for the purpose of clarification. When the need arises, there should be no hesitation to announce that an executive session will be held and that it is to be a closed session.

An executive session may be held to consider:

- A. the appointment, dismissal, discipline, promotion, or compensation of an employee or the investigation of charges against an employee or student unless the employee or student requests a public hearing;
- B. the purchase of property for public purposes or the sale at competitive biddings, 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 an executive session is not used to provide covert information to prospective buyers or sellers;
- C. disputes which are the subject of pending or imminent court action in conference with an attorney;
- D. preparing for, conducting, or reviewing negotiations or bargaining sessions with employees;
- E. matters required to be kept confidential by Federal law or State statutes; or
- F. specialized details of security arrangements, and emergency response protocols for a public body or a public office, if disclosure

of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office.

After the 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. If the session is to discuss a personnel matter listed in paragraph A above, the particular subject for which the session has been called must be identified in the motion. The motion does not need to name the person. 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.

Although the Board may consider certain matters in executive session, under no conditions can the Board take action on any matter except during a public session.

*R.C. 121.22.*

**Parliamentary Authority**

The parliamentary authority governing the Board shall be Robert's Rules of Order, Newly Revised, in all cases in which it is not inconsistent with statute, other law, these Policies, or other Board directive.

**Voting**

All motions shall require for adoption a majority vote, except as provided by statute, the Code of Regulations, or these Policies. Upon the demand of any member of the Board, the vote shall be recorded by roll call. All actions requiring a vote can be conducted by voice vote or show of hands, unless a roll-call vote is requested or required.

In certain circumstances, a majority vote of the full Board must occur, such as, to affirm, revise, vacate or modify an order of student expulsion or to reinstate a student (R.C. 3313.66(E)) (unless an authorized designee is used), or, a statutory three/fifths (3/5th) vote of the full Board must occur, such as, to reject findings or recommendations of a fact-finding panel by the Board or an employee organization under a statutory impasse resolution procedure in collective bargaining (R.C. 4417.14(c)(6)).

Unless a specified number of affirmative votes is required, an abstention shall be recorded and deemed to consent to the outcome of the voting. In situations in which a tie vote occurs and abstentions have been cast, the motion shall fail for lack of a majority.

**Minutes**

The Board's secretary shall keep reasonably comprehensive minutes of all its meetings showing the time and place, the members present, the subjects considered, a summary of the deliberations sufficient enough for the public to understand the basis for the Board's actions, the actions taken, and any other information required to be shown in the minutes by law, which shall be available to the public. Minutes of executive sessions shall reflect the general subject matter of discussions.

The Board's secretary shall provide each Board member with a copy of the draft minutes of the last meeting in a reasonable time before the next regular meeting.

The approved minutes shall be filed in the School office in a prescribed minute book as a permanent record of official Board proceedings.

*R.C.121.22; R.C.149.43.*

**Attendance**

Regular attendance at Board meetings is an important responsibility of each Board member. It is through Board meetings that the official business of the School is conducted, deliberations occur and members of the public have an opportunity to address the full Board.

With that responsibility in mind, Board members agree that:

- A. A member who misses three consecutive meetings, or
- B. A member who misses five meetings in a year may be deemed by the Board to have vacated his or her position on the Board and a replacement may be selected for that seat according to the Code of Regulations.

In exceptional circumstances, e.g. serious illness or injury, a Board member may be unable to attend because of reasons outside the individual's control. In this circumstance, the Board member may request in writing an attendance waiver. The request should be addressed to the Board and will be voted on by the entire Board at its next regularly scheduled meeting. The Board member requesting the waiver may not participate in the vote.

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**GUIDELINES**

Oral communications from persons other than Board members on matters before the Board or of interest to the Board shall be encouraged within reasonable limitations and shall be received at regular Board meetings within and subject to the following procedures:

1. A Request to Speak Form shall be available at each Board meeting. The form shall provide for the person's name, address, the organization the person represents and the item(s) on which the person requests to speak. Facsimiles shall be accepted;
2. A Request to Speak Form shall be submitted to the Secretary or any Board member prior to the convening of the Board meeting. The Secretary shall organize the requests in chronological order according to the Board agenda. Items appropriately assigned to new or unfinished business shall be brought up at that time;
3. Unless otherwise permitted by the chair and agreed to by the Board, no person shall speak for more than three minutes and, at the prerogative of the chair, may be limited to one topic per meeting;
4. Unless otherwise permitted by the chair and agreed to by the Board, no more than three persons shall be permitted to speak on any single issue;
5. Any questions or suggested solutions pertaining to the quality of education in the School or other problems, which have not been resolved, shall be welcomed by the Board;
6. Matters currently under negotiation or litigation will not be discussed in public. Matters related to personnel or involving personally identifiable student information should be addressed in executive session.
7. All persons speaking at any Board or committee meeting shall confine all their remarks to the issue(s) at hand. No person, so speaking, shall make any reference to personalities, shall make derogatory statements concerning any individual or organization or shall act in a disorderly manner. Any violation of this paragraph shall subject the speaker to immediate forfeiture of the floor and continued violation of this paragraph shall subject said person to expulsion from said meeting; and
8. Any recording equipment should be silent, unobtrusive, self-contained, self-powered and not interfere with the ability of others

present to hear, see and participate in the proceedings. Persons recording all or portions of a Board or committee meeting should inform the chair prior to doing so.

9. The Board may respond immediately following a speaker. However, some issues require research and deliberation before an appropriate response can be made. If a full response is desired, particularly for complex issues, a letter of request to the Board is recommended with questions or concerns clearly stated.

### **Public Participation at Meetings**

The Board recognizes the value to School governance of public comment on educational issues and the importance of allowing members of the public to express themselves on School matters of community interest.

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

- A. name and address of the participant;
- B. group affiliation, if and when appropriate;
- C. 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. Tape or video recordings are permitted, providing the person operating the recorder has contacted the Head of School 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.
- I. 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**

**Review of Policies**

It will be the policy of the Board to review its policies and procedures on a continuing basis (at least once per year) in order to keep them up-to-date.

**Approval and Monitoring of Budget**

The fiscal year of the School shall begin on the first day of July in each year. The Board, subject to the oversight responsibilities of its Sponsor, and subject to any contract with a fiscal agent, shall have exclusive control of the budget. The Board shall prepare and publish an annual budget in accordance with the requirements of the State Auditor and its Charter Contract.

The Board shall designate a fiscal officer, and such fiscal officer shall execute a bond in an amount and with a surety acceptable to the Board, payable to the State of Ohio. Such bond shall be deposited with the Board and a Board-certified copy filed with the County Auditor. The fiscal officer or agent must meet the requirements of Ohio Revised Code 3314.011.

*R.C. 3314.011; OAC 117-6-07.*

See also Policy No. 148.6 Annual Financial Report.

**Monitoring of Charter Contract**

The Board shall monitor compliance with the Charter Contract, along with the School's Sponsor, and may delegate this duty to the Head of School or his/her designee.

**Reporting Requirements**

The Governing Authority shall comply with the annual reporting requirements of the Ohio Revised Code 3314.08(B)(2)(a)-(i), and may delegate this responsibility or any other applicable reporting requirements to the Head of School or his/her designee.

**Media Policy**

Representatives of the local press, radio, and TV are an important link in the communications chain between the School and community. The maintenance of good working relationships with these persons is essential to meeting those objectives of school-community relations and require the support and cooperation of the media representatives.

The Board authorizes the development of a sound working relationship between the news media and the School, based on mutual respect and cooperation and reserves the right to negotiate for the radio broadcasting, televising, filming or sound recording of any School event by an outside agency.

These rights, if sold, shall be contracted under conditions designed to bring the most favorable terms to the School.

The Head of School or the Director of Marketing and Communication shall:

- A. be readily available to media representatives;
- B. keep media representatives fully informed with regard to the School in all aspects, activities, and changes, so that any reporting will be done on the basis of a complete and valid overview;
- C. submit, suggest, or request feature stories or articles to media representatives which are of interest or importance;
- D. consider providing "press kits" to media representatives who attend meetings of the Board;
- E. meet periodically with representatives of the news media to discuss the School's progress and problems;
- F. assist various School related groups in their relations with the news media;
- G. protect School personnel from any unnecessary demands on their time by news media representatives.

In order to maintain a progressive and coordinated program of public relations for the School, it is essential that:

- A. staff members not give school information or an interview requested by representatives of the news media without prior approval of the Head of School or his/her designee who will either set up an appointment for this purpose which will not interfere with the staff member's daily activities, or speak to the media representative about the matter personally;

- B. the Director of Marketing and Communication, the Head of School or his/her designee be present at all meetings with news media representatives;
- C. any photograph of a controversial nature, or questionable with regard to individual right of privacy, shall not be sanctioned.

See also Policy No. 430 Crisis Media Situations.

### Local Professional Development Committee

In compliance with Ohio Revised Code ("R.C.") 3314.03, the School will follow the requirements for establishing a Local Professional Development Committee ("LPDC"), as is required by R.C. § 3319.22. In establishing the LPDC, the following shall apply:

1. The LPDC shall be a consortium with \_\_\_\_\_ (building and non-building consortium), or, within \_\_\_\_\_ (building level committee) (either option being referred to herein as "consortium" or "constituents").
2. The certified/licensed general education teachers in the School shall elect, by majority vote, three (3) certified/licensed teachers to be a member of the LPDC.
3. Representation of a principal on the LPDC shall be determined by majority vote of the School Governing Authority (if the LPDC is a building level committee), or, of the principals of the constituents participating in the LPDC (if the LPDC is and building and non-building level consortium). The following apply to the votes of the principal if the LPDC is both a building level and non-building level consortium:
  - a. The principals of the constituents shall vote at a time concurrent with the vote by the teacher constituents.
  - b. The principals of the consortium shall vote on an order of membership on the LPDC whereby the principals' representation shall revolve between the consortium schools on a yearly basis.
4. An additional member of the LPDC may be elected by the Head of School, and if none, by the School Governing Authority, or, if the committee is a consortium of building and non-building level schools, by the three teachers and the principal representatives.
5. The activities of the LPDC shall apply to each constituent as though the consortium were a district.
6. The terms of the members of the LPDC shall be one (1) year and the members may be re-elected in accordance with 2, 3, and 4 above. Members may serve additional terms, except for the principal in accordance with 3(b) above, if applicable.
7. Mid-term vacancies on the LPDC shall be filled by: for teachers, by a majority vote of those teachers elected to the LPDC, and, for principals, by the Head of School of the School, or, if none, by the School Governing Authority or Authorities.

8. The LPDC shall meet at least two (2) times per school year, but may meet more. This policy empowers the LPDC to determine the frequency, time, and place of the meetings and such decisions shall have a binding effect.
9. An educator wishing to appeal the decision of the LPDC may appeal to the President of the School Governing Authority for review by School Governing Authority (if a building level committee) or, if a consortium of non-building level and building level constituents, to the \_\_\_\_\_.
10. Any tie vote or any vote without a majority shall be decided by the President of the School Governing Authority (if a building level committee) or, if a consortium of building and non-building level constituents, \_\_\_\_\_ by \_\_\_\_\_ the \_\_\_\_\_.
11. The LPDC shall 1) set the requirements for teachers requiring renewal of Ohio Department of Education certificates or licenses, 2) make decisions regarding participation in external training or professional development, 3) address the performance improvement processes internally, and 4) all other matters required by law.

*R.C. 3319.22*

**Public Records Policy**

The School will utilize the following procedures regarding the availability of public records. Any person may inspect and copy the public records of the School during the regular business hours of the office in which such records are maintained provided that advance notice of such intended inspection has been given to the custodian of the records in a reasonable time prior to inspection. A school employee or representative will be present during inspection of the records. The Board shall not limit or condition the availability of public records by requiring disclosure of the requested 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 will enhance the ability to identify, locate or deliver the records sought by the requestor.

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.

If a request for public records is ambiguous, or overbroad, or not reasonably identifiable, 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 shall (1) participate in training concerning public records which may be required by the Ohio Attorney General and which is free of charge under section 109.43 of the Ohio Revised Code, (2) post its public records policy in a conspicuous place in all locations or branches of operations, (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.

The Board authorizes the Head of School or his or her designee to dispose of, on a daily basis, routine messages transmitted by means of voice mail or E-mail, provided the messages do not alter existing School records.

*R.C. 149.43*

See also Policy No. 325.1 Public Records.

## 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 establishes a local records commission to govern matters pertaining to School's records, their retention and disposal.

The records commission shall consist of the board president, treasurer (CFO or fiscal agent) and superintendent or chief administrator. The treasurer shall serve as chairman/secretary of the local records commission. The members of this commission may appoint necessary records official(s) to carry out the necessary work associated with the School's records.

The records commission shall meet at least once annually to review the certificates of records disposal as submitted by the commission or any records official. Upon the approval of the commission, such records may be disposed of, pursuant to the following standards:

1. Procedures to dispose of records according to the approved schedule of records retention and disposition will be initiated by the end of the fiscal year. The procedures listed in **Appendix B** shall guide the local records commission as modified from time to time by the local records commission.
2. Records officials will list those eligible, disposable records on the certificate of records disposal form in **Appendix B**, per the adopted schedule.
3. The records commission shall review the certificates of records disposal as submitted prior to a regular Board meeting each year.
4. Upon the commission's approval, the certificates (RC-2) will be forwarded as follows:
  - Original - Forward original to Ohio Historical Society Network Specialist for your County. See attached map to determine your County Records Specialist.
  - Copies - Keep one copy with the School Records Commission files.
  - The Ohio Historical Society Records Specialist will make and send a copy to State Auditor's office on behalf of the School.
5. The commission 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.

6. Records shall be destroyed only as directed by the records secretary.

The local records commission has developed the necessary regulations and record retention schedules to carry out their purpose in this policy.

7. The commission designates the following personnel as records officials and will communicate with them in regards to matters related to record retention and disposal:

<u>Area</u>	<u>Record Officials</u>
_____	_____
_____	_____

8. Fifteen days must have elapsed after forwarding copies to the Ohio Historical Society before destroying. The records secretary will make arrangements through the business office for the staff to pick up all records for shredding.
9. A copy of the record officer's certificate of records (RC-2) disposal form should be maintained by the Commission for its records.

#### **E-Mail and Correspondence Retention**

The following retention policy for e-mail 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 e-mail does not constitute a category of records in and of itself. Rather e-mail is a delivery medium, like paper or microfilm, and individual e-mails should be retained according to the information which is contained in the message. There are four categories of e-mail and correspondence retention.

1. **Non-Record Materials** (delete immediately)

E-mail 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 e-mails include:

Personal correspondence.

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)**

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**

General Correspondence (Two years)

Internal Correspondence (letters, memos)

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

Routine Correspondence (One year)

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

### **C. Long term Retention**

Executive Correspondence

Correspondence dealing with significant aspects of the administration of their offices.

(e.g., information concerning agency policies, program, fiscal, and personnel matters).

## **Storing E-mail Records**

For purposes of record 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 agency takes responsibility for maintaining the e-mail record during the retention period, a good policy is that the individual who sends an e-mail should maintain the "record" copy. If an e-mail is received from someone outside the organization, the recipient should retain it.

*RC §149.41; RC §149.351*

See also **Appendix B** RC-2 Form and Guidelines for Records Retention and Disposal.

## OHIO NETWORK OF AMERICAN HISTORY RESEARCH CENTERS



## 147.2

### Sealed Records Policy

**Purpose:** To preserve, protect and maintain confidential records that have been sealed in accordance with Sections 2151.356 and 2151.357 of the Ohio Revised Code.

**Policy:** In the event that the Governing Authority (the “Board”) of the School receives notice that the School is in possession of records that have been sealed pursuant to Section 2151.356 of the Revised Code from (i) a court of competent jurisdiction (ii) the person whose record has been sealed, or (iii) any other source sufficient to impute knowledge thereof, then the Board and School shall abide by the following:

A. Maintenance and Non-Disclosure of Sealed Records.

1. The School shall place all records that have been ordered sealed pursuant to Section 2151.356 of the Ohio Revised Code in a separate file in which only sealed records are maintained. The School Principal/School Leader or its authorized designee/records custodian shall implement administrative policies and procedures for the protection, maintenance and preservation of all sealed records consistent with this Policy.
2. No officer or employee of School or Board shall knowingly release, disseminate, or make available for any purpose involving employment, bonding, licensing, or education to any person or to any department, agency, or other instrumentality of the state or of any of its political subdivisions any information or other data concerning any arrest, taking into custody, complaint, indictment, information, trial, hearing, adjudication, or correctional supervision, the records of which have been sealed pursuant to section 2151.356 of the Ohio Revised Code and the release, dissemination, or making available of which is not expressly permitted by Ohio law.
3. The School and Board shall maintain records for students which are *not* sealed in accordance with Section 2151.356 of the Ohio Revised Code, including the release, disclosure or inspection thereof, consistent with the Board’s student records policies.

B. Requests To Expunge Sealed Records.

1. Upon the (i) written request of a person whose record has been sealed pursuant to Section 2151.356 of the Ohio Revised Code and (ii) the presentation of a copy of the order to seal, the School shall expunge its record relating to the case subject to the seal.

2. Nothing contained in this Policy shall prohibit the School from retaining records regarding an adjudication that a student is a delinquent child that was used as the basis for the student's permanent exclusion under sections 3301.121 and 3313.662 of the Revised Code.
- C. Permitted Inspections of Sealed Records. The School may permit the inspection of records that have been ordered sealed under Section 2151.356 of the Ohio Revised Code if and only if the request is (i) made in writing on a form substantially in conformance with Appendix A hereto and (ii) made by the following persons or for the following purposes::
1. By the court;
  2. If the records in question pertain to an act that would be an offense of violence that would be a felony if committed by an adult, by any law enforcement officer or any prosecutor, or the assistants of a law enforcement officer or prosecutor, for any valid law enforcement or prosecutorial purpose;
  3. Upon application by the person who is the subject of the sealed records, by the person that is named in that application;
  4. If the records in question pertain to an alleged violation of division (E)(1) of section 4301.69 of the Ohio Revised Code, by any law enforcement officer or any prosecutor, or the assistants of a law enforcement officer or prosecutor, for the purpose of determining whether the person is eligible for diversion under division (E)(2) of section 4301.69 of the Revised Code;
  5. At the request of a party in a civil action that is based on a case the records for which are the subject of a sealing order issued under section 2151.356 of the Revised Code, as needed for the civil action. The party also may copy the records as needed for the civil action. The sealed records shall be used solely in the civil action and are otherwise confidential and subject to the provisions of this section;
  6. By the attorney general or an authorized employee of the attorney general or the court for purposes of determining whether a child is a public registry-qualified juvenile offender registrant, as defined in section 2950.01 of the Revised Code, for purposes of Chapter 2950. of the Revised Code.

Legal Authority/References

*ORC 3314.03(A)(10)(d); ORC 2151.356; ORC 2151.357*



**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. 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 and the Head of School.
- D. Insofar as conditions permit, all legitimate business suppliers shall be treated courteously.
- E. Credit card agreements may be approved by the Head of School 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 Head of School in a locked area. All credit card purchases require the prior written approval of the Head of School. 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 No. 395.1 Purchase of Supplies and Materials, Equipment.

148.2

### **Fixed Asset Policy**

#### **A. Purpose**

The School's fixed asset policy establishes a fixed asset accounting system that will contain 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.

#### **B. Criteria for Fixed Asset Capitalization**

An item is a Fixed Asset if:

1. it has a useful life of one (1) year or more, and
2. the cost of the asset is greater than \$1,500.00 or it is a leased asset with a purchase price of greater than \$1,500.00.

#### **C. Valuation**

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.

#### **D. Depreciation**

Assets will be depreciated using straight-line depreciation. Estimated life for fixed assets shall follow ASBO (Association of School Business Officials) guidelines.

#### **E. Classifications:**

Fixed assets shall be classified as follows:

1. furniture
2. equipment
3. leased fixed assets

F. Information:

The following information shall be maintained for all fixed assets:

1. description
2. asset classification
3. location
4. purchase price
5. vendor
6. date purchased or leased
7. accumulated depreciation
8. method of disposal

In order to prevent theft of Academy property, all fixed assets will have an Academy fixed asset sticker.

G. Fixed Asset Disposal

Fixed assets will be disposed in a manner approved by the School Board.

*R.C. 117.09; OAC 117-2-05; OAC 117-2-02*

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

### **Property Obtained with Federal Title I Grants Policy**

The Board of the School adopts these policies to ensure that the School properly handles and disposes of assets acquired with federal Title I grant monies.

#### Real Property

Title - Real property acquired with federal Title I grant monies received by the School shall be titled in the name of the School.

Use – Real property acquired with federal Title I grant monies shall be used for the purposes authorized by the grant(s).

Encumbrance/Liens – The School shall not transfer or encumber its title or other interest in any real property acquired with federal Title I grant monies.

Disposition – When real property acquired with federal Title I 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

Title - Equipment acquired with federal Title I grant monies received by the School shall be titled in the name of the School.

Use – For as long as needed, the School shall use equipment acquired with federal Title I 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.

Other Uses – The School can use equipment acquired with federal Title I 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.

Competition With Private Companies – The School shall not use the equipment acquired with federal Title I grant monies to provide services for a fee.

Acquiring Replacement Equipment – The School shall obtain the approval of the awarding agency before it (1) uses equipment acquired with federal Title I 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.

#### Disposition of Equipment

When original or replacement equipment is no longer used for the original or another federally supported program or project it shall be disposed of as follows.

Equipment Items with Per Unit Value of Less than \$5,000 – The School may retain, sell or otherwise dispose of equipment with a per unit value of less than \$5,000 without any further obligation to the awarding agency. Please note, however, that state law may dictate the procedures that must be followed or otherwise place restrictions on the ability of the School to gift, sell, or otherwise dispose of the property.

Equipment Items with Per Unit Value of Greater than \$5,000 – The School may retain or sell equipment with a per unit value of greater than \$5,000. The School shall contact the awarding agency for disposition instruction before it sells any such property because the awarding agency may have a right to a portion of the proceeds of the sale. Please note that state law may dictate the procedures that must be followed or otherwise place restrictions on the ability of the School to sell the property.

#### Management of Equipment

The School shall comply with the following rules with respect to all equipment acquired with federal Title I grant monies.

Property Records – The School shall maintain a record of all equipment acquired with federal Title I grant monies that includes:

- a description of the property;
- a serial number or other identification number;
- the source of the property;
- who holds title to the property;
- the acquisition date;
- the cost;
- the percentage of acquisition cost that was paid with federal funds;
- the location, use, and condition of the property;
- any ultimate disposition data, including the date of disposal and the sale price; and
- records generated by the physical inventories.
- 

Inventory – The School shall conduct a physical inventory of the equipment that was acquired with federal Title I grant monies no less frequently than every two years. The results of the physical inventories must be reconciled with the property records.

Control System – The School shall develop a control system to safeguard against loss, damage, or theft of equipment acquired with federal Title I grant monies. The School shall investigate any loss, damage, or theft of any such equipment.

Maintenance – The School shall maintain equipment acquired with federal Title I grant monies to keep it in good condition and working order.

Sales Procedures – The School shall establish and follow procedures to ensure that it receives the highest possible return if it sells any equipment acquired with federal Title I grant monies.

#### Federal Equipment

The School shall follow the following procedures in dealing with equipment provided by a federal agency.

Title – The School shall ensure that the equipment remains titled in the name of the Federal Government.

Management – The School shall follow the rules and procedures of the federal agency for managing the property.

Disposition – The School shall only dispose of federal equipment pursuant to instructions provided by the federal agency that provided the equipment.

*34 CFR Section 80.31; 34 CFR Section 80.32*

See also Policy No. 148.1 Purchasing and Policy No. 395.1 Purchase of Supplies and Materials, Equipment.

**Independent Contractors**

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 School 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 unless otherwise required by law, and the School shall consult with its fiscal agent, the Ohio Department of Education, or its legal advisor concerning any issues of state retirement system obligations.

*IRC 6041*

**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 days after the close of the fiscal year. At the time the report is filed with the auditor of state, the School's chief 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.*

**SECTION 150**

**ADMINISTRATION/PROGRAM/SCHOOL POLICIES**

**Approval of Management by Management Company**

The Board is authorized to approve of independent management of the School and the term of any Management Company contract.

**Board/Head of School/Management Company/Fiscal Agent Relationships**

The Governing Authority believes that it is the primary duty of the Board to establish, adopt and/or review policy and that of the Head of School to help establish and to administer such policy. The Management Company, if any, should recommend policies, and be given the latitude to determine the best method of implementing the policies of the Board.

The Head of School, as the chief executive officer of the School, is the primary professional advisor to the Board. S/He is responsible for the development, supervision, and operation of each program and service. His/her methods should be made known to the staff through the administrative guidelines or Policies of the School. The Board shall retain oversight of such procedures.

The fiscal agent is the primary professional advisor to the Board on fiscal matters even if subcontracted for, or hired by or through an independent management company. The fiscal agent may or may not be an officer or Board member of the Corporation but shall have general supervision of all financial matters overseen by the Board.

**Role of Management Company, if any**

The Board is responsible for determining the success of any Management Company hired by it, in meeting the goals established by the Board. The Board, in formulating its position with regard to the performance of the Management Company, shall rely, whenever possible, on the objective outcomes of its evaluations rather than on subjective opinions.

The Management Company shall strive to achieve Board goals for students by providing educational direction and supervision to the Staff and by acting as a proper model for Staff and students both in the School and outside the School.

The Management Company shall be directly responsible to the Governing Authority for the performance of all of the responsibilities outlined in any Management Contract.

**Job Descriptions**

The Board directs the Head of School, or the Management Company, if any, to maintain continuously a comprehensive, coordinated set of job descriptions for Staff so as to promote effectiveness, efficiency, and economy in the operation of the School, and to coordinate its personnel policies with the Contract and School policies.

**Mission Statement**

To prepare students for a college preparatory high school that will ensure success and graduation from a four year college.

**Statement of Equal Employment Opportunity 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, sex, national origin, disability, race, religion, or status as a Vietnam veteran, or on any other basis prohibited by Federal, state or local law. Harassment, whether verbal, physical, or environmental, is unacceptable and will not be tolerated.

**Insurance**

The Governing Authority shall purchase with School funds the type and amount of insurance necessary to protect the School from major financial losses.

Coverage shall include, but need not be limited to, the following:

- A. fire and extended coverage on buildings and contents;
- B. comprehensive bodily injury, property damage on automobiles, buses and trucks;
- C. special coverage for equipment not ordinarily covered under a standard policy, if applicable;
- D. employee insurance coverage as specified in the Charter Contract or by Board action;
- E. worker's compensation coverage; and
- F. legal liability for Board members and officers.

The ☐ School treasurer, ☐ fiscal agent, ☐ Head of School, or ☐ management company (check one) shall administer the insurance program.

**Curriculum Development**

The curriculum and educational program shall be developed, evaluated and adopted on a continuing basis and in accordance with a plan for curriculum growth established by the Head of School or his/her designee.

As educational leader, the Head of School or his/her designee shall be responsible to the Board for the development and evaluation of curriculum and the preparation of courses of study.

For purposes of these Board Policies and for consistent communication throughout the School, curriculum shall be defined as all the planned activities of the School, including formal classroom instruction and out-of-class activity, both individual and group, necessary to accomplish the educational goals of the School and such curriculum is set out in the Contract with the Sponsor.

The Board directs that the curriculum of this School:

- A. provide instruction in courses required by the School's Charter Contract; and
- B. be consistent with the School's mission, philosophy and goals and ensure the possibility of their achievement;

The Head of School or his/her designee may conduct such innovative programs as are deemed desirable to the continuing growth of the instructional program and to better ensure accomplishment of the School's educational goals.

The Head of School or his/her designee shall report each such innovative program to the Board along with its objectives, evaluative criteria, and costs, and, a recommendation as to any necessary changes in the Contract with the Sponsor.

The Board encourages, where it is feasible and in the best interest of the School, participation in programs of educational research.

The Board directs the Head of School or management company to pursue actively State and Federal aid in support of all School activities.

**Development of School Policies**

The Governing Authority delegates to the Head of School or his/her designee the function of designing and implementing the guidelines, required actions, and detailed arrangements under which the School will operate. These administrative guidelines shall not be inconsistent with the Policies adopted by the Board, unless the law so requires.

The Board itself will formulate and adopt administrative guidelines and rules, and/or may adopt such guidelines when the Head of School or his/her designee recommends Board adoption.

The Head of School or his/her designee may also issue such administrative and student handbooks as s/he may consider necessary for the effective administration of the schools and distribute them to staff and students and/or their parents.

As long as the provisions of these administrative guidelines, policies, or handbooks are not inconsistent with Board policies, or with Federal or State law, they may be adopted by a Board vote in a public meeting considered by the Board to be binding upon all staff and students.

The Head of School or his/her designee shall maintain a current organizational chart to which immediate reference can be made by the Board

The School Policies (including guidelines or handbooks) should contain, as a minimum, the following topics:

1. Mission Statement
2. Philosophy
3. Student Assessment
4. Parental Involvement
5. Annual Report
6. Equal Educational Opportunity, Title IX and Title I procedures and procedures under § 504 of the Rehabilitation Act of 1973
7. Religion
8. Special Education
9. Suspension and Expulsion
10. Suspension and Expulsion of Disabled Students
11. Copyrighted Materials
12. Drug/Substance Abuse (Staff and Students)
13. Use of Tobacco (Staff and Students)
14. Dangerous Weapons
15. Harassment (Staff and Students)
16. Admissions/Open Enrollment
17. Graduation Requirements (if applicable)
18. Medication
19. Dress Policy
20. Care of School Property
21. Discipline
22. Risk Reduction Program
23. Use of Technology

- 24. Public Records
- 25. Personnel Records
- 26. Student Records
- 27. Control of Casual and Non-Casual Contact Communicable Diseases
- 28. Control of Blood Borne Pathogens
- 29. Reporting of Abuse and Neglect
- 30. Purchases and Audits
- 31. Student Fees, Fines or Charges

**SECTION 2:**  
**PROGRAM AND STUDENT POLICIES**

**SECTION 200**

**PROGRAM OPERATION**

**Mission Statement**

To prepare students for a college preparatory high school that will ensure success and graduation from a four year college.

**Philosophy and Equal Employment Opportunity Statement**

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, sex, national origin, disability, race, religion, or status as a Vietnam veteran, or on any other basis prohibited by Federal, state or local law. Harassment, whether verbal, physical, or environmental, is unacceptable and will not be tolerated.

**Parent/Family/Caregiver Engagement Policy & Plan****PART I. GENERAL EXPECTATIONS**

The School agrees to implement the following statutory requirements:

1. The School will put into operation programs, activities and procedures for the involvement of parents/guardians/foster caregivers (“parent” and “parents”) in all of its programs, which will be planned and operated with meaningful consultation with parents of participating children consistent with section 1118 of the Elementary and Secondary Education Act (ESEA) and corresponding sections of Ohio Revised Code.
2. The School will work with to ensure that the required school-level parent involvement policies meet the requirements of section 1118(b) and include school-parent compacts that are consistent with section 1118(d) of the ESEA as well as requirements of Ohio Revised Code.
3. The School will incorporate this parent involvement plan into its plan developed under section 1112 of the ESEA and as required by Ohio Revised Code.
4. The School will provide full opportunities, to the extent practicable, for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children. This includes providing information and reports required under section 1111 in an understandable, uniform format in a language parents understand, with alternative formats upon request.
5. The School will include any parent comments when submitting the plan for Title I, Part A to the Ohio Department of Education if the plan, developed under section 1112 of the ESEA, is not satisfactory to the parents of participating children.
6. The School will involve the parents of children served in Title I, Part A programs in decisions about how the 1 percent of Title I, Part A funds reserved for parent involvement is spent and ensure that not less than 95 percent of the one percent goes directly to the School.
7. The School will be governed by the following statutory definition of parent involvement, and will carry out programs, activities and procedures in accordance with this definition: Parent involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring:
  - a.) that parents play an integral role in assisting their child’s learning;
  - b.) that parents are encouraged to be actively involved in their child’s education at school;
  - c.) that parents are full partners in their child’s education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child; Parent Involvement Guidance; and

d.) the carrying out of other activities, such as those described in section 1118 of the ESEA.

8. The School will inform parents and parent organizations of the purpose and existence of the Ohio Parent Information and Resource Center.

## **PART II. DESCRIPTION OF HOW THE SCHOOL WILL IMPLEMENT REQUIRED PARENT INVOLVEMENT PLAN COMPONENTS**

1. The School will take the following actions to involve parents in the joint development of its parent involvement plan under section 1112 of the ESEA:

- Ensure the parent involvement plan is easily accessible to parents
- Review the current parent involvement plan at parent meetings, including Title I meetings
- Encourage parents to provide feedback
- Use parent feedback to design strategies
- Update plan annually

2. The School will take the following actions to involve parents in the process of school review and improvement under section 1116 of the ESEA:

- Include parents on School Improvement Planning team
- Provide information for better understanding of legal requirements, Ohio's academic standards, etc.
- Ask parents for input on the School's plans and processes through newsletters, website etc.
- Distribute parent surveys and assessments on the School improvement plans

3. The School will provide the following coordination, technical assistance, and other support necessary to assist in planning and implementing effective parent involvement activities to improve student academic achievement and performance:

- Collaboration with parents and guardians on matters related to parent involvement in programs supported by Title I funds
- Inclusion of appropriate roles for community based organizations and businesses in parent involvement activities
- Online grading system, Progress Book
- Adoption of model approaches to improving parent involvement at the school level
- Designating other support for parent and teacher development and training

4. The School will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this parent involvement plan to identify the barriers to greater parent participation and to use the findings to design strategies for more effective parent involvement:

- Distribute parent surveys and questionnaires through its website
- Consider comments from interviews and conversations with parents and families

- Use results to revise parent involvement plan and design school improvement parental involvement policies

6. The School will build the School's and parents' capacity for strong parent involvement in order to ensure effective involvement of parents and the community to improve student academic achievement. The following strategies will be used:

A. The School will provide assistance to parents of children served by the School, as appropriate, in understanding topics such as Ohio's academic content standards, Ohio's student academic achievement standards, state, local, and alternate academic assessments, requirements of Title I, Part A programs, how parents monitor their child's progress, and how parents work with educators as School will:

- Provide a calendar with the School's activities (meetings, conferences, etc.) to help families in planning
- Distribute information to parents that contains easy-to-understand information on legal requirements
- Relay state assessment results through newspapers, television, newsletters, parent letters, etc.
- Inform parents of resources.

B. The School will provide materials and training to help parents work with their children to improve their children's academic achievement through:

- Strategies for assisting children at home demonstrated at parent and family meetings
- Federal and state booklets and pamphlets
- Newsletters with resources about child development, child rearing practices, and academic strategies
- School website resource links

C. The School will develop and implement a professional development plan to enhance the skills of teachers, pupil services personnel, principal, and other staff in how to reach out to parents, communicate and work with parents as equal partners, find value in the contributions of parents, implement and coordinate parent programs, and build ties between parents and the School by providing:

- Training for all staff on the importance of parent involvement

D. The School will take the following actions to ensure that information related to the school and parental involvement programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format in a language the parents can understand with alternative formats upon request:

- Distribute documents in parents' native languages
- Provide simplified explanations of federal and state laws and requirements
- Use alternate means for distribution such as newsletters, handouts, website, announcements, meetings, etc

F. The School will provide other reasonable support for parental involvement activities under Section 1118 and corresponding Ohio Revised Code as parents may request.

**Parent Participation 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 of the students being served. Accordingly, the School establishes this parent involvement policy, which will be reviewed and approved annually by the Board and distributed to parents of children receiving Title I services. The School will:

- A. involve parents in the development of the School's Title I plans and in the process of school review and improvement, if necessary;
- B. provide coordination, technical assistance, and other support necessary to assist schools in planning and implementing effective parent involvement activities to improve student achievement and school performance;
- C. build the schools' and parents' capacity for strong parental involvement;
- D. coordinate and integrate parent involvement strategies with parent involvement strategies under other programs such as Head Start, Reading First, Early Reading First, Even Start, Parents and Teachers, and Home Instruction for Preschool Youngsters;
- E. in consultation with parents, annually evaluate the content and effectiveness of the parent involvement policy in improving the academic quality of schools, including:
  - 1. identifying barriers to greater parent participation;
  - 2. designing strategies for more effective parental involvement; and,
  - 3. revising the parental involvement policy if necessary;
- F. involve parents of children receiving Title I services in deciding how Title I funds reserved for parent involvement activities will be allocated;
- G. provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities and parents of migratory children, including providing information and school reports in a format, and to the extent practicable in a language, such parents can understand;
- H. conduct meetings with parents including provisions for flexible scheduling and assistance to parents to better assure their attendance at meetings;

- I. develop agendas for parent meetings to include review and explanation of the curriculum, means of assessments, and the proficiency levels students are expected to achieve and maintain;
- J. provide opportunities for parents to formulate suggestions, interact and share experiences with other parents, and participate appropriately in the decision-making about the program and revisions in the plan;
- K. involve parents in the planning, review, and improvement of the Title I program;
- L. communicate information concerning school performance profiles and their child's individual performance to parents;
- M. assist parents 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;
- N. provide timely responses to parental questions, concerns, and recommendations;
- O. coordinate and provide technical assistance and other support necessary to assist Title I schools to develop effective parent participation activities to improve academic achievement;
- P. conduct other activities as appropriate to the Title I plan and State and Federal requirements.

The School will:

- A. Convene an annual meeting at a convenient time to which all parents 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 parental involvement plan.
- B. Meet with parents of children receiving Title I services at flexible times with assistance such as child care, transportation, home visits, or similar aid offered to parents to encourage their involvement.
- C. Assure that parents are involved in an organized, on-going and timely way in the development, review, and improvement of parent involvement activities.
- D. Provide parents of participating students with:
  - 1. timely information about the Title I program and the school's parent involvement policy;

2. a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the proficiency levels expected;
  3. regular meetings, upon request, for parents to make suggestions, and to participate as appropriate, in decisions relating to the education of their children, and receive responses regarding the parents' suggestions about their student's education as soon as practicably possible.
- E. The The School Family Contract will be given to parents prior to school opening. It describes how the parents, Staff and students will share the responsibility for improving student achievement. See **Appendix D**.
- F. Parents of children receiving Title I services must be notified about school parent involvement policies in an understandable and uniform format, and to the extent practicable, in a language the parents can understand. These policies must also be made available to the community.
- G. School parent involvement policies must be evaluated periodically to consider whether they meet the changing needs of parents and the schools.

In order to involve parents in the education of their children and to support a partnership among the School, parents and the community for improving students achievement, the School will:

- A. assist parents of children served under Title I in understanding the State's academic content and assessment standards, and in understanding how to monitor their child's progress and how to work with educators to improve their child's achievement;
- B. provide materials and training to help parents work with their children to improve achievement;
- C. educate teachers, pupil services personnel, and other staff, with the assistance of parents, about the value and utility of contributions of parents, how to reach out to, communicate with, and work with parents as equal partners, how to implement and coordinate parent programs, and how to build ties between parents and the school;
- D. to the extent feasible and appropriate, coordinate and integrate parent involvement programs and activities with other Federal programs;
- E. provide such reasonable support for parent involvement activities as parents may request.

In order to build the School's capacity for parent involvement, the School may also:

- A. involve parents in the development of training for teachers and administrators to improve the effectiveness of such training;
- B. pay reasonable and necessary expenses associated with parental involvement activities to enable parents to participate in school-related meetings and training sessions, including transportation and child care costs;
- C. train parents to enhance the involvement of other parents;
- D. adopt and implement model approaches to improving parental involvement;
- E. establish a District-wide parent advisory council to provide advice on all matters related to parental involvement programs;
- F. develop appropriate roles for community-based organizations and businesses in parental involvement activities.

*20 U.S.C. §6318 et seq.; 34 C.F.R. Part 200 et seq.*

203.2

#### **Title I – Parent’s Right to Know**

In accordance with the requirement of Federal law, for each school receiving Title I funds, the School shall make sure that all parents of students are notified that they may request, and the Board will provide the following information on the student’s classroom teachers:

- A. whether the teacher(s) have met the State qualification and licensing criteria for the grade levels and subject areas they are teaching
- B. whether the teacher(s) is teaching under any emergency or provisional status in which the State requirements have been waived
- C. the undergraduate major of the teacher(s) and the area of study and any certificates for any graduate degrees earned
- D. the qualifications of any paraprofessionals providing services to their child(ren)

In addition, the parents shall be provided:

- A. information on the level of achievement of their child(ren) on the required State academic assessments;
- B. timely notice if the student is assigned to a teacher who is not "highly qualified" as required, or if the student is taught for more than four (4) weeks by a teacher who is not highly qualified.

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. 6311*  
*34 C.F.R. Part 200 et seq.*

203.3

**Parental Involvement-Use of Scientifically Based Research**

The school will use the latest scientifically based research to provide the parents of its students with substantial and meaningful opportunities to effectively participate in their children's education to foster their children's achievement. The school will use the latest scientifically based research to lower the barriers to the parents' participation in school planning, review and improvement.

*20 U.S.C. §6301(12) & 6311(d); NCLB §1001(12) & 1111(d)*

**Parental Review of Instructional Materials**

The School shall make available for review by parents, upon a reasonable request, any instructional material used as part of the educational curriculum for students. "Instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic format or digital formats (such as materials accessible through the internet). The term does not include academic tests or academic assessments.

*20 U.S.C. §1232h.*

**Parental Consultation Regarding Physical Exams**

The School shall notify parents or students who are at least eighteen (18) years of age or emancipated minors ("eligible students") at least annually of the projected or approximate dates of any non-emergency, invasive physical exam that is required as a condition of attendance, administered by the school and scheduled in advance and not necessary to protect the immediate health and safety of the student, or of other students. "Invasive physical exam" means any medical examination that involves exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening. This section does not apply to any physical exam or screening that is permitted or required by State law. Parents or eligible students shall have the right to opt out of participation in any physical exams covered by this section.

*20 U.S.C. §1232h.*

**Program Accountability**

The School is accountable to its Sponsor to deliver the curriculum set out in its Contract. In order to assist in achieving its goals and fulfill its mission, the Head of School or his/her designee shall report to the Board, the School's progress in every area of curriculum of the School.

**204.1 Policy Regarding Low Performing Children**

The School will make every reasonable effort to close the achievement gap between its high and low-performing children.

*20 U.S.C. §6301(3); NCLB §1001(3).*

204.2

**Teacher Responsibility**

The School will increase the decision-making authority and flexibility of its teachers while imposing greater responsibility for student performance on the teachers.

*20 U.S.C. §6301(7); NCLB §1001(7).*

204.3

**Scientifically Based Instruction Methods**

The school will promote school-wide reform and ensure that the school utilizes effective scientifically based instruction methods to provide a challenging curriculum to its students.

*20 U.S.C. §6301(9); NCLB §1001(9).*

**School to Work Programs**

The Board supports the School-to-Work Opportunities Act as a vehicle to help the School prepare students more effectively for the world of work. Through this legislation, the School may, if applicable, provide students with learning experiences needed to develop career-related knowledge, attitudes, and skills as well as life-long learning skills, including school-based learning which includes career awareness, exploration, and counseling and the integration of academic and vocational learning.

As appropriate to a particular program initiative, the Head of School or his/her designee may request waivers from the state on certain statutory or regulatory provisions that are contained in the Elementary and Secondary Education Act and the Carl D. Perkins Vocational and Applied Technology Act.

The Head of School or his/her designee shall keep the Board informed periodically on the progress of the School toward the goals of any school to work programming.

*20 USC 6101 et al.; 20 USC 6212, School-to-Work Initiatives Act of 1994.*

**Compliance With State Academic Standards**

The School will make every reasonable effort to ensure that it uses high quality academic assessments, accountability systems and teacher preparation and training, and ensure that the foregoing and the school's curriculum and instructional materials are aligned with the state's academic standards. The School will enable all interested parties, including students, parents, teachers and administrators, to measure this school's progress in meeting state and federal goals for student academic achievement.

The School will make every reasonable effort to use the state's assessment system to improve and strengthen accountability, teaching and learning to ensure that its students are meeting the state's academic standards.

*20 U.S.C. §6301(1) and (6); NCLB §1001(1) and (6).*

**Funding Under Title I, Part F-Curriculum/Student Development**

The School will develop comprehensive reforms, based on scientifically based research and effective practices that emphasize basic academics and parental involvement to enable its students to meet the state's academic achievement standards.

The School will implement a program that employs proven methods for learning, teaching and management that are based on scientifically based research and effective practices and have been proven successful in schools.

The School's reform plan will integrate curriculum, instruction, assessment, classroom management, technology, professional development, parental involvement and school management into a comprehensive plan that enables all the School's students to meet the state's academic standards and addresses the School's needs.

The School will provide continuous, high quality professional development for its teachers and staff.

The School will use measurable goals for academic achievement.

The School will involve the parents of its students and the local community in planning, implementing and evaluating the School's improvements.

The School will annually evaluate its implementation of its reform plan.

*20 U.S.C. §6511; NCLB §1601*

*20 U.S.C. §6516(a)(1); NCLB §1606(a)(1)*

*20 U.S.C. §6516(a)(2); NCLB §1606(a)(2)*

*20 U.S.C. §6516(a)(3); NCLB §1606(a)(3)*

*20 U.S.C. §6516(a)(4); NCLB §1606(c)(4)*

*20 U.S.C. §6516(a)(7); NCLB §1606(a)(7)*

*20 U.S.C. §6516(a)(9); NCLB §1606(a)(9)*

**Teacher/Paraprofessional Qualifications**

The School will hire teachers who are highly qualified, as the term is defined in the No Child Left Behind Act.

The School will hire paraprofessionals who meet the qualifications set forth in the No Child Left Behind Act.

The School will assure that its paraprofessionals, who were employed by the School prior to the effective date of the No Child Left Behind Act, meet the qualifications set forth in the No Child Left Behind Act on or before January 1, 2006.

These policies are subject to the regulations, guidance, extensions or rules adopted by appropriate governmental authorities.

*20 U.S.C. §6319(c); NCLB §1119(c)*

*20 U.S.C. §6319(c); NCLB §1119(c)*

*20 U.S.C. §6319(d); NCLB §1119(d)*

*R.C. 3319.074*

**Migrant Students**

In order to obtain funding under Title I, Part C, federal law mandates that the School adopt high quality and comprehensive educational programs for its migrant students to help reduce the educational problems that result from repeated moves.

The School will ensure that its migrant students are provided with educational services that address their special needs.

The School will ensure that its migrant students are provided with the opportunity to meet the state's academic achievement standards.

The School will design and/or adopt programs that help its migrant students overcome educational disruption, cultural and language barriers, social isolation, health related problems and other factors that inhibit their ability to learn and to prepare them for post secondary education and/or employment.

*20 U.S.C. §6391(1); NCLB §1301(1)*

*20 U.S.C. §6391(3); NCLB §1301(3)*

*20 U.S.C. §6391(4); NCLB §1301(4)*

*20 U.S.C. §6391(5); NCLB §1301(5)*

**Advanced Placement Program**

In order to obtain funding under Title I, Part G, federal law mandates that the School make every reasonable effort to raise academic standards through advanced placement programs by trying to increase the number of the School's students who participate and succeed in advanced placement programs.

The School will encourage its students who take advanced placement programs but do not plan on taking advanced placement exams to take those exams.

The School will make every reasonable effort to:

- A. increase the availability of advanced placement and pre-advanced placement programs.
- B. provide greater access to advanced placement and pre-advanced placement courses.
- C. increase the number of its secondary school students (if any) who participate in advanced placement courses.
- D. increase the number of its students who receive college credit from taking advanced placement tests (if applicable).
- E. either fully or partially pay the advanced placement test fees for its students who could not otherwise afford to take the tests.

*20 U.S.C. §6532(1); NCLB §1702(1)*

*20 U.S.C. §6532(2); NCLB §1702(2)*

*20 U.S.C. §6532(4); NCLB §1702(4)*

*20 U.S.C. §6532(6); NCLB §1702(6)*

*20 U.S.C. §6532(7); NCLB §1702(7)*

*20 U.S.C. §6532(7); NCLB §1702(7)*

*20 U.S.C. §6532(8); NCLB §1702(8)*

204.10

**Preventing Dropouts**

In order to obtain funding under Title I, Part H, federal law mandates that the School adopt and implement programs that have been proven effective in preventing students from dropping out of school and that have resulted in dropouts reentering school.

*20 U.S.C. §6552(2) & 6561a(b)(1); NCLB §1802(2) & 1822a(b)(1)*

204.11

**Assistance to Students with Limited English Proficiency and Immigrant Students**

In order to obtain funding under Title II, federal law mandates that the School use methods based on scientifically based research to teach English to its students with limited English proficiency and its immigrant students.

The School will use methods based on scientifically based research to assist its students with limited English proficiency and its immigrant students in meeting the state's academic standards.

*20 U.S.C. §6825(a); NCLB §3115(a)*

**Reading Standards**

In order to obtain funding under Title I, Part B, federal law mandates that the School use scientifically based reading research to ensure that every student can read at grade level or above not later than the end of the third grade.

The School will prepare its teachers through professional development and other support to enable them to identify special reading barriers facing their students and provide them with the tools to effectively help the students learn to read.

The School will select and/or develop effective instructional materials, programs, learning systems and strategies to implement methods that have been proven to prevent or remediate reading failure within the state.

*20 U.S.C. §6361(1); NCLB §1201(1)*

*20 U.S.C. §6361(2); NCLB §1201(2)*

*20 U.S.C. §6361(4); NCLB §1001(4)*

**Program Assessment**

The School shall assess itself, at least annually in meeting its mission, goals and curriculum as set out in its Contract with its Sponsor. To that end, the School adopts the following policies in order to assist in reaching its goals.

The assessment shall consist of four major elements:

- A. A strong commitment from Staff to the School's mission;
- B. A focus on the School's clients (students, parents and staff);
- C. Comparisons between outcomes currently being attained and those desired, or target outcomes identified in the School's Charter Contract; and
- D. A commitment to continuously improve student achievement by constantly striving to improve the program and service the School provides.

Process for Comprehensive Continuous Improvement Plan ("CCIP")

Grants

When applying for a CCIP Grant, the School shall develop a needs assessment which shall consist of a well-thought-out business process. The School shall align all programs, plans/plan additions and funding sources. Most of the CCIP titles/grants require a needs assessment. The School shall use one comprehensive process for all the federal titles/grants, local and state funding sources, and plan additions in the CCIP. The School shall involve key stakeholders, including students (where appropriate), parents, teachers, staff, administrators and community members (including employers) in a data/planning committee. The School shall revisit the needs assessment regularly to continuously evaluate and improve the academic plan.

205.1

**Report Card**

The Ohio Department of Education issues a report card which shall be distributed to the parents and students of the School and to the members of the board of education of the school district in which the School is located, and to any other party requesting the report card from the Department of Education. The School will disseminate the information contained in the annual report card, in an understandable and uniform format.

*R.C. 3314.012 (D) 20 U.S.C. §6311(h)(2)(E); NCLB §1111(h)(2)(E)*

**Annual Report**

The Head of School or his/her designee shall prepare for the Board's review an annual report of the School's activities and progress in meeting the goals and standards of R.C. 3314.03(A)(3) and (4) and the School's financial status and such report shall be submitted to the Sponsor and the parents of students, the Ohio Legislative Office of Education Oversight, or a similar governmental entity, if so required, and the Head of School or his/her designee shall collect and provide any data that such offices require.

*R.C. 3314.03 (A)(3) and (4).*

205.3

**Other Reporting**

The Head of School or his/her designee shall report to the Board, all matters required by the Ohio Revised Code Section 3314.08(B)(2)(a)-(g).

See also Policy No. 144 Reporting Requirements.

205.4

**Adequate Yearly Progress**

The School will annually review the progress of the School using state academic assessments and other indicators described in the state plan to determine whether the School is making adequate yearly progress.

The School will publicize and disseminate the results of the School's annual review to the parent of its students, teachers, the principal, and the community to enable the teachers, the principal, and the community to continually refine the program of instruction to help all children meet the state's academic standards.

*20 U.S.C. §6316(a)(1)(A); NCLB §1116(a)(1)(A)*

*20 U.S.C. §6316(a)(1)(c); NCLB §1116(a)(1)(c)*

**SECTION 220**

**PROGRAM ADMINISTRATION**

**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 Head of School or his/her designee to be the Compliance Officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any complaints are dealt with promptly in accordance with law. S/He shall also ensure 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.

**Title IX Coordinator**

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...."

The Head of School or his/her designee shall be the Compliance Officer/Title IX Coordinator and is responsible for investigating any complaint alleging noncompliance with Title IX.

A specific procedure for grievances related to Title IX issues is set forth as the "Title IX Grievance Procedure."

*34 CFR 106.8*

**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. All attempts should be made to resolve grievances at the lowest level possible.

**Level I- Informal Procedure**

If a student or employee believes there is a basis for a grievance related to Title IX, he/she may present the grievance to the Title IX Coordinator within fifteen (15) calendar days of the conduct alleged to be in violation of Title IX. The Title IX Coordinator shall investigate the alleged grievance. The Title IX Coordinator and the student or employee shall meet in an effort to resolve the matter informally. The Title IX Coordinator shall make a decision on the grievance and shall give that decision orally to the student or employee.

**Level II- Formal Procedure (Executive Committee of the Board)**

If the student or employee believes that there still is a basis for a grievance, he or she may make a written statement of the grievance to the Executive Committee of the Board. This written statement must be filed within ten (10) working days of the date of the Title IX Coordinator's decision, and shall state the date and nature of the alleged grievance and the relief sought. If the grievant is a student, the Title IX Coordinator shall assist in preparing the written statement and assure it is timely filed.

The Executive Committee shall make a decision on the grievance and shall give that decision in writing to the Title IX Coordinator and the Student or employee.

### Level III-Office for Civil Rights

If the student or employee is not satisfied with the Executive Committee's decision, he/she may appeal it to the Office for Civil Rights.

A student 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, 55 Erieview Plaza, Room 300, Cleveland, Ohio 44114-1816. Any such written complaint must be filed within 180 days from the date of the alleged discrimination.

**Title I Services**

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.

The Head of School 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 by appropriate staff members and parents of students who will be served by the plan.

A. Assessment

The School shall annually assess the educational needs of eligible children, as determined by Federal and State criteria. Such assessment shall include performance measures 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.

B. 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.

C. Participation

The Title I program shall be developed and evaluated in consultation with parents and professional staff members involved in its implementation. Appropriate training will be provided to staff members who provide Title I services. Parent participation shall meet the requirements of Section 1118 of the Act.

D. Comparability of Services

Title I funds will be used only to augment, not to replace, State and local funds. The Head of School 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.

E. Professional Development

The Head of School or his/her designee shall develop administrative guidelines whereby members of the professional staff participate in the design and implementation of staff development activities that meet the requirements of Section 1119 of the Act and:

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

F. 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*

**Title I Complaint Procedure**

Complaints shall be directed to the Head of School 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.

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 Head of School or his/her designee:

- A. The Head of School or his/her designee must review the records, and, if necessary, request additional information within ten (10) working days.
- B. The Head of School 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 Head of School or his/her designee, Board President and another member of the Board or a Management Company.

- 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 Head of School 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.

**Funding Under Title V-Cooperation with Private Schools**

The School will contact, on an annual basis, the appropriate officials of local private non-profit schools to invite their students to participate in the school's innovative programs funded under Title V of the No Child Left Behind Act.

*20 U.S.C. §7201(c)(2); NCLB §5101(c)(2)*

**Religion in the Schools**

Religious belief and disbelief are matters of personal consideration rather than governmental authority and that the students of this School are protected by the First Amendment from the establishment of religion in the schools. Accordingly, no devotional exercises or displays of a religious character will be permitted at the School in the conduct of any program or activity under the jurisdiction of the School, nor shall instructional activities be permitted to advance or inhibit any particular religion or religion generally.

An understanding of religions and the contributions that religion has made to the advancement of civilization is essential to the thorough education of young people and to their appreciation of a pluralistic society. To that end, the curriculum shall be developed to include, as appropriate to the various ages and attainments of the students, instruction about the religions of the world.

The Board and School acknowledge the degree to which a religious consciousness has permeated the arts, literature, music, and issues of morality. The instructional and resource materials approved for use frequently contain religious references or concern moral issues that have traditionally been the focus of religious concern. That such materials may be religious in nature shall not, by itself, bar their use by the School. The Board directs that teaching staff members employing such materials be neutral in their approach and avoid using them to advance or inhibit religion in any way.

Religious traditions vary in their perceptions and doctrines regarding the natural world and its processes. The curriculum is chosen for its place in the education of the students of the School, not for its conformity to religious principles. Students should receive unbiased instruction in the schools so that they may privately accept or reject the knowledge so gained in accordance with their own religious tenets.

Accordingly, no student shall be exempted from attendance in a required course on the grounds that the instruction therein interferes with the free exercise of his/her religion.

**School Prayer**

Any other policy of this School notwithstanding, the School shall not prevent a student from participating in or deny a student the ability to participate in constitutionally protected prayer.

*20 U.S.C. §7904(b); NCLB §9524(b)*

**Rights of Individuals with Disabilities**

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 “individual with a disability” means a person who has, or had, or is regarded or was regarded as having, a disabling condition; “disabling condition” means a physical or mental impairment that substantially limits one or more of a person's major life activities and includes specific learning disabilities.

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 Head of School 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 No. 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.

*20 USC 1412; 34 CFR 300.220.*

**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 F**.

*20 USC § 1412 et seq.*  
*OAC 3301-51-03.*

**Section 504 of the Rehabilitation Act of 1973, 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 Head of School or his/her designee shall evaluate School programs and practices on nondiscrimination, in accordance with law, and to report evaluations to the Board. The Head of School or his/her designee will 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, 55 Erieview Plaza, Room 300, Cleveland, Ohio 44114-1816. 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.

## Child Abuse and Neglect

Because of their sustained contact with school-age children, teachers and other School employees are in a position to identify abused or neglected children. The School requires that every teacher, counselor, psychiatrist, nurse or administrator complete at least four hours of in-service training in child abuse prevention, violence, and substance abuse and the promotion of positive youth development within two years of commencing employment in the School, and every five years thereafter. The School shall maintain records of staff participation in in-service child abuse detection.

To comply with Section 2151.421 of the Ohio Revised Code, any School teacher, School employee or employee assigned to the School, or School authority who knows or suspects that a student under eighteen years of age (or a mentally retarded, developmentally disabled, or physically impaired student under twenty-one (21) years of age) has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the student shall immediately report that knowledge or suspicion, by telephone or in person, to the local county Children's Services Board or, if the student is not a resident of the local county, to the public children's services agency or a municipal or county police officer of the county in which the student resides. S/He shall also notify the Head of School or his/her designee.

If the agency or officer receiving the report requests a written report, the Head of School or his/her designee shall provide a written report containing the following information:

1. The names and addresses of the student and the student's parents or the person or persons having custody of the student, if known;
2. The student's age and current condition;
3. The nature and extent of the student's known or suspected injuries, abuse, or neglect, or of the known or suspected threat of injury, abuse, or neglect, including any evidence of previous injuries, abuse, or neglect; and
4. Any other information that might be helpful in establishing the cause of the known or suspected injury, abuse, or neglect, or of the suspected threat of injury, abuse, or neglect.

In addition, the Head of School or his/her designee may take color photographs of areas of trauma visible on the student and include them with the written report.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. Information concerning alleged child abuse of a student is confidential information and is not to be shared with any unauthorized person. A staff member who violates this policy may be subject to disciplinary action and/or civil and/or criminal penalties.

The Head of School or his/her designee should be mindful of the possibility of physical or mental abuse being inflicted on a student by an employee. Any such instances, whether real or alleged, should be reported to the Head of School or his/her designee who will investigate and take appropriate action in accordance with Board directives.

Anyone making a report under 2151.421 of the Ohio Revised Code is presumed to be acting in good faith and is immune from any civil or criminal liability that might otherwise result from making the report. A report made under this section is confidential as set forth in 2151.421 of

the Ohio Revised Code. No person may disclose the contents of any report made under this section except as provided above.

*Failure to make a report required by this section, or unauthorized disclosure of the contents of a report made under this section, may result in disciplinary action against the employee.*

*R.C. 2151.421; R.C. 3319.073; OAC 3301-57-01.*

**Positive Behavior Intervention – Seclusion and Restraint**

The School has adopted the State of Ohio's policy for the use of positive behavior intervention supports and the use of restraint and seclusion.

*OAC 3301-35-15*

**Policy Changes - Manual Distribution and Maintenance**

From time to time, policies, rules and regulations may be changed. The Head of School or his/her designee or the Board will provide notification of changes and/or notice will be made at the School facility.

This manual is intended to be a useful guide to all members of the Board, the administration, all personnel employed by the School or a Management Company, the students of the School, and to the public.

All Policies shall be considered public records and shall be open for inspection in the Board offices and in the office of the Head of School or his/her designee during regular office hours.

## Technology and Internet Acceptable Use

**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.**

Students 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, e-mail and all other similar networks and devices. Students are expected to be responsible and use Technology to which they have accessed appropriately. Obscene, pornographic, threatening, or other inappropriate use of Technology, including, but not limited to, e-mail, 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 policy no. 271 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; using other users' e-mail 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; 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. A good rule to follow is to never view, send or access materials that you would not want your instructors and parents to see. Should a student encounter any inappropriate materials by accident, he/she should report it to their 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 is defined as offering or providing goods or services or purchasing goods or services for personal use, and includes, but is 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; and
  - 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 have no expectation of privacy with respect to the use of Technology, the Internet, intranet or e-mail. Maintenance and monitoring of the School network system may lead to the discovery that a student 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.

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

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Signature of Parent/Guardian

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Date

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Signature of Student

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Date

OR;

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Signature of Staff Member

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Date

233     **National and State Mottoes**

The School will accept the donation of copies of the national motto, “In God We Trust” and/or the state motto, “With God, All Things Are Possible,” or the donation of money for the purchase of copies of the mottoes and display such mottoes that meet the following design requirements: (1) the mottoes are printed in durable, poster-quality paper or displayed in a frame; (2) have dimensions of at least 8 ½ inches by 11 inches; (3) contain no words other than the motto and language identifying the motto as the motto of the United State or Ohio; (4) contain no images other than appropriate representations of the national or state flag. If the above-stated design requirements are not met, then the Board shall adopt, by a majority vote, a resolution describing the appropriate alternative design requirements.

*R.C. 3313.801.*

## Electronic Communication Devices

While on School property, in a School vehicle, or while attending School-sponsored or School-related activities, whether on or off School property, Students shall be permitted to possess and use electronic communication devices, including, but not limited to, cellular phones, beepers, pagers, radios, CD/MP3/DVD players, video recorders, video games, personal data devices or other devices deemed to be distractive, provided they observe the following conditions:

1. Devices shall not be used in a manner that disrupts the educational process, or educational mission including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned on and operated only before and after the regular school day.

When Students violate this prohibition, they shall be subject to disciplinary action, including but not limited to losing the privilege of bringing the device onto School property. In addition, an administrator may confiscate the device, which shall only be returned to the Student's Parent. All requests to confiscate these items must be complied with in a spirit of cooperation. If, upon confiscation, the School becomes aware of other misuse of the device, or, has a reasonable suspicion of other violations of School policy, the Student may be disciplined for additional violations of this or other School policies. In other words, a Student loses his/her privacy rights in the device and information contained in the device, once a School policy is violated and the device confiscated so long as the School has a reasonable suspicion of misuse.

2. Students are responsible for devices they bring to School. The School shall not be responsible for loss, theft, or destruction of devices brought onto School property.
3. Students shall comply with any additional rules developed by the School concerning appropriate use of electronic communication devices.
4. Students shall not utilize an electronic communication device in a manner that would violate the School's Technology and Internet Acceptable Use Policy or its Student Code of Conduct.
5. Examples of types of prohibited behavior involving electronic communication devices include, but are not limited to :
  - a. text messaging on or off School Property during School hours;
  - b. using digital cameras or camera phones to invade the privacy of others by transmitting unauthorized or derogatory photos or video clips to another person via email, to another camera phone or by posting it on the web;
  - c. using digital cameras, camera phones, or any other device to cheat on examination;
  - d. playing digital games;
  - e. using digital cameras, camera phones, or any other device to harass or bully another.

*See also* Policy No. 232 Technology and Internet Acceptable Use; Policy No. 271 Student Code of Conduct.



## Career Advising Policy

*This policy on career advising is reviewed at least once every two years and made available to students, parents, guardians and custodians, local post-secondary institutions and school residents. The policy is posted on the school's website.*

The school's plan for career advising includes, providing:

1. Grade-level examples that link students' schoolwork to one or more career fields
2. Career and college advising to students in grades 6-12
3. Additional interventions and career advising for students who are identified as at risk of dropping out of school. These include:
  - a. Identifying students who are at risk of dropping out of school with input from teachers, school counselors and other appropriate school staff.
  - b. Developing a Student Success Plan for each at-risk student that addresses both the student's academic and career pathway to successful graduation and the role of education, when appropriate.
    - i. Before a school develops a pupil's Student Success Plan, school staff will invite the student's parent, guardian or custodian to assist. If that adult does not participate in the plan development, the school will provide the adult a copy of the plan, a statement of the importance of a high school diploma and a listing of the pathways to graduation available to the student.
4. Training for employees on how to advise students on career pathways, including use of the tools available in OhioMeansJobs K-12 and other online sources provided by the school.
5. Multiple academic pathways through high school that students may choose to earn a high school diploma.
6. Information on courses that can award students credit.
7. Documentation on career advising for each student and student's parent, guardian or custodian to review, as well as schools that the student may attend in the future. These include activities that support the student's academic, career and social/emotional development.
8. The supports necessary for students to transition successfully from high school to their postsecondary destinations, including interventions and services necessary for students who need remediation in mathematics and English language arts.

## Career and College Readiness

The School will provide education and guidance that:

1. Meets the current needs and anticipates the future workforce demands of the economy;
2. Prepares learners to succeed in lifelong learning and careers through secondary-postsecondary programs of study that include high-level academic and technical skills in real-work contexts; and
3. Supports career development for all learners, career pathways for high school students.

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### **Financial Literacy**

Students in grades 6-8 will experience the integration of economics and financial literacy within social studies classes.

Students in grades 9-12 will also experience the integration of economics and financial literacy within social studies classes and also have the ability to take economics and/or financial literacy as an elective.

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### **Test Security Policy**

The School recognizes the need for test security for all achievement tests. All test questions and other materials including, but not necessarily limited to, reading passages, writing prompts, charts, graphs and tables shall be considered part of the test. The only exception to the test materials shall be those materials specifically designated as “practice test” by the Department of Education.

The person designated as the district/building achievement test coordinator shall be responsible for ensuring that all test security provisions are met while test materials are in the School and/or in the respective building. No unauthorized person shall have access to any secure test materials at any time such materials are in the school or building.

When the test materials are sent to the School, the test coordinator shall:

1. Inventory the test materials to ensure that there are a sufficient number of items necessary for test administration. (If there are insufficient quantities of any item, contact the Department of Education.)
2. Store the test materials in a secure place within the School or building.
3. Ensure proper testing conditions. The building principal shall take all necessary precautions to prevent interruptions during testing: i.e., posting a testing sign on the door, refrain from using the P.A. system, etc.
4. Provide in-service for all examiners (and monitors). This is to ensure that all persons thoroughly understand the testing procedures.
5. Coordinate with the building principal provisions for those examinees that complete a test before everyone is finished.
6. Collect all testing materials at the end of each testing session. Secure all materials until the end of the testing period.

7. Inventory and return all materials to the Department of Education according to their established guidelines.

#### Suspicion of Test Security Violation

##### Achievement Test

In the event that there is a suspicion of a violation of test security, the test coordinator shall proceed in the following manner. (A “violation of test security” has occurred when a person has released, caused to be released, reproduced, or caused to be reproduced any secure test materials through any means or medium including, but not limited to, electronic, photographic, written, or oral).

Suspected Violator is Student and/or Teacher:

STEP 1: The building principal shall conduct an investigation with all parties concerned about the alleged violation.

STEP 2: Within two days, the building principal shall notify all parties in writing of the opinion as to whether or not a violation has occurred.

STEP 3: Within 10 days of determining that a test security violation has occurred following an investigation, the School shall notify the State Board of Education in writing of the finding and of the action taken.

Possible Actions:

Student:

If it has been determined that a test security violation has occurred, the student’s test shall be invalidated. If other students are also involved, their tests shall be invalidated.

Teacher:

If it has been determined that a test security violation has occurred and a teacher was involved, the building principal shall forward the findings to the Superintendent. Upon receipt of the findings, the Superintendent may recommend to the Board of Education that termination procedures shall commence.

Suspected Violator is Building Principal:

STEP 1: The Superintendent shall conduct an investigation with all parties concerned about the alleged violation.

STEP 2: Within 10 days of determining a test security violation has occurred following an investigation, the School shall notify the State Board of Education in writing of the finding and of the action taken.

Possible Actions:

Building Principal:

The Superintendent may recommend to the Board of Education that termination procedures shall commence.

Suspected Violator is Superintendent:

STEP 1: The Board of Education shall conduct an investigation with all parties concerned about the alleged violation.

STEP 2: Within 10 days of determining that a test security violation has occurred following an investigation, the School shall notify the State Board of Education in writing of the finding and of the action taken.

Possible Actions:

Superintendent:

The Board of Education may commence termination procedures.

Releasing Achievement Test Results

The achievement test results will be recorded in the student's permanent record. These records shall be maintained in the Principal's and/or guidance counselor's office and shall be subject to all policies that pertain to all student records.

Achievement and Ability

Test Security

The School recognizes the need for test security for achievement and ability tests associated with the Testing Program. All test questions and other related materials shall be considered part of the tests.

The building principal shall be designated as the district/building test coordinator and shall be responsible for ensuring that all test security provisions are met while test materials are in the district/building. No unauthorized person shall have access to any secure test materials at any time such materials are in the school district or building.

To ensure proper test security, the following provisions shall be met:

1. Teacher (and/or guidance counselors) for grades k -12 are designated as test examiners. The building principal and the examiners are the only personnel authorized to have access to the testing materials.
2. Upon receipt of the test materials, the building principal shall inventory the materials to ensure that there are a sufficient number of items necessary for proper test administration.
3. The building principal shall store the test materials in a secure place within the building.
4. Approximately one week prior to testing, the examiners shall be given the examiner's manuals. On the afternoon prior to the first day of testing, all necessary

testing materials (student books and answer sheets) should be distributed to the examiners. After each day's testing, the examiner shall store the testing materials in a secure place within the room or building.

5. After all testing (regular and make-up) has been completed, the building principal shall send all answer sheets (or primary test booklets) directly to the scoring company.

6. The building principal shall secure all remaining testing materials in a secure place within the building.

#### Security Policy for Achievement Testing

The School recognizes the need for security for the achievement tests issued by the Ohio Department of Education. All achievement test questions and other materials issued by the state to assess reading, writing, math, citizenship and science shall be considered part of this test. The security of all tests and test items prior to its completion is the responsibility of the School as specified in this policy and meets requirements of the Ohio Revised Code.

Individuals responsible for ensuring that all test security provisions are met in the School will be the District Test Coordinator/Building Test Coordinator as identified by the Superintendent.

1. These individuals will be responsible for overseeing all aspects of the achievement testing program in the School.

- A. determining which students are required to take the test;
- B. inventorying all testing materials, including numbered test booklets, answer documents and administration manuals;
- C. certifying all materials listed on the bill of order;
- D. establishing procedures for administering the tests;
- E. delivering labeled materials to the appropriate test administrators;
- F. sending completed answer documents to the location designated by the Ohio Department of Education;
- G. inventorying and returning test materials to the Ohio Department of Education;
- H. maintaining records of students who pass or fail test(s); and
- I. distributing test results to appropriate school personnel

Access to the achievement test materials is limited to the following:

1. Members of the administrative staff including the Superintendent, principals and counselors, and school personnel who are directly involved in the distribution, administration and collection of test materials.

Procedure for administering the achievement test:

1. The specific tests, time allocations, testing dates and order of testing are predetermined by the Ohio Department of Education, which will be adhered to by the School achievement test administrators.
2. The student/test monitor ratio shall not exceed 40/1. If the number of students in any one group exceeds 40, a second proctor shall be assigned to the group. All test monitors shall be employees of the School.
3. Persons designated as examiner will be responsible for ensuring that all test security provisions are met while test sessions are in progress and accounting for all test materials received from the District/Building Test Coordinator until the materials are returned.
4. No unauthorized person shall be permitted in a testing room during any test session or be permitted access to any secure test materials at any time such materials are in the School.
5. All participating students will remain in each testing session until a sufficient number are finished. Students will be dismissed at the discretion of the test administrator.
6. Following the completion of the test, the administrator of the test in each session shall return all testing materials to the District/Building Test Coordinator.
7. Testing materials shall be inventoried and secured by the District/Building Test Coordinator.
8. The Ohio Department of Education has established a make-up period for the completion of the achievement test. The District/Building Test Coordinator is responsible for establishing the make-up testing schedule. At the end of this period, all materials shall be prepared for shipment to a location designed by the Ohio Department of Education.
9. All employees of the School will receive written notification of the achievement test security measures and of their responsibility in maintaining this security. They will also be notified of penalties for breach of this security.

With the exception of test materials specifically designated as an achievement “practice test” by the Ohio Department of Education, all test questions and other materials which are considered part of the achievement tests, including, but not limited to, reading passages, writing prompts, charts, graphs and tables, shall be considered secure and subject to the provisions of Sections 3319.151 and 3319.99 of the Ohio Revised Code.

1. No person shall release, cause to be released, reproduce, or cause to be reproduced any secure test materials through any means or medium, including, but not limited to, electronic, photographic, written or oral means, which would constitute cheating by a student and/or assisting a student to cheat.
2. Proven violation of Sections 3319.151 and 3319.99 could result in suspension of certification for one year, termination of employment and/or a possible charge of minor misdemeanor for certificated and/or support personnel.

The following procedures will be instituted to investigate an alleged violation of test security provisions and penalties for confirmed violations:

1. The Building/District Test Coordinator is obligated to report any/all alleged violations to the Superintendent in writing within five days of the alleged violation.
2. The Building/District Test Coordinator shall investigate all reported alleged violations of test security.
3. Due process will be accorded to all involved pertaining to alleged violations of test security.
4. Within 10 days after an investigation has determined that a violation has occurred, the District shall notify the Ohio State Board of Education in writing of the finding and of the action taken.
5. If it is determined that a violation of test security did occur, the report to the State Board shall specify which students' test results were affected.
6. Penalties for a confirmed violation will be determined by the State Board of Education, in writing, of the finding and of the action taken.
7. If the State Board of Education rules that a violation did occur, the test results of the students listed in the report will be declared invalid and so noted in each student's cumulative file. The student shall be required to retake that portion of the test.

#### Procedures for Ensuring Security of Proficiency and Standardized Tests and Test Questions

##### Test Coordinators

A District/Building test coordinator will be appointed to schedule and oversee all aspects of testing. This person will be responsible for implementing test security procedures at the School level and for monitoring their implementation at the building level. The Building/District test coordinator will be appointed in each building to oversee handling and administration of tests. This person, will be responsible for implementing test security procedures in his/her own building. The test coordinator will oversee standardized testing as well as proficiency testing.

##### Security of Test Booklets

Achievement and standardized test materials shall be shipped or mailed to the District/Building testing coordinator. Tests will be kept in locked cabinets in the test storage area or in the District/Building test coordinator's office until a few days before they are to be used.

Achievement and standardized test booklets shall be kept in locked places whenever they are not in use. The district/building test coordinator and/or his/her designee will issue tests to teachers at the beginning of each day of the testing period, recording

the sequence numbers of tests issued to each teacher, and will ensure that all testing materials are returned.

Teachers will return tests as soon as possible after each day's testing session and will check them out again each morning of the testing period.

Separate sets of make-up tests will be provided to each district/building test coordinator so that basic sets of materials can be returned intact on the announced day of pick-up. Make-up tests are to be checked out to teachers and checked back in daily. At the end of the make-up testing period, these will be returned in complete sets.

#### Security of Test Contents

All test questions and materials printed in standardized and achievement test booklets (except those included in practice tests) shall be secure. No unauthorized person shall be permitted to see or have access to any standardized or proficiency test booklets or contents.

No person shall use secure testing materials to prepare a student for testing. Neither shall any person reveal any specific test questions, teacher answers to specific test questions, copy or otherwise reproduce test materials for student use, change student responses on answer sheets or in any other way cheat or assist a student to cheat. Test materials shall be returned in a timely fashion to the district/building test coordinator and not retained by either a staff person or a student.

#### Investigation of Alleged Violations of Test Security Procedures

Initial investigation of an alleged staff or student violation of test security procedures shall be conducted by the district/building test coordinator and shall include:

1. questioning the alleged violator and/or witnesses to the alleged violation;
2. confronting the alleged violator with evidence of the violation and
3. allowing the alleged violator to present his/her own defense.

If, after investigation, the district/building test coordinator is convinced that a violation has actually occurred, he/she shall report to the Superintendent, in writing, a description of the violation, how the act was investigated, any comments the alleged violator wishes to have included in the report, and conclusions reached. The Superintendent, who will, with his/her staff, with or without further investigation, determine whether an actual violation appears to have taken place; and, if so, will report the case to the Board. The Board may investigate the matter further; will hear the alleged violator if he/she wishes to present a defense; will make the final decision as to whether a violation has occurred; and, if the violator is an employee rather than a student, determine what penalty to impose.

With 10 days of the Board's confirmation of a violation, the Building/District test coordinator will, in accordance with paragraph (E) (6) of Rule 3301-12-06 of the Ohio

Administrative Code, report the finding and action taken to the State Board of Education. The School will cooperate with the State Board in any investigation of a test security violation by a professional school employee.

#### Penalties for Confirmed Violations of Test Security

When it has been determined that an employee of the School has violated test security provisions, the School Board and/or the State Board may seek the maximum penalty or penalties pursuant to section 3319.151 of the Ohio Revised Code. After making its own appropriate investigation and hearing a professional person's defense, the State Board may suspend the employee's certificate for one year. At the local level, the maximum penalty for any staff person is termination of employment. A person who violates the provisions of confidentiality of test questions is guilty of a minor misdemeanor. Following its own investigation, a law enforcement agency may prosecute under the state criminal code.

LEGAL REFS.: O.R.C. §3301.0710

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#### **LEP Student Testing Exception Policy**

LEP students must participate in statewide assessments. LEP students who have been enrolled in U.S. schools for no more than 180 school days and have not been previously exempted shall be exempt for one year from taking any required statewide reading, writing, or English language arts assessment, other than Ohio's approved English language proficiency assessment.

LEP students who meet the criterion for exemption from the reading and writing assessments on state achievement tests are required to participate in all other state assessments and must meet the other performance standards required of all students. All reporting related to statewide testing of LEP students shall be in accordance with state law and State Department of Education rules.

For purposes of statewide testing, LEP students may receive accommodations as approved by the State Department of Education.

**SECTION 240**

**STUDENT ADMISSION/GRADING/GRADUATION**

## ADMISSION AND (OPEN) ENROLLMENT POLICY AND PROCEDURES

The Governing Authority (the “Board”) of the school (the “School” and the “Corporation”), a non-profit corporation organized under the laws of the State of Ohio, hereby resolves as follows:

IT IS HEREBY RESOLVED that in accordance with Sec. 3314.03(A)(19) of the Ohio Revised Code (“ORC”) the Governing Authority hereby sets forth that the School shall allow application and/or admission from any student in the State of Ohio. The School will open admission to all children wishing to enroll in the school, subject to availability and the process set forth in the School Enrollment Guidelines (below) and Lottery Process (below).

IT IS FURTHER RESOLVED that Pursuant to ORC Sec. 3314.06, admission to the School will not be limited on the basis of intellectual ability, measures of achievement or aptitude, athletic ability, gender, disability, race, creed, national origin, religion, or any other ground that would be unlawful. Student selection will be an open and carefully monitored process. All marketing and recruitment materials and processes are implemented in a nondiscriminatory manner as well. Violation of these nondiscrimination requirements will be taken extremely seriously by the Governing Authority and may result in sanctions up to and including termination of any employees involved in such infractions.

IT IS FURTHER RESOLVED that the School Enrollment Guidelines will be as follows:

1. The School is open to any student, age five to twenty-two, who is entitled to attend school in the State of Ohio, free of tuition.
  - a. An individual younger than five years of age on or after September 30 of the current school year may not be enrolled for that current school year.
2. No student shall be denied admission to the school on the basis of race, creed, color, gender, sexual orientation, religion or ancestry, national or ethnic origin, disability, intellectual ability, measures of achievement or aptitude, athletic ability, or any other grounds.
3. Enrollment eligibility is not to exceed the capacity of the school’s programs, classes, grade levels, or facilities.
4. Admission to the school may be limited to students who have attained a specific grade level or are within a specific age group as outlined in the School’s sponsorship contract; to students that meet a definition of "at-risk," as defined in the contract; to residents of a specific geographic area within the district, as defined in the contract; or to separate groups of autistic students and nondisabled students, as authorized in section 3314.061 of the Revised Code and as defined in the contract.
5. Admission to the school is dependent on the successful completion of all required steps and documentation of the admissions process.

IT IS FURTHER RESOLVED that families must complete and submit the application and all required documents to the School’s admissions office. Failure to do so in a timely manner may disqualify a child’s enrollment into the school. Upon receipt of application, a number is assigned to the student, and the information is entered into the student enrollment data system.

IT IS FURTHER RESOLVED that enrollment documentation is required as follows (as documented on the Documentation Check List provided to the parent/guardian):

- Student's Original Birth Certificate or Passport with appropriate seals, or other valid proof of date of birth
- Signed Parent Release Form for obtaining student's previous School Records
- Student's Immunization Records (including most recent required immunizations)
- Proof of Residency (lease, mortgage, current within 90 days as per utility bill, bank statement, current credit card statement with name/address, current paystub, or confirmation of address change from Post Office, or other valid proof of residency)
- Emergency Medical Form
- Free and Reduced Lunch Verification (if applicable)
- Completed Enrollment Packet
- Most current IEP or ETR (if applicable)
- Notarized or Original Court-Approved Custody papers (if applicable)

IT IS FURTHER RESOLVED that the application review and acceptance process is as follows:

1. The enrollment window ends on the date reflected on the designated application at 5:00 p.m. local time.
2. Hereafter, all applications for each grade are counted.
3. The number of seats available and the number of applications will be compared.
4. Currently enrolled students are placed first.
5. Enrollment preference is given to students residing in the district where the School is located and to siblings of placed students.
6. After current students and siblings and students residing in the district where the School is located are placed, the number of vacancies is confirmed.
7. Enrollment preference is given to children of full-time staff members employed by the School, provided the total number of students receiving this preference is less than five per cent of the school's total enrollment. If the number of students eligible for this preference exceeds five per cent of the school's enrollment, students are admitted by random lottery according to the Lottery Process (below).
8. After current students and siblings, and students residing in the district, and children of full-time employees of the School are placed, the number of vacancies is confirmed.
9. If there are fewer applications at any one grade level than there are vacant seats, all of the applicants that are left will be enrolled. However, if there are more applications than there are available seats at any one grade level, a Lottery will be held.

IT IS FURTHER RESOLVED that a Lottery Process will be utilized to ensure that children in the School receive a fair and equitable opportunity to enroll in and attend the school. The Governing Authority has created Lottery Process guidelines as follows:

#### The Lottery Process

The lottery drawing date will be publicized and the drawing conducted in public so that parents can observe the process and assure its transparency. At least two independent observers will also be present at the drawing; one of these observers will draw the lottery results.

1. The lottery is a system of random selection of applications that identifies students for enrollment in vacant seats. It also generates the school's wait list. The lottery and wait list are separated by age group or grade level.
2. After all current students and their siblings are placed, and students residing in the district where the School is located are placed, and children of full-time employees of the School are placed, all other completed and accepted applications submitted during the enrollment period, including applicants currently on a wait list, are publicly drawn by a disinterested third party in random order until capacity is reached.
  - a. Special needs and ELL students are included in the lottery process.
3. Names are drawn from each grade level envelope, beginning with the lowest grade.
4. The selected students are placed on a list assigning them to the appropriate grade by the independent observers.
5. If a selected student has any siblings applying for that grade or any other grade at the School, the siblings are automatically accepted and placed in the appropriate grade if there is space available. If there is no space due to the grade(s) being full, the siblings are placed on the wait list.
6. The process continues until every child who has applied is either placed in an open seat or is assigned to the wait list. Applicants on a wait list prior to the lottery will retain their original position on the wait list.
7. Parents will receive written notice of the lottery results within 10 calendar days of the drawing. They must accept their child's placement within 10 calendar days of being notified. Parents must provide all documentation from the Document Check List (above) by a given due date before their child can begin attending the school. If documentation is not provided by the due date, the child will no longer be considered eligible and the seat will be offered to the next student on the waitlist.
8. Wait List: The wait list will remain in effect for the entire school year or until all students have been placed. Throughout the year, new applicants to grades for which there is a waitlist will be placed on the list and placed in the order in which their applications were received. If a parent refuses their child's assigned placement, they are removed from the wait list, and the next name on the wait list is called.

IT IS FURTHER RESOLVED that this policy, as amended, shall be included in handbooks, enrollment packets, and/or the school's website in full or in part, in an effort maintain transparency as it may remain practicable.

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 will have preference for a position in the current year, even though they may be in a different age or grade group;
- Siblings may be given preference for the next open position.

# NOTICE

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 The School 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.**

**Records Upon Enrollment**

Newly enrolled student records:

1. Upon receipt of completed enrollment forms, a request for records will be made within twenty-four hours from the public or non public elementary or secondary school the pupil most recently attended.
2. If the records are not received within 5 business days, a second request will be made and the Head of School or his/her designee will contact the school directly.
3. If the records are not received within 14 days of the date of request, 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; or (5) an attested transcript of a hospital record showing the date and place of birth of the child, the school administrator will contact the school directly, then the Head of School 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.

Requests for student records:

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

*R.C. 3313.672*

## **242 Student Assessment**

The School shall comply with the Ohio Proficiency Testing requirements of R.C. §3301.0710 and .0711. The Head of School or his/her designee shall be responsible for all testing procedures.

242.1

**Previously Home-Schooled Student Testing Policy**

Previously home-schooled students enrolling at the School will be given a diagnostic test in order to determine the appropriate grade level placement. Although the age of the student is considered, the School is committed to setting high standards for students and is not a proponent of social promotion.

**Third-Grade Reading Intervention Policy**

The School is committed to providing the best possible education for its students. This includes providing added opportunities to learn and grow beyond the school year.

In accordance with State of Ohio requirements, all third-grade students receiving a score below the proficient level on the Ohio Reading Achievement Test will be given the opportunity to attend a special summer reading course. This course may include tutoring or additional programs to assist students with the Reading Achievement Test. This will culminate in a second opportunity to take the Ohio Reading Achievement Test.

The decision to promote or retain a student at that grade level depends upon several factors but may include scores on the Ohio Reading Achievement Test.

*R.C. 3313.608.*

## 243 Reporting Student Progress and Grades

The School will utilize a range of assessment methods to judge student performance. The School recognizes its responsibility for providing a system of grading student achievement that can help the student, teachers and parents judge properly how well the student is achieving the goals of the School's Program. [See also policy nos. 203 to 203.5 on Parent Involvement.]

The Board believes that the School's grading system should be a reliable system and one that ensures each student's grades signify accurately his/her degree of accomplishment of those expected learning goals which are to be stated for each program at every grade level, kindergarten through 12.

The Head of School or his/her designee shall develop procedures for grading which

1. Have clear, consistent criteria and standards particularly when grades are based on subjective assessment;
2. Help each student understand in each course or program what behavior and/or achievement is needed to earn each grade as well as what will produce a failing grade; and
3. Provide frequent opportunities for each student to obtain information as to his/her progress toward the learning goals of his/her courses or programs.

The teacher responsible for a student's instruction in a particular course or program shall determine the student's grade. That grade may not be changed without the permission of the Head of School or his/her designee.

## 244 Retention and Promotion

### **Promotion, Placement, and Retention Policy**

The School believes that students should only be promoted when they have demonstrated mastery of specific academic standards. The School is founded upon the understanding that promoting students to the next grade because of their age, not their readiness to do the work, is not beneficial to students. Thus, one of the most critical and distinctive aspects of the School's academic program is its promotion policy. To build a culture of learning and achievement, and to ensure students demonstrate readiness for the next grade level, we have developed this **Promotion, Placement, and Retention Policy**.

We expect that with our multiple layers of student supports that are part of our extended day, week, and year, the majority of students will successfully meet our academic expectations.

Students who do not demonstrate readiness will not be promoted.

The Governing Authority (hereinafter “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 to their needs at various stages of their growth.

#### Promotion Requirements

It shall be policy of the Board that each student be moved forward in a continuous pattern of achievement and growth that is in harmony with their own development. Such pattern should coincide with the system of grade levels established by the Board and the instructional objectives established for each child. Thus, a student will be promoted to the succeeding grade level when they have:

1. completed the course and State-mandated requirements at the presently assigned grade,
2. in the opinion of the professional staff, achieved the instructional objectives set forth for the present grade,
3. demonstrated sufficient proficiency to permit him/her to move ahead in the educational program of the next grade,
4. demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade, and
5. complied with all school attendance policies or have not been absent for more than 10 percent of the total number of required school days in the current school year and failed more than two subjects. A student absent in excess of 10 percent of the total number of required school day in the current school year *may be* promoted if in the opinion of the principal and teachers of any failed subject areas agree the student is academically prepared for the next grade level. .

6. A student may be allowed to advance to the next grade level when in the opinion of the principal and teachers of any failed subject areas, retention would no longer serve the student any good purpose.

#### Retention Guidelines

A student may be retained at their current grade level when they have:

1. in the opinion of the professional staff, failed to demonstrate proficiency in mathematics and reading the core subjects of language arts,
2. in the opinion of the professional staff, failed to achieve the instructional objectives set forth at the current grade level that are requisite for success at the succeeding grade level,
3. scored at the below basic level on any State-mandated proficiency test, or

failed to comply with the school's attendance policies or has been declared a truant, defined as being absent without excuse for more than 10 percent of the required attendance days of the current school year and have failed two or more of the required curriculum subject areas. A student may be placed at the next grade level when retention would no longer serve any good purpose.

#### Director's Responsibilities

The Director shall develop administrative guidelines for promotion, placement, and retention of students that:

- ☐ ☐ requires the recommendation of relevant staff members,
- ☐ ☐ requires that parents are informed in advance of the possibility of retention,
- ☐ ☐ assures efforts will be made to remediate the student's difficulties before they are retained, and
- ☐ ☐ assigns to the Director the final responsibility for determining the promotion, acceleration, placement, or retention of each student.

Additionally, any student in grades Kindergarten through Third that are identified as being not-on-track to attain the appropriate level of reading for their current grade

level as determined by the Reading Diagnostic Assessment may be retained in their current grade level in accordance with ORC 3313.608(B)(2)(a) if the appropriate level of reading is not attained by the end of the school year.

When necessary, the school will send home a letter to families of students failing or struggling in their classes – based on the progress monitoring assessment data. This letter will indicate that unless work habits, effort, and achievement improve, The student may be retained in their current grade level. Instructional services may be provided and/or required including attendance in after school tutoring and Saturday school until the student shows improvement. Student improvement will be monitored by teachers, administrators and parents.

These letters and will continue throughout the year until the core academic teachers and administration feels that the student is at a satisfactory level academically. If a student completes the school year in compliance with the attendance policy and has achieved the required scores academically, then the student will progress to next grade. Otherwise, the student will be retained in the same grade the following year. Students that are retained in compliance with the Third Grade Guarantee policy may be subject to grade elevation or the inclusion in additional academic services. Students that are retained in compliance with the Third Grade Guarantee policy may be subject to mid-year promotion if he/she demonstrates proficiency in all areas he/she was previously retained for.

**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 no. 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.

**ATTENDANCE, ABSENCE AND TRUANCY POLICY**

It is imperative that students be in attendance each school day in order not to miss a significant portion of their education. Important learning results from active participation in classroom and other School activities, which cannot be replaced by individual study.

The School is committed to helping students develop a high quality work ethic, which will be a significant factor in their success with future employers. One of the most important work habits that employers look for in hiring and promoting a worker is his/her dependability in coming to work every day and on time. This is a habit the School wants to help students develop as early as possible in their School careers.

**TRUANCY**

A “habitual truant” is a child of compulsory school age who is absent without legitimate excuse for thirty or more consecutive school hours, forty-two or more school hours in one school month, or seventy-two or more school hours in a school year.

A child is “excessively absent” if he or she is absent, with or without excuse, for thirty-eight or more hours in one school month or sixty-five or more school hours in one school year.

Ohio law demands that any student who, without legitimate excuse, fails to participate in **72** consecutive hours of learning opportunities offered to the student by the School shall be automatically removed from enrollment at the School. The School will provide notice of such a removal to the student, the student’s parent/guardian, the public school district in which the student’s parent/guardian resides and any other agency required by law.

The School shall attempt to address student attendance problems through a variety of prevention and intervention strategies. These measures may include, but are not limited to, the following:

1. Assignment of student to an Absence Intervention Team, who will work with the student and the student's parent/guardian to develop an appropriate intervention plan;
2. Notification to the student's parent/guardian within seven (7) days of an absence triggering a determination of 'habitual truancy' or 'excessive absences';
3. Offering counseling and community resource guides to the student and the family of a student with attendance/truancy problems;
4. Requiring the parent/guardian to contact the School to discuss the student's absences;
5. Giving a student and his/her parent/guardian written notice of the possible legal consequences of truancy; and/or
6. Referring the matter to the local juvenile court for consideration;

The School will endeavor to work cooperatively with the local juvenile court and other appropriate state and local agencies to deal with the issue of excessive absences and habitual truancy. The School will assure:

1. The attendance policy will be issued annually to parents/guardians (parents/guardians are asked to acknowledge receipt of the policy in writing);
2. The School will maintain a "flagging" system to identify students who may become excessively absent or habitually truant before they meet the mandatory timelines for classification as such. Parent/Guardians of these students are to be informed of the concern and consequence of such absenteeism;
3. An attendance officer is appointed for the School. This attendance officer will oversee the Absence Intervention Teams, strategies, plans and processes. This person may also be subpoenaed to Court to verify and testify should there be questions about attendance issues;
4. The School shall designate an Attendance Intervention Team comprised of at least two representatives of the School who will work together with students and parents on absence intervention plans, strategies and efforts;
5. The parent/guardian of a student with attendance/absence/truancy issues will be invited to participate as a member of the Absence Intervention Team that is assigned to that student;
6. Letters of notification and warning will be sent by USPS mail, electronic mail or other manner requested by the to the parent/guardian of each excessively absent or habitual truant; and
7. The School will ensure that all required reports are made when a child meets the habitual truant or excessive absence standard.

Teachers are encouraged to consult with the PRINCIPAL about a student's attendance problems and to suggest to students and their parents that more formal intervention may become necessary.

## **EXCUSED ABSENCES**

Students may be excused from the School for one of the following reasons and will be provided an opportunity to make-up missed School work and/or tests:

1. Personal illness but not illness in the family unless the circumstances are approved by the PRINCIPAL;
2. Death in the immediate family;
3. Bona-fide religious holiday;
4. Professional appointments that cannot be scheduled at non-school times;
5. Pursuant to an age and schooling certificate; or
6. Absences approved by the PRINCIPAL for good cause.

Students with a health condition that causes repeated absence are to provide the School's office with an explanation of the condition from a registered physician.

The parent/guardian of a minor student must provide an explanation for his/her child's absence by no later than 9:00 a.m. on the day of the absence or send a note the following day. The parent/guardian is to call the School's office [and explain the reason for the absence]. If the absence can be foreseen (the "good cause" must be approved by the PRINCIPAL), the parent/guardian should arrange to discuss the matter as many days as possible before the absence will occur so that arrangements can be made to assist the student in making up the missed school work.

Students who are excusably absent for more than ten (10) days in a grading period, regardless of the reasons, may be considered "frequently absent". If there is a pattern of frequent absence for "illness", the parent/guardian may be required to provide a statement from a physician describing the health condition that is causing the frequent illness and the treatment that is being provided to rectify the condition. Students that miss more than 15 days of school, whether excused or unexcused, may be retained in their grade for the following academic year if their academic progress is negatively impacted by the absences. Exceptions to this rule are at the discretion of the principal/superintendent.

## **EXCUSABLE, NON-APPROVED ABSENCE**

If a student is absent from the School because for a legitimate reason as detailed above, which reason is explained in writing by the parent/guardian within a reasonable time after the absence, the classification of the absence will be changed from 'unexcused' to 'excused' and the student will be given the opportunity to make up the schoolwork that is missed to the extent practicable.

## **UNEXCUSED ABSENCES**

Any student who is absent from the School for all or any part of the day without a legitimate excuse will be considered truant for the actual amount of time absent, rounded to the nearest hour, and the student and his or her parent/guardian will be subject to the truancy laws of the State. Students may be precluded from making up school work that is missed during a period of truancy.

## **NOTIFICATION OF ABSENCE**

If a student is going to be absent, the parent should contact the School by 9:00 a.m. and provide an explanation. If prior contact is not possible, the parents should provide a written excuse as soon as possible. When no excuse is provided, the absence will be unexcused and the student will be considered truant.

An excused absence allows the student to make up all possible work. It is the responsibility of the student to obtain missed assignments. It is possible that certain kinds of schoolwork such as labs or skill-practice sessions cannot be made up and, as a result, may negatively impact a student's grade.

The skipping of classes or any part of the School day is considered an unexcused absence and no make-up of class work will be permitted.

## **TARDINESS**

A student who is not in his/her assigned location by the start of the school day shall be considered tardy. Any student arriving late to the School is to report to the School's office before proceeding to class. If a student misses any part of the instructional school day, his/her attendance is affected. The actual time that a student is tardy will be recorded to the nearest hour and the total amount of time that a student is tardy is considered in determination of excessive absences and habitual truancy.

A academic record of a student who is tardy 15 or more times during the school year may be automatically reviewed to determine whether the student is academically prepared for promotion to the next grade level.

## **VACATIONS DURING THE SCHOOL YEAR**

Parents are encouraged not to take their child out of the School for vacations. When a family vacation must be scheduled during the school year, the parents should discuss the matter with the PRINCIPAL and the student's teacher(s) to secure approval and make necessary arrangements. Approval of absences for vacations is in the sole discretion of the Principal and is not automatic. A student who has been excessively absent or habitually truant is not likely to receive approval for a vacation-related absence. If approval is given, it may be possible, at the discretion of each teacher, for the student to receive certain assignments that are to be completed during the trip.

## **MAKE-UP OF TESTS AND OTHER SCHOOL WORK FOR EXCUSED ABSENCES**

Students who are excusably absent from School shall be given the opportunity to make-up work that has been missed.

Students will be given the number of days of excused absence within which to make-up work. Students will not be given an exemption from making up any work or classroom assessments that were given unless excused by the teacher.

## **STUDENT ATTENDANCE AT SCHOOL EVENTS**

The School encourages students to attend as many School events held after school as possible, without interfering with their schoolwork and home activities. Enthusiastic spectators help to build School spirit and encourage those students who are participating in the event.

However, in order to ensure that students attending evening events as non-participants are properly safeguarded, it is strongly advised that a parent or adult chaperone accompany students when they attend the event.

The School will continue to provide adequate supervision for all students who are participants in a School activity. Students must comply with the Code of Conduct at School events, regardless of the location. Student behavior may prohibit attendance at school events.

**Missing and Absent Children**

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.

A student at the time of his/her initial entry to school shall present to the person in charge of admission any records given to him/her by the elementary or secondary school s/he most recently attended and a certification of birth\* issued pursuant to Section 3705.05 of the Ohio Revised Code or in lieu of a birth certificate, birth documentation may include:

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

If the student does not present copies of the required documents, the principal shall call the school from which the student transferred and request the information. If that district has no record on file of the student or if that district does not send the records within a reasonable time, or within fourteen (14) days of the date of request, or if the student does not present a certification of birth or comparable certificate or certification from another state, territory, possession, or nation, the Head of School 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.

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

The Head of School or his/her designee will also immediately give notice of the fact of a missing child to the Ohio Attorney General's missing children clearinghouse. The Head of School or his/her designee will also assist parents in the case of a missing student by coordinating with the missing children clearinghouse.

Informational programs for students, parents, and community members relative to missing children issues and matters are available from the Head of School or his/her designee, including information regarding the fingerprinting program. The Head of School's or his/her designee's informational programs are based on assistance and materials provided by the Ohio Attorney General's missing child education program.

The primary responsibility for a student's attendance at School rests with his/her parent(s) or guardian(s). Parent(s)/guardian(s) 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 Head of School or his/her designee is also required to notify a student's parents, custodial parent, guardian, legal custodian, or other person responsible for him/her when the student is absent from school. The parent or other responsible person shall be notified by telephone or written notice shall be mailed on the same day that the student is absent. Parents or other responsible persons shall provide the School with their current home and/or work telephone numbers and home addresses, as well as emergency telephone numbers.

The procedure for absences is as follows:

1. A parent must call 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.
2. If a parent fails to call the School as prescribed in Part A, School personnel will call the parent to inform him/her of the student's absence.
3. In those cases where telephone communication could not be made, School personnel will initiate a written communication to the home of the legal guardian the day of the student's absence.

\*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*

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### **Fingerprinting Students**

The School recognizes the advantage to both parents and law enforcement agencies of a means of identifying children who have become lost or have been abducted. Accordingly, the School will cooperate with legal law enforcement agencies in the voluntary fingerprinting of students enrolled at the School.

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### **72 Hour Rule and Automatic Withdrawal**

The Schools shall adhere to the requirements of Ohio Revised Code Section 3314.03(A)(6)(b) regarding automatic withdrawal of students for seventy-two (72) hours of consecutive non-participation in offered learning opportunities in its entirety, and that this policy is adopted for such purpose.

Effective November 2, 2018, the Schools shall automatically withdraw a student from the School if the student fails to participate in seventy-two (72) consecutive hours of the learning opportunities offered to the student by the Schools, without a legitimate excuse.

**SECTION 260**

**STUDENT CONDUCT/RIGHTS**

**Student Expression**

The School recognizes the right of students to express themselves. With the right of expression comes the responsibility to do it appropriately. Students may distribute or display, at appropriate times, nonsponsored, noncommercial written material and petitions: buttons, badges, or other insignia; clothing, insignia, and banners; and audio and video materials. All items must meet the following School guidelines:

- A. A material cannot be displayed if it:
  - 1. is obscene to minors, libelous, indecent, or vulgar,
  - 2. advertises any product or service not permitted to minors by law,
  - 3. intends to be insulting or harassing,
  - 4. intends to incite fighting or presents a likelihood of disrupting School or a School event.
- B. Materials may not be displayed or distributed during class periods, or during passing times between classes. Permission may be granted for display or distribution during lunch periods and after School in designated locations, as long as exits are not blocked and there is proper access and egress to the building.

See also Policy No. 265 Disorder and Demonstration and Policy No. 281 School Sponsored Publications.

**Student Bill of Rights/Responsibilities**

The Board recognizes that students possess not only the right to an education but the rights of citizenship as well.

In granting students the education to which they are entitled, the Board shall provide them with the nurture, counsel, and custodial care appropriate to their age and maturity. At the same time, no student shall be deprived of the basic right to equal treatment and equal access to the educational program, due process, a presumption of innocence, free expression and association, and the privacy of his/her own thoughts.

Attendant upon the rights guaranteed to each student are certain responsibilities, which include respect for the rights of others, obedience to properly constituted School authority, and compliance with the rules and regulations of the School.

The Board realizes that as students differ in age and maturity, so they differ in ability to handle both the rights of citizens and the concomitant responsibilities. The exercise of each right shall be granted, therefore, with due regard for the degree of responsibility possessed by the student and the student's need for the continuing guidance and control of those responsible for his/her education.

A student who has reached the age of majority possesses the full rights of an adult and may authorize those School matters previously handled by his/her parents. Each student who has reached the age of majority shall assume the full responsibility for his/her performance in School, attendance and compliance with School rules and regulations.

As members of the School community, students have both rights and responsibilities described in part below.

1. All individuals are deserving of respect and acceptance. Both adults and youth at the School will exhibit respectful behavior in their speech and actions. All individuals are expected to set positive examples.
2. Students have a right to a learning environment free from physical and verbal threats and harassment. Individuals must not threaten or harass others. Neither must they cause or encourage threatening or harassment of others.
3. Students have a right to learn free from excessive distractions. Individuals must maintain behavior, including dress, vocalization, and other actions, which allows others to learn.
4. Students have a right to the ownership, possession, and respect of their property. Individuals must obtain permission before taking and/or utilizing the property of others. For exceptions, see policy no. 268 Search and Seizure. Property must be treated with care and respect.

5. Students have a right and are encouraged to ask questions when they do not understand, as long as the questions are presented respectfully and are appropriate for the setting. At times, questions may need to be deferred.
6. Students have a right to disagree with statements and policies affecting them as long as the students' positions are stated respectfully and in a way which does not disrupt the functioning of the class. Disagreement does not mean that statements and policies affecting students will be changed.
7. Students have a right to obtain an explanation of rules and expected behaviors before they are accused of breaking the rules.

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## **Dress and Grooming**

Parents of Kindergarten through 8<sup>th</sup> graders can purchase uniform pieces from vendors specified by the school.

### **(a) Male Dress Code**

*Pants* – Dress slacks only – No denim (blue jean material), skinny pants or sweat pants. Long pants only. No shorts - even in the summer. Belt loops on the pants are mandatory. **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

*Shirts* – Dress shirts. All shirts must be fully tucked in and buttoned to the top, according to school policy. **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

*Ties* – The student must wear a tie at school and keep it on at all times. Ties will be kept at school. **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

*SWEATER VESTs, CARDIGANS AND Blazers* – **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

*SOCKS* –Solid socks must be worn. **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

*Shoes* – Solid dress shoes ONLY! NO GYM SHOES OR BOOTS. **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

*Belts – Solid belts*– The buckle should be small and should not say anything. MANDATORY - The pants must have belt loops. **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

*Jewelry* - Scholars are permitted to wear studs for earrings (one per ear) and wristwatches are permitted; otherwise no other jewelry (including body piercing jewelry) of any kind, is permitted.

*Tattoos* - Fake or Real – Are considered inappropriate and are unacceptable.

*Hair-* The style is a parenting decision but the inclusion of items into the hair must meet the following restrictions; the items may not be removed for any length of time during the day. The item must be very secure and if the beads or other small items begin to fall the student will be asked to remove the rest, place them in a bag and take them home. If the hair includes any items or symbols that can be interpreted as advocating anything the item must be removed. Students may not groom themselves at school. Hairbrushes, combs and other items used outside of the restroom will be confiscated. Only the natural hair color is allowed.

*Hair* - The style is a parenting decision. If the hair includes any items or symbols that can be interpreted as advocating anything the item must be removed. Students may not groom themselves at school. Hairbrushes, combs and other items used outside of the restroom will be confiscated. All students must wear their natural hair color. This means no bright reds, purples, blondes, or other colors that completely contrast the natural hair color of the student will be permitted.

*Keychains* - The keychain should be under the shirt, in the pocket completely. The keys or chain should never be visible at school.

*Makeup* - No makeup of any kind is permitted including glitter. Even bringing the items unopened and unused is grounds for disciplinary action. All lotions and lip balm must be applied in the restrooms and not during instruction.

*Underclothes* - Any underclothing that can be seen including but not limited to, boxers, briefs, white tees, sleeveless undershirts, is grounds for suspension. All underclothes should stay under the clothing of the child at all times.

*Swimsuits* - All swimsuits must be pre-approved by an administrator.

*Other* - All other items must be authorized in writing by the Principals.

During enrollment, parents must sign a contract stating that they understand that no child may ever be out of uniform without written permission from the school for any reason. There is no valid excuse for students to come to school without being fully compliant with the dress code.

**. \*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

#### **(b) Female Dress Code**

*Pants* - Dress slacks – No denim (blue jean material) or sweat pants. Long pants only. No shorts - even in the summer. Belt loops on the pants are preferred. **\*School administration should be consulted for specific school attire reflective of school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

*Skirt* – The dress skirt must fall two inches below the knee. Girls must wear shorts under skirts on days designated for physical activity. **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

**JUMPERS** – Girls in designated grades may wear a black uniform jumper with a simulated vest top attached to the skirt. Skirt length must be at the knees. A sweater vest does not need to be worn if a jumper is worn. **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

**Shirts** – Dress shirts with collar. The shirt must be tucked in according to school policy and fully buttoned. **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

**Ties** – The student must wear a tie at school and keep it on. Ties will be kept at school. **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

**SWEATER VESTS, CARDIGANS and Blazers** – **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

**SOCKS** – Solid socks or tights must be worn at all times. **.\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

**Shoes** – Solid dress shoes. NO GYM SHOES OR BOOTS. **.\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

**Belts** – *solid only* – The buckle should be small and should not say anything. **\*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

**Jewelry** - Conservative jewelry is permitted. Some necklaces of any material, bracelets, rings, earrings, nose rings, piercing and anklets may be prohibited. Earrings must be the size of a quarter or smaller. No tongue rings.

**Tattoos** - Fake or Real – Are considered inappropriate and are unacceptable.

**Hair** - The style is a parenting decision but the inclusion of items into the hair must meet the following restrictions; the items may not be removed for any length of time during the day. The item must be very secure and if the beads or other small items begin to fall the student will be asked to remove the rest, place them in a bag and take them home. If the hair includes any items or symbols that can be interpreted as advocating anything the item must be removed. Students may not groom themselves at school. Hairbrushes, combs and other items used outside of the restroom will be confiscated. All students must wear their natural hair color. When adding weave or other pieces to their hair the color must match. This means no bright reds, purples, blondes, or other colors that completely contrast the natural hair color of the student will be permitted.

**Keychains** - The keychain should be under the shirt, in the pocket completely, or put in a purse.

**Makeup** - No makeup of any kind is permitted including, glitter and certain kinds of lipstick. Even bringing the items unopened and unused may be grounds for suspension. All lotions and lip balms must be applied in the restrooms.

**Swimsuits** - All swimsuits must be one piece, cover the student fully, should not be transparent when wet or dry, and should not have openings that are revealing. All swimsuits must be pre-approved by a Co-director.

**PURSES** – Small purses may be carried to hold personal items but may not exceed the dimensions six inches by eight inches. Purses which exceed this size may be required to remain in the coatroom or bins for the day.

**Other** - All other items must be authorized in writing by the Principals.

**Underwear** - No underclothing should ever be visible through any method whether on purpose or accident.

During enrollment parents must sign a contract stating that they understand that no child may ever be out of uniform without written permission from the school for any reason. There is no valid excuse for students to come to school without being fully compliant with the dress code.

**. \*School administration should be consulted for specific school attire reflective of the school, the school mascot and school colors that may be acceptable pieces of the uniform for scholars.**

**Full School Dress Code can be found on the school website or may be requested from the school.**

**(c) Hair and Hygiene**

Students who bring hair products, or grooming tools, to school can have them taken if used or seen anywhere other than the restroom and carried within a purse.

All students should wear deodorant. We do not have a shower facility after activities classes.

**Sexual and Other Forms of Harassment**

Students have the right to learn in an environment untainted by sexual or other forms of harassment or discrimination. Offensive conduct which has the purpose or effect of unreasonably interfering the 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 Head of School or his/her designee. Any person who receives such a report shall immediately advise the Head of School or his/her designee or a Board member, who will investigate and take appropriate action in accordance with Board directives.

*20 USC §§ 1681 et seq.; R.C. 4112.02.*

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Anti-Harassment, Intimidation and Bullying Policy

The School prohibits acts of harassment, intimidation, or bullying (including cyber-bullying) of any student on school property or at school-sponsored events. 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 any deliberate or intentional gesture, or any deliberate or intentional written, verbal, or physical act or threat that a student has exhibited toward another Student or Staff member and the behavior both: (1) has one or more of the following effects: (a) harming a Student or Staff member; (b) damaging a Student's or Staff member's property; (c) placing a Student or Staff member in reasonable fear of harm to the Student's or Staff member's person; (d) placing a Student or Staff member in reasonable fear of damage to the Student's or Staff member's property; and (2) is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for a Student or Staff member.

The School prohibits acts of cyber-bullying, which is a sub-set of bullying and involves the use of information and communication technologies, including but not limited to e-mail, cell phone and two-way text messages, blogs, MySpace, Facebook, Wikipedia, Bebo, the Internet, Xanga, Piczo, Twitter, IM 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.

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. Some 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 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 at 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 behavioral interventions up to and including suspension or expulsion.

All School employees, volunteers and students are required to report prohibited incidents of which they are aware to the Principal(s) and/or Head of School. The Principal(s) and/or Head of School are then responsible for determining whether an alleged incident constitutes a violation of this policy. In so doing, the Principal(s) and/or Head of School shall conduct a prompt, thorough and complete investigation of the reported incident, and prepare a report documenting the prohibited incident that is reported. Once an investigation is completed, and the reported incident has been substantiated, the parent or guardian of any student involved in the prohibited incident shall be notified and to the extent permitted by R.C. § 3319.321 and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g) have access to any written reports pertaining to the prohibited incident. The School will maintain, via the education management information system, information regarding the number of incidents of harassment of Students against other Students, in each building and School-wide, that violates this policy. All School employees, 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.

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(s) and/or Head of School after consideration of the nature and circumstances of the act, in accordance with School policies and procedures.

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

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 may also provide training, workshops, or courses on this policy to school employees and volunteers who have direct contact with students. *R.C. §§ 3301.0714(B)(1)(p); 3313.666, 3313.667*

## **Anti-Harassment, Intimidation and Bullying Policy**

### **Article I** **Purpose**

The Harassment, Intimidation and Bullying Policy of **Akron, Canton College, Lake Erie and Ohio College Preparatory Schools** (the “School”), Ohio non-profit corporations and tax-exempt organizations, have been established to set forth requirements of the Ohio Department of Education and Ohio Revised Code with respect to school policies prohibiting harassment, intimidation or bullying.

### **Article II** **Policy**

1. It is the policy of the School that any form of bullying behavior, whether in the classroom, on school property, to and from school or at school-sponsored events, is expressly forbidden.
2. The disciplinary procedure for any student guilty of harassment, intimidation, or bullying shall not infringe on any student's rights under the first amendment to the Constitution of the United States.
3. The School's administration shall semiannually provide the president of the board of directors a written summary of all reported incidents and post the summary on its web site, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232q, as amended.
4. The School's policy on harassment, intimidating and bullying shall appear in any student handbooks, and in any of the publications that set forth the comprehensive rules, procedures, and standards of conduct for schools and students. Information regarding the policy shall be incorporated into employee training materials.
5. Any School employee, student, or volunteer shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with a policy adopted pursuant to this policy if that person reports an incident of harassment, intimidation, or bullying promptly in good faith and in compliance with the procedures as specified in this policy.
6. Except as provided in paragraph five (5) above, nothing in this section prohibits a victim from seeking redress under any other provision of the Ohio Revised Code or common law that may apply.
7. This policy does not create a new cause of action or a substantive legal right for any person.
8. Students who have been determined to have engaged in prohibited behaviors are subject to disciplinary action, which may include suspension or expulsion from school. The School's commitment to addressing such prohibited behaviors, however, involves a multifaceted approach, which includes education and the promotion of a school atmosphere in which harassment, intimidation or bullying will not be tolerated by students, faculty or school personnel.
9. It is imperative that harassment, intimidation, or bullying be identified only when the specific elements of the definition are met because the designation of such prohibited incidents carry special statutory obligations. However, misconduct by one student against another student, whether appropriately defined or not, will result in appropriate disciplinary consequences for the perpetrator.

### **Article III** **Definitions**

1. Harassment, intimidation or bullying means either of the following:

- a. Any intentional written, verbal, or physical act that a student has exhibited toward another particular student more than once and the behavior both:
    - i. Causes mental or physical harm to the other student;
    - ii. Is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student.
  - b. Violence within a dating relationship.
2. Harassment, intimidation or bullying also means electronically transmitted acts i.e., Internet, cell phone, personal digital assistance (PDA) or wireless hand-held device that a student has exhibited toward another particular student more than once and the behavior both:
  - a. Causes mental or physical harm to the other student/school personnel; and
  - b. is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student/school personnel.
3. In evaluating whether conduct constitutes harassment, intimidation or bullying, special attention should be paid to the words chosen or the actions taken, whether such conduct occurred in front of others or was communicated to others, how the perpetrator interacted with the victim, and the motivation, either admitted or appropriately inferred.
4. A school-sponsored activity shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by The School.

#### **Article IV**

#### **Types of Conduct**

1. Harassment, intimidation or bullying can include many different behaviors including overt intent to ridicule, humiliate or intimidate another student or school personnel. Examples of conduct that could constitute prohibited behaviors include:
  - a. Physical violence and/or attacks;
  - b. threats, taunts and intimidation through words and/or gestures;
  - c. extortion, damage or stealing of money and/or possessions;
  - d. exclusion from the peer group or spreading rumors; and
  - e. repetitive and hostile behavior with the intent to harm others through the use of information and communication technologies and other web-based/online sites (also known as “cyber bullying”), such as the following:

- i. Posting slurs on websites where students congregate or on web-logs (personal online journals or diaries);
- ii. sending abusive or threatening instant messages;
- iii. using camera phones to take embarrassing photographs of students and posting them online;
- iv. using websites to circulate gossip and rumors to other students; and
- v. excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

## **Article V**

### **Complaint Process**

1. Publication of the prohibition against harassment, intimidation and bullying and related procedures.
  - a. The prohibition against harassment, intimidation or bullying shall be publicized in any student handbooks and in any of the publications that set forth the comprehensive rules, procedures and standards of conduct for students at the School. In addition, information regarding the policy shall be incorporated into employee training materials. The following statement shall be included:
    - i. Harassment, intimidation, or bullying behavior by any student/school personnel at the School is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. Harassment, intimidation, or bullying, in accordance with House Bill 276, means any intentional written, verbal, graphic or physical acts including electronically transmitted acts i.e., Internet, cell phone, personal digital assistant (PDA), or wireless hand-held device, either overt or covert, by a student or group of students toward other students/school personnel with the intent to harass, intimidate, injure, threaten, ridicule or humiliate. Such behaviors are prohibited on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop that a reasonable person under the circumstances should know will have the effect of:
      1. Causing mental or physical harm to the other student/school personnel including placing an individual in reasonable fear of physical harm and/or damaging of students' personal property; and
      2. is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive

educational environment for the other student/school personnel.

## **Article VI** **Complaints**

### 1. Formal complaints

- a. Students, parents or guardians may file reports regarding suspected harassment, intimidation or bullying. Such written reports shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation and/or bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any school staff member or administrator, and they shall be promptly forwarded to the principal for review and action in accordance with Article 7 of this policy.

### 2. Informal complaints

- a. Students, parents or guardians and school personnel may make informal complaints of conduct that they consider to be harassment, intimidation and/or bullying by verbal report to a teacher, school administrator, or other school personnel. Such informal complaints shall be reasonably specific as to the actions giving rise to the suspicion of harassment, intimidation and/or bullying, including person(s) involved, number of times and places of the alleged conduct, the target of the prohibited behavior(s), and the names of any potential student or staff witness. A school staff member or administrator who receives an informal complaint shall promptly document the complaint in writing, including the above information. This written report by the school staff member and/or administrator shall be promptly forwarded to the principal for review and action in accordance with Article 7 of this policy.

### 3. Anonymous complaints

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

4. False complaints
  - a. Students are prohibited from deliberately making false reports of harassment, intimidation or bullying. Any complaints made or reports filed alleging harassment, intimidation or bullying, as provided in this policy, found to be false will be disciplined according to current school disciplinary procedure(s) established and implemented and being consistent with due process rights of all students involved, including the student(s) making such false claims. If it is found that a student made deliberately false claim(s) of harassment, intimidation, or bullying the student is subject to the full range of disciplinary consequences in accordance with Article 7 of this policy and being consistent with due process rights of the student making such false claims.

## **Article VII**

### **School Personnel Responsibilities and Intervention Strategies**

1. Teachers and other school staff
  - a. Teachers and other school staff who witness acts of harassment, intimidation or bullying, as defined above, shall promptly notify the building principal and/or their designee of the event observed, and shall promptly file a written incident report concerning the events witnessed. Teachers and other school staff who receive student or parent reports of suspected harassment, intimidation, and bullying shall promptly notify the building principal and/or their designee of such report(s). If the report is a formal, written complaint, such complaint shall be forwarded promptly (no later than the next school day) to the building principal and/or their designee. If the report is an informal complaint by a student that is received by a teacher or other professional employee, he or she shall prepare a written report of the informal complaint which shall be promptly forwarded (no later than the next school day) to the building principal and/or their designee.
  - b. In addition to addressing both informal and formal complaints, school personnel are encouraged to address the issue of harassment, intimidation or bullying in other interactions with students. School personnel may find opportunities to educate students about harassment, intimidation and bullying and help eliminate such prohibited behaviors through class discussions, counseling, and reinforcement of socially appropriate behavior. School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student/school personnel, even if such conduct does not meet the formal definition of “harassment, intimidation or bullying.”

## 2. Administrator responsibilities

### a. Investigation

- i. The principal and/or their designee shall be promptly notified of any formal or informal complaint of suspected harassment, intimidation or bullying. Under the direction of the building principal and/or their designee, all such complaints shall be investigated promptly. A written report of the investigation shall be prepared when the investigation is complete. Such report shall include findings of fact, a determination of whether acts of harassment, intimidation or bullying were verified, and, when prohibited acts are verified, a recommendation for intervention, including disciplinary action shall be included in the report. Where appropriate, written witness statements shall be attached to the report.
- ii. Notwithstanding the foregoing, when a student making an informal complaint has requested anonymity, the investigation of such complaint shall be limited as is appropriate in view of the anonymity of the complaint. Such limitation of investigation may include restricting action to a simple review of the complaint (with or without discussing it with the alleged perpetrator), subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

### b. Remedial actions

- i. Verified acts of harassment, intimidation, or bullying shall result in an intervention by the building principal and/or their designee that is intended to ensure that the prohibition against harassment, intimidation or bullying behavior is enforced, with the goal that any such prohibited behavior will cease.
- ii. 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," as defined above, will generally warrant disciplinary action against the perpetrator of such prohibited behaviors, whether and to what extent to impose disciplinary action (detention, in and out-of-school suspension, or expulsion) is a matter for the professional discretion of the building principal. The following sets forth

possible interventions for building principals to enforce the board of directors prohibition against “harassment, intimidation or bullying.”

c. Non-disciplinary interventions

- i. 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.
- ii. 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. Alternatively, peer mediation may be deemed inappropriate to address the concern.

d. Disciplinary interventions

- i. When acts of harassment, intimidation and bullying are verified, or a false claim alleging the same is substantiated, and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints that are not otherwise verified, however, shall not be the basis for disciplinary action.
- ii. 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.
- iii. Expulsion may be imposed only after a hearing before the board of directors 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 when past interventions have not been successful in eliminating prohibited behaviors.

3. Intervention strategies

a. General

- i. In addition to the prompt investigation of complaints of harassment, intimidation or bullying and direct intervention when such prohibited acts are verified, other board actions may ameliorate any potential problem with harassment, intimidation or bullying in school or at school-sponsored activities. While no specific action is required and school needs for such interventions may vary from time to time, the following list of potential intervention strategies shall serve as a resource for administrators and school personnel:
  1. Respectful responses to harassment, intimidation or bullying concerns raised by students, parents or school personnel;
  2. planned professional development programs addressing targeted individuals' problems, including what is safe and acceptable Internet use;
  3. data collection to document victim problems to determine the nature and scope of the problem;
  4. use of peers to help ameliorate the plight of victims and include them in group activities;
  5. avoidance of sex-role stereotyping (e.g., males need to be strong and tough);
  6. awareness and involvement on the part of all school personnel and parents with regard to victim problems;
  7. an attitude that promotes communication, friendship, assertiveness skills and character education;
  8. modeling by school personnel of positive, respectful and supportive behavior toward students;
  9. creating a school atmosphere of team spirit and collaboration that promotes appropriate social behavior by students in support of others (Ohio School Climate Guidelines);
  10. employing classroom strategies that instruct students how to work together in a collaborative and supportive atmosphere; and
  11. form harassment, intimidation and bullying task forces, programs and other initiatives involving volunteers, parents, law enforcement and community members.

b. Intervention strategies for protecting victims

- i. Supervise and discipline offending students fairly and consistently;
- ii. provide adult supervision during recess, lunch time, bathroom breaks and in the hallways during times of transition;

- iii. maintain contact with parents and guardians of all involved parties;
- iv. provide counseling for the victim if assessed that it is needed;
- v. inform school personnel of the incident and instruct them to monitor the victim and the offending party for indications of harassing, intimidating and bullying behavior. Personnel are to intervene when prohibited behaviors are witnessed; and
- vi. 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.

### **Article VIII** **Reporting Obligations**

1. Report to the parent or guardian of the perpetrator
  - a. If after investigation, acts of harassment, intimidation and bullying by a specific student are verified, the building principal and/or their designee shall notify in writing the parent or guardian of the perpetrator of that finding. If disciplinary consequences are imposed against such student, a description of such discipline shall be included in such notification.
2. Reports to the victim and his/her parent or guardian
  - a. If after investigation, acts of bullying against a specific student are verified, the building principal and/or their designee shall notify the parent or guardian of the victim of such finding. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator of such harassment, intimidation and bullying.
3. List of verified acts of harassment, intimidation or bullying
  - a. It is a requirement that the School administrators semiannually provide the president of the board of directors a written summary of all reported incidents and post the summary on the School website. The list shall be limited to the number of verified acts of harassment, intimidation and bullying, whether in the classroom, on school property, to and from school, or at school-sponsored events.
  - b. This policy shall not be interpreted to prohibit a reasonable and civil exchange of opinions or debate that is protected by state or federal law such as the nondiscrimination, suspension/expulsion, due process, violent and aggressive behavior, hazing, discipline/punishment, sexual

harassment, peer sexual harassment and equal educational opportunity acts.

**Article IX**  
**Police and Child Protective Services**

1. Allegations of criminal misconduct will be reported to law enforcement, and suspected child abuse must be reported to Child Protective Services, per required timelines. The School must also investigate for the purpose of determining whether there has been a violation of the School's Policy or Procedure, even if law enforcement or CPS is also investigating. All School personnel must cooperate with investigations by outside agencies.
2. In addition to, or instead of filing a harassment, intimidation or bullying complaint through this policy, a complainant may choose to exercise other options, including but not limited to filing a complaint with outside agencies or filing a private lawsuit. Nothing prohibits a complainant from seeking redress under any other provision of the Ohio Revised Code or common law that may apply.

**Article X**  
**Training**

1. Orientation sessions for students shall introduce the elements of this policy and procedure. Students will be provided with age-appropriate information on the recognition and prevention of harassment, intimidation or bullying, and their rights and responsibilities under this and other school policies, procedures and rules at student orientation sessions and on other appropriate occasions. Parents will be provided with information about this policy and procedure, as well as information about other school rules and disciplinary policies. This policy and procedure shall be reproduced in student, staff, volunteer and parent handbooks.
2. Information regarding the policy on harassment, intimidation and bullying behavior shall be incorporated into employee and volunteer training materials and with direct contact with students. Time spent by school employees in the training, workshops or courses shall apply toward any state or school mandated continuing education requirements.
3. School personnel members are encouraged to address the issue of harassment, intimidation and bullying in other interaction with students. School personnel may find opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling and reinforcement of socially appropriate behavior. School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student or school personnel, even if such conduct does not meet the formal definition of "harassment, intimidation or bullying."

*Policy References: ORC §§3313.666, 3313.667*

**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 Anti-Hazing 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 Head of School 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*

**Gang Activity Policy**

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

Incidents involving initiations, hazing, intimidations and/or related activities of such 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 are prohibited.

The Board directs the administration to prohibit any Student wearing, carrying or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership or causing and/or participating in activities which intimidate or affect the attendance of another student. Such behaviors will be subject to disciplinary action.

The Staff shall be provided with the necessary information that will enable them to identify symbols used by those involved in gang-related activities which include things such as hand signals, symbols, colors, apparel, jewelry and/or any other pertinent gang related information.

**Disorder and Demonstration**

The School recognizes the right of each Student to attend School for the purpose of receiving an education. The disruption of the educational program of the School by disorder or any other purposeful activity will not be countenanced.

For purposes of this policy, disorder shall be any deliberate activity by an individual or a group, whether peaceful or violent, which interferes with the normal operation of the School. The School, having the responsibility for providing an educational program for the students of the School, shall have the authority to preserve order for the proper functioning of that program.

Students shall not be disturbed in the exercise of their constitutionally guaranteed rights to assemble peaceably and to express ideas and opinions, privately or publicly, provided that such exercise does not infringe on the rights of others and does not interfere with the operation of the School.

**Drug Prevention**

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 which 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 Head of School 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 Head of School 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.

*21 USC § 806.*

**Pregnant Students**

No student, whether married or unmarried, who is enrolled in the School shall be denied an educational program solely because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood.

The School reserves the right to require as a prerequisite for extra-curricular programs of the School that each pregnant student present to the Head of School or his/her designee her physician's written statement that such activity will not be injurious to her health nor jeopardize her pregnancy.

## Search and Seizure

The School recognizes that the privacy of students may not be violated by unreasonable search and seizure and directs that no student be searched without reason or in an unreasonable manner.

The School acknowledges the need for in-School storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a School official. The Board may require the Head of School or his/her designee to conduct a regular search at least annually of all such storage places.

Students have no expectation of privacy with respect to the use of the internet, intranet or e-mail. Routine maintenance and monitoring of the School network system may lead to the discovery that a student 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.

School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, School authorities may search the person or property, including vehicles, of a student, with or without the student's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of School rules. Specifically:

### Search and Seizure of Property:

1. School lockers, desks, and property are on loan to the students and remain the property of the School. They may be inspected and reclaimed at any time.
2. Students must not keep prohibited items, including drugs, drug paraphernalia, firearms, explosives, and property belonging to others within their lockers, backpacks or desks.
3. Students must open their lockers at the request of School officials.
4. When on School grounds, students and their personal property may be searched if a school official has grounds to believe the search may turn up evidence that the student has violated or is violating the law or School rules.
5. A student shall have the opportunity to be present during the search of his or her locker, desk, or other property unless the student is absent from School or the safety or welfare of the School or an individual necessitates a search during the student's absence.

The search of a student's person or intimate personal belongings shall be conducted by the Head of School or his/her designee. This person should be of the student's gender and conduct the search in the presence of another staff member of the same gender. However, no strip searches may be conducted by School personnel.

This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the School.

Administrators are authorized to arrange for the use of a breath-test instrument for the purpose of determining if a student has consumed an alcoholic beverage. It is not necessary for the test to determine blood-alcohol level, since the School has established a zero tolerance for alcohol use.

The School also authorizes the use of canines, trained in detecting the presence of drugs, when the Head of School or his/her designee has reasonable suspicion that illegal drugs may be present in the School. This means of detection shall be used only to determine the presence of drugs in locker areas and other places on School property where such substances could be concealed. Canine detection must be conducted in collaboration with law enforcement authorities or with organizations certified in canine detection and is not to be used to search individual students unless a warrant has been obtained prior to the search.

The Head of School or his/her designee shall be responsible for the prompt recording in writing of each student search, including the reasons for the search; information received that established the need for the search and the name of informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The Head of School or his/her designee shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

*U.S. Const. Amend. IV, XIV; Oh. Const. Art. 1 §14.*

**Use of Tobacco on School Premises**

The use of tobacco presents a health hazard which 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.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the School cannot, even by indirection, condone the use of tobacco, the School prohibits the use of tobacco in School buildings and School vehicles at all times. "School buildings" includes buildings owned, leased or used by the School, and "School vehicles" includes vehicles owned, leased, used or operated by the School.

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

See **Appendix H** 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.

**SECTION 270**

**STUDENT DISCIPLINE/ PROCEDURE**

The Code of Conduct is the behavioral mainframe by which the school carries on its day-to-day operations. The code reflects academic standards and the right for every student to learn in a non-threatening environment. The code further reflects the school's desire to protect each individual's right to deal with violations of safety issues through consequences. The School sees the implementation of such a code as a necessary element of providing a positive school experience for everyone.

The Code of Conduct that appears on the following pages governs the most serious and obvious types of student misconduct. The prohibited acts listed in the code are not to be construed as all-inclusive. Nor is the list to be seen as a limitation upon the authority of school officials to deal appropriately with violations of school rules and regulations or with other types of conduct which interfere with the good order of the school, the proper functioning of the educational process, or the health and safety of students.

The Code of Conduct establishes reasonable boundaries for students and provides clear understanding of consequences for breaking the rules. It is expected that students, like the rest of us, will make mistakes. It is our hope that students learn from their mistakes. By reading the code, we also expect students to understand the school's expectations and avoid transgression in the first place.

There are three categories of behaviors: those that lead to pre-suspension consequence, those that lead to suspension, and those that lead to expulsion. Each of these categories is explained below:

**Classroom Consequences/Pre-Suspension**

Teaching and learning can only occur in an orderly environment. Within the classroom, teachers will provide direction, set limits, and promote self-discipline. They will be diligent in their role to create a learning environment that is neither overly permissive nor oppressive. Within that context, they will make every effort to motivate students to learn, to redirect them when their attention or behavior falters, and to continue with instruction. However, if a student demonstrates unwillingness to participate in this learning environment, he/she may be removed from the regular class setting.

## **Category I:**

### **Student Behaviors that require a One-Day Suspension**

The following behaviors, in general, will result in a one-day suspension. Although teachers determine the consequences for misbehavior in class, the Head of School and/or Dean of Students will determine the appropriate consequences for repetitive behaviors in this category based on each student's discipline record.

#### Unruly Conduct

All students must obey all adults in the school: administrator, teacher, educational assistants, secretaries, custodians, lunchroom helper, security guards, and others. Students must do what these adults ask of them. Students must not talk back to an adult. If a student does not obey the instructions and/or directions a teacher gives, his/her conduct will be considered unruly. If a teacher says to open a particular book, to write an assignment, to work with another student, to work in a group, to take a test, or to do any other class-related activity and a student refuses to do so, this is considered being unruly.

#### Being Out of Uniform

Students must wear a uniform to school every day except when given written permission that is "non-uniform day." All elements of our school uniform will be listed in the Student Handbook, or, in Policy No. 263, and it is the reference parents and students should follow.

#### Disorderly Conduct

Students must not break classroom or school rules. They may not keep teachers from teaching and students from learning. Students who cause a disruption in the classroom by talking, making noises, throwing objects, or otherwise distracting one or more of their classmates are engaging in disorderly conduct. If the teacher is prevented from starting an activity or lesson or has to stop what he/she is doing to try to stop the distractive behavior, then the behavior is considered disorderly. Leaving the classroom without permission and inappropriate displays of affection are also considered to be disorderly conduct.

#### Failure to Cooperate

Students must not refuse to cooperate with school administrators and/or teaching staff investigating a possible violation of this Code of Conduct and/or building rules. Students must not make false statements or give false evidence. Students must not refuse to testify or otherwise cooperate with school personnel in any disciplinary proceeding.

#### Smoking

Students must not smoke, have or use any kind of tobacco at school, on school grounds, or at any school-related activities.

#### Falsification of Records

Students must not use the name of another person or falsify times, dates, grades, addresses or other data on school forms or records, nor shall they provide false, misleading or inaccurate statements or information to School staff or on school forms or records.

#### Scholastic Dishonesty

Students must not engage in academic cheating. Cheating includes, but is not limited to, the actual giving or receiving of any unauthorized aid or the actual giving or receiving of unfair advantage on any form of academic work. Students must not engage in plagiarism, which includes the copying of language, structure, idea and/or thought of another and

represent it as one's own original work. A student must not unlawfully duplicate, reproduce, retain, or use copyrighted material.

#### Trespassing

Students may not be on school property or in a school building except to participate in the educational process and/or the specific enrolled activity of the school. Nor may students loiter in building hallways, classroom, bathrooms, etc. Students who are suspended or expelled may not return to school without the Head of School's specific, written permission. Students who do return to school without permission will be suspended or expelled depending upon the circumstances and the grade level.

#### Gambling

Students must not play games of cards, chance, or dice for money or other items unless these games are played as part of a special school activity.

#### Electronic/Communication Devices

You must not bring radios, headsets, CD/tape players, computer games, Walkmans, beepers, cellular phones or other electronic communication devices for receiving and/or transmitting messages to school. Not only will this behavior lead to the appropriate consequences, the items will be confiscated and held until a parent comes to school and retrieves the items.

## **Category II:**

### **Student Behaviors that Lead to Multiple Days of Suspension**

The following behaviors will, with no warning required, lead to immediate suspension. The length of the suspension will be determined by the Head of School and will be based on the student's discipline record and the seriousness of the offense(s). It should be noted that automatic suspensions are not given at The Entrepreneurship Academy unless an emergency removal is warranted. The Head of School and Dean of Students will investigate major breaches of student code of conduct on a case-by-case basis, and make decisions accordingly. Repetitive violations will lead to a recommendation for expulsion, as well as violations deemed physically or mentally harmful or those requiring emergency removal at the discretion of the Head of School.

#### Fighting

NO PHYSICAL CONTACT. Students must not fight. They must not push, shove or hit another with any part of their body or with any object. This offense may be grounds for expulsion.

#### Profanity or Obscenity

Students must not use inappropriate words or make obscene signs. Student must not draw or show sexually explicit pictures to anyone at school. Students must not bring sexually related items (i.e. condoms) to school. Students must never curse or swear.

#### Being Repeatedly Out of Uniform

Students, who are out of uniform, may be suspended for one school day.

#### Stealing

Students must not take anything that does not belong to them. Students must not have in their possession anything that has been stolen.

#### Violent Disorderly Conduct

Students must not, by any type of conduct (violence, force, noise, coercion, threat, intimidation, fear passive resistance, etc.) cause the disruption, disturbance, or obstruction of any school function, activity or event, nor shall they engage in any such conduct if such disruption or obstruction is reasonably likely to result. Students may not urge other students to engage in such conduct for the purpose of causing such disruption or obstruction. This offence may be grounds for expulsion.

#### Gang Activity

Gang activity is defined as “any assembly of individuals who gather together, whose purpose, the school reasonably believes is to commit antisocial behavior or to violate school policy.” Students must not wear or display any clothing, jewelry, colors, or insignia that may be reasonably perceived by a teacher or administrator as evidence of membership in or affiliation with a gang or otherwise symbolizes support of a gang. Students must not use any words, phrases, written symbol or gesture, which intentionally identifies them as a member of gang or otherwise symbolizes support of a gang. Students must not try to recruit others for gangs.

#### Defacement of Property

Students must not mark on, damage, break, or destroy school property or anything that belongs to someone else. Actions such as writing in school textbooks or library books; writing on desks or walls; carving into woodwork, desk, or tables; and spray-painting surfaces are actions of defacement. Students who destroy or vandalize school property will be required to pay for losses or damages.

#### Destruction of Property

Students must not damage, break, or destroy school property or anything that belongs to someone else. Actions that impair the use of something are destructive. Ruining bulletin boards, intentionally clogging the system, breaking light bulbs or fixtures, and damaging school equipment to the point where repair is necessary are all acts of property destruction.

#### Sexual Misconduct

Students must not act or use any body parts or those of another in an unacceptable way. Unacceptable will be defined using a “reasonable person” standard.

#### Harassment

Harassment of any type, including hazing and discriminatory harassment, is prohibited. Students must not engage in unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct relating to a person’s sex, race, color, national origin, religion, height, marital status, or disability (e.g. sexual or racial comments, threat or insults, unwanted touching, etc.). See also “Sexual Harassment”

### Look-alike Weapons

Students must not possess, handle, or transmit any object or instrument that is a “look-alike” weapon or instrument (e.g. rubber knife, toy gun, etc.).

### **Category III:**

### **Student Behaviors that Lead to Mandatory Suspension with Recommendation for Expulsion**

Students, who engage in any of the behaviors in this category, will be suspended for ten (10) school days with a recommendation for expulsion by the Head of Schools to the School Governing Authority.

### Alcohol and Drugs

Students must not bring alcohol or drugs to school. They must not manufacture, sell, handle, possess, use, deliver, transmit or be under any influence (legal intoxication is NOT required) of any alcoholic beverage, intoxicant, or drug. Students must not inhale any chemical substance for the purpose of becoming intoxicated or under the influence. Students are permitted to bring prescribed medication to school with the permission of parent(s) and the authorization of a physician. They must not sell or give a prescribed medication to anyone at school. All prescribed medication must be submitted to the Business Office before the student goes to class. All prescribed medication must have a physicians note accompanying for dispensing and recording purposes.

### Physical Assault

Students must not physically attack another person. Physical assault is defined as “intentionally causing or attempting to cause harm to another through force or violence.”

### Dangerous Weapons

You must not possess, handle, transmit, or use as a dangerous weapon any instrument capable of harming another person. Dangerous weapons include, but are not limited to:

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.

Knife is defined as any cutting instrument consisting of at least one sharp blade.

Defensive weapons: Chemical Mace, pepper gas, or like substances; stun gun; brass knuckles; blackjack.

Items not designed as a weapon, but could be perceived as a weapon such as razors, box cutters, hammers, baseball bats, metal combs of any length with a sharpened handle are strictly prohibited from school grounds.

This is not all inclusive and can be amended by the Head of School with acceptance by the Governing Authority.

False Fire Alarms or Bomb Reports

Students must not break or pull the fire alarm at any time unless there is an emergency. They must not make bomb threats.

Sexual Assault

Students must not sexually assault or attack another person.

Robbery

Students must not force or threaten someone to give them something that does not belong to them.

Bullying, Hazing or Extortion

Students must not make a person do anything they do not wish to do by using a threat of mental or physical force. Students must not engage in the act of securing or attempting to secure money or other items of value from an unwilling person. Students must not, by violence and/or intimidation or force, force another person to perform an unwilling act.

Starting a Fire

Students must not start a fire at school; they must not take part in any activity of burning property.

Fireworks and Explosives

Students must not handle, possess, or transmit any substance or prepared chemical that can explode or is capable of inflicting bodily injury or is reasonably likely to cause physical discomfort to another person. Students may not bring any fireworks or firecrackers to school.

### Breaking and Entering

Students must not force their way into any school building.

### Progress of Consequences

Student must follow the school's Code of Behavior before, during and after school, as well as in school buildings, on school grounds, at school-related activities, and on the way to and from these activities. Student behavior must not keep any of the members of the school community from doing their jobs.

### Expulsion

In general, students who have had multiple suspensions and have shown little or no behavioral change toward more positive participation will be expelled. In addition, students who break a rule in Category III will be sent home for up to eighty (80) school days. However, if a firearm or knife were involved, then the expulsion may or shall (as prescribed by law) last up to one year. If there are fewer days left in the school year than the expulsion, the student will serve the remaining days of expulsion at the beginning of the next school year. If expelled, students may not come to school or any related school activities during the expulsion period, nor will they be permitted to enroll in the Cleveland Municipal School District. The Head of School will approve all expulsions. Parents/Guardians are informed in writing of the school's intent to expel. Students and parent(s)/guardian(s) have the right to appeal this decision to the Governing Authority or their designee.

### Removal (Emergency Removal Pending a Hearing)

If students break the rules and cause danger or threat of danger to any person or property, the Head of School, or designee, will have them removed from school without warning. A hearing will take place within seventy-two (72) hours after the removal. The student, as well as anyone involved with the removal, can be present at the hearing.

### Corporal Punishment Policy

No school employee or agent of the school shall cause corporal punishment to be inflicted upon a student to reform unacceptable conduct or as a penalty for unacceptable conduct. As used in this policy, the term "corporal punishment" means conduct involving hitting or spanking a person, with or without an object, or unreasonable physical force that causes bodily harm. EXCEPTION: School employees may use reasonable force to restrain a student when necessary to prevent the child from injuring himself/herself, others or property, or to prevent bodily harm or death to another. School employees who use restraint must be trained in the use of de-escalation techniques and the proper use of restraint. Prone restraint (student is a face down position) may not be used except for a brief period of time necessary to get the student under control and prepared for transport.

### Mandatory Withdrawal

Students who have missed 105 hours of learning opportunities for any reason are subject to withdrawal from the school. Re-Enrollment may only take place with the signature of the Head of School.

**Schools and Law Enforcement Agencies**

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 Head of School 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 Head of School 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 Head of School 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 Head of School 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.

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.

## **Expulsion and Suspension Policies**

The School may suspend a student for up to ten (10) days or may expel a student. In the event that the School decides to suspend or expel a student, the student will be given a notice which states the intent to suspend or expel and the reason(s) for the suspension or expulsion. Immediate attempts will be made to contact a parent or guardian by phone. The student may meet informally with the Head of School to challenge the suspension or expulsion. After the meeting, or if the student declines the meeting, suspension or expulsion may be invoked immediately. A copy of the notice of intent to suspend or expel will be mailed to the parent or guardian within one (1) school day after the time of a student's expulsion or suspension. A formal hearing will be scheduled not earlier than three nor later than five school days after the notice to expel is given.

In the event that, in the opinion of the Head of School 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 with notice and procedures to follow the removal in accordance with R.C. §3313.66.

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 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 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.

The specific circumstances under which the Head of School 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 policy no. 275, Suspension/Expulsion of Disabled Students;
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 Head of School. The student may enter School facilities only when given permission by the Head of School or if accompanied by a parent or guardian who accepts responsibility for the student's actions and/or behavior at the facility.

The Board also authorizes the Head of School 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 Head of School commensurate with the seriousness of the student's misconduct or rules violations in accordance with the discipline code.

If the Head of School 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 Head of School to provide for options to suspension of a student from the School which shall include a program whereby a student performs community service either in lieu of or as a part of a suspension or an expulsion.

The Board designates the Head of School or his/her designee as its representative at all hearings regarding the appeal of a suspension. The Board or the Executive Committee will hear the appeal of an expulsion.

The Head of School 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 Head of School 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 Head of School may seek permanent exclusion.
2. The student must be allowed an informal hearing before the Superintendent or his/her designee, the Head of School or Assistant Head of School to challenge the reasons for the intended suspension or otherwise explain his actions. The student is not entitled to call witnesses at this informal hearing.
3. Within one school day after the suspension is imposed, the Head of School shall provide written notification to the parent, guardian, or custodian of the student and the treasurer of the Board of Education of the suspension. The notice must contain the following:
  - a. The reasons for the suspension;
  - b. Notification of the right to appeal to the Board of Education or its designee;
  - 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.

Suspensions imposed during the last ten days of the school year may be carried over into the following school year. However, only the superintendent may impose a carryover suspension.

### Expulsion

The Head of School or his/ her designee may expel a student. The following procedure is required:

1. Prior to the imposition of the expulsion, the Head of School 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 Head of School 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. 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 Head of School or his/her designee to challenge the reasons for the expulsion or otherwise explain his/her actions.
3. Within one school day after the expulsion is imposed, the Head of School shall provide written notification to the parent, guardian, or custodian of the student and the treasurer of the Board of Education 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 Education or its designee;
  - 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 Head of School 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 Head of School is required to follow through on expellable offenses even if the student in question withdraws from the School prior to the hearing or the Head of School's decision.

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

*RC 3313.66-.662; 3321.13(B)(4); 4510.32( B); 20 USC 7151(b)(1); NCLB 4141(b)(1).*

See **Appendix I** Notice of Intended Suspension from School; **Appendix J** Notice of Emergency Removal and Intent to Suspend from School; **Appendix K** Notice of Suspension from School; **Appendix L** Notice of Rights Re: Suspension from School; **Appendix M** Notice of Intended Expulsion from School; **Appendix N** Notice of Emergency Removal and Intent to Expel from School; **Appendix O** Notice of Expulsion from School; **Appendix P** Notice of Rights Re: Expulsion from School (for Use for Expulsions of 20 School Days or Less Only); **Appendix Q** Notice of Rights Re: Expulsion from School (for Use for Expulsions of More than 20 School Days only).

### **Permanent Expulsion of Non-Disabled Students**

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 ordinance 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 Head of School 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, s/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. 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 the evidence, including the hearing of witnesses, shall take action within fourteen (14) days after receipt of the Head of School's recommendation.

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 fails to pass the resolution, it shall so notify the Head of School, 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 and those of the School shall be in accord with the procedures described in Ohio Revised Code §3313.66.

*R.C. 3313.662*

**Suspension/ Expulsion of Disabled Students**

In matters relating to the disciplining of disabled students, the Board shall abide by Federal and State laws regarding suspension and expulsion. The Head of School 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 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 10 consecutive school days; or a series of shorter-term removals over the course of the school year that are more than 10 consecutive school days during that school year, so long as those removals do not constitute a pattern of removals (and therefore, a change of placement).

**Removals of More than 10 Days - Change of Placement**

A change of placement occurs if a removal is for more than 10 consecutive school days; or if a student is subjected to a series of removals which accumulate to over 10 school days, that constitute a pattern. If a change of placement occurs (after a MDR (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 a 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 10 school days per incident or a series of removals accumulating to more than 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 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 a 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.

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 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 20 days of the hearing request, and the hearing officer must make a determination within 10 school days after the hearing.

**SECTION 280**

**STUDENT ACTIVITIES**

### **School Sponsored Publications**

The School may sponsor student publications as a means for students to learn, under adult direction, the rights and responsibilities of the public expression in a free society.

Such publications also play a vital role in the School's program by:

1. presenting students and the School to the community;
2. serving as a public relations media;
3. developing skills in communicating via the mass media; and
4. developing acceptable methods for preserving the constitutional provision of free speech.

In sponsoring a student publication, the School is mindful of the fact that it could be available to any student attending the School, and must, therefore, generally be suitable for all students.

Issues on which opposing points of view have been promulgated by responsible opinion may be introduced in a School sponsored publication provided equal opportunity is given to present each view and provided further that the material generally is acceptable to this community.

Advertising may be permitted in School newspapers, yearbooks, programs, etc. which are published by student organizations. Permission must be given by the Head of School or his/her designee.

The School reserves the right to designate and prohibit the publications or productions which are not protected by the right of free expression because they violate the rights of others. Such unprotected materials are those which:

1. are grossly prejudicial to an ethnic, religious, racial, or other delineated group;
2. libel any specific person or persons;
3. seek to establish the supremacy of a particular religious denomination, sect, or point of view over any other religious denomination, sect or point of view; and
4. advocate the use or advertise the availability of any substance or material which may reasonably be believed to:
  - a. constitute a direct and substantial danger to the health of students;
  - b. contain obscenity or material otherwise deemed to be harmful to impressionable students who may receive them; and
  - c. incite violence, advocate the use of force or urge the violation of law or school regulations.

The School also prohibits publications and productions which:

1. fail to identify the student or organization responsible for distribution; and
2. solicit funds for non-school organizations or institutions when such solicitations have not been approved by the Board.

The decision as whether or not something is published or produced shall be made by the advisor with appeal to the Head of School or his/her designee.

**Field Trips**

The School recognizes that field trips, when used for teaching and learning integral to the curriculum, are an educationally sound and important ingredient in the instructional program of the School. Properly planned and executed field trips should:

1. supplement and enrich classroom procedures by providing learning experiences in an environment outside the School;
2. arouse new interests among student;
3. help students relate School experiences to the reality of the world outside of School;
4. bring the resources of the community - natural, artistic, industrial, commercial, governmental, educational - within the student's learning experience;
5. afford students the opportunity to study real things and real processes in their actual environment.

For purposes of this policy, a field trip shall be defined as any planned journey by one or more students away from the School premises, which is under the supervision of a professional staff member and an integral part of a course of study.

Other School-sponsored trips shall be defined as any planned, student-travel activity which is approved as part of the School's total educational program.

The Head of School or his/her designee shall approve all trips before taken.

Students may be charged fees for School-sponsored trips but no student shall be denied participation for financial inability, nor shall nonparticipation be penalized academically.

Students on all School-sponsored trips remain under the supervision of the School and are subject to the School's administrative guidelines and policies.

The Board does not endorse, support, or assume liability in any way for any staff member, volunteer, or parent of the School who takes students on trips not approved by the Head of School or his/her designee. No staff member may solicit students of the School for such trips within the facilities or on the School grounds of the School without permission from the Head of School or his/her designee. Permission to solicit neither grants nor implies approval of the trip. Such approval must be obtained in accordance with the School's Policies.

The School sets forth these guidelines for the operation of both educational and other School-sponsored trips, including athletic trips, which shall ensure the safety and well-being of students, proper planning and follow-up, supervision and the expected behavior of the students.

A copy of each student's Emergency Medical Authorization Form should be in the possession of the staff member in charge on each trip.

A staff member shall not change a planned itinerary while the trip is in progress, except where the health, safety, or welfare of the students in his/her charge is imperiled or where changes or substitutions beyond his/her control have frustrated the purpose of the trip.

In any instance in which the itinerary of a trip is altered, the professional staff member in charge shall notify the administrative superior immediately.

See **Appendix R** Field Trip Policy and Permission Request Form.

**Equal Access for Non-School Sponsored Student Clubs and 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 shall 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.

## **Student Employment**

The Board believes that attendance at School should occupy a student's full attention and should take precedence over non-school-related employment.

If a student must work while attending School, s/he should receive counseling and assistance in seeking appropriate job opportunities and in correlating work schedules with School studies and activities. The Head of School or his/her designee should monitor any non-school related employment in order to determine the effects on School performance.

The Head of School or his/her designee shall prepare guidelines which will ensure that all students employed in out-of-school jobs are monitored by staff regarding School attendance and achievement in order to determine the effects on School performance of the student assuming out-of-school work commitments.

## **Sports Policy**

The School Sports Policy is further detailed in its Athletic / Activity Program Handbook

**Scope of the Code of Conduct** The provisions outlined in this policy shall be in effect twenty-four hours a day, seven days a week, for the duration of the season (first day of practice until the last game or awards ceremony/banquet; whichever is later) . This includes sports which commence before the beginning of the school year or extend beyond the end of the school year. For all other clubs and organizations, enforcement may begin with first meeting through the end of the school year. For an elected or appointed position, the activity program conduct may be enforced from the beginning of the election/appointment through the expiration of the term of office/season/activity. Violations are cumulative throughout one school year.

### **Eligibility Rules**

1. The athletic director will review eligibility for student athletes each grading period. All other activity program eligibility will be reviewed by the advisor. These determinations shall be final.
2. In order to be eligible in grades 6 - 8, a student must be currently enrolled and must have been enrolled in school the immediate preceding grading period. During the preceding grading period, the student must have received passing grades in a minimum of five one-credit courses or the equivalent which count towards graduation and must have earned a 2.0 grade point average or higher.
3. In order to be eligible in grades 9 - 12, a student must be currently enrolled and must have been enrolled in school the immediate preceding grading period. During the preceding grading period, the student must have received passing grades in a minimum of five one-credit courses or the equivalent which count towards graduation and must have earned a 2.0 grade point average or higher.
4. An ineligible student (for academic reason) may practice his/her co-curricular activity or practice with a team as agreed upon by the coach, player and parents/guardians, but may not participate in competition or performances.
5. Athletic participants must carry a waiver form signed by a parent/guardian as a condition of participation in the activity program.
6. Athletic participants must carry an athletics code of conduct signed by parent and player.

7. Athletic participant's grades 6-12 must have a yearly OHSAA physical examination on file within the athletic department.
8. Students must follow all rules established by I CAN Schools administrators and staff, as a condition of participation in the activity program.
9. Students must demonstrate sportsmanship, ethics, and integrity as a representative of The I CAN Schools as a condition of participation in the activity program. Activity program participation is a privilege, not a right.

286     **Health & Fitness Parental Consent Form**

Student's Name: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: H: \_\_\_\_\_ W: \_\_\_\_\_ Cell \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Age: \_\_\_\_\_

Sex: \_\_\_\_\_ M \_\_\_\_\_ F \_\_\_\_\_ Grade \_\_\_\_\_

- I hereby certify that I am the parent / legal guardian of the student named above, and that to the best of my knowledge, he/she is physically fit to participate in all sporting events scheduled through \_\_\_\_\_
- It is understood that by signing this contract, I agree to abide by the rules and regulations of the school's fitness program. It is also understood that signing this contract releases from liability, the school and / or fitness instructors from any injuries sustained during his / her participation in all sporting events or practices.
- Insurance: It is the responsibility of each parent / legal guardian to adequately cover a child participating in any sporting event through \_\_\_\_\_ with proper insurance.

Warning

I am aware that playing or practicing to play / participate in any sport can be a dangerous activity involving many risks of injury. I understand that the dangers and risks of playing or practicing to play / participate in sports include, but are not limited to: death, serious neck and spinal injuries which may result in complete or partial paralysis, brain damage, serious injury to virtually all internal organs, serious injury to virtually all bones, joints, ligaments, muscles, tendons and other aspects of the skeletal system, and serious injury or impairment to other aspects of the body, general health and well-being. I understand that the dangers of playing or practicing to play / participate in sports may result not only in serious injury, but in serious impairment of my child's future abilities to earn a living, to engage in other business, social and recreational activities and generally enjoy his / her life.

Limitations

Please list below any illness, injury, or medical condition that would limit your child's participation in the fitness program in any way. Please note "None" if your child does not have limitations.

**\*\* If your child has asthma but will be participating in the Fitness program, he/she MUST bring his/her inhaler to class each day. You MUST fill out medication forms for inhalers to be permitted in fitness classes and in School.**

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By signing below, I acknowledge that I have read and understand the criteria for fitness classes, and that all items listed above are correct. If my child uses an inhaler, I will seek the appropriate forms from the School office.

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**\* ORIGINAL MUST GO TO THE SCHOOL OFFICE. COPIES WILL NOT BE ACCEPTED.**

**SECTION 290**

**MISCELLANEOUS STUDENT POLICIES**

**Boy Scouts and Patriotic Youth Groups**

The School shall not discriminate against the Boy Scouts or the other patriotic youth groups designated in Title 36 of the United States Code in providing access to any designated open or limited public forum that are a part of or controlled by the School.

*20 U.S.C. §7905(b)(1); NCLB §9525(b)(1)*

**Materials Regarding Sexual Activity**

The School shall not develop or distribute materials or operate programs or courses of instruction that are designed to promote or encourage sexual activity, whether homosexual or heterosexual.

*20 U.S.C. §7906(a)(1); NCLB §9526(a)(1)*

292.1

**Obscene Materials**

The School shall not distribute or aid in the distribution of legally obscene materials.

*20 U.S.C. §7906(a)(2); NCLB §9526(a)(2)*

292.2

**Sex Education**

Any sex education or HIV prevention program provided by the School shall be appropriate for the age of the students receiving such instruction and shall include instruction on the health benefits of abstinence.

*20 U.S.C. §7906(a)(3); NCLB §9526(a)(3)*

292.3

**Contraceptives**

The School shall not distribute contraceptives to its students.

*20 U.S.C. §7906(a)(4); NCLB §9526(a)(4)*

**Military Recruitment and Student Privacy**

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 that the student or his/her parent may request 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)(1); NCLB § 9528(a)(1)*

*20 U.S.C. § 7908(a)(2); NCLB § 9528(a)(2)*

*20 U.S.C. § 7908(a)(3); NCLB § 9528(a)(3)*

**FERPA / Student Records and Release of Director Information**

Insert Language from ICS 2016-2017 Family Handbook to replace the following:

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.

The School shall not permit the release of education records or personally identifiable information contained therein, other than directory information, without the written consent of a parent. This provision does not apply to disclosures in the following circumstances:

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

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.

The School shall provide annual notice to parents and eligible students of the school's intent to make available, upon request, "directory information". Directory information may 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. 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.

*20 U.S.C. § 1232g.*

*R.C. 3319.321*

*R.C. 3301.0716*

See **Appendix S** Authorization to Release Information Form.

**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 and parents and eligible students shall have the right to inspect any such survey upon a reasonable request.

A student shall not be required to submit to a survey, analysis or evaluation without the prior written consent of the student's parent or an eligible student that reveals any of the following information:

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

The School shall provide notice to parents and eligible students annually of the specific or approximate dates of any such survey being administered and shall not administer any survey relating to any of the above listed information to any student for which written consent has not been received from the student's parent or the student, if an eligible student.

Additionally, 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:

1. College or other postsecondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.
3. Curriculum and instructional materials used by elementary schools and secondary schools.
4. 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.
5. The sale by students of products or services to raise funds for School-related or education-related activities.
6. Student recognition programs.

*20 U.S.C. § 1232h*

See **Appendix T** Notice to Parents Regarding the Protection of Pupil Rights Amendment.

**Biennial Assessment**

The School will inform the parents of its students and the public about their ability to access the data, questions and assessment instruments required or used in the biennial assessment of the state's students pursuant to the National Assessment of Educational Progress Act as amended by the No Child Left Behind Act (if applicable).

The School will inform the parents of its students selected to participate in the biennial assessment that their children may be excused from participating in the assessment for any reason.

*20 U.S.C. § 9622(c)(1)(A)*

*20 U.S.C. § 9622(d)(2)*

**I. Homeless Children and Youth Policy****Purpose:**

The purpose of this policy is to ensure that all children and youth have equal access to the same free and appropriate public education, including preschool education as non-homeless children and youth.

**Definitions:**

*A. Homeless children and youth are defined as individuals who lack a fixed, regular, and adequate nighttime residence, and include those who meet any of the following criteria:*

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; or
- 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.
- 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.
- Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs administered by the School District.

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 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 and 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.

## II. LEA (Community School)

The purpose of the McKinney-Vento Homeless Children and Youth Program is to ensure that all children and youth, including preschoolers, have equal access to the same free and appropriate public education, as non-homeless children and youth. The LEA will follow the requirements of the McKinney-Vento Act, whether or not they have received a McKinney-Vento sub-grant from the state to administer their program. Under 42 U.S.C. § 11432(g) (3), the LEA will:

- designate a staff person to carry out the duties described in the McKinney-Vento Act as the local homeless liaison;
- continue the student's education in the school of origin or a local public school that stably housed students in the area are eligible to attend; and
- make school placement decisions based on the best interest of the child or youth.
- keep a homeless child or youth in the school of origin, to the extent feasible, except when doing so is contrary to the wishes of the student's parent or guardian; to provide a written explanation, including a statement regarding the right to appeal, to the parent or guardian of a homeless student or to an unaccompanied homeless youth, if the LEA sends the child to a school other than the one requested; ensure, in the case of an unaccompanied homeless youth, that the local liaison assists in placement or enrollment decisions and considers the views of the youth.
- Regarding enrollment and records, the LEA will enroll the child or youth, even without records that are normally required; contact the school last attended for relevant records; assist with obtaining immunizations or immunization records; and make records available in a timely fashion when the child or youth enrolls in a new school or LEA.
- To mediate enrollment disputes, the LEA will enroll the child or youth in the school in which enrollment is sought, pending the resolution of the dispute; refer the child, youth, parent, or guardian to the local liaison to carry out the dispute resolution process; and ensure liaisons assist an unaccompanied youth during the dispute process.
- The LEA will provide services comparable to those received by non-homeless students. The LEA will coordinate with local social service and housing agencies.

## III. School Liaisons For Homeless Children

The School liaison serves as one of the primary contacts between homeless families and Staff, School personnel, 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.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths.

The homeless liaison will assist, to the extent feasible, the homeless students and their parent(s) or guardian(s) or unaccompanied homeless students in their efforts to provide documentation to meet State and local requirements for entry into school.

Homeless students will be provided services comparable to other students in the District including:

- transportation services;
- educational services for which the homeless student meets eligibility criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
- programs in vocational and technical education;
- programs for gifted and talented students;
- school nutrition programs; and before - and after-school programs;
- and referrals to health, mental health, dental, and other appropriate services.

School liaisons must ensure that:

- Homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies;
  - Homeless students enroll in, and have full and equal opportunity to succeed in the School;
  - 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;
  - Enrollment disputes are mediated in accordance with the requirements of this policy; and
  - Public notice of the educational rights of homeless students is disseminated to locations where they receive services.
- 
- homeless families, children, and youth receive educational services for which they are eligible, including Head Start programs and preschool programs administered by the LEA, as well as referrals to health care services, dental services, mental health services, and other appropriate services;
  - the parents or guardians of homeless children and youth are informed of the educational and related opportunities available to their children and

are provided with meaningful opportunities to participate in the education of their children;

- public notice of the educational rights of homeless children and youth is disseminated where they receive services, such as schools, family shelters, and soup kitchens;
- enrollment disputes are mediated according to local, state, and federal policies; and
- the parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin.
- 

See 42 U.S.C. § 11432 (g) (6) (A), the McKinney-Vento Act.

The Non-Regulatory Guidance (ED, 2004) lists the following activities that liaisons must conduct in carrying out their responsibilities:

- assist homeless children and youth with enrolling in school and accessing school services;
- help homeless children and youth obtain immunization or medical records;
- inform parents, school personnel, and others of the rights of homeless children and youth;
- work with school staff to make sure that homeless children and youth are immediately enrolled in school pending resolution of disputes that might arise over school enrollment or placement;
- help to coordinate transportation services for homeless children and youth; and,
- collaborate and coordinate with the State Coordinator and with community and school personnel responsible for providing education and related support services to homeless children and youth.
- 

In meeting these responsibilities, the School liaison should also collaborate with the school district special education program. The Individual with Disabilities Education Act (“IDEA”) requires that highly mobile children with disabilities, such as migrant and homeless children who are in need of special education and related services, are located, identified and evaluated. Additionally, IDEA requires that homeless preschoolers and all homeless children be included in the “Child Find” process for early identification of special education needs.

### III. School Placement and Enrollment

The District shall remove barriers to the enrollment and retention of homeless students in schools in the District. Homeless students shall be enrolled immediately, even if they do not have the necessary enrollment documentation such as immunization and health records, proof of residency or guardianship, birth certificate, school records, and other documentation.

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

- 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; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year; or
- In determining a child’s or youth’s best interest, the School must, to the extent feasible, keep a homeless child or youth in the “school of origin” unless doing so is contrary to the wishes of the child or youth’s parent or guardian. If the School wishes to send a homeless child or youth to a school other than the school of origin or a school requested by the parent or guardian, the School must provide a written explanation of its decision to the parent or guardian, together with a statement 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, medical records, proof of residency, birth certificates, or other documentation). 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 medical or immunization records, the School must immediately refer the parent or guardian to the School homeless liaison, who must assist in obtaining the immunizations 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.
- To the extent feasible, the School must educate a homeless child or youth in his or her school of origin, unless doing so is contrary to the wishes of the parent or guardian. The placement determination should be a student-centered, individualized determination. Factors that a School may consider include the age of the child or youth; the distance of a commute and the impact it may have on the student’s education; personal safety issues; a student’s need for special instruction (e.g., special education and related services); the length of anticipated stay in a temporary shelter or other temporary location; and the time remaining in the school year.

#### IV. Placement disputes between a School and a parent

If a dispute arises over school selection or enrollment, the LEA must immediately enroll the homeless student in the school in which enrollment is sought by the parent or guardian, pending resolution of the dispute. Similar provisions apply to placement of unaccompanied youth.

The School must provide the parent, guardian, or unaccompanied youth with a written statement of the school placement decision and the appeal rights. The School must refer the unaccompanied youth, parent, or guardian to the School 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 district level rather than the school level;
2. When inter-district issues arise, representatives from all involved districts and the SEA should be present to resolve the dispute;
3. A State-level appeal process, involving the State coordinator, should be available for appeals of district-level decisions 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 at the district or LEA homeless liaison's office;
6. States should establish timelines to resolve disputes at the local and State level;
7. Parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their position;
8. Students should be provided with all services for which they are eligible while disputes are resolved;
9. 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 district-level resolution is not satisfactory; and
  - g. Timelines for resolving district- and State-level appeals.

## V. Prohibition Against Segregation

Homelessness alone 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 sub grant from its SEA – 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 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 all 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.

*42 U.S.C. 11431 et seq.*

Education for Homeless Children and Youth Program, Title VII-B of the McKinney-Vento Homeless Assistance Act, As Amended by the No Child Left Behind Act of 2001 Non-regulatory Guidance

See Appendix 297-A Identification of Homeless or Unaccompanied Youth Enrollment and Decision Appeal Form.

**Grandparent Caretaker Policy**

A grandparent with a grandchild living with them may enroll the grandchild in the School pursuant to the Admission and Lottery Standards Policy No. 241. Such grandparent must provide a Power of Attorney and a Caretaker Authorization Affidavit.

A. Power of Attorney

A Power of Attorney is created by a parent, guardian or custodian of any student of the school, and grants to the grandparent of the child with whom the child is residing any of the parent's, guardian's or custodian's rights or responsibilities regarding the care, physical custody and control of the child, including the ability to enroll the child in school, to obtain from the school district educational and behavioral information about the child, to consent to all school-related matters regarding the child, and to consent to medical, psychological or dental treatment for the child. A Power of Attorney does not convey legal custody of the grandchild to the grandparent and does not affect the rights of a parent, guardian or custodian in any future proceedings.

B. Caretaker Authorization Affidavit

A Caretaker Authorization Affidavit may be executed by a grandparent who has made reasonable attempts to locate and contact both of the child's parents or the child's guardian or custodian, but has been unable to do so. The Caretaker Authorization Affidavit gives the grandparent the authority to exercise care, physical custody and control of the child, including authority to enroll the child in school; discuss with the school the child's educational progress; consent to all school-related matters regarding the child; and consent to medical, psychological or dental treatment for the child.

C. The execution of a Power of Attorney or Caretaker Authorization Affidavit for the purpose of enrolling the child in a school or school district so that the child may participate in the academic or inter-scholastic athletic programs provided by the school or school district is prohibited. Such falsification is a first degree misdemeanor, and voids the Power of Attorney or Caretaker Authorization Affidavit.

D. Both the Power of Attorney and the Caretaker Authorization Affidavit terminate after the following events:

- expiration of one year after execution;
- termination of the child's residence with the grandparent;
- termination by the court; or
- death of the grandparent.

*R.C. 3109.52; 3109.65*

See **Appendix V** Caretaker Authorization Affidavit and **Appendix W** Caretaker Power of Attorney.

**Constitution Day**

On September 17th, 1787, the U.S. Constitution was signed. Thus, on September 17th of each year, the School shall hold an educational program pertaining to the United States Constitution, which shall be designated as Constitution Day and Citizenship Day (“Constitution Day”). Unless September 17 falls on a weekend or holiday, the program must be held on that date; otherwise, the program will be held the week prior to or after September 17th.

*Consolidated Appropriations Act, 2005, Division J of Pub. L. 108-447, 118 Stat. 2809, 3344-45 (Section 111).*

**SECTION 3:**  
**STAFF POLICIES/HANDBOOK**

STAFF  
HANDBOOK

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Employee Acknowledgment Form

## **Welcome to I CAN Schools**

Dear Staff Member:

It is my pleasure to welcome you to our school! You have become a part of an organization that prides itself on its commitment to our students. With the commitment of hardworking staff like you, we are able to successfully serve our students and their families.

Our teachers and other employees are the School's most valuable assets. This staff handbook is a general guide that we hope will help you understand how you and the School can work together toward a shared success. We ask that you take the time to read it and familiarize yourself with our School philosophy, policies, and practices. If anything in this handbook is not clear to you, or if you need more information, please ask your immediate supervisor or

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Thank you for joining our team. We hope your experience here will be challenging, fun, and rewarding.

Best wishes,

Head of School

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**About This Handbook**

In your best interest as a new Employee of the School, we have designed this handbook to answer questions regarding your job and make you aware of the School rules, procedures, policies, fringe benefits and other matters of interest to you. The information expressed in this handbook, or any future additions or revisions does not constitute an agreement or any contractual rights in favor of employment for any specified period or definite duration. The employment relationship may be established pursuant to a contract or may be “at will” meaning that, with or without cause and without prior notice, the employer and Employee may terminate the employment relationship; subject only to a written authorized agreement to the contrary. The only person authorized by the School to enter into any agreement or assurances to the contrary of this handbook is the Head of School of the School and any such agreement or assurance must be in writing and signed by the Head of School. The policies, procedures, benefits and matters contained in this book are subject to revisions at anytime by the School Board.

You are expected to read this handbook thoroughly so that you understand all its contents. You are encouraged to bring questions regarding any policies or benefits to any member of management. You are required to sign a Handbook Acknowledgment form and return it. We encourage you to ask questions so that misunderstandings will be kept to a minimum and we can concentrate on our number one job - teamwork and service to our students.

We want you to enjoy your job and sincerely hope that you find your employment at the School to be pleasant, personally challenging, rewarding and profitable.

## About Our School

“To turn your youngsters onto school, you have to take the time and expend the effort to salute them for doing the right thing and publicly celebrate their academic success. You must remain steadfast and unwavering in order to provide a supportive and encouraging environment for the youngsters you are raising.” – Hugh D. Price, President of National Urban League (Achievement Matters 4, Price, 2002). Like Hugh B. Price, we know that “the basic idea behind charter schools is that ‘one size doesn’t fit all in K-12 education. So states and local school districts may be allowed under the law to authorize the creation of charter schools that serve as an option for parents and children” (134). The specific design of the School is to provide the fit that will best work for the most “at-risk” children, address their specific needs, and ensure that we are able to meaningfully contribute to the educational landscape in Cleveland which remains dedicated to the improvement of the lives of all children residing in our city.

The educational program shall be provided without discrimination on the basis of age, color, sex, national origin, disability, race, religion, or status as a Vietnam veteran or on any other basis prohibited by Federal, state or local laws. Non-discriminatory policies will be adopted and implemented regarding recruitment, admissions, employment, educational programs, athletics, and extra-curricular activities. The School does not discriminate with regard to its admission of students to all rights, privileges, programs, and activities generally accorded or made available to the students in the school.

The philosophy of education and educational goals shall reflect the school’s deep and central commitment to strong student achievement. We believe that the primary need of our students is to develop the strongest basic skills in the middle school, and to build upon that foundation in high school through the increasing application of those skills to real world problems and the development of critical thinking skills necessary for college and the demands of the modern professional work place. The implementation of this philosophy and the program to support the educational goals as outlined in our Accountability Plan will be developed under the direction of the Head of School and adopted as revisions to what is here by the School Board. The philosophy of education and educational objectives shall be included in school brochures, application forms, parent handbooks, and staff manuals.

The School believes that dedicated and professional staff, a strict and consistent disciplinary policy, a partnership with parents who support the educational philosophy and program of the school, and a collaboration with community organizations, are necessary to create well-rounded youth capable of and committed to life long learning. With our focus on the critical development of basic skills and the increasing development of higher ordered work, the School will implement a program of cumulative review, direct instruction on new skills and content knowledge acquisition, and multiple opportunities to practice these skills and content. Further, technology will be used in classrooms as appropriate to further reinforce these lessons and to ensure exposure as well as prepare the student for the work world. Professional internships and enrichment programming may be provided to The Academy’s high school students through

collaborative curriculum implemented with a number of partners. The curriculum design of the School must transform the lives of our children, who all too often are headed for increasing academic failure and eventual school drop-out. As with the educator Marva Collins and the innumerable educators she has inspired, "The challenge that motivates [us] is to prove that something positive and constructive can be done about the deplorable rate of dropouts, which is preceded by an attendant level of scholarship among most minority students" (Marva Collins' Way 1, 1982). Therefore, at the School we are committed to substantially increasing the scholarship level of our students as one of the most critical ways of moving steadily towards high school graduation for Cleveland's most at-risk students.

First, the academic program will remediate individual students' basic skills and knowledge gaps and ensure that all students can read, write, and compute on grade level. As a result of this focus on the core academic skills, it is expected that English/Language Arts and Math will take a larger portion of the middle students' scheduled academic time. English/Language Arts and mathematics will continue to be scheduled for an extended amount of time every day through 8th grade with the goal of preparing students to demonstrate proficiency as measured by the National Assessment of Educational Progress in reading and writing, and ensuring that they have strong listening and presentation skills as well. This core instruction will be supplemented by daily instruction in science and social studies, as well as enrichment classes in the arts and physical education. Tutoring time may be built into the beginning and end of every school day and in a Saturday School, to give students ample opportunity to reach and stay on grade-level and achieve within challenging academic curriculum. Students will begin 9th grade with a strong academic base as evidenced by high scores on the 8th grade Ohio Achievement Tests and portfolios documenting authentic student performance in the areas of academic achievement defined by standards but not assessed by the Ohio Achievement Tests. In 9th and 10th grade, students will focus on a demanding college preparatory school academic curriculum, taking advantage of their preparation and the school's extended day and school year to establish a strong foundation for college readiness by the time of graduation. The School expects students to graduate from the 12th grade with a strong and well-practiced foundation of knowledge, skills, conceptual understanding, and work and study habits to ensure their success in college and the world of work. The school will make use of the extra time to ensure all students are achieving against its very high academic expectations while also making room for students to begin to develop their entrepreneurial skills and practice them through professional internships and advanced study during their junior and senior years of high school. Within the academic curriculum of the 9th and 10th grade years (as well as for all of a student's years at E-Prep), course work will demand research, dialogue, discussion, and writing as tools for gaining and communicating understanding. Students will be required to ask and answer, both verbally and in writing, the essential questions at the core of a given grouping of academic standards. Where appropriate, primary sources and experimental data will be used and/or generated for research, and students will be required to think both analytically and creatively to provide their answers and place them within a broader framework for their lives and personal goals. Instruction

will be based on the “I do, we do, you do” model in which teachers provide direct instruction on new material, ensure the opportunity for students to work with the teacher in the application of that new skill or content knowledge, and then practice of the lesson’s aims independently to ensure each student has mastered the material. Students will have access to traditional instructional resources like textbooks, and will be encouraged to go beyond them and out of the building – perhaps working with the archives of the Western Reserve Historical Society in the study of history, studying original works of art at the Cleveland Museum of Art, collecting and testing air and water samples from around the community as part of science and social studies, visiting with Federal Reserve officials as part of the study of economics, etc. Students’ possible access to laptops (1-1 ratio) may give teachers the flexibility to set up their “classroom” wherever the learning agenda demands.

Core faculty will be hired based upon their full commitment to the school’s mission and their high degree of knowledge and experience in successfully promoting strong student achievement in English/Language Arts, mathematics, and physical/biological sciences, social studies, and foreign language. Every effort will be made to ensure that entrepreneurship, technology, and visual and performing arts expertise are also found within the core faculty. However, the school anticipates contracting with external experts where necessary, such as independent language schools for foreign language instruction and organizations like Young Audiences for arts instruction. Such subcontracting will potentially improve the level of expertise (though at a cost to instructional experience that must be closely managed) and increase the school’s flexibility in scheduling courses (e.g., all students could conceivably be in simultaneous foreign language or arts courses, freeing core staff up to plan or collaborate around professional development objectives).

In the 11th and 12th grade years, students are expected to have a solid grounding in a college preparatory school academic program, and will be expected to continue their academic work to ensure their acceptance to a 4-year college program. However, they will also be encouraged to begin to truly “practice entrepreneurship,” and their academic paths may diverge somewhat. Some students may work diligently towards AP exams, and some students may pursue courses through local universities and/or on-line (all students will be supported in successfully completing at least one on-line course during their 7 years at E-Prep) and either the SAT or ACT will be required of all students. However, given the “entrepreneurial” goal, some students may spend substantial time in their 11th and 12th grade years working on business plans, taking externships that help them acquire skills and experience relevant to those business plans, and possibly even beginning to start their businesses. As a result, all students will graduate with acceptance at a 4-year college, and some students may be additionally prepared to immediately execute their business plans.

**Our Mission Statement**

To prepare students for a college preparatory high school that will ensure success and graduation from a four year college

**Our Values**

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, sex, national origin, disability, race, religion, or status as a Vietnam veteran, or on any other basis prohibited by Federal, state or local law. Harassment, whether verbal, physical, or environmental, is unacceptable and will not be tolerated.

**Non-Discrimination Policy**

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, layoff or termination, and selection for training in a nondiscriminatory manner without regard to age, color, sex, national origin, disability, race, religion, or status of a Vietnam veteran 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 Head of School or their 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 § 2006(c); 42 USC § 12101; R.C. 4112.02.*



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, disability, national origin, race, religion, or gender. Harassment, whether verbal, physical, or environmental, is unacceptable and will not be tolerated.

**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, disability, national origin, race, religion, or gender; asking questions about sexual conduct; 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.

*29 USC § 631; 29 USC 206(d); 42 USC 2006(c); 42 USC 12101; R.C. 4112.02.*

See also Policy No. 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.

**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.

**A. Notification of Appropriate Staff**

Individuals who believe they have been subjected to harassment should report the incident to the Head of School or his/her designee. When appropriate, the Head of School or his/her designee will immediately consult with the Board. If the Head of School 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.

**B. 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.

**C. 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.

**D. 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.

E. 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.

**Immigration Law Compliance Policy**

The School is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with The School within the past three years, or if their previous I-9 is no longer retained or valid.

*8 USC § 1324a.*

**SECTION 310**

**YOUR EMPLOYMENT AT THE SCHOOL**

**Employment Status**

Some School employees may have an "employment-at-will" relationship. This means that the employee is free to leave the School at any time, with or without reason, and that the School has the same right to end its employment relationship with that employee. No one at the School has authority to make a contrary agreement with you except the Head of School or his/her designee. Any such contrary agreement must be in a formal written document and signed by the Head of School or his/her designee.

**Employment Contracts**

Employment contracts or letters are issued to some full time employees. Supplemental contracts are issued to employees who perform duties in addition to their regularly contracted services. Hourly-rated employees are not issued annual contracts and they are considered to be casual employees and are paid on a time sheet basis. All contracts are subject to final approval by the Board and may either be "At Will" contracts or otherwise as stated therein.

**Salaries**

The annual salary of each employee will be paid in 24 equal twice-monthly payments unless they begin their service after the start of a new year and in that instance the salary will be paid in equal installments through the end of the year. Paydays shall be on the 15th and last day of each month. When payday falls on a weekend or a holiday, the payday will be the last regular workday before the weekend or holiday.

*Fair Labor Standards Act; R.C. 4113.15(A).*

**SECTION 315**

**EMPLOYEE QUALIFICATIONS**

**Teachers**

Prior to employment, teaching applicants must submit the following documents:

- A. Application for employment;
- B. Evidence of a Bachelors Degree or higher;
- C. Certified transcripts from an accredited college or university attended by the teacher;
- D. Copy of the diploma issued by an accredited college or university;
- E. A current Teaching Certificate issued by the Ohio Department of Education;
- F. Evidence of a tuberculin test completed immediately prior to employment;
- G. References and recommendations for employment, and;
- H. An application for the completion of a criminal background check as required by Ohio Revised Code 109.572 and 3319.39. New employees are employed on a conditional basis pending receipt of a satisfactory background check. Every employee must undergo a criminal background check. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School Head of School's office or from his/her designee.

Teachers must possess physical and mental health so as to be able to fulfill the conditions of employment or the continuation of employment.

Teachers may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for any specific position, including but not limited to all those required by federal and state laws.

*20 U.S.C. § 6301; R.C. 3319.30; R.C. 3313.71.*

**Entry Year Program**

The School's Entry Year Program provides support for administrators and teachers new to the School with two years or less experience. This program is designed to provide direct assistance to the School's beginning teachers through mentors who offer the necessary support to help meet classroom challenges. All beginning teachers employed full time under a two-year provisional license must successfully complete the School's Entry Year Program and pass the performance-based assessment before they are issued a 5-year professional license, which is a license required to work as a fully credentialed teacher in Ohio schools.

Entry year support:

A formal program of support shall be a minimum of one academic year in length (i.e. a minimum of 120 school days). Entry year support shall include mentoring that is provided on an ongoing basis and that is congruent with the performance-based assessment in accordance with OAC 3301-24-04. Additionally, training may include such things as monthly mentor meetings, observation of classroom practice, review of documentation prepared by the teacher, informal interviews and seminars or other practical training.

Entry year performance-based assessment:

All beginning teachers employed full time under a two-year provisional license, must successfully complete an Entry Year Program and pass a performance-based assessment. The performance-based assessment shall be administered during the first or second year of teaching. Passage of this assessment results in eligibility for the professional license.

Teachers may attempt to complete the Entry Year requirements no more than two times under the provisional license. Failure to successfully complete the Entry Year requirements after the second attempt will result in the loss of the provisional license until such time as the candidate completes additional coursework, supervised field experiences, and/ or clinical experiences as designated by a college or university approved for educator preparation.

The Entry Year Program and assessments for beginning administrators shall be implemented based upon guidelines and timelines established by the Ohio Department of Education in consultation with practicing administrators and other stakeholders.

*R.C. 3314.03; OAC 3301-24-04*

**Teacher Aides**

Prior to employment teacher aide applicants must submit the following documents:

- A. Application for employment;
- B. Written references and recommendations for employment;
- C. Copy of a valid Teacher Aide Permit issued by the Ohio Department of Education;
- D. An application for the completion of a criminal background check as required by Ohio Revised Code 109.572 and 3319.39. Employees will be employed on a conditional basis pending receipt of a successful background check. Every employee must undergo a criminal background check. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the Head of School's office or from his/her designee.

Teacher Aides must possess both physical and mental health to be able to fulfill the duties of employment or the continuation of employment.

Teacher Aides may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for any specific position, including but not limited to all those required by federal and state laws.

*R.C. 3319.088.*

**Other Employees**

Prior to employment applicants for other positions must submit the following documents:

- A. Application for employment;
- B. Written references and recommendations for employment;
- C. Copies of any specific license or certificate as may be required by law or by the Board or the School administration for the position sought;
- D. An application for the completion of a criminal background check as required by Ohio Revised Code 109.572 and 3319.39. New employees will be employed on a conditional basis pending receipt of a satisfactory background check. Every employee must undergo a criminal background check. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the Head of School's office or from his/her designee.

Employees must possess both physical and mental health to be able to fulfill the duties of employment or the continuation of employment.

Employees may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for the position.

**Employment of Substitute Teachers**

Substitute teachers must possess a valid substitute teacher certificate issued by the Ohio Department of Education. If an applicant can provide evidence that application for a substitute teacher certificate has been made, that person may be employed conditionally for up to 60 days pending receipt of the certificate. If a certificate is not obtained within that period of time, employment will be terminated. All substitute teachers must make application for a criminal background check required by Ohio Revised Code 109.572 and 3319.39. Every employee must undergo a criminal background check. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public School. A listing of the disqualifying offenses may be obtained from the School Head of School's office or from his/her designee. New substitute teachers are employed on a conditional basis pending receipt of a satisfactory background check.

*R.C. 3319.226; R.C. 3319.36; R.C. 3319.101; 1964 O.A.G. No. 903.*

**SECTION 320**

**EMPLOYMENT STATUS/PERSONNEL FILES**

**Full-Time Employee**

A full-time employee is one who is expected to regularly work an average of no less than 40 hrs. per week.

*Fair Labor Standards Act; R.C. 3319.086.*

**Part-Time Employee**

A part-time employee is one who is expected to work less than 40 hrs/week on average.

Based upon scheduling needs and fluctuating work demands the School may employ temporary or seasonal employees. While all policies and procedures will apply equally to temporary and seasonal employees, no fringe benefits are offered unless specifically indicated upon hire.

*Fair Labor Standards Act (29 USC § 201 et. seq.); R.C. 3319.086.*

**Outside Activities**

During School hours employees are prohibited from engaging in personal, activities and associations that may be in conflict with the interests of the School. Examples of such activities include, but are not limited to private enterprises, campaigning for a candidate for political or elected office, and soliciting fees for private tutoring of students. Staff members who have any question regarding a potential conflict of interest should confer with the Head of School or his/her designee.

**Access to Personnel Files**

The School maintains personnel files on each Employee. These files will contain the following information: application for employment; resume; copies of personal references; job evaluations; professional credentials or certification; copies of performance appraisals, disciplinary warning notices, letters of commendation, and any reports related to the Employee.

To ensure that personnel files are up-to-date at all times, it is the responsibility of each Employee to promptly notify management of any changes in name, telephone number, home address, marital status, change in legal name, 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 other relevant personal information.

Personnel files are the property of the School, and access to the information they contain is restricted. Generally, management personnel of the School who have legitimate reason to review information in a file are allowed to do so.

Employees who wish to review their own file should contact the Head of School or his/her designee. With reasonable advance notice, Employees may review their own personnel file with advance notice and by appointment.

*Ohio Privacy Act; R.C. 1347; R.C. 149.43.*



### 325.1 **Public Records**

Public records are recorded accounts or information that are kept by the School for the conduct of School business and instruction. Any person may inspect the public records of the School during regular business hours of the office in which such records are kept, provided adequate advance notice is given to the custodian of the records. A School employee or representative will be present during the inspection of the records. A person may purchase copies of the School's public records upon payment of a fee, which is equal to the exact cost of making the copies. The School's public records may not be removed from the School except by a School employee who is authorized to do so.

*R.C. 149.43.*

See also Policy No. 147 Public Records Policy and Policy No. 147.1 Records Retention and Disposal Policy.

**Student Records**

Student records will be collected and maintained in the School office. These records shall be available only to students, their parent, legal guardians, School personnel who have an educational or instructional purpose for the records. Both parents shall have equal access to their child's records unless a court has ordered otherwise. Upon receiving notification that a student has transferred and the new School requests student records, the School will forward the records to the new School. Copies may be made of a student's record if requested by a parent or court appointed guardian. The Head of School or his/her designee shall maintain a log of persons who have accessed School records and the specific record(s) which were inspected or copied. A School employee shall be present during the inspection of the records.

*R.C. 3319.321.*

See also Policy No. 294 Student Records and Release of Information and **Appendix S** Authorization to Release Information Form.

325.3

**Confidentiality of Records**

If the School receives information as confidential from a public agency the School will maintain the confidentiality of such information unless directed to do otherwise by a court of law, to the fullest extent permitted by law.

*R.C. 149.43.*

See also Policy No. 147 Public Records Policy; Policy No. 147.1 Records Retention and Disposal Policy; Policy No. 294 Student Records and Release of Information and **Appendix S** Authorization to Release Information Form.

**Board-Staff Communications**

Staff members report directly to the Head of School or his/her designee regarding administrative and instructional issues. The Head of School or his/her designee reports to the Board of on all issues, which affect the operation of the School, and on any other concerns regarding the School.

All communications from the School staff members to the Board should be submitted through the Head of School or his/her designee. This procedure shall not deny any employee the right to appeal to the Board through established procedures. The appropriate forms to initiate a communication or an employee grievance may be obtained from the Head of School or his/her designee.

**SECTION 330**

**ETHICAL BEHAVIOR**

**Ethical Behavior**

The School requires exemplary moral and ethical standards of conduct by its employees. The Board also requires that all employees maintain high standards in interpersonal relationships with other employees, parents, visitors and with students.

A public school teacher may not (1) authorize or use his/her position as a teacher to secure authorization of a contract of the Board in which he/she or their family members or business associates have an interest (2) profit from a School contract he/she authorize unless it was awarded to the lowest and best bidder after a competitive bid, or, (3) have an interest in the profits or benefits of a School contract other than his/her own employment contract.

*R.C. 102.04(C), R.C. 2921.42, R.C. 2921.43.*

See also Policy No. 114 Ethics and Conflicts Policy.

**Use of Alcohol and Drugs**

Persons subject to the terms of this policy and the testing procedures are as follows:

- A. All employees of the School and its subsidiaries.
- B. All employees of temporary employee agencies or employee leasing services assigned to perform work for or on behalf of the School or its subsidiaries.
- C. All employees of contractors providing services at School locations or at other locations on behalf of the School.
- D. All applicants for employment with the School and its subsidiaries.

The policy of the School prohibits possession of, use of, or being under the influence of alcohol or illegal drugs or other controlled substances during working hours, on School property at School programs, or School activities, in any facility maintained by the School, or in School-supplied vehicles.

Employees of the School and its subsidiaries are its most valuable resource and for that reason, their health and safety is of paramount concern. The School will not tolerate any alcohol or drug use which imperils the health and well-being of its employees or threatens its business. The use of illegal drugs and abuse of other controlled substances, on or off duty, is inconsistent with the law-abiding behavior expected of all our employees. Employees who use illegal drugs or abuse other controlled substances, on or off duty, pose a risk to their own health and safety, as well as that of other employees. Such employees also tend to be less productive, less reliable, and prone to greater absenteeism resulting in the potential for increased cost, delay, and risk in the School's business. Employees have the right to work in a drug-free environment. In addition, alcohol and drug abuse inflicts a toll on the nation's productive resources and the health and well-being of American workers. The School is, therefore, committed to maintaining a safe workplace, free from the influence of alcohol and drugs.

*U.S. Const. Amend. IV, XIV; Oh. Const. Art. 1 §14; R.C. 2925.03; R.C. 3319.20; R.C. 4123.34.*

331.1

**Use of Over-the-Counter Medicine and Authorized Use of Prescription Medicine**

Employees using over-the-counter medication or medication prescribed by a physician are expected to discuss potential side effects with a physician. An employee using any drug which may alter his or her physical or mental ability must report this treatment to the Head of School or his/her designee, who will determine whether the School should temporarily change the employee's job assignment during the period of treatment.

**Prohibitions**

The School's policy prohibits the following:

- A. Use, possession, manufacture, distribution, dispensation, or sale of illegal drugs, alcoholic beverages, and tobacco products on School premises or School business, in School-supplied vehicles, or during working hours.
- B. Unauthorized use or possession, or any manufacture, distribution, dispensation, or sale of a controlled substance on School premises or any facility maintained by the School, in School-supplied vehicles, or during working hours.
- C. Use, manufacture, distribution, dispensation, possession, storage, or any sale of alcohol or illegal drugs or controlled substances on School premises or School business, in School-supplied vehicles, or during working hours.
- D. Being under the influence of alcohol or a controlled substance or illegal drugs on School premises or School business or at any facility maintained by the School, in School-supplied vehicles, or during working hours.
- E. Use of alcohol off School premises that adversely affects the individual's work performance, his own or others' safety at work, or which the School regards as adversely affecting its reputation in the community or with its customers.
- F. Possession, use, manufacture, distribution, dispensation, or sale of illegal drugs off School premises.
- G. Switching or adulterating any urine, blood, or other sample submitted for testing.
- H. Refusing consent to testing or to submit a urine, blood, or other sample for testing when requested by management.
- I. Refusing to submit to a search when requested by management in accordance with this policy.
- J. Failure to adhere to the requirements of any alcohol or drug treatment or counseling program in which the employee is enrolled.
- K. Arrest or conviction under any criminal drug law.
- L. Arrest or conviction under any law prohibiting driving under the influence of alcohol or other drugs.
- M. Failure to notify the School of any arrest or conviction under any criminal drug law or laws prohibiting driving under the influence of alcohol or other drug, within five (5) days of the arrest or conviction.
- N. Refusing to sign a statement agreeing to abide by the School's Alcohol and Drug Abuse Policy.
- O. Refusing consent or refusing to submit to pre-employment testing.

*R.C. 2925; R.C. 2925.03.*

**Searches**

- A. Whenever the School has reason to believe that an employee's work performance or on-the-job behavior may be affected by alcohol or drugs, the School may search the employee, the employee's locker, desk, or other School property under the control of the employee, as well as the employee's personal effects or automobile on School property or any facility maintained by the School.
- B. Whenever the School has reason to believe that an employee possesses alcohol or drugs on School premises, the School may search the employee, the employee's locker, desk, or other School property under the control of the employee, as well as the employee's personal effects or automobile on School property or any facility maintained by the School.

*U.S. Const. Amend. IV, XIV; Oh. Const. Art. 1 §14.*

**Consequences for Violation of this Policy**

- A. Violation of the School's Alcohol and Drug Abuse Policy may result in severe disciplinary action, including discharge, at the School's sole discretion.
- B. In addition to any disciplinary action, the School may, in its sole discretion, refer the employee to a treatment and counseling program for alcohol or drug abuse. The Head of School shall determine whether an employee it has referred for alcohol or drug treatment and counseling should be temporarily reassigned to another position.
- C. The School will promptly terminate any employee who tests positive for alcohol or drugs while undergoing treatment and counseling for alcohol or drug abuse, regardless of whether such treatment and counseling is voluntary or required by the School.
- D. The results of, or an employee's refusal to submit to, any chemical/drug/alcohol test described herein may, in addition to any disciplinary action imposed, disqualify an employee from receiving compensation and benefits under Ohio's workers' compensation laws.

331.5

**Testing**

- A. Whenever the School has reason to believe that an employee's work performance or on-the-job behavior may be affected in any way by alcohol or drugs, the School may require the employee to submit a urine, blood, or other sample for testing.
- B. The School will afford employees subject to testing the opportunity, prior to testing, to list all prescription and non-prescription drugs they have used in the last thirty (30) days and to explain the circumstances surrounding the use of such drugs.
- C. Employees subject to testing must sign an approved form consenting to the testing and consenting to the release of the test results to the School. Refusal to sign the consent form will be considered refusal to be tested and will result in discharge and may result in denial of workers' compensation benefits.
- D. The School, prior to taking any action, will give all applicants and employees who test positive the opportunity to explain in writing the test results.

**Types of Testing**

All employees are subject to the following types of testing:

A. Post-Accident Testing

- Alcohol and drug testing is required of employees whose performance either contributed to an accident or cannot be completely discounted as a contributing factor to an accident. Because alcohol does not remain in the body for extended periods of time, testing will be done as soon as possible.
- Reportable accidents that require testing include:
  - a. Death of any person.
  - b. Bodily harm to any person resulting in one or more of the following:
    - (i) Loss of consciousness
    - (ii) Necessity to carry person from the scene
    - (iii) Necessity for medical treatment (beyond first-aid)
    - (iv) Disability which prevents the discharge of normal duties or pursuit of normal activities beyond the day of the accident
  - c. Explosion or fire.
  - d. Serious damage to the property of the School or others.
  - e. Any event that is serious in the judgment of the School requires testing.
- If any employee who is subject to post-accident testing is conscious, and refuses to be tested, that person will immediately be placed on suspension, pending further disciplinary action.

B. Other Testing

1. Alcohol and drug testing of employees will be conducted when there is reason to believe the employee is impaired from the use of alcohol or drugs. A decision to test will be based on specific physical, behavioral, or performance indicators of possible alcohol or drug use. For example, repeated errors on the job, regulatory or School rule violations, or unusual time and attendance patterns, could provide evidence to test an employee based on reasonable cause.
2. Any employee who is tested will immediately be placed on suspension pending test results.
3. The School may conduct pre-employment testing.

*R.C. 4123.651.*

331.7

**Medical Examinations**

Employees may be required to undergo medical examinations from time to time during their employment if, in the judgment of the School, such examinations are shown to be job-related and consistent with business necessity. A School-designated health care provider may perform examinations or the employee may be required to provide results of a medical examination from the employee's health care provider. The School will maintain employee medical records in a file separate from other personnel records, and access to such medical information will be restricted as allowed or required by law.

*R.C. 149.43; R.C. 1347; R.C. 4123.651.*

**Physical Examination**

New employees, after a conditional offer of employment by the Board, shall be required to pass a full physical examination administered by a physician of the School's choice and must provide proof of satisfactory completion of the employee's health examination to the Head of School or his/her designee. The School's employee health examination form must be completed and turned in no later than ten days prior to the first day of work. The School will reimburse or advance the cost of the physical examination directly to the physician, up to an amount of \$250.00 in total cost per employee.

Any applicant for employment who is found ineligible for service by the health examiner may be refused employment. The School will comply with applicable laws requiring accommodation of qualified individuals with disabilities who are able to perform essential job functions with or without reasonable accommodation(s).

The Head of School or his/her designee may require fitness for duty or other medical examinations of employees in accordance with applicable laws.

**Tuberculin Testing - All Employees**

- A. New employees shall:
  - 1. present documented evidence of having a negative tuberculin test (Mantoux Test 5 TU PPD preferred) within ninety (90) days before the first day of work;
  - 2. if a known positive reactor, have a chest X-ray and other appropriate examinations revealing the absence of tuberculosis in a communicable state within ninety (90) days before the first day of work.
- B. Currently employed teachers, administration or staff shall:
  - 1. present documented evidence of having a negative tuberculin test (Mantoux 5 TU PPD preferred) performed no earlier than September 1, 1974, and every third year thereafter;
  - 2. if a known positive reactor, have a chest X-ray annually or if the person has completed a course of preventative therapy or adequate chemotherapy in accordance with guidelines prescribed by the Head of School or his/her designee of the Ohio Department of Health, have a chest X-ray at three (3) year intervals;
  - 3. have additional tuberculosis screening at more frequent intervals at the discretion of the local board of health.

*42 USC 12112(d); R.C. 3313.71; OAC 3701-15-02-(A) and (B).*

**Weapons in the Workplace**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. This policy applies to all persons, except law enforcement personnel on official business, regardless of whether the person is licensed to carry a weapon.

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.

Prohibited weapons include any form of weapon and any form of explosive restricted under local, state or federal regulation. This includes all firearms, illegal knives or other weapons restricted by the law. If you have a question about whether an item is covered by this policy, please contact the Head of School 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.

*R.C. 2923.122; R.C. 2923.126.*

### 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 submit to a search when requested by the School in accordance with this policy.
- D. Refusing to sign a statement agreeing to abide by the School's Weapons in the Workplace Policy.
- E. Failing or refusing to report a known violation of this policy.
- F. Failing or refusing to cooperate with any investigation relating to a possible violation of this policy.

### Searches

The School reserves the right to conduct searches of any person, vehicle or object on School property at any time and for any reason. Pursuant to this provision, the School is authorized to search lockers, desks, purses, briefcases, baggage, toolboxes, lunch sacks, clothing, vehicles parked on School property, and any other personal effect or item in which a weapon may be hidden. Additionally, the School may search a vehicle owned by it and used by a School employee, a vehicle owned by an employee that is being used to transport students on behalf of the School, and any other vehicle on School grounds or recently on School grounds, regardless of whether the vehicle is located on School grounds at the time of the search or request. The Head of School or his/her designee may conduct searches. To the extent the search is requested by the Head of School or his/her designee or his or her designee, the employee may refuse the search; provided, however that such refusal is a violation of this policy and may result in disciplinary action including termination of employment for refusal to cooperate. The School reserves the right to conduct searches on School grounds and to authorize searches by law enforcement on School grounds without the employee present.

Consequences For Violation of This Policy

- A. Violation of the School's 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 Head of School or his/her designee.**

*R.C. 2923.122; R.C. 2923.126.*

See also Policy No. 421 Dangerous Weapons and **Appendix X** Notice Regarding Weapons in the Workplace.

## Homeland Safety Declaration Regarding Material Assistance/ Non- assistance to a Terrorist Organization

*Please choose one of the following options:*

\_\_\_The employer **IS** a political subdivision or instrumentality of the State of Ohio. Therefore, all employees under final consideration for employment, who are hired after April 24, 2006, must complete the Homeland Safety Declaration Regarding Material Assistance/ Non-assistance to a Terrorist Organization for Public Employment which is contained in **Appendix Y**. Hiring of an employee after April 24, 2006 is contingent upon the completion of the form. Additionally, any person, company, affiliated group, or organization or person who holds, owns or otherwise has a controlling interest in a company, affiliated group or organization that conducts business in an aggregate amount greater than one hundred thousand dollars (\$100,000.00), with the employer, must complete the Homeland Safety Declaration Regarding Material Assistance/ Non-assistance to a Terrorist Organization Government Business and Funding Contracts Form which is contained in **Appendix Z**.

\_\_\_ The employer **IS NOT** a political subdivision or instrumentality of the State of Ohio. Because School Board members have a controlling interest in the School, and the School receives funding in an aggregate amount greater than one hundred thousand dollars (\$100,000.00) annually from the State of Ohio, the School Board members must complete the Homeland Safety Declaration Regarding Material Assistance/ Non-assistance to a Terrorist Organization Government Business and Funding Contracts Form which is contained in **Appendix Z**.

\_\_\_If it is **UNCLEAR** whether the employer is a political subdivision or instrumentality of the State of Ohio, then the employer may require all employees under final consideration for employment, who are hired after April 24, 2006, to complete the Homeland Safety Declaration Regarding Material Assistance/ Non-assistance to a Terrorist Organization for Public Employment which is contained in **Appendix Y**. Additionally, the employer may require any person, company, affiliated group or organization or person who holds, owns or otherwise has a controlling interest in a company, affiliated group or organization that conducts business in an amount in excess of One Hundred Thousand Dollars (\$100,000.00), with the employer, to complete the Homeland Safety Declaration Regarding Material Assistance/ Non-assistance to a Terrorist Organization Government Business and Funding Contracts Form which is contained in **Appendix Z**.

If all the questions on the forms are answered “no” the School shall retain the forms, which are public records. If any of the questions are answered “yes”, the School must notify the Ohio Department of Homeland Security and forward the appropriate form to the agency. A refusal to answer a question is also treated as a “yes” response. Answering the questions untruthfully is a fifth degree felony.

*R.C. §§ 2909.21-2909.33.*

## Auditor of State’s fraud reporting-system

In 2003, then Auditor of State created the Auditor of State’s fraud hotline. The hotline was established as a way for all Ohioans to report potential fraud throughout government. Since its inception, not a week passes without the Auditor of State’s office receiving tips or complaints.

House Bill 66 (HB 66) makes several changes to the Auditor of State's fraud hotline. The bill requires the Auditor of State to maintain a system for the reporting of fraud, including misuse of public money by any public official or office. The system allows all Ohio citizens the opportunity to make anonymous complaints through a toll-free telephone number, the Auditor of State's website, or through the United States' mail.

The Auditor of State is required to keep a log of all complaints filed. The log is a public record under Section 149.43 of the Revised Code and must contain the following: the date the complaint was received, a general description of the nature of the complaint, the name of the public office or agency with regard to which the complaint is directed, and a general description of the status of the review by the Auditor's office. Information in the log may be redacted if Section 149.43 of the Revised Code or another statute provides an applicable exemption. During the course of Auditor of State investigations, information will be redacted pursuant to Section 149.43(A)(2) in order to conduct thorough investigations.

On the bill's effective date, May 4, 2012, public offices, including community schools, must make their employees aware of the fraud-reporting system. Public offices also must provide information about the fraud reporting system to all new hires. All new employees must confirm that they received this information within thirty days after beginning employment.

Section 117.103 requires the Auditor of State to confirm that public offices have so notified new employees. The statute provides two ways to verify compliance. First, public offices may require new employees to sign forms acknowledging the employees were notified of the fraud-reporting system. The Auditor of State has created a model form, which is used by I CAN SCHOOLS and found on the Auditor of State website. Alternatively, public offices may consider providing the fraud reporting system information in the employee manual for the public office. The employee should sign and verify the employee's receipt of such a manual. This option satisfies the bill's requirements on public employers.

Finally, the legislation also extends the current whistle-blower protections contained in Section 124.341 of the Revised Code to employees who file a complaint with the new fraud-reporting system. If a classified or unclassified employee becomes aware of a situation and reports it to the Auditor of State's fraud-reporting system, the employee is protected against certain retaliatory or disciplinary actions. If retaliatory or disciplinary action is taken against the employee, the employee has the right to appeal with the State Personnel Board of Review.

The Ohio Auditor of State's office maintains a system for the reporting of fraud, including misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll free number, the Auditor of State's website, or through the United States mail.

**Auditor of State's fraud contact information:**

Telephone: 1-866-FRAUD OH (1-866-372-8364)

US Mail: Ohio Auditor of State's office  
Special Investigations Unit  
88 East Broad Street  
P.O. Box 1140  
Columbus, OH 43215

Web: [www.ohioauditor.gov](http://www.ohioauditor.gov)

**Acknowledgement of receipt of Auditor of State fraud reporting-system  
information**

Pursuant to Ohio Revised Code 117.103(B)(1), a public office shall provide information about the Ohio fraud-reporting system and the means of reporting fraud to each new employee upon employment with the public office.

Each new employee has thirty days after beginning employment to confirm receipt of this information.

By signing below you are acknowledging the School provided you information about the fraud-reporting system as described by Section 117.103(A) of the Revised Code, and that you read and understand the information provided. You are also acknowledging you have received and read the information regarding Section 124.341 of the Revised Code and the protections you are provided as a classified or unclassified employee if you use the before-mentioned fraud reporting system.

I \_\_\_\_\_, have read the information provided by the School, as my employer, regarding the fraud-reporting system operated by the Ohio Auditor of State's office. I further state that the undersigned signature acknowledges receipt of this information.

---

PRINT NAME, TITLE, AND  
DEPARTMENT

---

PLEASE SIGN NAME

---

DATE



**SECTION 340**

**EMPLOYEE AND STUDENT CARE AND SAFETY**

**Staff Student Relationship**

Professional and support staff members because of their proximity to students are frequently confronted with situations which, if handled incorrectly, could result in liability to the School and personal liability to the professional staff member. Compliance with the following guidelines will minimize that possibility.

1. Each staff member shall maintain a standard of care for supervision, control, and protection of students commensurate with assigned duties and responsibilities.
2. A staff member should not voluntarily assume responsibility for duties s/he cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.
3. A staff member shall provide proper instruction in the safety matters presented in assigned curriculum guides.
4. Each staff member shall immediately report to the Head of School or his/her designee any accident or safety hazard s/he detects.
5. A staff member shall not send students on any personal errands.
6. A staff member shall not associate with students at any time in a manner which gives the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs.

This provision should not be construed as precluding a professional or staff member from associating with students in private for legitimate or proper reasons.

7. If a student comes to a staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the staff member may help the student make contact with certified or licensed individuals in the community or the facility who specialize in the assessment, diagnosis, and treatment of the student's problem. Under no circumstances should a staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the student's problem or behavior.
8. A staff member shall not transport students in a private vehicle without the written approval of the Head of School or his/her designee.
9. A student shall not be required to perform work or services that may be detrimental to his/her health.
10. Possession of weapons or any device designed to inflict bodily harm by any School employee, student or visitor while on School grounds, on a

School vehicle, or at a School sponsored event is prohibited and shall result in suspension or dismissal of the student or the employee.

Pursuant to the Ohio laws, each staff member shall report immediately to the Head of School or his/her designee any sign of suspected child abuse or neglect. The Head of School or his/her designee shall follow required procedures for reporting suspected child abuse or neglect to proper legal authorities.

**General Safety Rules**

The School has written and posted fire, tornado and emergency safety procedures. These procedures are reviewed with students and staff members on a regular basis.

Students shall not be left unattended. If a teacher leaves the classroom for a short time either a teacher aide or another staff person must be left in charge.

In-class projects, experiments and similar activities, which could have some measure of potential danger, must first be approved by the Head of School or his/her designee. If approved the teacher must provide intensive close supervision of the project.

Chemicals and chemical products shall be secured and placed in locked storage units. (See School procedure manual for further specific actions to be taken regarding hazardous chemicals).

See also Policy No. 424 Emergency Preparedness and Evacuation of School Buildings, **Appendix GG** Health Plan Emergency Drills and Safety Drills; Policy No. 429 Bomb Threat Procedures; **Appendix II** Bomb Threat Form and Call Checklist; Policy No. 441 OSHA Compliance/Risk Reduction Programs; Policy No. 444 Hazard Communication Program; Policy No. 445 Toxic Hazards and Asbestos Hazards; Policy No. 448 School Safety Plan.

**Reporting Accidents**

All accidents on School property, on School transportation and at School-sponsored events must be reported to the Head of School or his/her designee immediately. An accident report form must be completed as soon as possible following the accident and turned into to Head of School or his/her designee. These reports will be compiled, summarized and submitted to the Board quarterly. See **Appendix HH** for accident/incident reporting form.

*R.C. 4123.51 and R.C. 4123.511.*

See also Policy Nos. 427 Accidents to Students and **Appendix HH** Form for Reporting Accidents to Students, Policy No. 405 Emergency Medical Procedures, Policy No. 409 Control of Blood-Borne Pathogens, Policy No. 410 Hand-Washing Procedures, Policy No. 411 Head Lice Infestation Administrative Procedures and Policy No. 412 Infectious Disease Policy.

**Injuries**

The main office, \_\_\_\_\_ or \_\_\_\_\_ shall have a first aid kit for treating minor injuries. Minor scratches and cuts may be attended to in the classroom or School office. When a student is more seriously injured, the Head of School or his/her designee shall contact the parent or guardian. If medical treatment is indicated, appropriate steps shall be taken. The child's health form should be taken from the file and be available for examination. Teachers shall not administer medication to students.

Once the squad is called, they have the authority to determine if transport to a hospital is needed. The School shall notify the parent or guardian regarding the accident and the action taken.

**Special Medical Needs**

Parents are responsible for notifying School officials if a student has any special medical needs. The School personnel will not address any needs requiring the services of a trained professional. In most instances, the special medical needs will result in limited participation in certain activities and classes rather than any treatment being administered. In all instances the Head of School or his/her designee will make the final decision as to how the School will handle any special needs requests.

**Student Abuse and Neglect**

Any employee who knows or suspects child abuse or neglect shall immediately report the suspicions to the Head of School or his/her designee. The Head of School or his/her designee shall then investigate and, if necessary, contact the appropriate authorities. The identity of the staff member shall be kept confidential. The identity of the student and any information pertaining to the situation shall be kept confidential.

*R.C. 2151.421; R.C. 3319.073.*

See also Policy No. 229 Child Abuse and Neglect.

**Student Transportation by Private Vehicle**

Employees may only transport the School students in their private vehicles if a consent and waiver has been signed by the parent and authorized by the Head of School or his/her designee.



#### 348.1 **Emergency School Evacuation**

The School has a written and posted set of procedures which will insure the health and safety of students and employees in the event an evacuation of the School is necessary.

See also Policy No. 424 Emergency Preparedness and Evacuation of School Buildings; **Appendix GG** Health Plan Emergency Drills and Safety Drills; Policy No. 429 Bomb Threat Procedures; **Appendix II** Bomb Threat Form and Checklist; and Policy No. 448 School Safety Plan.

348.2

**Emergency School Closing/Inclement Weather**

The School will follow the decisions of the Head of School or his/her designee regarding weather-related closings. Information about the School closing will be posted on the School telephone system. The Head of School or his/her designee may close the School, delay the opening of the School, or dismiss School early when such actions are required for the protection of the health and safety of students and employees. In the event School is closed no School related activities will be held.

**SECTION 350**

**SCHOOL STAFFING, ORGANIZATION AND TRAINING**

**General Policy**

On a regular basis the Head of School or his/her designee will review the staffing, training and organization needs of the School for the purpose of recommending changes, if needed, to the Board.

**Staff Development**

The teaching staff of the School is encouraged to continue their professional growth through a variety of activities. Teachers and Teacher Aides will attend in-service training which is conducted throughout the School year. Absence requests must be submitted to the Head of School or his/her designee for prior approval.

**Performance Evaluation of Staff**

Every staff member, both certificated and non-certificated will receive one formal performance evaluations during the year which will incorporate all ongoing assessments (observations) made frequently throughout the year. Such assessments will include, but not limited to, the student performance outcomes.

The performance evaluation process is designed to provide the information employees need in order to maintain or improve their performance. The results of the performance evaluation will be used to assess continued employment and the level of compensation for the following year. All evaluation documents shall be dated and signed by the evaluator and the person being evaluated.

**Performance Coaching**

Following an employee evaluation, if the Head of School or his/her designee determines that the employee's performance does not meet the standards of the School the Head of School or his/her designee may engage the employee in the Performance Coaching Process. This process shall not interfere with the School's right to terminate an employee.

1. The Head of School or his/her designee will meet with the employee to discuss the performance concern(s) and to identify ways to improve the employee's performance. This discussion must be documented and include specific measurable performance objectives that the staff member must meet within a specified time. The date and time of the next meeting will be established before the meeting is concluded.
2. If the employee does not meet the objectives by the time of the second meeting or if improvement is not sustained, then at the discretion of the Head of School or his/her designee, a second plan similar to the first may be devised or the Head of School or his/her designee may elect to proceed to step 3 (below). This meeting also must be documented.
3. If the employee's performance still does not improve or is not sustained at a level satisfactory to the Head of School or his/her designee, then appropriate action may be taken which could include termination.

**Reduction of Staff**

The Board reserves the right to eliminate positions and reduce staff as deemed necessary. The Head of School or his/her designee shall make recommendations for staff reduction and report them to the Board.

**SECTION 360**

**EMPLOYEE MISCONDUCT, DISCIPLINE AND TERMINATION**

**Employee Discipline**

The School is committed to establishing and maintaining supervisory practices and procedures that support effective operations in the interest of the organization and its employees. Such procedures may include the administration of disciplinary action to assist employees in overcoming work-related problems, performance deficiencies, or behavior that violates the School's policies, practices, and procedures.

Although the School maintains a progressive disciplinary procedure, circumstances may warrant disciplinary action outside of the progressive procedure. For example, the progressive procedure may not be appropriate: (1) when the conduct at issue involves severe performance deficiencies, performance problems related to skill or ability, or certain types of inappropriate conduct; (2) when the initial steps of progressive discipline do not assist the employee in correcting the problem; (3) when the employee occupies a position requiring the exercise of effective management and leadership; or (4) when the employee's actions, or inactions, may seriously impair the School's ability to carry out its mission. If the School determines that these, or similar circumstances exist, the School may determine that the progressive disciplinary procedure is inappropriate. Moreover, under certain circumstances, a supervisor may determine that although the procedure should be utilized, certain steps in the procedure should be omitted or repeated.

*R.C. 124.34.*

**Disciplinary Procedure****Step 1: Oral Discussions and Warning**

The initial step of the progressive disciplinary procedure is for the supervisor to discuss the problem with the employee as soon as possible after the incident or awareness of the problem occurs. The supervisor should discuss the problem, suggest ways to improve or to correct the problem, and identify a time period for corrective action.

**Step 2: Written Warning**

The second step is for the supervisor to provide the employee with a written warning. The step is generally taken when the initial step does not correct the problem, although a supervisor may determine that a written warning is warranted as the initial step. When a written warning is given an employee, the supervisor should meet with the employee, outline the problem, suggest ways to improve or correct the problem and identify a time period for corrective action. The specifics of this discussion should be documented in a letter or memorandum that is provided to the employee and forwarded to the Head of School or his/her designee of the School for placement in the employee personnel file. A copy of the letter or memorandum should also be initialed by the employee. If the employee refuses to sign it, this should be documented by the supervisor.

**Step 3: Suspension**

Although not generally a step in the progressive disciplinary procedure, suspension may be appropriate as the third step. If utilized at all, suspension is generally limited to two circumstances. First, a supervisor may determine that suspension should be used as a corrective measure to emphasize the seriousness of a problem. Second, suspension may be used because discharge appears warranted but the supervisor needs time for an investigation to be conducted to determine if discharge is actually warranted. In any event, suspension is for a specified period and, except for exceptional circumstances, without pay.

**Step 4: Discharge**

If prior measures fail to correct a problem, the final step in the progressive discipline procedure is termination. If the supervisor is satisfied that discharge is appropriate, and the Head of School or his/her designee concur, discharge should be initiated. The circumstances that led to the decision to discharge the employee should be documented by the supervisor.

*R.C. 124.34.*

**Termination**

The employment relationship may be established pursuant to a contract or may be “at will” meaning that, with or without cause and without prior notice, the Employer and Employee may terminate the employment relationship; subject only to a written authorized agreement to the contrary. The only person authorized by the School to enter into any agreement or assurances to the contrary of this handbook is the Head of School of the School and any such agreement or assurance must be in writing and signed by the

Head of School. Whether an employee is “at will,” or, serving under a contract that requires cause for termination, listed below are some reasons which may result in an employee being terminated. This list is not intended to contain all possible reasons for termination.

- Theft or Dishonesty;
- Intentional destruction or unauthorized use of School property;
- Falsification of School Records;
- Unacceptable work performance, including irregular or tardy attendance;
- Willful violation of School policies or property;
- Unacceptable attendance record;
- Providing inappropriate assistance to students on standardized tests and proficiency tests;
- Threatening, harassing, assaulting or abusing any student, employee or visitor;
- Fighting, physical violence and verbal abuse;
- Possession of firearms or explosives;
- Violation of the drug, alcohol and/or smoking policies;
- Intoxication or use of alcohol on School property;
- Use, sale or possession of unlawful drugs on School property
- Sleeping on duty;
- Neglect of duty and disruption of others;
- Insubordination;
- Abuse or inappropriate access of confidential information;
- Willful violation of School safety or security regulations.

**Resignation**

When an employee wishes to resign he/she must submit their resignation in writing at least 30 days prior to the effective date.

**SECTION 370**

**COMPENSATION AND BENEFITS**

**General Policy**

The School strives to establish pay levels that are competitive with those of similar Schools in our area. The School's goal is to attract excellent staff-one of our School's most valued assets. Adjustments may be made by the Board, taking into consideration past performance, experience, market availability, job responsibilities, etc.

**Scheduling**

The hours worked will be established and changed as necessary to meet the needs of the School and its students. A general description of School and work hours will be announced at the beginning of the School year. This schedule may change from time to time as necessary.

**Recording Work Time**

All hourly employees are responsible for keeping accurate time records in accordance with School procedure. Instructions will be given by the Head of School or his/her designee as to how to complete your time slip. You are not to complete any other employees' time slip nor permit/direct someone else to complete yours.

*20 USC 211(c).*

**Overtime Pay**

As defined by law, nonexempt employees receive overtime pay for hours worked beyond 40 in a workweek. Overtime is defined as any hours in excess of 40 hours accumulated during the normal work week which is Sunday through Saturday. Overtime hours are paid at time and one half. A substantial amount of overtime is available to employees with good attendance and work performance.

Under federal law, exempt employees (e.g., salaried executives, professional, and administrative employees, as defined by law, and outside sales persons, as defined by law) are exempt from the law requiring payment for overtime work. Exempt employees are responsible for working as many hours as necessary to get the job done and are not entitled to overtime pay. At hire you will be notified of your exempt or non-exempt status.

*29 U.S.C. 207(a)(1) – (2); R.C. 4111.03.*

**Salary Deduction Policy**

It is our policy to comply with the “salary basis” requirements of the Fair Labor Standards Act. Therefore, we prohibit the School from making any improper deductions from the pay of exempt employees. We want employees to be aware of this policy and that the School does not allow deductions that violate the FLSA.

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, the School is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

If you believe that an improper deduction has been made from your salary, you should immediately report this information to the Head of School. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

*29 C.F.R. § 531, et. seq.*

**SECTION 380**

**TIME OFF FROM YOUR JOB**

**Personal Leave**

Each full time employee is given *up to* ten (10) paid days per year. Employees receive 5/6 day of personal leave credit for each month of service to be used for personal matters, including vacation, illness or illness in the family. Personal leave not used will be carried over to the next year. Employees who are terminated or resign are not paid for unused personal leave.

Use of paid time off should be requested as far in advance as possible. An employee absent due to illness must notify the Head of School or his/her designee as soon as possible and no later than 1-1/2 hours prior to the opening of School. Failure to promptly and properly notify School administrators may result in disciplinary action and a charge of personal time without payment for the time off. Upon return to duty the employee must complete a Readmission Form to be submitted to the Head of School or his/her designee who will approve the return to work and forward it to the School Treasurer. Failure to promptly complete the Readmission form may result in disciplinary action and/or denial of pay for personal time off.

*R.C. 124.386.*

**Paid School Holidays**

Employees receive paid School holidays as determined by the School calendar. Such holidays generally include winter break, spring break and one week in July.

**Medical Leave of Absence**

If an employee is unable to physically or mentally perform his or her job they may request an unpaid medical leave of absence. This should be done in concert with the recommendations of a physician(s). Medical leaves of absence must be reported to the Board. While on medical leave the employee shall not accumulate personal leave, health insurance shall not be continued by the Board and the employee shall not take other employment. Employees may elect to pay the cost of health insurance during a period of approved leave.

**Child Care Leave**

Requests for unpaid leave for pregnancy, child birth, adoption or other child care related circumstances may be requested without pay for up to six (6) weeks or the remainder of the School year, whichever is shorter. With the approval of the Head of School or his/her designee accumulated personal leave may be used in conjunction with child care leave if the employee so requests. Health insurance will not be paid by the Board during the term of such leaves. Employees may elect to pay the cost of health insurance during the period of approved leave.

*29 U.S.C. 2601; R.C. 3313.20.*

385     **Family Leave (FMLA)**

An employee is eligible under the Federal Family and Medical Leave Act (FMLA) if:

1.     The employee has been employed by the School for at least twelve (12) months;
2.     The employee has worked a minimum of 1250 hours during the twelve (12) month period before the leave is requested; and
3.     The employee is employed at a School worksite which employs fifty (50) or more employees, or the total number of employees within 75 miles of the worksite is fifty (50) or more at the time the request is made.

Even though the School may be a covered employer, employees must meet all three requirements to be eligible.

An employee may take a total of twelve (12) weeks of unpaid leave during the twelve (12) month period described below for any one or more of the following reasons:

1.     The birth of a son or daughter of the employee and in order to care for such son or daughter;
2.     The placement of a son or daughter with the employee for adoption or foster care;
3.     To care for the spouse, son, daughter, or parent of the employee if such spouse, son, daughter, or parent has a serious health condition; or
4.     A serious health condition that makes the employee unable to perform the functions of his/her position.

The twelve (12) month period is defined as a "rolling" 12-month period measured backward from the date an employee begins using any FMLA leave.

A "serious health condition" is an illness, injury, impairment, or physical or mental condition which involves:

1.     Any period of incapacity or treatment in connection with or consequent to inpatient care in a hospital, hospice, or residential medical care facility;
2.     Any period of incapacity requiring absence from work, school, or other regular daily activities of more than three (3) calendar days, that also involves continuing treatment by a health care provider; or
3.     Continuing treatment by, or under the supervision of, a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity for more than three (3) calendar days, or for prenatal care.

A leave taken by an employee for the birth or placement of a son or daughter must be taken in one continuous segment, up to twelve (12) weeks, and must be taken within twelve (12) months of the birth or placement of the son or daughter. An employee is

required to give thirty (30) days written notice of his/her intent to take leave, unless such leave is unforeseeable. In such a case, the employee must give notice as soon as practicable.

Leave taken to attend to the serious health condition of the employee or the employee's family member may be taken in one continuous segment, up to twelve (12) weeks, or may be taken on an intermittent or reduced leave, if medically necessary. The employee must make a reasonable effort to schedule his/her leave so as not to unduly interrupt School operations and must give thirty (30) days written notice of his/her intent to take leave, if practicable.

Intermittent or reduced leave will be allowed only for serious health conditions when medically necessary and properly validated or certified. An employee is not entitled to take an intermittent leave or a leave on a reduced schedule for the birth or placement of a child.

If an employee chooses to take intermittent or reduced leave, the School may require the employee to transfer temporarily to another position in the School for which he/she is qualified, and which would provide equivalent pay and benefits and a better accommodation for the employee's recurring periods of leave.

The employee will remain covered by the School-sponsored health care benefits while on leave. However, he/she is required to continue payment of any required contribution for insured benefits. If the employee does not return to work after the leave period, the School will require the employee to repay the health care premiums paid by the School during the leave period, unless the employee does not return due to a serious health condition as defined in this policy or due to other circumstances beyond the employee's control.

An employee on leave does not lose any benefit which has accrued prior to the first day of leave and the leave period will be treated as continued service for purposes of determining vesting and eligibility to participate in pension, 401(k), and other School retirement plans. However, an employee does not accrue any other benefits during the leave period, nor does the leave period entitle the employee to any greater rights than he/she would have had if he/she had remained in the workplace.

If an employee takes any leave under this policy, accrued paid time will be applied to the leave period until such paid time off is exhausted. The remainder of the leave will be unpaid. FMLA leave will run concurrently with other types of leave, such as child care leave, under these policies.

An employee returning from leave will be reinstated to the same position or an equivalent position, with equivalent pay, benefits, and other terms of employment, unless the employee would not otherwise have been so employed at the time reinstatement is requested.

Any employee returning from a medical leave, whether under this policy or not, may be required to present certification of the employee's fitness to return to work and identifying any restrictions relating to the leave of absence.

Certain higher level employees may be denied reinstatement and the Human Resources Coordinator should be consulted if the employee is believed to be within the highest paid 10% of workers employed within 75 miles of the employee's workplace.

An employee who requests leave to care for his/her own serious health condition or the serious health condition of a family member must provide a certification by his/her care provider which justifies the leave.

This certification must be provided by the employee within fifteen (15) days of the request for leave, unless it is not practicable to do so. Failure to provide the required certification on time may affect the employee's ability to take leave as requested.

The School also may require an employee on leave to check in periodically with management to inform them of his/her status and intent to return to work. A check-in schedule should be arranged between the employee and the Human Resources Administrator before leave is taken.

The School may also require a second opinion as to a serious health condition at its own expense. This opinion shall not be given by a medical professional regularly used by the School.

In the event of a conflict between the two opinions, the School may, at its own expense, require a third opinion from a medical professional jointly designated by the School and the employee whose decision shall be binding on the School and the employee.

Finally, an employee returning from leave taken for his/her own serious health condition must provide certification from his/her care provider that he/she is able to resume work.

*29 U.S.C. § 2601.*

### **Jury Duty Leave**

Full time employees who are selected for jury duty will be excused for the duration of the leave and receive their normal pay for each day they serve, **for** up to two weeks. The employee may also keep their jury duty pay.

*R.C. 2313.18; R.C. 3313.211.*

**Military Leave**

The School observes all applicable laws concerning military leave and re-employment rights following military training and service. This includes a two week leave for an employee who is the spouse, parent, of a service member who is injured or deployed.

*38 U.S.C. 4301; R.C. 3319.085; R.C. 5923.05.*

**SECTION 390**

**MISCELLANEOUS POLICIES**



### **391.1 Health Insurance and Annuities**

The Board provides health insurance for all full time employees. Hourly employees are not generally provided paid health insurance. The amount contributed by the Board is determined annually prior to the start of a new School year. The Board also contracts for dental and legal insurance, which is paid totally by the employee, provided, however, an employee may use their FSA money (see policy no. 391.2 below) for these costs. From time to time the Board may have several contracts with companies who provide tax-sheltered annuities to employees who wish to contribute. These are paid entirely by the employee. Employee contributions shall be made through payroll deductions. If an employee is given a leave of absence for a period of time the Board will not pay the employee's health insurance except as required for eligible parties under the FMLA (see policy no. 384 above). The employee may elect to pay the premiums for such time as they are on an approved leave. An employee who resigns prior to the end of their contract year will have Board paid health insurance only through the end of the month in which their resignation is effective. If a teacher or teacher aide resigns at the end of their contract year the Board will continue to pay their health insurance premium through the month of August. Other staff members who resign at the end of their contract will have their health insurance paid through the end of the month immediately following the end of the contract.

*R.C. 9.90; R.C. 3313.202.*

391.2

**Workers' Compensation Insurance**

As required by law, all employees are covered by Workers' Compensation Insurance, which may provide benefits for injuries or illness that occur as a result of employment at the School. Any injury, regardless of its apparent seriousness must be reported immediately to your supervisor. Failure to immediately report an on the job injury will result in discipline up to and including discharge.

*R.C. 4123.01; R.C. 4123.83.*

391.3      **STRS/SERS**

By law, many Staff may be covered by the State Teachers Retirement System or the State Public Employee Retirement System. Some contractors may not be eligible for such benefits. Determinations will be made based on law, facts and circumstances, in conjunction with applicable professional advisors and governmental agencies.

*R.C. 145.03.*

391.4

### **Unemployment Compensation**

By law, most workers are insured for unemployment compensation, which provides income payment in certain conditions for a period of weeks if you lose your job under certain conditions.

*R.C. 4141.01.*

**Staff Dress and Grooming/Staff School Uniform**

School employees are expected to set an example for students to follow regarding dress and grooming. Employees shall dress and conduct themselves in a manner which reflects the discipline, respect and dignity associated with the image of the School.

**Student Activities**

The formation of all student activities (clubs, teams, groups etc) must first be approved by the Head of School or his/her designee. The Head of School or his/her designee will give consideration to all factors in determining the potential value to students before final approval is given. Copies of all the necessary forms, rules and regulations pertaining to the establishment of a student activity are available from the Head of School or his/her designee.

**Fund Raising Activities and Projects**

All fund raising activities conducted at or on behalf of the School must be approved in advance of the proposed activity by the Head of School or his/her designee. Copies of the forms and rules and regulations are available from the Treasurer. There is a potential personal liability associated with maintaining proper and accurate records, safeguarding and depositing funds and assuming responsibility for conducting and overseeing a fund raising project. Staff members are advised to carefully follow all rules, regulations and policies governing fund raising activities.



### **395.1 Purchase of Supplies and Materials, Equipment**

Staff members may request the purchase of supplies and materials provided the Head of School or his/her designee approves the purchase and there are adequate funds in the budget to cover the cost. All staff members must follow the following rules, regulations and procedures when making a purchase.

1. Verbal approval by itself is never acceptable to make a purchase or place an order. A requisition must first be completed and then signed by the appropriate supervisor and the Head of School or his/her designee and then sent to the Treasurer. The Treasurer will determine if there are adequate funds available in the budget for the transaction and will then issue a written purchase order and send it to the vendor.
2. Upon receipt of the supplies and materials the staff member who made the request will be responsible to verify that all items ordered have been received and are acceptable for use. If there are any problems with the items received contact the Head of School or his/her designee for advice on how to resolve any concerns.
3. When an invoice for payment is received the Treasurer will make a copy of the invoice and send it to the staff member who placed the order. The staff member will date, sign and write on the copy "OK to pay" and return it to the Head of School or his/her designee. The Head of School or his/her designee has the authority to approve up to \$2,500 for any one purchase, subject to any budget constraints, before having to receive Board approval of a purchase.

See also Policy No. 148.1 Purchasing and Policy No. 148.4 Property Obtained with Federal Title I Grants Policy.

395.2

**Leases and Contracts**

All leases and contracts must be initiated by a School administrator and approved by the Board. No staff member, School administrator, consultant, parent or any other person has the authority to sign a lease or contract without Board approval.

**Staff Gifts**

Students and their parents are discouraged from the routine presentation of gifts to School employees on occasions such as religious holidays. Where a student feels a spontaneous desire to present a gift to a staff member, the gift should not be elaborate or unduly expensive. The Board considers as always welcome, and in most circumstances more appropriate, the writing of letters to staff members, expressing gratitude or appreciation.

**Care of Materials, Equipment and School Property**

When materials and equipment are issued for use in the classroom, the staff member is responsible to assure the items are not misused or mistreated. If an item is damaged, the staff member shall be responsible for reporting the condition to the Head of School or his/her designee. If an item is stolen the staff member shall notify the Head of School or his/her designee that the item is missing and the Head of School or his/her designee shall, with information supplied by the staff member, make a formal police report. When the report has been made it shall be turned over to the Head of School or his/her designee for appropriate action regarding inventory adjustments as well as determining if an insurance claim should be filed.

Staff members shall report School cleanliness needs and School maintenance needs in writing on the appropriate form and submit the form to the Head of School or his/her designee with a copy being sent to the Head of School or his/her designee. The Head of School or his/her designee shall forward the form to either the custodian or maintenance staff for appropriate action.

See also Policy No. 232 Technology and Internet Acceptable Use (to be signed by Staff as well as Students).

397.1

**Use of Electronic Equipment**

To ensure that the School's electronic equipment is used only for lawful and appropriate purposes and to further its business interests, the School has adopted the following Policy which applies to all employees. Each employee and student having access to the electronic equipment of the School is required to abide by this Policy. The School will strictly enforce this Policy.

397.2

**Acceptable Uses of the School's Equipment**

Software and business equipment, including telephones, facsimile machines, computers, the School's electronic mail system, the School's Internet access, and copy machines (collectively, the "Equipment") are intended to be used for business purposes only. The Equipment is the exclusive property of the School, and its sole purpose is to facilitate the business of the School. Each student and employee has the responsibility to maintain and enhance the public image of the School and to use the Equipment in a productive and appropriate manner.

**Unacceptable Uses of the School's Equipment**

The School's Equipment may not be used for transmitting, receiving, or storage of any communications of a defamatory, discriminatory, or harassing nature, or materials that are sexually explicit, pornographic, or obscene. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual's race, sex, age, disability, religion, national origin, or physical attributes shall be transmitted through the School's Equipment. The School will not tolerate actions that may create a hostile environment. Equipment may not be used for any purpose which is illegal or against the School's policies or contrary to the School's best interest. Sensitive or confidential information respecting the School or its students or vendors should not be transmitted via the Internet or over facsimile machines without the consent of the School. Solicitation of non-School business, or any use of the School's Equipment for personal gain, is prohibited.

See also Policy No. 232 Technology and Internet Acceptable Use (to be signed by Staff as well as Students).

**Communications**

Students and employees are responsible for the content of all information that they transmit over the School's equipment. All electronic communications must correctly identify the student or employee responsible for the communication. Any information sent to an individual outside of the School via the School's Equipment are statements that reflect on the School. All communications sent by students and employees via the School's Equipment must comply with this and other School policies.

**Software and Copyright Issues**

To prevent computer viruses from being transmitted through the School's Equipment, there will be no downloading or copying of any software onto the School's Equipment without prior approval of the School. No files of any kind will be downloaded from the Internet without prior approval of the School. License agreements relating to any software, whether individually owned or owned by the School, will be strictly complied with. Any student or employee desiring to reproduce or store information of any sort downloaded from the Internet should contact the Head of School or his/her designee to determine whether the intended use is permissible. Copyright laws are very complex and can apply even to information that appears to be freely available for any use. No copyrighted material will be copied illegally on the School's Equipment or transmitted through the School's Equipment.

The Board encourages teachers and staff assigned to the School to make judicious use of appropriate printed materials, sound recordings, and electronic programs in the curriculum but recognizes that Federal law, applicable to public school districts, protects authors and composers from the unauthorized use of their copyrighted work.

The copyright law of the United States (Title 17, USC) governs the making of photocopies or other reproductions of copyrighted materials. According to the copyright law, it is illegal to copy or reproduce on disk or paper, by use of school equipment or any other means, materials for which the person reproducing or the School does not own the copyright, unless the written permission of the copyright owner has been obtained, or unless the activity is within some of the limited exceptions to the copyright laws. Copyright infringement carries with it serious civil and criminal penalties under law.

Title 17, Section 107, regarding the Fair Use of copyrighted work, reads in pertinent part:

. . . [T]he fair use of a copyrighted work, including such use by reproduction in copies or photo-records or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include B

- (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- (2) the nature of the copyrighted work;
- (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (4) the effect of the use upon the potential market for or value of the copyrighted work.

**Security**

No student or employee may use a pass code or voice-mail access code that has not been issued to that individual by the School. The School has the technical means, and the legal right, to monitor all office electronic mail and Internet communications sent to or from the School's Equipment. The School will exercise this right as deemed necessary by the School. There are several legitimate business reasons for the School monitoring the use of its Equipment including: (1) ensuring that the sole use of the Equipment is to further its business purposes; (2) preventing inappropriate and unprofessional comments, or even illegal activity, via its Equipment; (3) preventing and controlling the spread of viruses in its Equipment; (4) the need for supervision, control, and the efficient operation of the workplace; and (5) controlling costs.

In some respects, communication via the Internet is not completely private. For instance, certain information with regard to sender's name, receiver's name, and subject matter is tracked and recorded automatically at various stages of the transmission process. In addition to these automatic tracking features of Internet communications, the School has the added capability, as well as the right, to monitor and record all information with regard to Internet communications into and out of the School, as well as all internal e-mail communications. Despite certain equipment features that may give the appearance of creating privacy, such as passwords and the ability to delete and purge messages, students and employees have no expectation of privacy with regard to any communications or data transfer utilizing the School's Equipment. **By using the School's Equipment, students and employees consent to the monitoring of their activities on the School's Equipment and forfeit any expectation of privacy.**

398.3

**Violations**

Any student or employee who abuses the privilege of using the School's Equipment will be subject to appropriate disciplinary action. The School also reserves its right to advise appropriate authorities of any illegal use of the School's Equipment.

## Employee Acknowledgment Form

I understand that this handbook does not imply or constitute a contract or employment agreement between myself and the School. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

I understand that unless my written contract states otherwise, that I work at the School "at will," meaning that I am free to leave the School at any time, with or without reason, and that the School has the same right to end its employment relationship with me. No one at the School has authority to make a contrary agreement with me except the Head of School or his/her designee.

I understand that this handbook contains general statements about current School policy, and that the School retains the right to revise or modify the terms, information, policies, and benefits at its sole discretion and at any time.

I understand that if I have knowledge, either direct or indirect, of harassment or discrimination in any form, I am obliged to report the circumstances immediately to the Head of School or his/her designee, or, to another supervisor if necessary.

I understand the School requirements and expectations regarding attendance and hours of work. I also realize that, when necessary, I may be assigned evening and/or weekend hours as part of my work schedule.

I understand that I should consult with my supervisor regarding any questions I may have about School policies and practices.

Employee Signature \_\_\_\_\_  
Employee Name Printed \_\_\_\_\_  
Date \_\_\_\_\_

Witness Signature \_\_\_\_\_  
Witness Name Printed \_\_\_\_\_  
Date \_\_\_\_\_

**SECTION 4:**  
**HEALTH AND SAFETY POLICIES**

**SECTION 400**

**GENERAL HEALTH AND WELFARE**

**Health Services**

Prior to November 1 of the school year in which a child is enrolled for the first time in either kindergarten or first grade, 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.

Prior to August 1, the parents or guardians of any child entering school for the first time 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 screened.

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 Ohio's handicapped education laws.

*R.C. §§ 3313.673; 3314.03.*

**Use of Medications Policy**

The School shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, or the student would not be able to attend school if the medication or treatment were not made available during school hours, only if a physician's request is completed.

For purposes of this policy, "medication" shall include all medicines including those prescribed by a physician and any nonprescribed (over-the-counter) drugs, preparations, and/or remedies. "Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization.

The total responsibility for dispensing or administering any medication or treatment shall rest solely with the parent(s) and their child. Before any medication or treatment may be administered to any student during school hours, the School shall require the written prescription from the child's physician with detailed instructions, written promises of the physician and the parent to forward any changes in the prescription or instructions to the school immediately upon change and to ensure delivery to the appropriate staff. This must be accompanied by the written authorization and waiver of the parent. This document shall be kept on file in the office of the Head of School or his/her designee.

Only medication in its original prescription bottle labeled with the date of prescription, student's name, and exact dosage will be administered and only in the presence of another adult. Parents, or students authorized in writing by physician and parents, may administer medication or treatment but only in the presence of an adult staff member assigned for that purpose.

The School shall allow an unlicensed staff member to assist a student with self-administration of medications by doing only the following (1) remind the student when it is time to take a medication and observe to ensure that the student follows the directions on the container; (2) assist the student in the self-administration of medication by taking the medication in its container from the area where it is stored and handing the container with the medication in it to the student; (3) assist upon request by or with the consent of, a physically impaired but mentally alert student, in removing oral or topical medication from the container and in taking or applying the medication. If a staff member is physically unable to place a dose of medicine in a student's mouth without spilling or dropping it, an unlicensed staff member may place the dose in another container and place that container to the mouth of the student.

The School may permit, if no other choice is available, or in an emergency, the administration by staff of any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a physician and the staff member has completed any necessary training. Training should be provided by the prescribing physician's office. The administration of such medication must take place in the school office, unless under emergency circumstances.

Students who may require administration of an emergency medication may have such medication, identified as stated above, stored in the Head of School's office and

administered in accord with this policy. The Head of School or his/her designee may prepare and distribute administrative guidelines to ensure the proper implementation of this policy.

*R.C. 3313.711; 3313.712; 3313.713; OAC 4723-13-04.*

**Use of Inhaler/Epinephrine Autoinjector**

A student may possess and use a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, and/or an epinephrine autoinjector to treat anaphylaxis at School, any School-related activity, event, or program sponsored by the School or in which the School participates, if both of the following conditions are satisfied:

1. The student has the written approval of the student's physician and, if the student is a minor, the written approval of the parent, guardian, or other person having care or charge of the student. The physician's written approval shall include at least all of the following information:
  1. the student's name and address;
  2. the names and dose of the medication contained in the inhaler;
  3. the date the administration of the medication is to begin;
  4. the date, if known, that the administration of the medication is to cease;
  5. circumstances in which the inhaler and/or autoinjector should be used;
  6. acknowledgement that the prescriber has determined the student is capable of possession and using the inhaler and/or autoinjector appropriately and has provided the student with training in the proper use;
  7. written instructions that outline procedures School personnel should follow in the event that the asthma medication does not produce the expected relief from the student's asthma attack; and/or in the case of an epinephrine autoinjector, the Student is unable to administer the medication or the medication does not produce the expected relief from the student's anaphylaxis;
  8. any severe adverse reactions that may occur to the student using the inhaler and that should be reported to the physician;
  9. any severe adverse reactions that may occur to another student, for whom the inhaler is not prescribed, should such a student receive a dose of the medication;
  10. at least one (1) emergency telephone number for contacting the physician in an emergency;
  11. at least one (1) emergency telephone number for contacting the parent, guardian, or other person having care or charge of the student in an emergency;
  12. any other special instructions from the physician.

2. The Principal, or his/her designee has received copies of the written approvals required by Subparagraph 1 of this section.

If these conditions are satisfied, the student may possess and use the inhaler at School or at any activity, event, or program sponsored by or in which the student's School is a participant.

The School, a member of the Board or the Board's representatives, or any Staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a Staff Member's prohibiting a student from using an inhaler because of a Staff Member's good faith belief that the conditions of Subparagraphs 1 and 2 of this Section had not been satisfied. The School, a member of the Board, the Board's representatives, or any Staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a Staff Member's permitting a student to use an inhaler because of a Staff Member's good faith belief that the conditions of Subparagraphs 1 and 2 of this Section had been satisfied. Furthermore, when the School is required by this Section to permit a student to possess and use an inhaler because the conditions of Subparagraphs 1 and 2 of this Section have been satisfied, the School, any member of the Board, or the Board's representatives, or any Staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the inhaler by a student for whom it was not prescribed.

This Section does not eliminate, limit, or reduce any other immunity or defense that a School, member of a Governing Authority, or Staff or employee may be entitled to under Chapter 2744. or any other provision of the Revised Code or under the common law of this state.

*R.C. 3314.14; R.C. 3314.141; R.C. 3313.716*

See **Appendix CC** Inhaler Permission Form and **Appendix DD** Epinephrine Autoinjector Permission Form.

## **403b**

### **School Asthma Policy**

The school recognizes that a clear, concise policy on asthma management in school can have an impact on academic achievement. All schools must have protocols and procedures for children with asthma and evaluate the implementation of these plans on a regular basis. This document outlines the comprehensive and collaborative nature of managing a child's asthma within our school setting.

#### **Background on Asthma**

Because asthma is one of the most common chronic childhood illnesses and a major cause of student absences, it is important for schools to adopt a comprehensive, coordinated approach to addressing asthma.

A comprehensive plan includes: management and support systems, appropriate health and mental health services, educational programs for staff and students, appropriate and reasonable environmental remediation and communication systems with home and child clinicians.

These components need to be integrated with community efforts that include the medical and mental health fields, housing and community air quality improvements, and active engagement of families.

This document links with other policies such as Medication Policy and Management of Life Threatening Allergic Reaction policies. It is based on the *National Asthma Education and Prevention Resolution on Asthma Management in the School*, a document that outlines basic guidelines for an asthma policy and which is supported by major national health associations.

### **Protocol for Implementation**

#### **Role of the Parent**

- Fill out appropriate asthma information on health form prior to commencement of school year.
- Complete emergency forms indicating that child has asthma and include emergency numbers.
- Meet or talk with the school leaders to discuss the child's asthma
- Review with your child's primary care provider and sign all asthma forms presented by the school nurse. These may include a combination of the following:
  - o Permission for school to communicate with the family, other teachers and the primary care provider.
  - o Authorization to dispense medication
  - o Consent for child's self administration of asthma medicine (when developmentally appropriate)

- The Parent/guardian Asthma Questionnaire
- The Asthma Action Plan

- Provide the school with a pharmacy labeled supply of medications, including nebulizer medications, mask and tubing. Most health rooms have nebulizers but are not equipped with extra masks and tubing.
- Participate in the Asthma Action Plan for their child with the child's health practitioner and deliver the completed asthma action plan to the school nurse.
- Provide a pager, cell phone or other emergency number/s.
- Assure the pre-school and after-school staff have the appropriate information and training.

#### Role of the School Administrator

- Support faculty, staff and parents in implementing all aspects of the asthma management program including self-management.
- Support the development of a school-wide policy, with input from School Facilities Staff, for management of the school environment which includes, but is not limited to:
  - Review of and action on annual school inspections
  - Use of green cleaners
  - Enforcement of tobacco policy
- Ensure there is a contingency plan in the case of a substitute teacher, or food service personnel who is not familiar with the child
- Ensure that the child is placed in a classroom where the teacher is informed about asthma prevention, management and emergency response.
- Support program development, especially in schools with higher than state average of asthma or with large numbers of absenteeism related to asthma.
- Review environmental inspections and ensure that all work orders occur in a timely fashion.
- Support the student support team, the school nurse and classroom teacher in identifying children with increased absenteeism in relation to asthma.

#### Role of the Student (where developmentally appropriate)

- Student signs off on self-administration plan guidelines
- Student completes the "Student Breathing/Asthma Questionnaire"

#### Role of the School:

- Ensure that all appropriate asthma-related forms are distributed to the parent and/or the primary care provider.
- Make a reasonable attempt (a minimum of two phone calls) to collect all outstanding forms.
- Complete with the student (where developmentally appropriate) the Student Breathing/Asthma questionnaire.

- Develop a plan for child management in classroom, lunchroom, etc.

- Ensure that all other staff members (including coaches) who have contact with children with asthma are familiar with their Individual Health Care Plans on a need-to-know basis. Teachers should be contacted individually rather than lists posted.
- Provide a list of students with life-threatening allergies as a component to their asthma (if consent given by parent) to all staff on a need-to-know basis (including bus drivers).
- Conduct in-service training and education for appropriate staff regarding asthma symptoms, risk reduction procedures, and emergency procedures. This information should be reviewed annually, preferably in the beginning of the school year.
- Ensure that there is a contingency plan in place in all school-related venues where substitutes are utilized.
- Communicate with parents on a regular basis to discuss issues relating to plan.
- Maintain child's medications as per the medication policy.

#### Role of the Teacher

- Maintain access to information for all students in classroom with asthma.
- Participate in asthma awareness professional development.
- Inform volunteers, student teachers, aides, specialists and substitute teachers about the child's asthma needs.
- Provide school leaders with adequate warning about school-sponsored off-site activities.
- Notify leaders of any concerns.

#### Role of Off-site Staff

- Maintain awareness of all students with severe persistent asthma.
- Coaches will be told of any students on their teams who have asthma and will be trained in asthma awareness and maximizing athletic performance.
- Allow responsible student to self medicate during practices and sports events.
- Inform substitutes about the child's food/other allergies and necessary safeguards by both verbal communication and in an organized, prominent and accessible written format.

### **Health Examinations and Immunizations**

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, mumps, chicken pox and rubella, as required by Ohio law and applicable Ohio Department of Health regulations and guidelines (collectively laws, rules, regulations or guidelines). Adequate written evidence of such required immunizations shall consist of: (1) a signed physician's statement indicating that the student has received the required

immunizations, including the immunizations received and the date of receipt; or (2) a signed statement by the parent indicating that the student has received the required immunizations, including the immunizations received and the date of receipt. In the case of a parent's statement, the Head of School, 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.

No student may remain in School for more than fourteen (14) days after initial admission or, for a student not being initially admitted, more than fourteen (14) days after the beginning of the school year unless: (1) the student has received the required immunizations or the student is "in the process" of receiving the required immunizations, as defined in Ohio law and this policy and (2) the student's parent has submitted adequate written evidence of the required immunizations as set forth in this policy. Students who do not comply with this policy and any other immunization requirements of laws, rules, regulations or guidelines, shall be excluded from School no later than the fifteenth day after admission or, for students not being initially admitted, no later than the fifteenth day after the beginning of the school year.

Any student who is admitted or commences a school year who is "in the process" of receiving the required immunizations, pursuant to Ohio law, and who does not complete the required immunizations, shall be excluded from School no later than the fifteenth day of the following school year.

Any student who is excluded for failure to comply with this policy shall be readmitted upon submission, to the Head of School, of adequate written evidence, as set forth herein above, of compliance with this policy and the immunization requirements of laws, rules, regulations or guidelines.

Students may be exempted from required immunizations, subject to any requirements of laws, rules, regulations or guidelines under the following circumstances:

1. A parent may present a written statement to the Head of School of objection to immunization for good cause, 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 written 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 Ohio Department of Health 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 laws, rules, regulations or guidelines.

The School may deny admission to a pupil otherwise exempted from the chicken pox immunization requirement, if the Director of the State Department of Health notifies the School's Head of School that a chicken pox epidemic exists in the School's population. The denial of admission shall cease when the Director notifies the Head of School that

the epidemic no longer exists. It is the policy of the School that the academic standing of a student who is denied admission during a chicken pox epidemic may be preserved. The prescribed methods for determining whether the academic standing of a student who is denied admission during a chicken pox epidemic will be preserved is in accordance with the admission, testing and other policies of the School and subject to Head of School and Board approval.

In any case of requested exemption from required immunizations, the Head of School may require any other evidence s/he believes is needed to consider a request for exemption. It is in the sole discretion of the Head of School to determine whether to grant an exemption to required immunizations.

The Board and School shall follow the requirements and recommendations of Ohio law and the Ohio Department of Health with regard to tuberculosis testing of students.

*R.C. 3313.67; R.C. 3313.671; R.C. 3313.71; OAC 3701-15-02.*

**Emergency Medical Procedures****Serious Illness Requiring Medical Attention**

If a staff member or student is seriously ill or injured, and needs medical attention, that employee or student, or any employee or student who believes another person is seriously ill or injured, and needs medical attention, shall notify the Head of School or his/her designee or a staff member immediately.

If a staff member is unsure about the severity of a person's condition or unable to evaluate the situation, he/she shall call the Head of School's Office or his/her designee and:

1. Provide the name of person who is ill or injured.
2. Indicate where the injured or ill person is located.
3. Describe the main symptoms observed.
4. Request medical assistance.
5. Indicate whether it will be necessary to call the Rescue Squad.
6. Stay with the person and do not attempt to move him or her.
7. Be sure there is a person posted to route the Rescue Squad to the ill employee or student.
8. Be sure the area is clear of unnecessary traffic and on-lookers.
9. Call 911.

**Emergency Medical Authorization**

The School will annually distribute to parents or guardians of all students the "Health & Fitness Parental Consent Form" and the "Emergency Medical Authorization Form." In the event emergency medical treatment for a student is necessary, the School will adhere to the instructions on the authorization form.

Emergency Medical Authorizations will be kept in a separate, easily accessible file in the care of the Head of School or his/her designee during the school year. At the end of the school year, the authorizations will be stored until being replaced the following school year.

Any time a student or a group of students are taken away from the School's facilities as participants in a school event, the staff in charge of the event must take the Emergency Medical Authorizations for those students. This includes, and is not limited to, music trips, athletic trips, field trips, and academic contest participants. This does not include student spectators at events.

Whenever it is necessary for staff members to use emergency procedures in order to care properly for a student, they are to take standard safety precautions, follow the procedures described in the Emergency Medical Procedures policy (policy no. 405), and are not to abide by any "Do Not Resuscitate" (DNR) agreement that may exist for a student, unless ordered to do so by a court of law.

See **Appendix EE-1** Health & Fitness Parental Consent Form and **Appendix EE-2** Emergency Medical Authorization Form.

**Control of Communicable Diseases**

The School recognizes that control of the spread of communicable disease is essential to the well-being of the school community and to the efficient operation of the School.

For purposes of this policy, "communicable diseases" shall include smallpox, chicken pox, diphtheria, scarlet fever and other strep infections, whooping cough, mumps, typhoid fever, measles, rubella, and acquired immune deficiency syndrome, or any other designated by Federal authority.

In order to protect the health and safety of the students, school personnel, and the community at large, the School shall follow all State and Federal laws and Board of Health regulations which pertain to communicable disease.

On the recommendation of a physician or a nurse, a teacher may exclude from the classroom and the Head of School or his/her designee may exclude from the building or isolate in the School, any student who appears to be ill or has been exposed to a communicable disease.

The School shall:

1. instruct teaching staff members in the detection of disease and measures for its prevention and control;
2. remove from School property to the care of a responsible adult any student identified and excluded in accordance with this policy;
3. prepare standards for the readmission of a student who has recovered from communicable disease; and
4. file reports as required by law and the State Department of Health.

**Prevention and Control of Non-Casual-Contact Communicable Diseases**

The School seeks to provide a safe educational environment for both students and staff. It is the School's intent to ensure that any student or member of the staff who contracts a communicable disease that is not communicated through casual contact will have his/her status in the School examined by a panel of the Board and the Head of School or his/her designee, and that the rights of both the affected individual and those of other staff members and students will be acknowledged and respected.

For purposes of this policy, "non-casual-contact communicable disease" shall include.

1. AIDS - Acquired Immune Deficiency Syndrome;
2. ARC - AIDS Related Complex;
3. persons infected with HIV (human immunodeficiency) ;
4. Hepatitis B, C; and
5. other like diseases that may be specified by the State Board of Health.

In its effort to assist in the prevention and spread of communicable diseases of any kind, the School has established policies on Immunization. Hygienic Management, and Control of Casual-Contact Communicable Diseases. The purpose of this policy is to protect the health and safety of the students, School personnel, and the community at large from the spread of the above-mentioned diseases.

The School seeks to keep students and staff members in School unless there is definitive evidence to warrant exclusion. When the Head of School or his/her designee learns that a student or School employee may be infected with a non-casual-contact communicable disease, the Head of School or his/her designee shall immediately convene a review panel consisting of appropriate Board members and the Head of School or his/her designee, the infected person's physician, and the County Health Department to determine if the initial evidence warrants exclusion.

If the evidence is not sufficient to justify exclusion, the person shall remain in his/her current school environment unless there exists a threat to the person's health or safety through exposure to other communicable diseases.

If the review panel and/or County Health Officer determines the evidence indicates the person should be excluded from the School environment, the person shall be excluded in accordance with applicable laws. An appeal process shall be established as necessary to address any concerns regarding exclusion.

The School shall provide an alternative education program for any student excluded from the school setting as a consequence of the panel's decision.

When the Head of School or his/her designee learns that a disabled student may be infected with a non-casual-contact communicable disease, the IEP team or its designated member will serve as the Board's representative on the communicable disease review panel which shall be immediately convened.

The rights of any affected student, as well as those of any affected staff member, shall be protected in accordance with Federal and State laws on privacy, confidentiality, and due process.

The Board directs the Head of School or his/her designee to develop an educational program in accordance with Ohio law that will ensure proper instruction of students, professional staff, and support staff on the principle means by which non-casual-contact communicable diseases are transmitted, as well as how they are not transmitted, and the more effective methods for restricting and/or preventing these diseases.

The Head of School or his/her designee shall include in this program those educational materials which advocate prevention through abstinence.

**Control of Blood-Borne Pathogens**

The School seeks to protect those staff members who may be exposed to blood-borne pathogens and other potentially-infectious materials in their performance of assigned duties at the School.

The School will:

1. identify those categories of employees whose duties create a reasonable anticipation of exposure to blood and other infectious materials;
2. provide for inoculation of the Hepatitis B vaccine at no cost to the staff member and in accordance with Federally-mandated scheduling;
3. ensure proper training in the universal precautions against exposure and/or contamination including the provision of appropriate protective supplies and equipment;
4. establish appropriate procedures for the reporting, evaluation, and follow-up to any and all incidents of exposure;
5. provide for record-keeping of all of the above which complies with both Federal and State laws; and
6. develop an exposure control plan. (See Policy No. 446)

See **Appendix FF** Hand Washing Procedures.

When a suspected case of head lice is brought to the Head of School or his/her designee's attention, the student will be examined to determine whether the child is indeed infected. When the examination positively notes the presence of head lice and/or nits (lice eggs) in the scalp and hair, the following procedures will be observed.

1. Parents will be informed of the infestation and of immediate exclusion from classes. The parents will be advised to immediately remove their child from school for proper pediculicide treatment.
2. A copy of the first letter and the informational sheet will be shared with the parent upon arrival to pick up their child(ren). They should be encouraged consult with their medical advisor regarding proper treatment(s) of the problem.
3. Inform the parent that the child(ren) may return to school only after the treatment has been completed and all evidences of head lice and/or live or dead nits have been eliminated.
4. When the child has been treated and is ready to return to school, the Head of School or his/her designee or school nurse shall again examine the child to see that the child is free of lice or nits. If the child is nit free, he/she may attend classes. If the child is not nit free, the child will be sent back home with the parents.
5. A second letter will be given to the parents if their child(ren) are not nit free. They will be advised that another treatment and combing must be performed. When the child is free of nits, he/she may again be admitted to class.
6. Parents shall be advised to:
  - examine the head and scalp behind each ear and at the nape of the neck daily for the next ten (10) days;
  - administer a second shampooing after six (6) days to eliminate nits which may have incubated since the first shampooing; and
  - follow the prescribed shampooing directions precisely.
7. If brothers or sisters attend School, the Head of School or his/her designee or school nurse shall also check their scalps and hair to look for possible infestation.
8. When positive infestation is found in a classroom, the rest of the class will be examined by the Head of School or his/her designee or school nurse to note possible presence of lice or nits.
9. When three or more of any classroom have been observed to be infested, the Head of School or his/her designee shall send the informative materials home with each class member.

**See Appendix GG** Head Lice Infestation Form.

**Infectious Disease Policy**

Viral infections may be present in human blood or other bodily fluids. Therefore, the following routine procedures should be used when providing care that will expose the care giver to human blood, bodily fluids and excrement. These procedures are necessary to safeguard against caretaker infection and the spread of infection within the classroom environment.

1. The caretaker should observe good hand washing after any exposure to blood, bodily fluids and/or before caring for another child.
2. Disposable gloves must be worn to protect against possible open lesions on the caretaker's hands.
3. Any open lesion on the child's body must be covered.
4. Any pregnant caretaker should wear a surgical mask when providing care involving exposure to a child's excrement.
5. Surfaces soiled with blood, urine, feces, vomits, etc., must be thoroughly washed with soap and water and then be disinfected with the disinfectant agent provided (MATAR or its equivalent). Use per manufacturer's recommendation.
6. Personnel cleaning the spill must wear disposable gloves and wash hands thoroughly after removal of contaminated gloves.
7. Mops and towels must be thoroughly rinsed in the disinfecting agent and properly stored if they are to be reused. If further use will not occur, they must be properly double bagged and disposed with other waste materials.

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### **AIDS Policy**

The School will not discriminate with respect to compensation, terms, conditions, benefits, or privileges of employment against applicants and employees because they have Acquired Immune Deficiency Syndrome (AIDS), Human Immunodeficiency Virus (HIV) or related conditions, as long as the applicant or employee is able to meet work performance standards and perform essential job functions (with or without reasonable accommodation).

The School will take steps needed to maintain confidentiality and to address student and employee safety issues, and will comply with all applicable laws regarding persons with AIDS, HIV or related conditions.

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### **Protective Eyewear**

#### **Masks and Eye Protection**

The School will ensure that all staff and students wear appropriate eye and face mask protection which complies with federal and state standards when working in areas that expose them to hazards such as flying particles, molten metal, liquid chemicals, acids or caustic liquids or chemical vapors. Masks, in combination with eye protection devices such as goggles or glasses with solid side shields, shall be worn by staff and students whenever splashes, sprays, or droplets of potentially harmful or infectious materials are present, and eye, nose, or mouth contamination may be anticipated.

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### **Food Allergy Policy**

The Board of Directors recognizes that food allergies in some instances may be severe and even life threatening. As mandated by Section 3313.719 of the Ohio Revised Code, this policy is intended to create a framework for accommodating students with food allergies and to reduce the likelihood of allergic reactions of students with known food allergies while at school.

#### **Parent/guardians and student responsibilities**

1. Parents and guardians of students with allergies, or students with allergies age eighteen or older, shall:
  - a. Notify the school principal when they become aware that their student has a food allergy and at the beginning of each school year thereafter. The notice shall include a healthcare provider-documented allergy and a diet modification order as necessary;
  - b. Provide the district with prescribed emergency medications;
  - c. Execute medication authorization form, and/or permission to carry and self-administer epinephrine auto-injector (epi-pen) form, as well as the following documentation, as appropriate:

- i. Food allergy action plan;
- ii. Anaphylaxis emergency action plan;
- II. Diet order

Parent and guardians will be responsible for educating their students about allergy management at school. Allergy management and education includes, without limitation, identification of “safe foods” by reviewing together breakfast and lunch menus and discussion of the vigilance required to self-monitor food products available at other school functions and in school vending machines.

### **School responsibilities**

1. The School will cooperate in the development of a food allergy action plan for students with food allergies. The food allergy action plan will address the actions to be taken to reduce exposure at school, and what actions will be taken in the event of exposure. The plan shall be developed through consultation with the school nurse, parents/guardians of the student and the student’s health care provider. The plan will be effective for the school year in which it is developed and shall be reviewed and, if necessary, revised at the beginning of each following school year.
2. With parental consent, the district will share the food allergy action plan with appropriate school staff.
3. Food will not be provided during the school day by means other than the school breakfast, snack, lunch or vending programs except with prior consultation with the building principal, school nurse or designee of the building principal.
4. At least one employee who has received instruction in the recognition of food allergy reactions will be present when students are being served food during the regular school day.
5. The school will post procedures concerning the provision of food in staff and parent handbooks.

**AIDS Policy**

Recognizing the ongoing research on AIDS and such diseases as Hepatitis B, the Board maintains an ongoing commitment to educating staff, while continually reviewing policies to ensure that they reflect the most current research. This policy must be used when dealing with infectious diseases of students which are passed through direct contact of body fluids.

**Educational Commitment**

The Board recognizes that the most effective way to handle the issue of AIDS and other infectious diseases is through the educational process. The first line of defense is prevention. Therefore, all teachers should include material appropriate to the age and grade of the children with whom they are working, regarding the transmission of AIDS and other diseases such as Hepatitis B.

**Recommendations**

1. Decisions regarding the type of educational setting for (HTLV-III/LAV) infected children should be based on the behavior, neurologic development and physical condition of the student and the expected type of interaction with others in that setting. These decisions are best made using the team approach including the student's physician, the student's parents and personnel associated with the proposed educational setting. In each case, risks and benefits to both the infected student and to others in the setting should be weighed.
2. For most infected school-aged children, the benefits of an unrestricted setting would outweigh the risks of their acquiring potentially harmful infections in the setting and the apparent nonexistent risk of transmission of HTLV-III/LAV. These students should be allowed to attend school.
3. For some students infected with HTLV-III/LAV who lack control of their body secretions, or who display behavior such as biting, or who have uncoverable, oozing lesions, a more restricted environment may be advisable until more is known about transmission in these settings. Such students should be cared for and educated in settings which minimize exposure of other students to blood or body fluids.
4. The School should follow the routine procedures listed below when providing care involving exposure to a student's body fluids and excrement:
  - a. The caretaker should observe good hand washing after exposure to blood and body fluids and before caring for another student.
  - b. Gloves shall be worn on the caretaker's hands.
  - c. Any open lesions on the student's person should be covered.
  - d. Any pregnant caretaker should wear a surgical mask and gloves when providing care involving exposure to a student's excrement.
  - e. Use any other precautionary measures required or recommended by the County Health Department or other medical authorities.

5. The School should follow the routine procedures listed below in dealing with spills involving blood or other body fluids.
  - a. Surfaces soiled with blood, urine, feces, vomits, etc. should be thoroughly washed with soap and water, then disinfected with a 10% solution of household bleach and water (1 part bleach to 9 parts water). This solution should be freshly prepared for each use.
  - b. Personnel cleaning the spill shall wear gloves and wash hands thoroughly when finished.
  - c. Disposable towels should be used whenever possible.
  - d. Mops should be thoroughly rinsed in the disinfectant solution.
6. Evaluation to assess the need for a restricted environment should be performed regularly based on current medical information.
7. Mandatory screening as a condition for school entry is not warranted based on available data.
8. Persons involved in the care and education of HTLV-III/LAV infected children should respect the student's right to privacy, including maintaining confidential records. The number of personnel who are aware of the student's condition should be kept to the absolute minimum needed to assure proper care of the student and to detect situations where the potential for transmission may occur, (e.g. bleeding injury).

### **Diabetes Care Policy**

#### **Diabetes Care Policy**

The board shall ensure that each student enrolled in the district or school who has diabetes receives appropriate and needed diabetes care in accordance with an order signed by the student's treating physician. The diabetes care to be provided must include the following:

- checking and recording blood glucose levels and ketone levels or assisting the student with checking and recording these levels;
- responding to blood glucose levels that are outside of the student's target range;
- in the case of severe hypoglycemia, administering glucagon and other emergency treatments as prescribed;
- administering insulin or assisting the student in self-administering insulin through the insulin delivery system the student uses;
- providing oral diabetes medications;
- understanding recommended schedules and food intake for meals and snacks in order to calculate medication dosages pursuant to the student's physician's order;
- following the physician's instructions regarding meals, snacks, and physical activity; and administering diabetes medication in accordance with the statute.

Upon receipt of an order signed by the treating physician of a student with diabetes, the board must, within 14 days, inform the student's parent, guardian, or other person having care or charge of the student that the student may be entitled to a 504 plan regarding the student's diabetes. The Department of Education is required to develop a "504 plan information sheet" to be used by the school in making its notification.

Diabetes medication may be administered under this section by a school employee who is trained in diabetes care. The administration of medication must comply with the requirements of ORC 3313.713.

#### Training:

The Board may provide diabetes care training to school employees in accordance with certain standards set forth in the statute ORC 3313.7112. Special emergency response training may also be provided for bus drivers and others having general supervisory responsibilities. To encourage employees to participate in this training, the principal may distribute a written notice to each employee containing all of the following:

- A statement that the school is required to provide diabetes care to a student with diabetes and is seeking employees who are willing to be trained to provide that care;
- A description of the tasks to be performed;
- A statement that participation is voluntary and that the school district will not take action against an employee who does not agree to provide diabetes care;
- A statement that training will be provided by a licensed health care professional to an employee who agrees to provide care;
- A statement that a trained employee is immune from liability under division (J) of this section;
- The name of the individual who should be contacted if an employee is interested in providing diabetes care.

No employee may be subject to a penalty or disciplinary action for refusing to volunteer to be trained in diabetes care. Nor may the board discourage any employee from agreeing to provide diabetes care.

#### Self-Care:

At the request of the parent or guardian, and as authorized by the treating physician, a student must be permitted to self-manage his or her diabetes during school hours or school-sponsored activities. The student shall be permitted to perform diabetes care tasks in a classroom, in any area of the school or school grounds, and at any school-related activity, and to possess on the student's self at all times all necessary supplies and equipment to perform these tasks. If the student or the parent, guardian, or other person having care or charge of the student so requests, the student shall have access to a private area for performing diabetes care tasks. If the student performs any diabetes

care tasks or uses medical equipment for purposes other than the student's own care, the board may revoke the student's permission for self-care.

No student may be denied assignment to a particular building solely because that building does not have a full-time school nurse or an employee trained in diabetes care. Essentially, diabetes care must “follow the student” to whatever building he may attend. School officials cannot “require or pressure” a parent or guardian to provide diabetes care for a student at school or school-related activity.

#### Liability:

A school or school district, a member of a board or governing authority, or a district or school employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing care or performing duties under this section unless the act or omission constitutes willful or wanton misconduct.

A school employee shall not be subject to disciplinary action under school or district policies for providing care or performing duties under this section.

A school nurse or other licensed health care professional shall be immune from disciplinary action by the board of nursing or any other regulatory board for providing care or performing duties under this section if the care provided or duties performed are consistent with applicable professional standards.

#### Report to ODE:

- Not later than the last day of December of each year, the board shall report to the department of education both of the following:
- The number of students with diabetes enrolled during the previous school year; and
- The number of errors associated with the administration of diabetes medication to students with diabetes during the previous school year.

ORC - 3314.03 11(d)

ORC 3313.7112

ORC 3313.713

Updated: 6/14/2019

**SECTION 420**

**PERSONAL SAFETY**

**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.

The Head of School 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 Head of School or his/her designee.

See also Policy No. 333 Weapons in the Workplace and **Appendix X** Notice Regarding Weapons in the Workplace.

*20 USC 7151; R.C. 2923.122.*

**Public Conduct on School Property**

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.

**Facility Security**

It is in the best interest of the School to protect the School's facility adequately. The areas, buildings and equipment owned or leased by the School may be protected from theft and vandalism in order to maintain the optimum conditions for carrying out the educational programs.

The Head of School or his/her designee shall develop and supervise a program for the security of the School facility and equipment. Such a program may include video surveillance equipment in appropriate public areas in and around the School.

Every effort shall be made to apprehend those who knowingly cause serious physical harm to the School facility and to require such persons to rectify the damage or pay a fee to cover repairs. A reward may be offered for apprehending such persons.

Appropriate authorities may be contacted in the case of serious offenses.

The Head of School or his/her designee shall report to the Board each major case of vandalism at the School and the extent of the damage. Issues of School or facility security may be addressed in a properly called Executive Session of a public Board meeting.

See also Policy No. 429 Bomb Threat Policy and Policy No. 424 Emergency Preparedness and Evacuation.

**Emergency Preparedness and Evacuation**

The safety of employees and students includes preparedness and planning for possible natural and manmade disasters.

The Board authorizes a system of emergency preparedness which shall insure that the health and safety of students and staff are safeguarded.

All threats to the safety of the School shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

All bomb threats shall require the immediate evacuation of the school building or location threatened.

The Head of School or his/her designee shall develop procedures for the handling of school emergencies which include:

1. a plan for the prompt and safe evacuation of any School building which shall be practiced monthly in fire drills conducted in accordance with law;
2. the designation of appropriate locations to shelter students in case of tornado;
3. procedures for the safe dispersal of students from School property and, if necessary, a plan for the sequestration of students in a safe place other than the School;
4. design of a communications system;
5. instructions in safety precautions to be taken in case of tornado alert or warning;
6. procedures to follow whenever any employee becomes aware of an emergency or impending emergency; and
7. cooperation with such local officials and agencies such as the fire marshal and law enforcement.

See **Appendix GG** Health Plan Emergency Drills and Safety Drills.

**Use of Equipment**

Portable electric equipment must be handled carefully to avoid damage. Flexible electric cords connected to equipment should not be used for raising or lowering the equipment. Flexible cords must not be stapled or hung in a fashion that could damage the outer jacket or insulation.

Portable cord- and plug-connected equipment as well as extension cords must be visually inspected for external defects and internal defects before use.

A flexible cord used with grounding-type equipment must contain an equipment grounding conductor.

In highly conductive work areas, such as those inundated with water or other conductive liquids or job locations where employees or students are likely to come in contact with water or conductive liquids, the location must be approved if portable electrical equipment and flexible cords will be used.

If energized equipment is being used, employees or student's hands must not be wet when plugging and unplugging flexible cords and cord- and plug-connected equipment.

Insulating protective equipment must be used to handle energized plug and receptacle connections if there is any chance that the connection could provide a conducting path to the employee's hand.

See **Appendix HH** General Safety Procedures.

**Accidents to Students**

Every accident in a School facility, on School grounds, at practice sessions, or at any event sponsored by the School must be reported immediately to the person in charge and to the Head of School or his/her designee. An accident report must be completed for each accident. Accident forms are available in the School.

See **Appendix II** Form for Reporting Accidents to Students.

**Visitors, Volunteers and Guests**

The Board welcomes and encourages visits to School programs by parents, other adults, and interested educators. But in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons, it is necessary to invoke visitor controls. All visitors, including parents and volunteers, must report to the School office upon entering the School building and sign the guest register. This procedure has been adopted for the safety of our students and staff. Children from other schools may not visit during the school day. Exceptions may be made at the Head of School or his/her designee's discretion for families who are considering enrollment.

The Head of School or his/her designee has the authority to prohibit the entry of any person, including but not limited to parents, other adults and/ or educators, to a program of the School or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the program. If such an individual refuses to leave the School grounds or creates a disturbance, the Head of School or his/her designee is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

The Head of School or his/her designee may promulgate such administrative guidelines as are necessary for the protection of students and staff from disruption to the educational program or the efficient conduct of their assigned tasks.

All volunteers (both new and current) having unsupervised access to students on a regular basis are hereby notified that the School may at any time require a set of fingerprints for purposes of making a criminal records check. If a criminal records check is conducted on a volunteer, and the records check reveals one of the prohibited violations, the School may no longer utilize the volunteer in a position involving unsupervised access to children on a regular basis, unless a notice is sent out to the parent or guardian of each child served by the School. The notice must be in writing, name the volunteer and indicate that the volunteer has been convicted of or entered a guilty plea to one or more of the prohibited violations. The notice must be sent to the parent or guardian on the date the School commences providing services to the child or on the date the School decides to accept the person as a volunteer after receiving the report of the result of the criminal records check, whichever is later.

*R.C. 109.575*

**SCHOOL VISITOR POLICY**

In order to ensure a safe environment for students, faculty, administrators and the general public, the following criteria are hereby established for visitors to the School:

1. All persons must report to the School office to make their presence known and obtain a pass to be in the School.
2. Visitors/Volunteers must wear the "Visitors/Volunteers Pass" in a conspicuous location at all times while in the building
3. Visitors/Volunteers may be required to be accompanied by a School escort while in the building or obtain a background check prior to visiting

4. Visitations to the classroom are permitted only with prior permission of the Head of School and may be limited in the sole discretion of the Head of School to avoid disruption to the education process
5. All persons entering the School property, building or offices must act in a nonthreatening manner. Disruptive or threatening behavior will be considered a threat to the safety of school students and staff as set forth in point 7 below.
6. Any meetings with school staff, teachers or students must be scheduled and approved by the Head of School except in the case of emergency, in which case the school office must be contacted in order to make arrangements to handle the emergency.
7. Actions such as shouting, vulgar language, confrontation of students, administrators, employees or other persons on or in the school property or disruptions to the educational environment are not allowed, since they represent a possible threat to safety.
  - a. Actions of this type will result in a request for that person to leave the school property.
  - b. In the case of repeated incidents of this nature, such persons may be banned from the return to the school property.
  - c. In the case of extreme and/or continued disturbances, the local legal authorities may be called, and such person may be charged with disorderly conduct.
8. The policy shall govern all visitors or volunteers to the School. Family members of students, staff and guests will need to follow all rules set forth above

#### **ACKNOWLEDGEMENT SIGNATURE PAGE**

#### **SCHOOL VISITOR POLICY**

**Student's Name:** \_\_\_\_\_ **Grade:** \_\_\_\_\_

**Parent's/Guardian's Name:** \_\_\_\_\_

**PRINT**

**We have received a copy of the School Visitor Policy for the Academic Year. We have read and understood the School Visitor Policy and consent, support, and agree to follow the policy and procedures as outlined therein.**

**Agreed to by:**

---

**Parent's Signature**

**Date**

---

**Parent's Signature**

**Date**

**This document will be placed in the student's file.**

**Bomb Threat Policy**

A bomb threat may be received by phone, mail or a personal message.

Any employee receiving a bomb threat by phone should ask the caller to give the message to the Head of School or his/her designee. If the caller refuses, then the employee who received the call should attempt to engage the caller in conversation on the phone. Obtain as much information as possible as suggested on the Bomb Threat Form. Get the nearest person's attention so that management can be notified. Call the Police on another outside line and have a tracer place on the caller if time permits.

If management determines, the building should be evacuated. Notify all building occupants of the decision to evacuate.

Account for all building occupants at the determined evacuation point. Report any missing individuals to management and the emergency responders.

Note unusual or unfamiliar objects in your area as you evacuate. Report such objects to your supervisor. **DO NOT TOUCH OR MOVE SUCH OBJECTS.**

All interior doors should remain open to minimize possible structural and compression damage.

See **Appendix JJ** Bomb Threat Form and Call Checklist.

**Crisis Media Situations**

Any School crisis such as injury, school bus accident or suicide should be reported to the Head of School or his/her designee office immediately along with as many details, names, etc. as possible.

In a crisis situation, it is important to have one person providing facts to the media, and ideally only after parents have been notified. No one is to report the nature or extent of injury at any time.

Depending on the situation, the Head of School or his/her designee will go immediately to the site. A building employee should be present also for parental contact and incoming inquiries.

No reporter should be allowed to roam freely in a crisis situation. He/she should be personally escorted to a designated area, and not allowed to video and interview students who are injured or in an otherwise crisis situation.

See also Policy No. 145 Media Policy.

**SECTION 440**

**ENVIRONMENTAL HEALTH AND SAFETY**

**OSHA Compliance/Risk Reduction Programs**

The School believes that the employees and students of the School, as well as visitors, are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with law, the School will provide reasonable and adequate protection to the lives, safety, and health of its employees and students, in compliance with Federal and State laws and regulations.

The Head of School or his/her designee shall be responsible for the maintenance of standards in the facilities to prevent accidents and to modernize their consequences. She/he shall designate an employee who shall conduct periodic audits of health and safety conditions within the facilities of the School and take appropriate action on any violations thereof to the Head of School or his/her designee.

The Head of School or his/her designee shall ascertain that the employees and students of the School are aware of their rights to an environment free of recognized hazards, that they are properly trained in safety methods, that protective devices and equipment are available to meet safety standards, and that proper rules and records are maintained to meet the requirements of the law and the regulations of the Public Employees Risk Reduction Advisory Commission. In the event an inspection is made by a representative of the State, the Head of School or his/her designee shall report the results thereof to the Board at the meeting following the receipt of the State report.

**Property, Equipment and Supplies**

It is necessary for everyone to utilize property, supplies, and equipment in the course of doing their jobs. Staff should take care of these items and should know how to use them properly. Damaged equipment should be reported to the Head of School or his/her designee immediately so that it can be repaired.

The Board requires Staff and Students to be economical, in part, by turning off unnecessary lighting, turning off appliances and other equipment not in use, closing doors and windows that allow cool or warm air to escape, not running water needlessly and reporting to Head of School or his/her designee, any unnecessary use of water, gas, or electrical power. A small amount of waste by each employee or student equals a large amount of waste overall. The ability to save time and materials can contribute to the overall success of the School.

**Hazard Communication Program**

The Head of School or his/her designee will provide information about chemical hazards and other hazardous substances and how to control those hazards in the Hazard Communication Program.

The Program includes the following objectives:

1. Container labeling;
2. Material Safety Data Sheets; and
3. Employee Training.

The following program outlines how the School will accomplish these objectives.

**Container Labeling**

It is the policy of the School that no container of hazardous substances will be released for use until the following label information is verified:

- Containers are clearly labeled as to the contents
- Appropriate hazard warnings are noted
- The name and address of the manufacturer is listed

The responsibility for label verification has been assigned to the Head of School or his/her designee. To further ensure that employees are aware of the hazards of material used it is the School's policy to label all secondary containers.

The responsible staff shall ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with generic labels which have a block for identity and blocks for the hazard warning.

**Material Safety Data Sheets (MSDS)**

Copies of MSDS for all hazardous substances to which employees and students may be exposed are kept in each area where the substances are used as well as in a book in the School office. The Head of School or his/her designee will be responsible for obtaining and maintaining the data sheet system.

The Head of School or his/her designee will review incoming material safety data sheets for new and significant health/safety information. She/he will see that any new information is passed on to the employees.

MSDS will be reviewed for completeness by the Head of School or his/her designee. If an MSDS is missing or obviously incomplete, a new MSDS will be requested from the manufacturer. MSDS will be available to all employees in their work area for review. If MSDS are not available or new hazardous substance(s) in use do not have MSDS, please contact the Head of School or his/her designee immediately.

#### Staff Information and Training

Staff will attend a health and safety orientation set up by the Superintendent or his/her designee, for information and training on the following:

- An overview of the requirements contained in the Hazard Communication Regulation, including their rights under the Regulation.
- How to lessen or prevent exposure to these hazardous substances through usage of control plans, work practices and personal protection equipment.
- Steps the School has taken to lessen or prevent exposure to these substances.
- How to read labels and review MSDS to obtain appropriate hazard information.

When new hazardous substances are introduced, the Head of School or his/her designee will call a meeting and distribute information related to the new material.

#### Hazardous Substances

Information on all hazardous substances within the School can be found in the MSDS book located in the School office.

#### Hazardous Non-Routine Tasks

Periodically, staff are required to perform hazardous non-routine tasks. Prior to starting work on such projects, each affected employee will be given information by the Head of School or his/her designee, or the affected employee shall request such information, about hazards to which they may be exposed during such an activity.

This information will include:

1. Specific hazards:
2. Protective/safety measures which must be utilized;
3. Measures the School has taken to lessen the hazards including ventilation, respirators, presence of another employee and emergency procedures.

**Toxic Hazards and Asbestos Hazards**

The School is concerned for the safety of the students and staff members and will comply with applicable Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of School officials or from the presence of asbestos materials used in previous construction.

**Toxic Hazards**

These hazards exist in chemicals and other substances used in the school setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Board appoints the Head of School or his/her designee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will:

1. identify potential sources of toxic hazard in cooperation with material suppliers who shall supply the THP Officer with material safety data sheets (MSDS's):
2. conduct a training program for all School employees to include such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the School's plan for communication, labeling, etc.

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

**Asbestos Hazards**

In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA), the School recognizes its responsibility to:

1. inspect School buildings owned by the School for the existence of asbestos or asbestos-containing materials;
2. take appropriate actions based on the inspections;
3. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos; and
4. comply with EPA and State regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The Head of School or his/her designee shall appoint a person to develop and implement the School's Asbestos-Management Program which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students.

The School shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the School agrees to comply with all applicable laws and regulations.

Nothing in this policy should be construed in any way as an assumption of liability by the School or by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the School, the Board or its officers and staff or employees.

**OSHA Regulations Exposure Control Plan**

These guidelines suggest procedures designed to help employees comply with OSHA Regulations. Personnel within each job category should be trained in and will be responsible for practicing these procedures in the event of exposure to blood and/or to bloody body fluids spills.

Custodians

1. List of equipment to include:
  - Appropriate cleaning supplies and equipment;
  - Equipment for handling broken glass and other sharps;
  - Personal protective equipment to be worn when bloody body fluid spills are handled.
2. Procedures for area clean up which includes:
  - Assessment of spill problem
  - Utilization of appropriate personal protective equipment
  - Method of disposal of bloody waste in Biohazard labeled bag
  - Degloving procedure and hand washing
  - Disposal of Biohazard bagged waste
  - Written report of exposure to bloody body fluids to supervisor\*
  - Medical evaluation of personal exposure to bloody body fluids to begin within two (2) hours of actual exposure

\*Personal Exposure to Bloody Body Fluids includes splash of blood or bloody body fluid into the eye(s) or mouth, or, exposure to blood or bloody body fluid or bloodied cleaning products through broken skin (i.e. cut, abrasion, puncture).

Van, Bus Driver and Bus Aides

List of equipment to include:

- Appropriate cleaning materials (may be a specific spill kit so designed)
- Personal protective equipment available for handling bloody body fluid spills (may be included in the spill kit so designed for this purpose)

Procedure for bloody body fluid spill clean up includes:

- Assessment of injury/body fluid spill
- Utilization of appropriate personal protective equipment
- Procedure for cleaning with appropriate materials
- Method of disposal of bloody waste in Biohazard labeled bag
- Degloving and hand washing
- Disposal of Biohazard bagged waste when bus routings completed
- Written report of bloody body fluid spill on the bus to supervisor
- Routine check of Bloody Body Fluid Spill Kit by driver prior to each bus route
- Written report to supervisor if personally exposed to bloody body fluid

- Medical evaluation of personal exposure to bloody body fluids to begin within two (2) hours of actual exposure

\* Personal Exposure to Bloody Body Fluids includes splash of blood or bloody body fluid into the eye(s) or mouth, or, exposure to blood or bloody body fluid or bloodied cleaning products through broken skin (i. e. cut, abrasion, puncture).

#### Food Service Workers, if applicable

##### 1. List of equipment includes:

- Appropriate First Aid supplies and their location(s)
- Appropriate cleaning materials
- Personal protective equipment available for handling bloody body fluid spills (i. e. gloves, gauze squares, absorbent materials, etc.)

##### 2. Procedure for handling bloody body fluid spill(s) include(s):

- Assessment of injury/body fluid spill
- Utilization of appropriate personal protective equipment
- Procedure for First Aid in handling the injury/body fluid spill
- Procedure for cleaning with appropriate materials if authorized
- Method of disposal of bloody waste in a Biohazard labeled bag
- Degloving and hand washing
- Disposal of Biohazard bagged waste materials
- Procedure for written injury/accident report to supervisor
- Report to supervisor if personally exposed to bloody body fluids
- Medical evaluation of personal exposure to bloody body fluid to begin within two (2) hours of actual exposure.

\* Personal Exposure to Bloody Body Fluids includes splash of blood or bloody body fluid into the eye(s) or mouth, or, exposure to blood or bloody body fluid or bloodied cleaning products through broken skin (i. e. cut, abrasion, puncture).

#### Health Care: First Responders

This category of personnel includes those designated in the School's policies, procedures, administrative guidelines, etc.

1. List of equipment includes:
  - Appropriate First Aid supplies and their location(s)
  - Appropriate cleaning materials
  - Personal protective equipment available for handling bloody body fluid spills (i.e. gloves, gauze squares, absorbent materials, etc.)
  - Sharps container
2. Procedure for handling bloody body fluid spill(s) include(s):
  - Assessment of injury/body fluid spill
  - Utilization of appropriate personal protective equipment
  - Procedure for First Aid in handling the injury/body fluid spill
  - Procedure for safe transfer of injured person to First Aid station
  - Procedure for cleaning with appropriate materials if so authorized to perform
  - Method of disposal of bloody waste in a Biohazard labeled bag
  - Procedure for storage and disposal of sharps
  - Procedure for sanitizing equipment and sharps containment utilized
  - Degloving and hand washing
  - Disposal of Biohazard bagged waste materials
  - Procedure for written injury/accident report to supervisor
  - Report to supervisor if personally exposed to blood fluids\*
  - Medical evaluation of personal exposure to bloody body fluids to begin within two (2) hours of actual exposure.
3. Establish and maintain a sharps injury log for recording of percutaneous injuries from contaminated sharps.
4. Annual Review and Update

The School shall take into account innovations in medical procedure and technological developments that reduce the risk of exposure to bloodborne pathogens; and document annually, consideration and implementation of appropriate commercially-available, and effective safer devices. The School shall also solicit and document input from School personnel responsible for patient care, who are potentially exposed to injuries from contaminated sharps in the identification evaluation and selection of effective engineering and work practice controls, and should document the solicitation in the Exposure Control Plan.

\* Personal Exposure to Bloody Body Fluids includes splash of blood or bloody body fluid into the eye(s) or mouth, or, exposure to blood or bloody body fluid or bloodied cleaning products through broken skin (*i.e.*, cut, abrasion, puncture).

**Prevention of Lead Poisoning**

Exposures to lead in doses much smaller than previously thought represent a definable risk to children's health and their ability to learn.

The School will attempt to control the use and maintenance of lead-bearing building products and avoid the use of any educational or maintenance procedures or products which may create lead exposures.

The School assures that a parent or guardian outreach program will be implemented to properly communicate information regarding risks from lead and other heavy metals in an attempt to help prevent exposures.

*R.C. Chapter 3742.*

**School Safety Plan**

The School will develop and adopt a comprehensive school safety plan for each school building under its control. In accordance with Ohio law, the School will examine the environmental conditions and operations of the building(s) to determine potential hazards to student and staff safety and propose operating changes to prevent dangerous circumstances. Community law enforcement and safety officials, parents, and school employees will be involved in developing the plan. The plan shall be updated at least every three years and whenever a major modification to the school building necessitate changes in the plan's procedures. A copy of the plan along with a copy of the school building floor plan will be filed with the each law enforcement agency having jurisdiction over the school building(s), as well as with the Attorney General. Upon request, the plan will be filed with the fire department serving the political subdivision in which the building is located.

The School will grant access to school buildings so that law enforcement personnel may hold emergency response training sessions. The training sessions must occur outside of student instructional hours and an employee of the school must be present during the sessions.

*R.C. 3737.73(D).*

See also Policy No. 424 Emergency Preparedness and Evacuation of School Buildings; Policy No. 429 Bomb Threat Policy; Policy No. 423 Facility Security; Policy No. 424 Emergency Preparedness and Evacuation and **Appendix GG** Health Plan Emergency Drills and Safety Drills.

**SECTION 450**

**FOOD SAFETY**

**Food Services**

All students will remain at school for lunch and will not be allowed to leave the School or any recreation areas or common areas without permission, or, if the School authorizes leaving the School for lunch, all students shall follow the School's procedures and rules. Supervision of student activity in the lunchroom, recreation or common areas shall be the responsibility of the teacher or staff member in charge who may delegate this authority to others.

Any food service program provided or contracted for by the Board shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program.

Governmental regulations do not permit the serving of meals at the student price to staff members or other adults.

The contract food service program shall be responsible for the planning as well as for the dietary and nutritional requirements of the meals served. Milk may be purchased by those carrying lunches from home.

**Free and Reduced-Price Meals**

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 or 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 Head of School or his/her designee as the responsible party to determine the eligibility of students for free and reduced rate meals.

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 Head of School or his/her designee shall prepare and implement the necessary arrangements and guidelines to ensure proper operation of this program. S/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 State Department of Education by the beginning of each School year.

*42 USC §1751.*

**Wellness Policy**

The School believes that children and youth who begin each day as healthy individuals can learn more and better, and are more likely to complete their formal education. The School also believes that healthy staff can more effectively perform their assigned duties and model appropriate wellness behaviors for students. This policy encourages a holistic approach to student wellness.

**Nutrition.**

Academic performance and quality of life issues are affected by the choice and availability of good foods in the School. Healthy foods support student physical growth, brain development, resistance to disease, emotional stability and ability to learn.

Nutrition guidelines for all foods offered by the School, shall require the use of products that are high in fiber, low in added fats, sugar and sodium, and served in appropriate portion sizes consistent with USDA standards. Menu and product selection shall utilize student, parent, staff and community advisory groups whenever possible. Nutrition policies and guidelines for reimbursable meals shall not be more restrictive than federal and state regulations and guidance. A la carte offerings to students shall be nutritious and meet federal recommended guidelines and shall be selected with input from students, parents and staff. All beverages served in the School shall include: water, 100% fruit juice, non-carbonated drinks with less than 150 calories per container, non-fat, low-fat, plain or flavored milk, other non-carbonated drinks.

Nutrition services shall support classroom activities for all students that include hands-on applications of good nutrition practices to promote health and reduce obesity.

**Health Education and Life Skills.**

Healthy living skills shall be taught as part of the regular instructional program and provide the opportunity for all students to understand and practice concepts and skills related to health promotion and disease prevention. Each school shall provide for an interdisciplinary, sequential skill-based health education program. Students shall have access to valid and useful health information and health promotion products and services. Students shall have the opportunity to practice behaviors that enhance health and/or reduce health risks during the school day and as part of before or after school programs. Students shall be taught communication, goal setting and decision making skills that enhance personal, family and community health.

#### Physical Education and Activity.

Physical education shall be taught by a qualified School staff member. Physical education and physical activity shall be an essential element of each School's instructional program. The program shall provide the opportunity for all students to develop the skills, knowledge and attitudes necessary to participate in a lifetime of healthful physical activity.

#### Physical Education Program.

The physical education program shall be designed to stress physical fitness and encourage healthy, active lifestyles. The physical education program shall consist of physical activities of at least moderate intensity and for a duration that is sufficient to provide a significant health benefit to students, subject to the differing abilities of students. Participation in such physical activity shall be required for all students for a minimum of thirty minutes, three days a week, or the equivalent. Such instruction may be provided through formal physical education courses, integration into other courses, regularly scheduled intramural activities, and/or regularly scheduled school-wide activities.

#### Family, School and Community Partnership.

Long term effective partnerships improve the planning and implementation of health promotion projects and events within the School and throughout the community. Family, student and community partners shall be included on an ongoing basis in School wellness planning processes. The equality and diversity of the School shall be valued in planning and implementing wellness activities. Community partnerships shall be developed and maintained as a resource for School programs, projects, activities and events. The School shall actively develop and support the engagement of students, families and staff in community health enhancing activities and events at the School or throughout the community. The School shall appoint a School staff member to assure that the School is complying with this policy.

APPENDIX I

I CAN SCHOOLS

NOTICE OF INTENDED SUSPENSION FROM SCHOOL

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date

This is to notify you that you may be suspended from school pursuant to R.C. 3313.66(A). Suspension from school means that while you are suspended you are not allowed to come to school, attend classes or extra-curricular activities. The reason(s) you may be suspended from school are:

\_\_\_\_\_

\_\_\_\_\_ in violation of

\_\_\_\_\_ of the Board

Policy adopting the Code of Student Conduct.

This is also to notify you that the Head of School may seek to permanently exclude you, if you are convicted of or adjudicated a delinquent child for a violation listed in R.C. 3313.662(A), and if you were 16 years of age or older at the time of such violation.

You now have the opportunity to meet with the appropriate school official (Head of School, Principal, Assistant Principal, Superintendent, or Superintendent's Designee) at an informal hearing to challenge the reason(s) for the intended suspension, or otherwise explain your actions.

\_\_\_\_\_  
Head of School\*

\_\_\_\_\_  
Date

I have received a copy of this Notice of Intended Suspension.

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Date

\*If so permitted by Board policy.

APPENDIX J

I CAN SCHOOLS

NOTICE OF EMERGENCY REMOVAL  
AND INTENT TO SUSPEND FROM SCHOOL

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date

This is to notify you that because of, \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
your presence poses a continuing danger to persons or property or an ongoing threat of  
disrupting the academic process. Pursuant to R.C. 3313.66(C), this is to notify you that  
you have been removed from curricular and extra-curricular activities from school  
effective immediately.

This is to notify you that because of the intent to suspend you from school pursuant to R.C.  
3313.66(A) for the following reason(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
in violation of \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
of the Board Policy adopting the Code of Student Conduct.

This is also to notify you that the Head of School may seek to permanently exclude you, if you are  
convicted of or adjudicated a delinquent child for a violation listed in R.C. 3313.662(A), and if you were  
16 years of age or older at the time of such violation.

You now have the opportunity to meet with the appropriate school official (Head of School, Principal,  
Assistant Principal, Superintendent, or Superintendent's Designee) at an informal hearing to challenge  
the reason(s) for the intended suspension, or otherwise explain your actions.

\_\_\_\_\_  
Head of School or his/her designee

\_\_\_\_\_  
Date

I have received a copy of this Notice of Emergency Removal and Intended Suspension.

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Date

APPENDIX K

I CAN SCHOOLS

NOTICE OF SUSPENSION FROM SCHOOL

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Date

Based upon my review of your circumstances, I have concluded that you will be suspended from school for the following reason(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ in violation of

\_\_\_\_\_

\_\_\_\_\_ of the Board Policy  
adopting the Code of Student Conduct.

Suspension will be served on the following dates:

\_\_\_\_\_

\_\_\_\_\_  
Head of School\*

\_\_\_\_\_  
Date

\*If so permitted by Board policy.

APPENDIX L

I CAN SCHOOLS

NOTICE OF RIGHTS RE: SUSPENSION FROM SCHOOL

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date

To parent, guardian, custodian, *or*  
18 year old student:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address  
\_\_\_\_\_

\_\_\_\_\_ has been  
suspended from school for the following reason(s): \_\_\_\_\_  
\_\_\_\_\_ in violation of  
\_\_\_\_\_ of the  
Board Policy adopting the Code of Student Conduct.

You have the following rights:

1. To appeal the suspension to the Board of Directors, or the Board's appointed designee, if applicable.
2. To be granted a hearing before the Board of Directors (or designee) in order to be heard against the suspension.
3. To request that the appeal hearing be held in executive session.
4. To be represented in an appeal hearing.

If you wish to schedule an appeal hearing in this matter, please so notify the School Treasurer in writing immediately.

This is also to notify you that the Superintendent may seek the pupil's permanent exclusion, if the pupil is convicted of or adjudicated a delinquent child for a violation listed in R.C. 3313.662(A), and if the pupil was 16 years of age or older at the time of such violation. This suspension may also be extended during the pendency of criminal proceedings for such violations in accordance with R.C. 3313.66(F).

\_\_\_\_\_  
Head of School\*

\_\_\_\_\_  
Date

\*If so permitted by Board policy.

---

**For school use only:**

Copies:	Pupil, Parent, School Treasurer
Original:	School

APPENDIX M

THE SCHOOL

NOTICE OF INTENDED EXPULSION FROM SCHOOL

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date

This is to notify you that you may be expelled from school pursuant to R.C. §3313.66(B). Expulsion from school means that while you are expelled you are not allowed to come to school, attend classes or extra-curricular activities. The reason(s) you may be expelled from school are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ in violation of \_\_\_\_\_  
of the Board Policy adopting the Code of Student Conduct.

This is also to notify you that the Superintendent may seek to permanently exclude you, if you are convicted of or adjudicated a delinquent child for a violation listed in R.C. §3313.662(A), and if you were 16 years of age or older at the time of such violation.

You now have the opportunity to meet with the appropriate school official (Principal, Assistant Principal, Superintendent, or Superintendents Designee) at an informal hearing. At the hearing, you and your parent, guardian, custodian or representative may challenge the reason(s) for the intended expulsion or otherwise explain your actions.

Your hearing has been scheduled for \_\_\_\_\_, at \_\_\_\_\_ m.,  
in M\_. \_\_\_\_\_'s office in the building located at  
\_\_\_\_\_, Ohio.

\_\_\_\_\_  
Head of School\*

\_\_\_\_\_  
Date

I have received a copy of this Notice of Intended Expulsion.

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Date

APPENDIX N

THE SCHOOL

NOTICE OF EMERGENCY REMOVAL  
AND INTENT TO EXPEL FROM SCHOOL

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date

This is to notify you that because \_\_\_\_\_

\_\_\_\_\_  
your presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process. Pursuant to R.C. 3313.66(C), this is to notify you that you have been removed from curricular and extra-curricular activities from school effective immediately.

This is also to notify you of the intent to expel you from school pursuant to R.C.  
3313.66(B) for the following reason(s): \_\_\_\_\_

\_\_\_\_\_  
in violation of \_\_\_\_\_

\_\_\_\_\_  
of the Board Policy adopting the Code of Student Conduct.

This is also to notify you that the Superintendent may seek to permanently exclude you, if you are convicted of or adjudicated a delinquent child for a violation listed in R.C. 3313.662(A), and if you were 16 years of age or older at the time of such violation.

You now have the opportunity to meet with the appropriate school official (Head of School, Principal, Assistant Principal, Superintendent, or Superintendent's Designee) at an informal hearing. At that hearing, you and your parent, guardian, custodian or representative may challenge the reason(s) for the intended expulsion or otherwise explain your actions.

Your hearing has been scheduled for \_\_\_\_\_

\_\_\_\_\_ at \_\_\_\_\_ .m., in M\_\_\_\_. \_\_\_\_\_ 's office in the  
\_\_\_\_\_ Building located at \_\_\_\_\_ , Ohio.

\_\_\_\_\_  
Head of School\*

\_\_\_\_\_  
Date

I have received a copy of this Notice of Emergency Removal and Intended Expulsion.

\_\_\_\_\_  
Signature of Student

\_\_\_\_\_  
Date

APPENDIX O  
THE SCHOOL  
NOTICE OF EXPULSION FROM SCHOOL

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
Date

Based upon my review of your circumstances, I have concluded that you will be expelled from school for school days for the following reason(s): \_\_\_\_\_

\_\_\_\_\_  
in violation of \_\_\_\_\_  
of the Board Policy adopting the Code of Student Conduct.

Expulsion will be served on the following dates:

\_\_\_\_\_

\_\_\_\_\_  
Head of School\*

\_\_\_\_\_  
Date

APPENDIX P

THE SCHOOL

NOTICE OF RIGHTS RE: EXPULSION FROM SCHOOL  
(FOR USE FOR EXPULSIONS OF *20 SCHOOL DAYS OR LESS ONLY*)

To parent, guardian, custodian:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address  
\_\_\_\_\_

\_\_\_\_\_ has been suspended  
from school for the following reason(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ in violation of \_\_\_\_\_  
of the Board Policy adopting the Code of Student Conduct.

You have the following rights:

1. To appeal the expulsion to the Board of Directors, or the Board's appointed designee, if applicable.
2. To be granted a hearing before the Board of Directors (or designee) in order to be heard against the expulsion.
3. To request that the appeal hearing be held in executive session.
5. To be represented in an appeal hearing.

If you wish to schedule an appeal hearing in this matter, please so notify the School Treasurer in writing immediately.

This is also to notify you that the expulsion may be subject to extension pursuant to R.C. 3313.66(F), if the pupil was 16 years of age or older at the time of such violation.

This is also to notify you that the Head of School may seek the pupil's permanent exclusion, if the pupil is convicted of or adjudicated a delinquent child for a violation listed in R.C. 3313.662(A), and if the pupil was 16 years of age or older at the time of such violation.

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Head of School\*

Date

---

**For school use only:**

Copies: Pupil, Parent, School Treasurer  
Original: School

APPENDIX Q

THE SCHOOL

NOTICE OF RIGHTS RE: EXPULSION FROM SCHOOL  
(FOR USE FOR EXPULSIONS OF *MORE THAN 20 SCHOOL DAYS ONLY*)

To parent, guardian, custodian:

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address  
\_\_\_\_\_

\_\_\_\_\_ (**Name of Pupil**) has been expelled  
from school for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ in violation of \_\_\_\_\_  
of the Board Policy adopting the Code of Student Conduct.

You have the following rights:

1. To appeal the expulsion to the Board of Directors, or the Board's appointed designee, if applicable.
2. To be granted a hearing before the Board of Directors (or designee) in order to be heard against the expulsion.
3. To request that the appeal hearing be held in executive session.
4. To be represented in an appeal hearing.

If you wish to schedule an appeal hearing in this matter, please so notify the School Treasurer in writing immediately.

This is also to notify you that the expulsion may be subject to extension pursuant to R.C. 3313.66(F), if the pupil was 16 years of age or older at the time of such violation.

This is also to notify you that the Head of School may seek the pupil's permanent exclusion, if the pupil is convicted of or adjudicated a delinquent child for a violation listed in R.C. 3313.662(A), and if the pupil was 16 years of age or older at the time of such violation.

\_\_\_\_\_  
Head of School\*

\_\_\_\_\_  
Date

\_\_\_\_\_  
\_\_\_\_\_  
**NOTICE OF ASSISTANCE PROGRAMS RE EXPULSION FROM SCHOOL  
(FOR USE FOR EXPULSIONS OF *MORE THAN* 20 SCHOOL DAYS ONLY)**

Pursuant to R.C. §3313.66(D), when a pupil is expelled from school for more than 20 school days, this notice is given to the pupil and his or her parent, guardian or custodian.

This is to provide notice of the names, addresses and phone numbers of the appropriate public and private agencies which provide services or programs that work toward improving those aspects of the pupil's attitudes and behavior that contributed to the incident that gave rise to the expulsion.

NAMES

ADDRESSES

PHONE NUMBERS

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**For school use only:**

Copies: Pupil, Parent, School Treasurer  
Original: School

## APPENDIX HH

### **General Safety**

#### **Eye and Face Protection**

The School will ensure that all staff and students wear appropriate eye and face protection which complies with all Federal and State standards when working in areas that expose them to hazards such as flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical oases or vapors, or potentially injurious light radiation. Staff shall obtain appropriate eye protection (safety glasses, goggles, etc.) and will also provide information on the proper use and care of the eye and face protection device.

The teacher will provide the devices to the students.

Staff regularly working in potential eye-hazard areas who need prescription glasses may submit a request through the Head of School or his/her designee for prescription safety glasses. The School will assume the cost of the glasses.

#### **Ear Protection**

Staff working in areas where the noise level is 80 decibels or more may obtain ear protection through the Head of School or his/her designee. Staff in 80-decibel-or-more areas are given a yearly hearing test.

#### **Foot Protection**

All staff working at tasks in which feet are at risk shall wear substantial and/or steel-toed shoes to protect their feet and toes and/or slip-resistant shoes to protect their footing.

#### **Hair/Head Protection**

Employees and students with long hair (down to the shoulders) shall tie their hair back or wear hair nets or caps when working on equipment with rotating spindles or other moving machinery. Staff and students working at tasks in which the head is at risk from falling debris or from being struck by objects shall wear appropriate head protection.

#### **Hand Protection**

Staff and students may obtain gloves or other hand protection which is appropriate to the task to be performed from the teachers or the Head of School or his/her designee.

### **General Safety Rules**

Loose clothing must not be worn near moving machinery.

Neckties and scarves must be securely clipped to the shirt.

Staff and students working in areas where chemicals, solvents, other irritants, or caustic acids are used will be supplied with face shields, chemical resistant boots, aprons, gloves, etc.

Rings and jewelry must not be worn when working on machinery.

Work gloves (leather palmed) must be worn by anyone handling raw materials other than chemicals.