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STUDENT POLICIES GOALS

The Board advocates the following goals to:

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

[Adoption date: October 22, 2013]

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

EQUAL EDUCATIONAL OPPORTUNITIES

All students of the District have equal educational opportunities.

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

[Adoption date: October 22, 2013]

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

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

ENTRANCE AGE
(Mandatory Kindergarten)

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

[Adoption date: October 22, 2013]

LEGAL REF.: ORC 3321.01

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

EARLY ENTRANCE TO KINDERGARTEN

State law establishes minimum age requirements for admission to kindergarten. A child who does not meet the age requirements for admittance to kindergarten or first grade, but who will be five or six years old, respectively, prior to January 1 of the school year in which admission is requested, shall be evaluated for early admittance in accordance with District policy upon referral by the child's parent or guardian, an educator employed by the District, a preschool educator who knows the child or a pediatrician or psychologist who knows the child. Following an evaluation in accordance with such a referral, the Board decides whether to admit the child.

If a child, for whom admission to kindergarten or first grade is requested, will not be five or six years of age, respectively, prior to January 1 of the school year in which admission is requested, the child is admitted only in accordance with the District's acceleration policy adopted under State law.

[Adoption date: October 22, 2013]

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

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

SCHOOL ADMISSION

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

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

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

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

1. an updated copy of the student's transcript;
2. a report of the student's behavior in school while in DHS custody;
3. the student's current Individualized Education Program, if developed, and
4. a summary of the institutional record of the student's behavior.

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

[Adoption date: October 22, 2013]

[Re-adoption date: March 10, 2015]

[Re-adoption date: November 8, 2016]

LEGAL REFS.: ORC 2151.33;
2152.18(D)(4)
3109.52 through 3109.61; 3109.65 through 3109.76;
3109.78; 3109.79; 3109.80
3313.48; 3313.64; 3313.67; 3313.671; 3313.672
3317.08
3321.01
OAC 3301-35-04(F)

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

NOTE: Use this category for statements covering all school admissions. Statements on exceptions to general residency requirements, tuition charges for nonresident students, admission of students from neighboring districts on a transfer basis, etc., should be filed under the appropriate subcategory of code JEC.

For purposes of determining a student's "residence," the term "parent" is defined by law as "... either parent, unless the parents are separated or divorced, in which case 'parent' means the parent with legal custody of the child. If neither parent has legal custody of the child, 'parent' means the person or agency with legal custody or permanent custody..." See policy JECB, Admission of Nonresident Students, for related statements.

House Bill 367 (2014) defines a "protected child" as a child placed in a foster home as defined by Ohio Revised Code Section (RC) 5103.02 or in a residential facility defined as a group home for children, a children's crisis care facility, children's residential center, residential parenting facility that provides 24-hour childcare, county children's home or district children's home. The definition and accompanying prohibition on denying a protected child admission based solely on inability to present a birth certificate upon enrollment is found in RC 3313.672.

ADMISSION OF HOMELESS STUDENTS

The Board believes that all school-aged students, including homeless students and unaccompanied youth, have a basic right to equal educational opportunities. Accordingly, the District must enroll each homeless student or unaccompanied youth in the District in the school determined to be in the student's best interest. Enrollment is defined by the McKinney-Vento Homeless Assistance Act as attending classes and participating fully in school activities.

A homeless student is defined as an individual who lacks fixed, regular and adequate nighttime residence including:

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

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

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

The Board ensures that:

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

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

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

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

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

[Adoption date: October 22, 2013]

[Re-adoption date: December 8, 2015]

[Re-adoption date: January 17, 2018]

[Re-adoption date: March 13, 2018]

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

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

NOTE: All school districts that are direct recipients of federal funds are required to have a board policy on the admission of homeless students. In addition, administrators must:

- 1. provide documentation/evidence of communication disseminated/posted by the district;*
- 2. identify a Homeless Coordinator in the CCIP Address Book;*
- 3. provide evidence of program/information provided to staff regarding the specific needs of homeless students and*
- 4. establish a dispute resolution procedure.*

The Every Student Succeeds Act revised the McKinney-Vento Homeless Assistance Act requirements effective October 1, 2016 and expanded district obligations for identifying and serving homeless students. Students awaiting foster care placement were removed from the definition of homeless student and are covered in separate provisions for foster students effective December 10, 2016. Homeless students also are a new subgroup for accountability and reporting purposes.

ADMISSION OF HOMELESS STUDENTS
(Dispute Resolution Process)

If a dispute arises over eligibility, school selection or enrollment, the District will immediately enroll the child/unaccompanied youth in the school in which he/she is seeking enrollment, pending resolution of the dispute, including all appeals. Enrollment is defined by the McKinney-Vento Homeless Assistance Act as attending classes and participating fully in school activities.

1. District staff will refer the student, parent or guardian to the District liaison who will initiate the dispute resolution process as quickly as possible. The District liaison will make sure that the District follows the dispute resolution process. The liaison also must ensure that unaccompanied youth receive the same rights to appeal a district's eligibility, school selection or enrollment decision as parents and guardians. The role of the District liaison is to assist the student, parent or guardian through the duration of the dispute resolution process. The process will be open and transparent among those involved.
2. Upon determination of eligibility, enrollment or school selection, the District will provide a written explanation of any decisions made to parents, guardians or unaccompanied youth. The written explanation will be easy to understand and free of jargon. When appropriate, the District will translate the decision into the recipient's dominant language. At a minimum, the written explanation of how the District reached its decision regarding eligibility, school selection or enrollment will include:
 - A. A description of the action that the District proposed or refused;
 - B. An explanation of why the District proposed or refused the action;
 - C. A description of any other options the District considered;
 - D. The reasons why the District rejected any other options;
 - E. A description of any other factors relevant to the District's decision and information related to the eligibility or best interest determination. This includes the facts, witnesses and evidence relied upon and their sources;
 - F. Appropriate timelines to ensure any relevant deadlines are met;
 - G. Contact information for the District liaison and state homeless education coordinator and a brief description of their roles and
 - H. Notice to the recipient of their right to file an appeal, including step-by-step instructions of how to file an appeal.

3. The student, parent or guardian has the right to appeal any district determination of eligibility, school selection or enrollment. The District liaison will guide the student, parent or guardian through the entire dispute resolution process. The liaison will assist in both the local and state-level appeals process, if necessary. This includes recording evidence that will be used to write an appeal if a parent, guardian or unaccompanied youth cannot do so by him or herself and providing access to school materials, such as copiers and fax machines.
4. Following an appeal at the local level, if the student, parent or guardian still disagrees with the determination, they may appeal to the Ohio Department of Education (ODE). The District liaison will forward all written documentation and related documents to the ODE state coordinator for homeless education. Upon receipt of any requested documentation, the state coordinator for homeless education will investigate the dispute and request applicable documentation. ODE will make a decision within 15 school days from the receipt of all necessary materials and will provide the final decision to the District Superintendent, building principal, local liaison, and parent, guardian or unaccompanied youth. All parties must immediately adhere to the final determination.

[Adoption date: December 8, 2015]

[Re-adoption date: January 17, 2018]

[Re-adoption date: March 13, 2018]

NOTE: All school districts are required to have a dispute resolution process. The language incorporated here is based on the Ohio Department of Education (ODE) model dispute resolution policy. While not required to appear in board policy, this regulation helps document the district's process to ensure compliance with requirements of the McKinney-Vento Homeless Assistance Act. ODE also has developed forms that may be used for purpose of managing the dispute resolution process. Information and resources are available on ODE's homeless students web page.

ADMISSION OF NONRESIDENT STUDENTS

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

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

1. an adult resident of the District submits a sworn statement that he/she has begun legal custody proceedings for the student (maximum 60 days permitted);
2. the student is at least 18 but not yet 22 years of age and resides in the District, lives apart from his/her parent(s), supports himself/herself by his/her own labor and does not possess a high school diploma;
3. the student is under 18 years of age, resides in the District and is married, regardless of the residence of the parent(s);
4. the student has a medical condition that may require emergency attention and his/her parent is employed in the District;
(The parent(s) of such child must submit to the Board a statement from the child's physician certifying that the child's medical condition may require emergency medical attention.)
5. the student resides with a person other than his/her parent(s) and such student has a parent serving outside Ohio in the U.S. Armed Services;
(The student's parent(s) must file an affidavit with the Superintendent stating (1) that the parent is serving outside the state in the U.S. Armed Services, (2) that the parent intends to reside in the District upon returning to the state, and (3) the name and address of the person with whom the student is living while the parent is outside the state. This tuition exemption may be granted only for a period of up to 12 months.)

6. the student resides with a parent who is planning to either have a home built or has purchased a home in the District and is waiting for the closing date of the mortgage loan;
(The student's parent(s) must provide the Superintendent with a sworn statement revealing the location of the house and the parent(s)' intention to reside there. The parent(s) must also provide a statement from a homebuilder, real estate broker or bank officer confirming that the house construction is planned or is awaiting approval of the mortgage loan. The period for tuition-free attendance in these cases may extend up to 90 days.)
7. the student's parent is a full-time employee of the District;
(Any such policy shall take effect on the first day of the school year and the effective date of any amendment or repeal may not be prior to the first day of the subsequent school year. The policy shall be uniformly applied to all such children and shall provide for the admission of any such student upon request of the parent(s). No student may be admitted under this policy after the first day of classes of any school year.)
8. the student resides with his/her parent(s) under the care of a shelter for victims of domestic violence;
9. the student is not a resident of the District, does not require special education and resides with his/her grandparent(s), provided that the Board and the board of the district in which the student's parent(s) reside enter into a written agreement showing good cause for the student to be admitted to the District;
(The grandparent(s) are required to sign all consent forms required by the District, even if the student would remain in the legal custody of the parent(s).)
10. the student is under the age of 22 and his/her parent(s) moved from the District, but within the county, after the first full week of October, for the remainder of the school year;
11. the student is under the age of 22 and his/her parent(s) moved from the District following the commencement of classes during the student's senior year, for the remainder of the school year and for one additional semester;
12. the student is under the age of 22 and resides in a new school district because of the death of a parent;
(The student is entitled to finish the current school year in the District upon approval of the Board.)

13. the student is under the age of 22 and the superintendent of the district in which the student is entitled to attend (the student's district of origin) enters into a contract with the Superintendent of this District (the district into which the student wishes to enroll) consenting to the attendance of the student in this District or
(The Superintendent of this District specifies that the purpose of such attendance is to protect the student's physical or mental well-being or to deal with other extenuating circumstances deemed appropriate by the Superintendent.)
14. the student whose parent is a full-time employee of an educational service center may be admitted tuition free to the schools of the district where the parent's job is primarily located, pursuant to the admission policy of that district.

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

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

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

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

Tuition Students

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

[Adoption date: October 22, 2013]

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

CROSS REFS.: JEC, School Admission
JEC AA, Admission of Homeless Students
JEC BA, Admission of Exchange Students
JEC BB, Admission of Interdistrict Transfer Students
JO, Student Records

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

ADMISSION OF EXCHANGE STUDENTS

The Board believes that one of the most effective vehicles for improving international understanding is communications among the individuals of various nations. Accordingly, the Board endorses the involvement of high school students and their families in recognized foreign exchange student programs. The Superintendent and administrative staff are responsible for developing regulations to direct the involvement of the high school with such programs.

Exchange students are not responsible for tuition if sponsored under an approved exchange program while temporarily residing in the District with a host family. Exchange students must meet the same requirements and expectations required of resident students, including immunization requirements.

Exchange students are encouraged to participate in all student activities, provided they meet the academic requirements.

The Board reserves the right to limit the number of exchange students in any given year.

Foreign exchange students enrolled in a recognized visitor exchange program may be eligible to participate in interscholastic athletics in accordance with Ohio High School Athletic Association Bylaws.

[Adoption date: October 22, 2013]

[Re-adoption date: March 11, 2014]

[Re-adoption date: November 17, 2015]

LEGAL REFS.: ORC 3313.20; 3313.535; 3313.61(H); 3313.615; 3313.64

CROSS REFS.: IGD, Cocurricular and Extracurricular Activities
IGDJ, Interscholastic Athletics
IGDK, Interscholastic Extracurricular Eligibility
IKFB, Graduation Exercises
JECB, Admission of Nonresident Students
JHCB, Immunizations

ADMISSION OF EXCHANGE STUDENTS

The following regulations shall be observed in administering the foreign exchange student program:

1. Exchange students must be associated with an organized foreign exchange program that is approved by the Board. Such programs must maintain either an office or a representative in Ohio.
2. The sponsoring parents and/or representatives of the approved sponsoring organization must contact the designated coordinator of the foreign exchange student program in the high school guidance office.
3. The Board reserves the right to restrict the number of foreign exchange students in any given academic year.
4. The school reserves the right to deny enrollment to foreign exchange students if approval by the high school guidance office has not been given by July 1 preceding the year of desired enrollment.
5. In order to provide a quality education and to minimize potential disruption, the high school will not accept foreign exchange students after the school year has begun. However, students who were accepted before the July 1 deadline will not be denied enrollment due to late arrival.
6. Exchange students must be full-time students carrying a full academic classload. Enrollment eligibility shall be determined on an annual basis. Exchange students shall receive pass/fail grades only for purposes of class GPA ranking. The coordinator shall keep a record of the students' actual grades for permanent records.
7. Exchange students completing grade 12 will receive an honorary diploma or certificate of attendance.

To receive a regular diploma, the exchange student must successfully complete a program of study developed by the principal/designee and fulfill all other requirements for graduation. Exchange students must complete the applicable state mandated testing requirements for graduation. Exchange students may be exempt from passing the applicable social studies assessment(s) required for graduation. Exchange students are not eligible for an honors diploma.

Exchange students who are subject to the requirements of the Ohio Graduation Tests (OGT) and ~~who~~ wish to qualify for graduation under alternative testing conditions are required to pass the OGT in social studies in order to graduate.

Exchange students who complete the program of study will be permitted to participate in graduation ceremonies, with expenses borne by the student or sponsoring parents.

8. Exchange students are expected to share their cultural heritage to the fullest extent possible including topics such as government, economics, historical understanding and language.
9. Exchange students are subject to the same policies, rules, fees, fines and regulations of the Board that apply to all high school students.

[Adoption date: November 16, 2004]

[Re-adoption date: June 10, 2008]

[Re-adoption date: October 22, 2013]

[Re-adoption date: November 17, 2015]

INTERDISTRICT OPEN ENROLLMENT GUIDELINES

The Coldwater Exempted Village School District's Board of Education in response to the mandate of Senate Bill 140 believes that students should under certain prescribed circumstances, benefit from an interdistrict, open enrollment policy. Guidelines for the transfer of students, based upon criteria established by the schools' administration and in conjunction with recommendations from officials of the Ohio Department of Education are listed below. The specific criteria for this open enrollment program shall be consistent with ORC 3313.98, 3313.981, 3313.982.

- Any application for an inter-district transfer into the Coldwater Schools must be submitted to the superintendent's office between January 1 and April 1. Applications will be acted upon no later than June 1 of a given year. One application must be submitted for each student who requests a transfer into the Coldwater Schools. The administrative team may consider applications from students submitted after April 1 of each year if enrollment positions are available. Applicants shall be considered annually and students currently participating in this program will be given preference but will not be guaranteed a slot each year.
- Appropriate district, grade and program capacity limits shall be established by the administration to ensure that overcrowding of facilities and resources do not occur. No interdistrict transfer will be permitted if the enrollment of a grade level size or particular class size has been or will be exceeded by granting the transfer request. The administrative team will determine appropriate enrollment levels for each. Appropriate enrollment sizes will be determined annually by May 15.
- No student, once accepted by Coldwater Schools, will be displaced for the school year accepted should enrollment exceed the limits stated above.
- Coldwater Schools are not required to institute any special education programs to serve transfer students. Determination of the district's ability to serve a handicapped student will be done by May 15 annually. There will be no limitation on admitting handicapped students unless services required in an IEP are not available in the district. Should the request for transfer by a special education student result in an increase in the enrollment of a cooperative special education unit, the fiscal agent/superintendent shall approve all such requests.
- Applicants shall be considered on a first-come, first-served basis with an assurance that applicants will not displace native Coldwater students from academic programs.
- Coldwater Schools will not accept students from districts that are under a court ordered desegregation plan. Applicants may be rejected if the racial balance of the district would be negatively impacted.

- In accordance with ORC 3313.981 (H) “School districts are only required to transport open enrollment pupils from a pickup point within their district to the school building of attendance. However, if a district board of education desires to transport open enrollment pupils pursuant to section 3327.05 ORC by entering neighboring districts they may do so. Such pupils and miles may be included on Form T-1 for reimbursement purposes.”
- An applicant who has been suspended or expelled by any school district for ten (10) consecutive days or more in the term for which admissions sought or in the term immediately preceding the term for which admission is sought shall be rejected for open enrollment as provided for in Senate Bill 140.
- Open enrollment requests for the coming school year may be rejected for failure of a student to meet financial obligations (including, but not limited to, lunchroom fees and school fees) of the district of residence and/or the district of attendance.
- The superintendent may, by mutual agreement, waive the stated enrollment deadline up to the first full week of October, should extenuating circumstances exist.
- When a student wishes to attend Tri Star Career Compact, which serves Coldwater, the Tri Star administrator will be contacted to determine the availability of the desired program.

[Adoption date: January 11, 2005]

[Re-adoption date: February 14, 2006]

[Re-adoption date: January 8, 2014]

Legal Reference: ORC 3313.98; 3313.981; 3313.982

OPEN ENROLLMENT PROCEDURE TIMELINE

January	Board Action
January	Inform Community/District Meeting
April 1	Final deadline for all applications
April 1-30	Superintendent/Principals meet to review application
May 15	Class and grade level enrollment levels will be determined annually
May 15	Availability of Special Education Services will be determined annually
June 1	Notify Parents: Accept/Reject

**INTERDISTRICT OPEN ENROLLMENT
(Statewide)**

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

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

The District cannot refuse to accept the credits earned by students who have participated in interdistrict open enrollment. The Board will not adopt a policy that discourages resident students from participating in interdistrict open enrollment.

The District notifies the Ohio Department of Education (ODE) of any change to this policy within 30 days of adoption. The District maintains records verifying adherence to this policy and that complaints regarding this policy are addressed. These records are provided to ODE upon request.

Compliance with this policy is reported to the ODE by November 30 annually through the consolidated school mandate report.

If the District reports noncompliance the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

[Adoption date: October 22, 2013]
[Re-adoption date: October 9, 2018]

LEGAL REFS.: ORC 3313.64; 3313.98; 3313.983
 Chapter 3327
 OAC 3301-48-02

CROSS REF.: IGDJ, Interscholastic Athletics

NOTE: Districts are required to notify the ODE of any change to this policy within 30 days of adoption. ODE also may request a district to report any complaints filed or received regarding its open enrollment policy and may request documentation to verify open enrollment policies are being adhered to and complaints are being addressed. This oversight may include on-site visits.

Senate Bill 216 (2018) enacted Ohio Revised Code 3301.68 requiring ODE to establish, distribute and monitor a consolidated school mandate report for school districts. Except where specifically required by law, ODE cannot require a separate report for the items included in the report. Each district must complete and file the report by November 30 annually.

The report must require each district or school to denote “yes” to indicate compliance or “no” to indicate noncompliance with the following prescribed items and to provide any other information that the department requests regarding those items:

- *Training on the use of physical restraint or seclusion on students;*
- *Training on harassment, intimidation, or bullying;*
- *Training on the use of cardiopulmonary resuscitation and an automated external defibrillator;*
- *Training on crisis prevention intervention;*
- *The establishment of a wellness committee;*
- *The reporting of a district's or school's compliance with nutritional standards;*
- *Screening for hearing, vision, speech and communications, and health or medical problems and for any developmental disorders of students enrolled for the first time in kindergarten or first grade and*
- *Compliance with interdistrict and intradistrict open enrollment requirements.*

If a district or school denotes "no" on any item it must provide a written explanation to the board within 30 days for why that item was not completed and a written plan of action for accurately and efficiently addressing the problem.

ADMISSION OF STUDENTS
FROM NON-CHARTERED OR HOME SCHOOLING

Students seeking admission into the District's schools who have been enrolled in non-chartered schools or home schooling programs may be required to take competency examinations. The purpose of these examinations is to determine the proper grade placement for these students.

In making a placement decision, the Superintendent may consider:

1. the student's most recent annual academic assessment report;
2. whether to require the student to take any or all of the nationally normed, standardized achievement tests that are regularly scheduled for District students of similar age and
3. other evaluation information that may include interviews with the student and the parent.

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

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

Home schooled students must be enrolled in the District for a minimum of 12 full-credit courses/classes/credit hours/Carnegie units in order to be selected as valedictorian or salutatorian for graduation purposes.

[Adoption date: October 22, 2013]

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

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

INTRADISTRICT OPEN ENROLLMENT
(Version 2)

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

The District notifies the Ohio Department of Education (ODE) of any change to this policy within 30 days of adoption. The District maintains records verifying adherence to this policy and that complaints regarding this policy are addressed. These records are provided to ODE upon request.

Compliance with this policy is reported to the ODE by November 30 annually through the consolidated school mandate report.

If the District reports noncompliance the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

[Adoption date: October 22, 2013]
[Re-adoption date: October 9, 2018]

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

CROSS REFS.: IE, Organization of Facilities for Instruction
IGBJ, Title I Programs
IGDJ, Interscholastic Athletics
JECC, Assignment of Students to Schools

NOTE: Districts are required to notify the ODE of any change to this policy within 30 days of adoption. ODE also may request a district to report any complaints filed or received regarding its open enrollment policy and may request documentation to verify open enrollment policies are being adhered to and complaints are being addressed. This oversight may include on-site visits.

Senate Bill 216 (2018) enacted Ohio Revised Code 3301.68 requiring ODE to establish, distribute and monitor a consolidated school mandate report for school districts. Except where specifically required by law, ODE cannot require a separate report for the items included in the report. Each district must complete and file the report by November 30 annually.

The report must require each district or school to denote “yes” to indicate compliance or “no” to indicate noncompliance with the following prescribed items and to provide any other information that the department requests regarding those items:

- *Training on the use of physical restraint or seclusion on students;*
- *Training on harassment, intimidation, or bullying;*
- *Training on the use of cardiopulmonary resuscitation and an automated external defibrillator;*
- *Training on crisis prevention intervention;*
- *The establishment of a wellness committee;*
- *The reporting of a district’s or school’s compliance with nutritional standards;*
- *Screening for hearing, vision, speech and communications, and health or medical problems and for any developmental disorders of students enrolled for the first time in kindergarten or first grade and*
- *Compliance with interdistrict and intradistrict open enrollment requirements.*

If a district or school denotes “no” on any item it must provide a written explanation to the board within 30 days for why that item was not completed and a written plan of action for accurately and efficiently addressing the problem.

ASSIGNMENT OF STUDENTS TO SCHOOLS

The Board approves attendance areas. Students attend the school that serves the attendance area in which their parents reside or, upon acceptance, the student may attend another school pursuant to the District's intradistrict open enrollment policy.

The Superintendent has authority to assign students to schools. The Superintendent/designee is authorized to make exceptions on the basis of hardship and student need and to assign a student to a school outside his/her own attendance area.

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 3313.49; 3313.64; 3313.65; 3313.97
3319.01

CROSS REFS.: JC, School Attendance Areas
JECBD, Intradistrict Open Enrollment

STUDENT WITHDRAWAL FROM SCHOOL
(Loss of Driving Privileges)

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

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

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

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

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

[Adoption date: October 22, 2013]

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

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

STUDENT ABSENCES AND EXCUSES

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

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

1. personal illness of the student;
2. illness in the student's family necessitating the presence of the child;
3. needed at home to perform necessary work directly and exclusively for parents or legal guardians for a limited period of time when approved by the Superintendent (applies to students over 14 years of age only);
4. death in the family (applies to absences of up to 18 school hours unless a reasonable cause may be shown for a longer absence);
5. quarantine for contagious disease;
6. observance of religious holidays consistent with a student's truly held religious belief;
7. traveling out of state to attend a Board-approved enrichment activity or extracurricular activity (applies to absences of up to 24 school hours);
8. college visitation;
9. absences due to a student's placement in foster care or change in foster care placement or any court proceedings related to their foster care status;
10. absences due to a student being homeless or
11. as determined by the Superintendent.

The District makes an attempt to contact the parent, guardian, or other person having care of a student who has not notified the school of the student's absence that day regarding that student's unexcused absence within 120 minutes of the start of the school day. The Board authorizes the Superintendent to determine and use the appropriate notification procedure and methods consistent with State law.

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

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

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

[Adoption date: October 22, 2013]
[Re-adoption date: February 14, 2017]
[Re-adoption date: March 13, 2018]
[Re-adoption date: October 9, 2018]
[Re-adoption date: April 9, 2019]

LEGAL REFS.: ORC 3313.609; 3313.66
3321.01; 3321.03; 3321.04; 3321.13; 3321.14; 3321.141; 3321.19;
3321.38
4510.32
OAC 3301-69-02

CROSS REFS.: IGAC, Teaching About Religion
IKB, Homework
JEDB, Student Dismissal Precautions
JEE, Student Attendance Accounting (Missing and Absent Children)
JHC, Student Health Services and Requirements
JHCC, Communicable Diseases

NOTE: In 2009, the Ohio General Assembly enacted House Bill (HB) 1, which directed school districts to count – up to 24 school hours as excused absences – time that a student is absent from school for the sole purpose of traveling out of state to a board-approved enrichment activity or an extracurricular activity. The student is required to make up all missed classroom assignments.

In addition, if the student will be out of the state for 24 or more consecutive school hours for a board-approved enrichment activity or extracurricular activity, a classroom teacher employed by the board must accompany the student to provide instructional assistance.

HB 66 added a requirement that districts will attempt to contact the parent, guardian, or other person having care of a student regarding that student's unexcused absence within 120 minutes of the start of the school day using a method consistent with State law. The following methods are acceptable:

- *A telephone call placed in-person*
- *An automated telephone call (via a system that includes verification that each call was actually placed)*
- *A notification sent through the school's automated student information system*
- *A text message*
- *An email*
- *An in-person visit*
- *Any other notification procedure that has been adopted by resolution of the board of education*

Schools are not required to notify a parent who notifies the school of the student's absence within the first 120 minutes after the beginning of the school day. In addition, an immunity provision is included in the new law, which states that a school district or any officer, director, employee, or any member of the district board of education is not liable in a civil action for injury, death, or loss to person or property from an employee's action or inaction in good faith compliance with the law.

HB 491 requires boards to adopt a policy establishing parameters for completing and grading assignments missed due to a student's suspension. The policy must permit the completion of classroom assignments missed and students must receive at least partial credit for completed assignments. The policy may permit grade reductions and must prohibit the receipt of a failing grade solely on account of the student's suspension. Districts may further customize this policy to reflect parameters or outline in detail in student handbooks.

TRUANCY

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

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

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

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

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

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

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

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

1. providing a truancy intervention plan meeting State law requirements for any student who is excessively absent from school;
2. providing counseling for a habitual truant;
3. requesting or requiring a parent having control of a habitual truant to attend parental involvement programs;
4. requesting or requiring a parent of a habitual truant to attend truancy prevention mediation programs;

5. notification to the registrar of motor vehicles or
6. taking appropriate legal action.

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

Absence Intervention Plan

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

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

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

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

Filing a Complaint with Juvenile Court

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

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

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

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

[Adoption date: October 22, 2013]
[Re-adoption date: February 17, 2017]
[Re-adoption date: November 21, 2017]
[Re-adoption date: June 26, 2018]
[Re-adoption date: November 19, 2019]

LEGAL REFS.: ORC 3313.663; 3313.668
3321.03 through 3321.04; 3321.07 through 3321.09; 3321.19; 3321.191;
3321.22; 3321.38
OAC 3301-47-01

CROSS REFS.: JED, Student Absences and Excuses
JEG, Exclusions and Exemptions from School Attendance
JK, Employment of Students

NOTE: House Bill 410 (2016) made significant changes to district requirements for managing truancy effective with the 2017-2018 school year. When developing truancy policies, districts are required to consult with the judge of the juvenile court of the county or counties in which the district is located, parents, guardians, or other persons having care of the students attending school in the district and appropriate state and local agencies.

Districts with a chronic absenteeism rate of less than 5% as reflected on the most recent state report card are exempt from the requirement to assign students to an absence intervention team and instead must take any appropriate action as an intervention strategy outlined in board policy.

STUDENT DISMISSAL PRECAUTIONS

Permission for a student to leave school when school is in session requires approval by the principal or a person specifically designated by him/her to exercise that authority. In evaluating requests for this permission, he/she gives primary consideration to the best interests of the student and/or public welfare. Requests are not approved without a parent's permission. When a request originates from a person other than the parent(s), the school official in authority contacts the parent(s) to obtain permission. An exception may be made in the case of the student who is 18 years of age or older, who may make requests on his/her own behalf.

[Adoption date: October 22, 2013]

LEGAL REF.: ORC 3313.20

CROSS REFS.: JED, Student Absences and Excuses
JEE, Student Attendance Accounting (Missing and Absent Children)

STUDENT ABSENCES AND EXCUSES

Students Habitually Absent – Loss of Driving Privileges

When the Superintendent receives information that a student of compulsory school age has been absent without legitimate excuse for more than 60 consecutive hours in a school month or a total of at least 90 hours in a school year, the following procedure applies.

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

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

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

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

[Adoption date: October 22, 2013]

[Re-adoption date: February 14, 2017]

STUDENT ATTENDANCE ACCOUNTING
(Missing and Absent Children)

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

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

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

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

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

Parents must notify the school on the day a student is absent unless previous notification has been given in accordance with school procedure for excused absences. The District makes an attempt to contact the parent, guardian, or other person having care of a student who has not notified the school of the student's absence that day regarding that student's unexcused absence with 120 minutes of the start of the school day. The Board authorizes the Superintendent to determine and use the appropriate notification procedure and methods consistent with State law.

Parents or other responsible persons shall provide the school with their current home and/or work telephone numbers, home addresses and any emergency telephone numbers.

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

[Adoption date: October 22, 2013]

[Re-adoption date: March 10, 2015]

[Re-adoption date: April 9, 2019]

LEGAL REFS.: ORC 109.65
2901.30
3313.205; 3313.672; 3313.96
3319.321; 3319.322
3321.12
3321.141
3705.05

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

NOTE: In developing your own policy and complying with the spirit of the law, you may want to consider the following:

- *Building administrators should be consulted during the development of this policy and any related regulations.*
- *Materials for informational programs may be obtained from the State Department of Education.*
- *Ohio Revised Code Section (RC) 3313.96 authorizes school districts to develop a voluntary student-fingerprinting program in conjunction with local law enforcement agencies.*
- *RC 3319.322 requires the school principal to request any person authorized to take student photographs to provide a wallet size photograph of each student for inclusion in his file.*

Each school district should make its own decision as to what best suits the needs of their particular district.

House Bill (HB) 367 (2014) defines a “protected child” as a child placed in a foster home as defined by Ohio Revised Code Section (RC) 5103.02 or in a residential facility defined as a group home for children, a children’s crisis care facility, children’s residential center, residential parenting facility that provides 24-hour childcare, county children’s home or district children’s home. A protected child or their parent/guardian has 90 days from initial entry to the school to present a birth certificate or comparable document. The definition and accompanying prohibition on denying a protected child admission based solely on inability to present a birth certificate upon enrollment is found in RC 3313.672.

HB 66 added a requirement that districts will attempt to contact the parent, guardian, or other person having care of a student regarding that student’s unexcused absence within 120 minutes of the start of the school day using a method consistent with State law. The following methods are acceptable:

- *A telephone call placed in-person*
- *An automated telephone call (via a system that includes verification that each call was actually placed)*
- *A notification sent through the school’s automated student information system*
- *A text message*
- *An email*
- *An in-person visit*
- *Any other notification procedure that has been adopted by resolution of the board of education*

Schools are not required to notify a parent who notifies the school of the student’s absence within the first 120 minutes after the beginning of the school day. In addition, an immunity provision is included in the new law, which states that a school district or any officer, director, employee, or any member of the district board of education is not liable in a civil action for injury, death, or loss to person or property from an employee’s action or inaction in good faith compliance with the law.

RELEASED TIME FOR RELIGIOUS INSTRUCTION

The Board permits students to be released from school for religious instruction consistent with law. Absence during the school day for religious instruction is permitted, provided:

1. the student's parents or guardians submit a written request to the building principal;
2. the private entity providing instruction maintains attendance records and makes them available to the District and
3. the student is not absent from core curriculum subject courses.

The District is not responsible for transportation to and from the place of instruction. Regular classroom instruction missed as a result of a student's absence for religious instruction will not be made up and students assume responsibility for any missed schoolwork. Students are not considered absent from school while attending a released time course in religious instruction. The District does not aid, assist or enforce attendance in a religious instruction program. The District does not discriminate against students who participate in such program.

No public funds are expended and no public school personnel are involved in providing religious instruction. This policy is not intended and shall not be construed in any way, to associate the District with any faith or religious denomination.

[Adoption date: November 17, 2015]

[Re-adoption date: November 21, 2017]

[Re-adoption date: June 18, 2019]

LEGAL REFS.: U.S. Const. Amend. I
ORC 3313.20; 3313.47; 3313.6022
3321.04

CROSS REFS.: IGAC, Teaching About Religion
JED, Student Absences and Excuses
KJA, Distribution of Materials in the Schools

NOTE: House Bill 171 (2014) enacted Ohio Revised Code 3313.6022 specifying the conditions under which a board may adopt a policy on released time for religious instruction. Districts also may choose to add language to this policy authorizing high school students to earn elective credit toward graduation through released time courses, provided statutory requirements are met when evaluating the course for credit. The decision to award credit for a released time course of religious instruction must be neutral to, and cannot involve any test for religious content or denominational affiliation. Districts should work with board counsel to implement such programs.

On April 17, 2019, the Ohio Attorney General released a new opinion (2019-015) on released time for religious instruction, which focuses on what a school district's policy may permit or prohibit, and the implementation of these policies.

The opinion analyzes and resolves several specific questions and scenarios. Districts are cautioned to keep in mind that these scenarios and questions are fact-specific and rely on certain assumptions. As the facts change, so may the answer. Districts should work with board counsel to assure legal compliance when implementing these policies.

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

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

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

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

[Adoption date: August 9, 2016]

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

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

NOTE: The cross-references are to related statements in this manual.

PERMANENT EXCLUSION

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

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

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

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

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

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

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

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

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

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

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

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

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

Readmission

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

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

Probationary Admission Following Permanent Exclusion

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

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

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

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

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

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

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

STUDENT RIGHTS AND RESPONSIBILITIES

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

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

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

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

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

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

[Adoption date: October 22, 2013]

[Re-adoption date: February 14, 2017]

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

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

NOTE: House Bill 410 (2016) prohibits districts from disciplining a student based solely on the basis of the student being absent from school without legitimate excuse.

STUDENT DUE PROCESS RIGHTS

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

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

Due process procedures are:

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

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

[Adoption date: October 22, 2013]

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

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

STUDENT INVOLVEMENT IN DECISION MAKING

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

A student may be elected to serve on the Board as a representative for the student body, in an advisory capacity only, to better facilitate communication between the Board and the students, to increase awareness of the democratic process within the District and to improve the opportunity for participation in the decision-making process.

The student must be a high school student elected by the student body to serve for a one-year term.

[Adoption date: October 22, 2013]

LEGAL REF.: OAC 3301-35-04

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

STUDENT CONDUCT (Zero Tolerance)

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

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

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

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

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

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

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

The student code of conduct is made available to students and parents and is posted in a central location within each building.

[Adoption date: October 22, 2013]

[Re-adoption date: February 14, 2017]

[Re-adoption date: October 9, 2018]

LEGAL REFS.: Gun-Free Schools Act; 20 USC 1751
The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Children's Internet Protection Act; 47 USC 254(h)(5)(b)(iii); (P.L. 106-554,
HR 4577, 2000, 114 Stat 2763)
ORC 3313.20; 3313.534; 3313.66; 3313.661; 3313.662; 3313.668

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

NOTE: In accordance with State law, all boards of education are required to have a “zero tolerance” policy. Although this policy satisfies the provision of law, administrators are encouraged to develop a comprehensive list of rules for students – the actual codes of conduct – with corresponding disciplinary sanctions for violations.

House Bill (HB) 318 (2018) requires each school district’s “zero tolerance” policy to comply with HB 318’s provisions on suspending and expelling students in grades pre-K through three, the State Board of Education’s (SBOE) positive behavioral interventions and supports framework, and the SBOE’s standards for the use of physical restraint or seclusion on students.

HB 410 (2016) removed the requirement for districts to include excessive truancy in zero tolerance policies. HB 410 also prohibits districts from extending a suspension into the next school year if there are less than 10 days remaining in the current school year. The superintendent may instead require the student to complete community service or another alternative consequence determined appropriate. Districts also are prohibited from disciplining a student based solely on the basis of the student being absent from school without legitimate excuse.

The Children’s Internet Protection Act added a requirement that effective July 1, 2012, all school districts participating in the E-Rate program must include language in their Internet safety policy regarding the education of minors concerning appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. Districts must also develop an educational plan to implement the program. Helpful resources for educational plan development are available at OnGuardOnline.gov.

This list of rules should be published in student handbooks, made available to parents, reviewed and revised yearly and approved by the board. When approved by the board, provisions in student handbooks carry the same legal status as board policies.

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

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

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

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

The student code of conduct is made available to students and parents and is posted in a central location within each building.

[Adoption date: October 22, 2013]

[Re-adoption date: February 14, 2017]

LEGAL REFS.: Gun-Free Schools Act; 20 USC 1751
The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Children's Internet Protection Act; 47 USC 254(h)(5)(b)(iii); (P.L. 106-554,
HR 4577, 2000, 114 Stat 2763)
ORC 3313.20; 3313.534; 3313.66; 3313.661; 3313.662; 3313.668

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

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House Bill (HB) 410 (2016) removed the requirement for districts to include excessive truancy in zero tolerance policies. HB 410 also prohibits districts from extending a suspension into the next school year if there are less than 10 days remaining in the current school year. The superintendent may instead require the student to complete community service or another alternative consequence determined appropriate. Districts also are prohibited from disciplining a student based solely on the basis of the student being absent from school without legitimate excuse.

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This list of rules should be published in student handbooks, made available to parents, reviewed and revised yearly and approved by the board. When approved by the board, provisions in student handbooks carry the same legal status as board policies.

STUDENT DRESS CODE

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

Requirements include the following.

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

[Adoption date: October 22, 2013]

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

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

STUDENT CONDUCT ON DISTRICT MANAGED TRANSPORTATION

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

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

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

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

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

[Adoption date: October 22, 2013]

[Re-adoption date: December 8, 2015]

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

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

NOTE: Ohio Revised Code Section 3327.014 requires the board to identify in its policy "a period of time" for suspension of school bus riding privileges. The provision in the third paragraph to suspend for a period "not to exceed one school year" is intentionally broad to allow the district more flexibility in administering discipline.

The coding of this sample policy indicates that the identical policy is also filed in Section J, Students.

STUDENT CONDUCT ON DISTRICT MANAGED TRANSPORTATION

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

Students will:

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

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

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

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

Discipline

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

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

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

[Approval date: October 22, 2013]

[Re-approval date: December 8, 2015]

NOTE: The coding indicates that the identical regulation also is filed in Section J, Students. It is advisable that regulations in the area of student transportation bear the board's official stamp of approval.

HAZING AND BULLYING
(Harassment, Intimidation and Dating Violence)

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

School Personnel Responsibilities and Complaint Procedures

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

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

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

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

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

Teachers and Other School Staff

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

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

Complaints

1. Formal Complaints

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

2. Informal Complaints

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

3. Anonymous Complaints

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

4. False Complaints

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

Intervention Strategies

1. Teachers and Other School Staff

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

School personnel may find opportunities to educate students about harassment, hazing, intimidation and bullying and help eliminate such prohibited behaviors through class discussions, counseling and reinforcement of socially appropriate behavior. School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student/school personnel, even if such conduct does not meet the formal definition of harassment, hazing, intimidation or bullying.

2. Administrator Responsibilities

A. Investigation

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

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

When hazing and/or bullying is based on race, color, national origin, sex, or disability, and the behavior creates a hostile environment, the hazing and bullying investigation is suspended while the applicable nondiscrimination grievance procedures are implemented.

B. Nondisciplinary Interventions

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

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

C. Disciplinary Interventions

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

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

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

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

Report to the Custodial Parent or Guardian of the Perpetrator

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

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

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

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

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

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

Police and Child Protective Services

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

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

[Adoption date: October 22, 2013]

[Re-adoption date: November 8, 2016]

[Re-adoption date: December 11, 2018]

TOBACCO USE BY STUDENTS

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

“Tobacco” is defined as any product made or derived from tobacco or containing any form of nicotine, if it is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled or ingested by any other means including but not limited to: any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, alternative nicotine products, electronic smoking devices, vapor products, any other smoking product, and spit tobacco, also known as smokeless, dip, chew and snuff, in any form.

Tobacco Use Prohibited

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

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

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

Additionally, no student is permitted to possess cigarettes, lighters or other tobacco products including: filters, rolling papers, pipes, blunt or hemp wraps and liquids used in electronic smoking devices at any time.

Providing Notice

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

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

Enforcement

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

Educational Reinforcement

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

[Adoption date: October 22, 2013]

[Re-adoption date: March 13, 2018]

[Re-adoption date: November 19, 2019]

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

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

NOTE: This policy and information is based on model policies for district considering 100% tobacco-free campuses. It is provided for educational purposes only and is not to be construed as a legal opinion or as a substitute for obtaining legal advice from an attorney. Readers with questions about the application of the law to specific facts are encouraged to consult legal counsel familiar with the laws of their jurisdictions.

Districts are required to have smoke-free policies. This goes beyond and may be helpful to those districts choosing to go tobacco-free.

House Bill (HB) 144 (2014) added alternative nicotine products and electronic cigarettes to the juvenile tobacco laws. HB 166 expanded juvenile tobacco laws to include anyone under age 21 and also updated the definitions of these products to specifically refer to vaping devices and more comprehensively include various nicotine containing devices.

Disciplinary sanctions for tobacco use should be placed in the Student Code of Conduct.

ALCOHOL USE BY STUDENTS/STUDENT DRUG ABUSE

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

The Board does not permit any student to possess, transmit, conceal, offer for sale, consume, show evidence of having consumed or used any alcoholic beverages, illegal drugs, unprescribed drugs, look-alike drugs or any mind-altering substance while on school grounds or facilities; at school-sponsored events; in other situations under the authority of the District or in school-owned or school-approved vehicles. Included in this prohibition are any substances represented as a controlled substance, nonalcoholic beers, steroids, tobacco and tobacco products and drug paraphernalia.

The Board wishes to emphasize the following requirements:

1. A student is required to obey existing laws on school grounds and while involved in school activities. School authorities have the same responsibility as any other citizen to report violations of the law. The final disposition of any problem, however, is determined by the building principal with due consideration of the welfare of the student and of any other relevant factors involved.
2. Discipline is imposed independent of court action. Students are subject to immediate suspension or expulsion proceedings for possession or use of illegal drugs or alcoholic beverages.
3. Parents and students are given a copy of the standards of conduct and the statement of disciplinary sanctions and are notified that compliance with the standards of conduct is mandatory.
4. If conditions warrant, the administration refers the student for prosecution and offers full cooperation in a criminal investigation.
5. A reduction in penalty may be considered if the student receives professional assistance. Professional assistance may include but not be limited to an alcohol/drug education program; assessment with follow-through based on the assessment findings, counseling, outpatient treatment or inpatient treatment.

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

[Adoption date: October 22, 2013]

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

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

WEAPONS IN THE SCHOOLS

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

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

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

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

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

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

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

1. The object is indistinguishable from a firearm, whether or not the object is capable of being fired.

2. The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm.

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

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

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

[Adoption date: October 22, 2013]

[Re-adoption date: October 9, 2018]

LEGAL REFS.: 18 USC 921
20 USC 2701 et seq., Title IX 9001-9005
Gun-Free Schools Act; 20 USC 7151
ORC 2923.122
3313.66; 3313.661; 3313.662
3321.13

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

USE OF ELECTRONIC COMMUNICATIONS EQUIPMENT BY STUDENTS

Students may be allowed to possess electronic communications devices while on school property or while attending school-sponsored activities on or off school property, as long as these devices are used in compliance with building regulations.

Students violating District procedures for use of electronic devices may have their device confiscated and may be subject to discipline.

The District assumes no liability if these devices are broken, lost or stolen. Notices of this policy are posted in a central location in every school building and in the student handbooks.

[Adoption date: October 22, 2013]

[Re-adoption date: April 9, 2019]

LEGAL REFS.: ORC 3313.20; 3313.753

CROSS REFS.: AC, Nondiscrimination
EDE, Computer/Online Services (Acceptable Use and Internet Safety)
JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)
Student Handbooks

NOTE: If districts want to prohibit or restrict the use of cell phones and other electronic communications devices by students the board must adopt a policy. This policy can be customized to reflect district requirements for use or possession. Most districts leave the details of how these devices can be used within student handbooks. Districts also may revise this policy to completely prohibit the possession of electronic communications devices on school property or while attending school-sponsored activities on or off school property.

UNSAFE SCHOOLS
(Persistently Dangerous Schools)

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

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

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

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

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

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

[Adoption date: October 22, 2013]

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

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

Coldwater Exempted Village School District, Coldwater, Ohio

PREGNANT STUDENTS

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

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

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

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

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

[Adoption date: October 22, 2013]

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

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

INTERROGATIONS AND SEARCHES

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

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

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

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

[Adoption date: October 22, 2013]

[Re-adoption date: November 8, 2016]

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

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

NOTE: This category covers interrogations and searches by school staff and law enforcement officials.

INTERROGATIONS AND SEARCHES

Searches of School Property Assigned to a Student

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

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

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

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

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

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

Searches of Unattended Bags by School Personnel

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

Searches of Student Property by Law Enforcement Officials

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

Interrogations by Law Enforcement Officials

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

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

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

[Adoption date: October 22, 2013]

[Re-adoption date: October 10, 2017]

STUDENT DISCIPLINE

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

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

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

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

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

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

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

[Adoption date: October 22, 2013]
[Re-adoption date: February 14, 2017]
[Re-adoption date: October 9, 2018]

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

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

NOTE: House Bill (HB) 410 (2016) prohibits districts from extending a suspension into the next school year if there are less than 10 days remaining in the current school year. The superintendent may instead require the student to complete community service or another alternative consequence determined appropriate. Districts also are prohibited from disciplining a student based solely on the basis of the student being absent from school without legitimate excuse.

HB 318 (2018) restricts out-of-school suspensions and expulsions for students in grades pre-K through three unless the behavior rises to a certain level specified in State law. It is recognized that these forms of discipline are commonly used as a behavior management tool and therefore the General Assembly established a gradual phase in.

For each of the school years 2018-2019, 2019-2020, 2020-2021 and 2021-2022 each school district must report to Ohio Department of Education (ODE) the number of out-of-school suspensions and expulsions issued to a student in grades pre-K through three categorized by the following offenses:

- *Type 1 - A serious offense for which suspension or expulsion is required or authorized by law*
- *Type 2 – An offense not classified as a Type 1 serious offense, but for which the school determined suspension or expulsion was necessary to protect the immediate health and safety of the student, the student’s classmates, or the staff and teachers*
- *Type 3 - Any other offense not described above*

Using the numbers reported for the 2018-2019 school year as a baseline each district must reduce the number of Type 3 suspensions and expulsions according to the following schedule to be in compliance with the revised law:

- *2017-2018 and 2018-2019 – 0% reduction in Type 3 suspensions and expulsions*
- *2019-2020 – 25% reduction in Type 3 suspensions and expulsions*
- *2020-2021 – 50% reduction in Type 3 suspensions and expulsions*
- *2021-2022 – 100% reduction in Type 3 suspensions and expulsions*

For the 2021-2022 school year and going forward all suspensions and expulsions for students in any of grades pre-K through three can only be for Type 1 or Type 2 offenses. Type 3 offenses must be at zero.

Reporting after the 2021-2022 school year will only be required if ODE determines that continued reporting of the information is needed to effectively carry out the requirements of HB 318.

HB 318 also makes clear that in-school-suspensions are to be served in a “supervised learning environment”.

CORPORAL PUNISHMENT

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

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

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

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 2903.11
3313.20
3319.41

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

STUDENT SUSPENSION

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

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

Beginning with the 2019-2020 academic year, the District will reduce the number of out-of-school suspensions for non-serious offenses, as defined by State law, for students in grades pre-K through three in accordance with State law. Such out-of-school suspensions will be eliminated by the 2021-2022 school year.

Whenever possible, principals will consult with a mental health professional under contract with the District or school prior to suspending a student in grades pre-K through three. If needed, the principal or mental health professional will assist the student's parent in locating additional mental health services.

The District permits students to complete any classroom assignments missed due to suspension. Students will receive at least partial credit upon completion of any assignment missed due to suspension. The Board directs the Superintendent to develop written procedures for completing and grading these assignments. Grade reductions are permitted, but students will not receive a failing grade on a completed assignment solely due to the student's suspension.

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

1. The student is informed in writing of the potential suspension and the reasons for the proposed action.
2. The student is provided an opportunity for an informal hearing to challenge the reason for the intended suspension and explain his/her actions.

3. An attempt is made to notify the parent(s) by telephone if a suspension is issued.
4. Within one school day, a letter is sent to the parent(s) stating the specific reasons for the suspension and including notice of the right to appeal such action.
5. Notice of this suspension is sent to the:
 - A. Superintendent and
 - B. student's school record (not for inclusion in the permanent record).
6. Permanent Exclusion — If the offense is one for which the District may seek permanent exclusion, the notice contains that information.

Appeal Procedure

Should a student or a student's parent(s) choose to appeal the principal's suspension, he/she must do so within 10 calendar days of the notice of suspension. The appeal shall be in writing and made to the Superintendent. If dissatisfied with the Superintendent's decision, an appeal may be made to the Board. At the request of the student or of the student's parent(s) or attorney, the meeting may be held in executive session. All witnesses are sworn and a verbatim record is kept of the hearing. The decision of the Board shall be acted upon at a public meeting. The student may be excluded from school during the appeal process.

Appeal to the Court

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

[Adoption date: October 22, 2013]
[Re-adoption date: February 14, 2017]
[Re-adoption date: October 9, 2018]
[Re-adoption date: April 9, 2019]
[Re-adoption date: November 19, 2019]

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

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

NOTE: House Bill (HB) 410 (2016) prohibits districts from extending a suspension into the next school year if there are less than 10 days remaining in the current school year. The superintendent may instead require the student to complete community service or another alternative consequence determined appropriate. Districts also are prohibited from disciplining a student based solely on the basis of the student being absent from school without legitimate excuse.

HB 318 (2018) restricts out-of-school suspensions and expulsions for students in grades pre-K through three unless the behavior rises to a certain level specified in State law. It is recognized that these forms of discipline are commonly used as a behavior management tool and therefore the General Assembly established a gradual phase in.

For each of the school years 2018-2019, 2019-2020, 2020-2021 and 2021-2022 each school district must report to Ohio Department of Education (ODE) the number of out-of-school suspensions and expulsions issued to a student in grades pre-K through three categorized by the following offenses:

- *Type 1 - A serious offense for which suspension or expulsion is required or authorized by law*
- *Type 2 - An offense not classified as a Type 1 serious offense, but for which the school determined suspension or expulsion was necessary to protect the immediate health and safety of the student, the student's classmates, or the staff and teachers*
- *Type 3 - Any other offense not described above*

Using the numbers reported for the 2018-2019 school year as a baseline each district must reduce the number of Type 3 suspensions and expulsions according to the following schedule to be in compliance with the revised law:

- *2017-2018 and 2018-2019 – 0% reduction in Type 3 suspensions and expulsions*
- *2019-2020 – 25% reduction in Type 3 suspensions and expulsions*
- *2020-2021 – 50% reduction in Type 3 suspensions and expulsions*
- *2021-2022 – 100% reduction in Type 3 suspensions and expulsions*

For the 2021-2022 school year and going forward all suspensions and expulsions for students in any of grades pre-K through three can only be for Type 1 or Type 2 offenses. Type 3 offenses must be at zero.

Reporting after the 2021-2022 school year will only be required if ODE determines that continued reporting of the information is needed to effectively carry out the requirements of HB 318.

HB 477 addresses the potential liability related to the procurement of mental health services for students. Under amended Ohio Revised Code 3313.668 a school district, school board member, or district employee is not liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a district employee's decision not to procure mental health services for a suspended or expelled student. There is an exception to this liability protection where the decision is made with malicious purpose, in bad faith, or in wanton or reckless manner. This new language does not eliminate, limit or reduce any other immunity or defense to which the district, board member, or employee may be entitled to under the law.

HB 491 requires boards to adopt a policy establishing parameters for completing and grading assignments missed due to a student's suspension. The policy must permit the completion of classroom assignments missed and students must receive at least partial credit for completed assignments. The policy may permit grade reductions and must prohibit the receipt of a failing grade solely on account of the student's suspension. Districts may further customize this policy to reflect parameters or outline in detail in student handbooks.

EMERGENCY REMOVAL OF STUDENT

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

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

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

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

Students in grades pre-K through three may only be removed for the remainder of the school day and must be permitted to return the following school day. The District may only proceed with a related suspension or expulsion in compliance with State law.

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

[Adoption date: October 22, 2013]

[Re-adoption date: October 9, 2018]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

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

STUDENT EXPULSION

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

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

Whenever possible, principals will consult with a mental health professional under contract with the District or school prior to expelling a student in grades pre-K through three. If needed, the principal or mental health professional will assist the student's parent in locating additional mental health services.

Beginning with the 2019-2020 academic year, the District will reduce the number of expulsions for non-serious offenses, as defined by State law, for students in grades pre-K through three in accordance with State law. Such expulsions will be eliminated by the 2021-2022 school year.

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

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

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

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

Permanent Exclusion

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

Appeal to the Board

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

Appeal to the Court

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

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

[Adoption date: October 22, 2013]
[Re-adoption date: February 14, 2017]
[Re-adoption date: October 9, 2018]
[Re-adoption date: April 9, 2019]
[Re-adoption date: November 19, 2019]

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

CROSS REFS.: ECAB, Vandalism
IGCI, Community Service
JEGA, Permanent Exclusion
JFC, Student Conduct (Zero Tolerance)

JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)
JFCJ, Weapons in the Schools
JG, Student Discipline
JGD, Student Suspension
JGDA, Emergency Removal of Student

NOTE: House Bill (HB) 410 (2016) prohibits districts from disciplining a student based solely on the basis of the student being absent from school without legitimate excuse.

HB 318 (2018) restricts out-of-school suspensions and expulsions for students in grades pre-K through three unless the behavior rises to a certain level specified in State law. It is recognized that these forms of discipline are commonly used as a behavior management tool and therefore the General Assembly established a gradual phase in.

For each of the school years 2018-2019, 2019-2020, 2020-2021 and 2021-2022 each school district must report to Ohio Department of Education (ODE) the number of out-of-school suspensions and expulsions issued to a student in grades pre-K through three categorized by the following offenses:

- *Type 1 - A serious offense for which suspension or expulsion is required or authorized by law*
- *Type 2 - An offense not classified as a Type 1 serious offense, but for which the school determined suspension or expulsion was necessary to protect the immediate health and safety of the student, the student's classmates, or the staff and teachers*
- *Type 3 - Any other offense not described above*

Using the numbers reported for the 2018-2019 school year as a baseline each district must reduce the number of Type 3 suspensions and expulsions according to the following schedule to be in compliance with the revised law:

- *2017-2018 and 2018-2019 – 0% reduction in Type 3 suspensions and expulsions*
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- *2020-2021 – 50% reduction in Type 3 suspensions and expulsions*
- *2021-2022 – 100% reduction in Type 3 suspensions and expulsions*

For the 2021-2022 school year and going forward all suspensions and expulsions for students in any of grades pre-K through three can only be for Type 1 or Type 2 offenses. Type 3 offenses must be at zero.

Reporting after the 2021-2022 school year will only be required if ODE determines that continued reporting of the information is needed to effectively carry out the requirements of HB 318.

HB 477 addresses the potential liability related to the procurement of mental health services for students. Under amended Ohio Revised Code 3313.668 a school district, school board member, or district employee is not liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a district employee's decision not to procure mental health services for a suspended or expelled student. There is an exception to this liability protection where the decision is made with malicious purpose, in bad faith, or in wanton or reckless manner. This new language does not eliminate, limit or reduce any other immunity or defense to which the district, board member, or employee may be entitled to under the law.

DISCIPLINE OF STUDENTS WITH DISABILITIES

The Board recognizes that effective and appropriate discipline for students with disabilities may, at times, differ from effective and appropriate discipline for students without disabilities. The Board does not, however, believe in a double standard for misbehavior and holds the welfare and safety of all persons in the District in highest regard. Disciplinary action of students with disabilities proceeds in a manner that protects the welfare and order of the community as well as recognizes the special needs of the student.

The Board delegates to school officials the authority to enforce District policies, regulations and rules governing the conduct of all students. The District will comply with all State and Federal laws and regulations governing the discipline of students with disabilities. All students, including those with disabilities, will be referred to law enforcement officials when required by law and may be referred to law enforcement officials when their conduct constitutes a crime.

The special needs of the student with a disability are taken into account when setting behavioral expectations. Each case of unsatisfactory behavior by a student with a disability is handled individually in accordance with the student's behavior management plan and interventions articulated in the student's Individualized Education Program (IEP). A student's failure to comply with conduct requirements in student handbooks may result in the student's being disciplined.

If the student does not respond to the measures taken by District staff or to the measures articulated in the student's IEP, the staff member refers the student to the principal or other designated individual. The student may lose rights to participate in school-related social events or extracurricular activities for a period of time determined by the principal, unless such programs are included as part of the student's free appropriate public educational program. Depending on the seriousness of the offense committed by the student, suspension or expulsion may also result, but any change in placement will follow mandated procedures in applicable law.

[Adoption date: October 22, 2013]

LEGAL REFS.: The Individuals With Disabilities Education Improvement Act; 20
USC 1400 through 487; 34 CFR Part 300
Americans with Disabilities Act Amendments Act of 2008; 42 USC 12101 et seq.
State Department of Education, Special Education Policies and
Procedures, Free Appropriate Public Education - 101
ORC 3313.20; 3313.66; 3313.661; 3313.662
3319.41;
3323.01 et seq.
OAC 3301-32-09
3301-37-10
3301-51; 3301-51-01

CROSS REFS.: ECAB, Vandalism
IGBA, Programs for Students With Disabilities
IGD, Cocurricular and Extracurricular Activities
JFC, Student Conduct (Zero Tolerance)
JFCI, Student Drug Abuse
JFCJ, Weapons in Schools
JGA, Corporal Punishment
JGD, Student Suspension
JGDA, Emergency Removal of Student
JGE, Student Expulsion
Student Handbooks

DISCIPLINE OF STUDENTS WITH DISABILITIES

Federal and State laws require that a Free Appropriate Public Education be provided for students with disabilities, including students with disabilities who have been suspended or expelled from school. The following procedures are implemented when a student with a disability is removed from his/her current placement because of a student conduct violation.

Removal for 10 School Days or Less

The District provides to students with disabilities who have been suspended for 10 school days or less in one school year the same services that it provides to students without disabilities who are similarly removed.

Removal for More Than 10 School Days

The District provides to students with disabilities who have been suspended for more than 10 school days in one school year educational services that enable the student to continue to participate in the general education curriculum and to progress towards meeting the goals set out in the student's Individualized Educational Program (IEP). Such services may be provided in an interim alternative educational setting and may not be the exact same services provided to the child in other settings.

When a student with a disability is suspended for more than 10 school days in one school year, the District holds a manifestation determination review. When appropriate, the District also performs a functional behavioral assessment and designs behavioral intervention and modification services to address the conduct violation.

Manifestation Determination Review

Within 10 school days of any decision to change the placement of a student with a disability, who has been suspended for more than 10 school days in one school year, the District holds a manifestation determination review. At the meeting, the school administrator responsible for disciplinary actions, the student's parent(s) and relevant members of the student's IEP team review all relevant information in the student's file, including teacher observations and any pertinent information provided by the parents.

The manifestation determination review team determines whether the conduct was caused by, or had a direct and substantial relationship to, the student's disability, or whether the conduct was a direct result of the school's failure to implement the student's IEP. If the team determines that the conduct was the direct result of the school's failure to implement the student's IEP, the school takes immediate steps to remedy those deficiencies and the student is returned to the agreed-upon placement in the student's IEP.

Student Conduct Was Not a Manifestation of the Disability

When the conduct in question is determined not to be a manifestation of the student's disability, the District applies relevant disciplinary procedures in the same manner and for the same duration as applied to students without disabilities. The District continues to provide educational services that enable the student to participate in the general educational curriculum and progress toward meeting the goals set out in the student's IEP.

The IEP team determines the appropriate services for the student and the setting in which such services will be provided. The District conducts a functional behavioral assessment and implements behavioral intervention services and modifications designed to address the behavior violation at its own discretion.

Student Conduct Was a Manifestation of the Disability

When the conduct in question is determined to be a manifestation of the student's disability, the District conducts a functional behavioral assessment and implements a behavior intervention plan for the student. If a behavior implementation plan has already been developed, the school reviews the plan and modifies it, as necessary, to address the behavior.

The student is returned to the placement, if he/she was removed, unless the student's parent(s)/guardian(s) and the school mutually agree on a change of placement as part of the modifications of the behavior intervention plan or unless special circumstances exist.

Special Circumstances for Removal

The District removes a student with a disability to an interim alternative educational setting for up to 45 school days without regard to whether the behavior violation is determined to be a manifestation of the student's disability if the student partakes in any of the following three violations of the Student Code of Conduct at school, on school premises or at a school function:

1. carrying or possessing a dangerous weapon;
2. knowingly possessing or using illegal drugs, or selling or soliciting the sale of a controlled substance or
3. inflicting serious bodily injury upon another person.

[Approval date: October 22, 2013]

STUDENT HEALTH SERVICES AND REQUIREMENTS

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

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

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

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

[Adoption date: October 22, 2013]

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

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

PHYSICAL EXAMINATIONS OF STUDENTS

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

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

The District screens students for hearing, vision, speech and communications, and health or medical problems and for any developmental disorders prior to November 1 of the school year in which a pupil is enrolled for the first time in either kindergarten or first grade in a manner determined by the Board. The District notifies parents, prior to August 1 of the year in which the pupil is required to be screened and gives parents the opportunity to submit a written statement excluding their children. If the results of any screening reveal the possibility of special learning needs, the District conducts further assessment in accordance with State law.

The District reports compliance with these screening requirements to the Ohio Department of Education by November 30 annually through the consolidated school mandate report.

If the District reports noncompliance the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

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

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

[Adoption date: October 22, 2013]

[Re-adoption date: October 9, 2018]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
ORC 3301.68
3313.50; 3313.671; 3313.673; 3313.68; 3313.73
Chapter 3323

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

NOTE: The District may administer the required kindergarten/first grade screenings directly or contract with another person or governmental entity. The Board also may establish a list of approved providers of screening services and request the parents utilize one of the providers, if the Board requests for screenings to be obtained by the parents, they must provide them with the list of providers and also provide information on screening services available in the community to those who cannot afford them.

Senate Bill 216 (2018) enacted Ohio Revised Code 3301.68 requiring the Ohio Department of Education (ODE) to establish, distribute and monitor a consolidated school mandate report for school districts. Except where specifically required by law, ODE cannot require a separate report for the items included in the report. Each district must complete and file the report by November 30 annually.

The report must require each district or school to denote “yes” to indicate compliance or “no” to indicate noncompliance with the following prescribed items and to provide any other information that the department requests regarding those items:

- *Training on the use of physical restraint or seclusion on students;*
- *Training on harassment, intimidation, or bullying;*
- *Training on the use of cardiopulmonary resuscitation and an automated external defibrillator;*
- *Training on crisis prevention intervention;*
- *The establishment of a wellness committee;*
- *The reporting of a district’s or school’s compliance with nutritional standards;*
- *Screening for hearing, vision, speech and communications, and health or medical problems and for any developmental disorders of students enrolled for the first time in kindergarten or first grade and*
- *Compliance with interdistrict and intradistrict open enrollment requirements.*

If a district or school denotes “no” on any item it must provide a written explanation to the board within 30 days for why that item was not completed and a written plan of action for accurately and efficiently addressing the problem.

IMMUNIZATIONS

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

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

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

[Adoption date: October 22, 2013]

[Re-adoption date: July 12, 2016]

[Re-adoption date: November 8, 2016]

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

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

NOTE: Beginning with the 2016-2017 school year, students must receive the meningococcal vaccine in accordance with the Ohio Department of Health schedule. The Ohio Department of Health website provides a chart summarizing the school enrollment immunization requirements for each fall.

Each year, by October 15, school districts are required to submit a written summary, by school, to the director of health of the immunization records of all initial entry students in the district, on forms prescribed by the director.

Ohio Revised Code 3313.671 outlines the reasons for which parents can file objections for immunizations.

- *A student whose parent provides a written statement in which they decline to have the student immunized for reasons of conscience, including religious convictions, is not required to be immunized.*
- *A student whose physician certifies in writing that such immunization against any disease is medically contraindicated is not required to be immunized against that disease.*
- *Students also may be exempt specifically from rubeola, mumps or chicken pox vaccinations if a signed statement is provided that the student has had these illnesses naturally.*

COMMUNICABLE DISEASES

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

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

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

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

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

[Adoption date: October 22, 2013]

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

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

ADMINISTERING MEDICINES TO STUDENTS

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

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

Inhalers for Asthma

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

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

Epinephrine Autoinjectors

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

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

Diabetes Medication

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

[Adoption date: September 12, 1995]
[Re-adoption date: October 8, 1996]
[Re-adoption date: April 8, 1997]
[Re-adoption date: April 22, 2003]
[Re-adoption date: December 11, 2007]
[Re-adoption date: October 12, 2010]
[Re-adoption date: June 28, 2011]
[Re-adoption date: October 22, 2013]
[Re-adoption date: November 18, 2014]
[Re-adoption date: March 10, 2015]

LEGAL REFS.: ORC 2305.23; 2305.231
3313.64; 3313.7112; 3313.712; 3313.713; 3313.716; 3313.718
3314.03; 3314.141
OAC 3301-35-06

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

ADMINISTERING MEDICINES TO STUDENTS
(General Regulation)

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

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

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

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

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

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

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

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

[Adoption date: June 28, 2011]

[Re-adopted date: October 22, 2013]

[Re-adopted date: November 18, 2014]

ADMINISTERING MEDICINES TO STUDENTS
(Use of Asthma Inhalers)

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

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

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

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

[Adoption date: October 22, 2013]

Coldwater Exempted Village School District, Coldwater, Ohio

ADMINISTERING MEDICINES TO STUDENTS
(Use of Epinephrine Autoinjectors)

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

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

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

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

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

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

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

[Adoption date: October 22, 2013]

STUDENT SAFETY

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

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

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

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

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

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

[Adoption date: October 22, 2013]

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

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

REPORTING CHILD ABUSE AND MANDATORY TRAINING

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

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

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

The Board directs the Superintendent/designee to develop a program of in-service training in child abuse prevention; violence; school safety and violence prevention including human trafficking; substance abuse, the promotion of positive youth development and youth suicide awareness and promotion. Training is also provided on the Board's harassment, intimidation, or bullying policy. Where required this program is developed in consultation with public or private agencies or persons involved in child abuse prevention, school safety, violence prevention or intervention programs or youth suicide awareness and prevention.

Each person employed by the Board to work as a school nurse, teacher, counselor, school psychologist or administrator shall complete at least four hours of the established in-service training within two years of commencing employment with the District, and every five years thereafter.

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

Each person employed by the Board to work as a school nurse, teacher, counselor, school psychologist, administrator or any other personnel the Board deems appropriate shall complete training in youth suicide awareness and prevention once every two years.

[Adoption date: October 22, 2013]

[Re-adoption date: April 9, 2019]

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

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

NOTIFICATION ABOUT SEX OFFENDERS

State law requires certain sex offenders to register with the sheriff in accordance with law. In some circumstances the sheriff notifies the Superintendent that a sex offender subject to community notification is residing, employed or attending school within the geographical region of the District.

If the Superintendent receives information from the sheriff concerning a sex offender subject to community notification, the Superintendent disseminates the information regarding the sex offender subject to community notification to employees whose duties include supervision of or responsibility for students. Employees who receive the information are instructed to promptly notify the Superintendent if the sex offender subject to community notification is observed in the vicinity of the school. The Superintendent notifies the local law enforcement agency if, in the judgment of the Superintendent, the presence of the sex offender subject to community notification appears to be without a legitimate purpose or otherwise creates concern for the safety of the students.

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

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

[Adoption date: October 22, 2013]

[Re-adoption date: December 11, 2018]

LEGAL REFS.: 42 USC 14071
ORC 149.43
2151.355
2152.83; 2152.84
Chapter 2950
OAC 109:5-2

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

STUDENT AWARDS AND SCHOLARSHIPS

The Board values excellence and wishes to encourage students to do their best in all endeavors. The Board directs the Superintendent to maintain a set of criteria and procedures for presenting letters or other suitable awards to students for academic accomplishment, as well as for distinguished service to the District through community service and/or cocurricular and extracurricular participation. Examples include, but are not limited to, the following:

1. academic excellence
2. community service (includes service to the school)
3. perfect attendance
4. cocurricular participation (band, choir, etc.)
5. extracurricular participation (athletics, intramural activities, other groups or clubs, etc.)

Each school may submit to the Superintendent recommendations for special recognition of any student or group of students who demonstrate accomplishments that benefit the District or the community.

Any person or organization desiring to give a gift, or make a grant or bequest, for special recognition of any student or group of students must contact the Superintendent, who submits the request to the Board.

Donations may be offered to the District in order to provide scholarship awards to students, provided the conditions of acceptance do not remove any portion of the control of the District from the Board.

[Adoption date: October 22, 2013]

LEGAL REFS.: ORC 9.20
3313.17; 3313.20; 3313.36

CROSS REFS.: JO, Student Records
KH, Public Gifts to the Schools

EMPLOYMENT OF STUDENTS

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

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

Age and Schooling Certificates (Work Permits)

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

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

In-School Employment

The Board may make available to students part-time and summer jobs commensurate with their abilities and the needs of the District for student employees. The Board also authorizes the District to provide cooperative work-experience programs.

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

[Adoption date: October 22, 2013]

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

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

STUDENT GIFTS AND SOLICITATIONS

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

The following guidelines are in effect.

1. Teachers discourage gifts from students. Notes of appreciation are appropriate.
2. Charity or general solicitations from students are permitted only after written approval has been given by the Superintendent. The Superintendent annually approves all solicitations that are permitted in the schools.
3. There is no solicitation of money from local industry, businesses, District residents, parents or by any school organization without the approval of the Superintendent. All solicitations and fundraising activities by student groups must be in compliance with the District's policy on student fundraising activities.
4. When the graduating class wishes to present a gift to the school, it is encouraged to donate the balance of the class fund to a school service project, the school scholarship fund or to present a gift that has long-lasting benefit to all students in the District.
5. Permission is never given for the school to sponsor non-school fundraisers or to provide for student involvement in such activities.

[Adoption date: October 22, 2013]

LEGAL REF.: ORC 3313.20

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

STAFF-STUDENT RELATIONS

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

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

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

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

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

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

Social Media

1. District staff are prohibited from posting data, documents, photographs or inappropriate information on any social media platform that might result in a disruption of classroom activity or that violates State or Federal law relating to staff and student privacy. The Superintendent/designee has full discretion in determining when a disruption of classroom activity has occurred.
2. District staff are prohibited from providing personal social media passwords to students.
3. Fraternalization between District staff and students via the internet, personal email accounts, text messaging, personal social media and other modes of virtual technology is also prohibited.
4. Access of personal social media during school hours is prohibited.

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

[Adoption date: October 22, 2013]

[Re-adoption date: December 11, 2018]

LEGAL REF.: ORC 3313.20

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

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

NOTE: The success or failure of the instructional program is influenced heavily upon the relationship between staff and students. Boards are encouraged to use this policy as a tool in which to set the parameters for the relationship between staff and students. Specific provisions may be added, modified or removed.

The popularity of social media is yet another concern for districts. These sites add another layer of responsibility and accountability to the relationship between staff and students. The language suggested in this section is permissive, meaning that boards may or may not choose to include this language in the policy.

STUDENT FEES, FINES AND CHARGES

Materials Fees

Students enrolled in District schools are furnished basic textbooks without cost. However, a fee for consumable materials and supplies used in the instructional program is established at the beginning of each school year and may vary as the cost of materials and supplies fluctuates. Such fees are to be deposited in the general operating funds of the Board to defray the cost of the materials and supplies.

The Board directs the Superintendent/designee to prepare a schedule of fees for materials to be used in courses of instruction and a schedule of charges that may be imposed for damage to school property.

The District does not charge students eligible for free lunch under the National School Lunch Act or Child Nutrition Act a fee for any materials needed to participate fully in a course of instruction. Any fees charged to students eligible for free lunch under the National School Lunch Act or Child Nutrition Act, will be charged in compliance with State and Federal law. This exception only applies to recipients of free lunch, not students who receive reduced-price lunch. This provision does not apply to extracurricular activities and student enrichment programs that are not courses of instruction.

Fines

When school property, equipment or supplies are damaged, lost or taken by individuals, a fine is assessed. The fine is reasonable, seeking only to compensate the school for the expense or loss incurred. Free lunch eligibility does not exempt a student from paying fines for damage to school property.

The late return of borrowed books or materials from the school libraries is subject to appropriate fines.

All fines collected are sent to the Treasurer for deposit in the General Fund of the Board.

Collection of Student Fees and Fines

The administration may establish regulations for the collection of student fees and fines.

Grades and credits are not made available to any student, graduate or to anyone requesting same on his/her behalf until all fees and fines for that student have been paid in full except where

required by State law. Participation in extracurricular field trips will not be permitted unless payment has been received. Students will be prohibited from participating in commencement exercises unless payment has been received.

[Adoption date: October 22, 2013]

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

CROSS REFS.: IGCB, Experimental Programs
IGCD, Educational Options (Also LEB)

STUDENT RECORDS

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

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

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

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

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

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

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

The following rights exist:

1. the right to inspect and review the student's education records;
2. the right, in accordance with administrative regulations, to seek to correct parts of the student's education records, including the right to a hearing if the school authority decides not to alter the records according to the parent(s)' or eligible student's request;
3. the right of any person to file a complaint with the U.S. Department of Education if the District violates relevant Federal law, specifically the Family Educational Rights and Privacy Act and
4. the right to acquire information concerning the procedure which the parent(s) or eligible student should follow to obtain copies of this policy, the locations from which these copies may be obtained, as well as any fees to be charged for such copies. *(See administrative regulations.)

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

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

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

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

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

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

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

[Adoption date: August 9, 2016]

[Re-adoption date: November 8, 2016]

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

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

NOTE: Regulations concerning the content of information retained during the student's term of schooling, after the student exits the school and in response to request for transcripts, should be developed in compliance with law and strictly adhered to.

The definitions of "directory information" differ in State and Federal law. This policy reflects the more restrictive definition found in State law. The district may further limit the information contained in that definition.

STUDENT SURVEYS

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

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

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

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

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

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

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

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

[Adoption date: October 22, 2013]

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

Denial of Permission to Release Directory Information Without Prior Written Consent

Dear Parent:

Certain directory information may be released to media, colleges, civic or school-related organizations and state or governmental agencies as well as published in programs for the athletic, music and theater presentations of this District.

Directory information includes the following kinds of information:

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

Please circle the specific categories of information, if any, listed above that you do **not** wish to be released without your specific prior written permission.

_____ The release of all directory information is denied.

This form must be completed and returned to the principal within 10 days after publication of the notice on "Directory Information" if the release of specific directory information is denied.

Name of Student

School

Grade

Parent's/Guardian's Signature

Date

STUDENT RECORDS

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

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

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

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

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

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

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

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

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

ANNUAL NOTIFICATION

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

The notice includes:

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

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

LOCATIONS OF EDUCATION RECORDS

(Required)

(Hypothetical)

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

PROCEDURE TO INSPECT EDUCATION RECORDS

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

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

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

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

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

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

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

FEES FOR COPIES OF RECORDS

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

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

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

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

The fee for copies provided under Federal law may not include the costs for search and retrieval. This fee is \$0.10 per page (actual copying cost less hardship factor).

The fee for all other copies such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience is \$0.10 per page (actual search, retrieval copying cost and postage, if any).

DIRECTORY INFORMATION

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

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

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

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

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

USE OF STUDENT EDUCATION RECORDS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

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

The record includes:

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

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

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

PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

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

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

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

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

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

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

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

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

The request is dated and signed by the requester.

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

1. studies the request;
2. discusses it with other school officials (the person who made the record or those who may have a professional concern about the District's response to the request);
3. makes a decision to comply or decline to comply with the request and
4. completes the appropriate steps to notify the requester or moves the request to the next level for a decision.

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

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

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

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

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

1. the District's decision that the records are correct and the basis for the decision;
2. a notice to the requester that he/she has a right to ask for a hearing to present evidence that the records are incorrect and that the District grants such a hearing;
3. advice that the requester may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense and

4. instructions for the requester to contact the Superintendent or his/her designee to discuss acceptable hearing officers, convenient times and a satisfactory site for the hearing. (The District is not bound by the requester's positions on these items but may, as far as feasible, arrange the hearing as the requester wishes.)

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

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

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

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

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

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

[Adoption date: August 9, 2016]

[Re-adoption date: November 8, 2016]

POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS
(Restraint and Seclusion)

Positive Behavioral Interventions and Supports (PBIS)

The District implements PBIS on a systemwide basis for the purpose of improving academic and social outcomes and increasing learning for all students. The Board directs the Superintendent/designee to develop a PBIS system that is consistent with the components set forth in the State Board of Education's (SBOE) policy on positive behavior interventions and supports. The District encourages family involvement as an integral part of its PBIS system.

Prohibited Practices

The District does not engage in practices prohibited by State law, including:

1. prone restraint;
2. any form of physical restraint that involves the intentional, knowing or reckless use of any technique that:
 - A. involves the use of pinning down a student by placing knees to the torso, head or neck of the student;
 - B. uses pressure point, pain compliance or joint manipulation techniques or
 - C. otherwise involves techniques that are used to unnecessarily cause pain.
3. corporal punishment;
4. child endangerment, as defined by Ohio Revised Code Section (RC) 2919.22;
5. deprivation of basic needs;
6. seclusion and restraint of preschool children in violation of Ohio Administrative Code Section (OAC) 3301-37-10;
7. chemical restraint;
8. mechanical restraint (that does not include devices used by trained school personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed);
9. aversive behavioral interventions or

10. seclusion in a locked room or area.

Restraint

Physical restraint may not be used as a form of punishment or discipline, or as a substitute for other less restrictive means of assisting a student in regaining control. The use of prone restraint is prohibited. This policy does not prohibit the use of reasonable force and restraint as provided by RC 3319.41.

Restraint may be used only:

1. if a student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available;
2. if the physical restraint does not interfere with the student's ability to breathe;
3. if the physical restraint does not interfere with the student's ability to communicate in the student's primary language or mode of communication and
4. by school personnel trained in safe restraint techniques, except in the case of rare and unavoidable emergency situations when trained personnel are not immediately available.

Seclusion

Seclusion may not be used as a form of punishment or discipline, for staff convenience or as a substitute for other less restrictive means of assisting a student in regaining control.

Seclusion may be used only:

1. if a student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective intervention is available;
2. for the minimum amount of time necessary to protect the student and others from physical harm;
3. in a room or area that is not locked, does not preclude the student from exiting the area should the staff member become incapacitated or leave, and that provides adequate space, lighting, ventilation and the ability to observe the student and
4. under the constant supervision of trained staff able to detect indications of physical or mental distress that require removal and/or immediate medical assistance, and who document their observations of the student.

Repeated Dangerous Behaviors

The District conducts functional behavioral assessments for students who repeatedly engage in dangerous behavior that leads to instances of restraint and/or seclusion to identify students' needs and more effective ways of addressing those needs. Behavioral intervention plans that incorporate appropriate positive behavioral interventions are created when necessary.

Training and Professional Development

The District provides professional development or continuing education in PBIS, as part of the implementation of the PBIS framework in accordance with State law. The District's professional development committee monitors this training and establishes model professional development courses.

The District trains an appropriate number of personnel in each building in crisis management and de-escalation techniques. The District maintains written or electronic documentation of provided training and lists of participants in each training session.

All student personnel, as defined by OAC 3301-35-15, are trained annually on the SBOE's and the District's policies and procedures regarding restraint and seclusion.

The Board directs the Superintendent/designee to develop a plan for any necessary training of student personnel to implement PBIS on a system wide basis.

Compliance with training requirements is reported to the Ohio Department of Education (ODE) by November 30 annually through the consolidated school mandate report.

If the District reports noncompliance the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

Data and Reporting

Each incident of seclusion or restraint is immediately reported to the building administrator and the student's parent. Each incident of seclusion or restraint is documented in a written report, which is made available to the student's parent within 24 hours. The District maintains written reports of seclusion or restraint. These reports are educational records under the Family Education Rights and Privacy Act.

The District annually reports information concerning the use of restraint and seclusion to the ODE, as requested by ODE.

Monitoring and Complaint Processes

The Board directs the Superintendent/designee to establish a procedure to monitor the implementation of State law and the District's policy on restraint and seclusion.

The Board directs the Superintendent/designee to establish District complaint procedures, which include a:

1. procedure for parents to present complaints to the Superintendent to initiate a complaint investigation by the District regarding incidents of restraint or seclusion and
2. requirement that the District respond to parents in writing within 30 days of the filing of a complaint regarding restraint and seclusion.

Parents are notified annually of the District's seclusion and restraint policies and procedures, which are also posted on the District's website.

[Adoption date: October 22, 2013]

[Re-adoption date: June 24, 2014]

[Re-adoption date: October 9, 2018]

LEGAL REF.: ORC 2919.22
3301.68
3319.237
3319.46
3326.11
3328.24
OAC 3301-35-15
3301-37-10

CROSS REFS.: IGBA, Programs for Students with Disabilities
JF, Student Rights and Responsibilities
JGA, Corporal Punishment
JH, Student Welfare
JHF, Student Safety

NOTE: Beginning with the 2013/2014 school year, districts are required to develop policies dealing with seclusion, restraint and PBIS. The requirement stems from Ohio Administrative Code 3301-35-15, which was finalized through the Joint Committee on Agency Rule Review (JCARR) on April 8, 2013. Prior to rule finalization, the State Board of Education (SBOE) adopted an accompanying model policy in January 2013. The rule requires district policies and procedures to be consistent with the SBOE policy.

Policies and procedures dealing with seclusion and restraint are required to be posted on the district's website and parents must be notified annually of district policies and procedures dealing with seclusion and restraint.

House Bill (HB) 178 (2014) extends these requirements to community and STEM schools.

HB 318 (2018) requires SBOE to revisit its existing rule (OAC 3301-35-15) on PBIS to create a new PBIS framework. School districts are required to implement a PBIS framework that complies with the amended or updated SBOE policy.

STUDENT ABSENCES AND EXCUSES

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

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

1. personal illness of the student;
2. illness in the student's family necessitating the presence of the child;
3. needed at home to perform necessary work directly and exclusively for parents or legal guardians for a limited period of time when approved by the Superintendent (applies to students over 14 years of age only);
4. death in the family (applies to absences of up to 18 school hours unless a reasonable cause may be shown for a longer absence);
5. quarantine for contagious disease;
6. observance of religious holidays consistent with a student's truly held religious belief;
7. traveling out of state to attend a Board-approved enrichment activity or extracurricular activity (applies to absences of up to 24 school hours);
8. college visitation;
9. absences due to a student's placement in foster care or change in foster care placement or any court proceedings related to their foster care status;
10. absences due to a student being homeless or
11. as determined by the Superintendent.

The District makes an attempt to contact the parent, guardian, or other person having care of a student who has not notified the school of the student's absence that day regarding that student's unexcused absence within 120 minutes of the start of the school day. The Board authorizes the Superintendent to determine and use the appropriate notification procedure and methods consistent with State law.

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

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

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

[Adoption date: October 22, 2013]
[Re-adoption date: February 14, 2017]
[Re-adoption date: March 13, 2018]
[Re-adoption date: October 9, 2018]
[Re-adoption date: April 9, 2019]

LEGAL REFS.: ORC 3313.609; 3313.66
3321.01; 3321.03; 3321.04; 3321.13; 3321.14; 3321.141; 3321.19;
3321.38
4510.32
OAC 3301-69-02

CROSS REFS.: IGAC, Teaching About Religion
IKB, Homework
JEDB, Student Dismissal Precautions
JEE, Student Attendance Accounting (Missing and Absent Children)
JHC, Student Health Services and Requirements
JHCC, Communicable Diseases

NOTE: In 2009, the Ohio General Assembly enacted House Bill (HB) 1, which directed school districts to count – up to 24 school hours as excused absences – time that a student is absent from school for the sole purpose of traveling out of state to a board-approved enrichment activity or an extracurricular activity. The student is required to make up all missed classroom assignments.

In addition, if the student will be out of the state for 24 or more consecutive school hours for a board-approved enrichment activity or extracurricular activity, a classroom teacher employed by the board must accompany the student to provide instructional assistance.

HB 66 added a requirement that districts will attempt to contact the parent, guardian, or other person having care of a student regarding that student's unexcused absence within 120 minutes of the start of the school day using a method consistent with State law. The following methods are acceptable:

- *A telephone call placed in-person*
- *An automated telephone call (via a system that includes verification that each call was actually placed)*
- *A notification sent through the school's automated student information system*
- *A text message*
- *An email*
- *An in-person visit*
- *Any other notification procedure that has been adopted by resolution of the board of education*

Schools are not required to notify a parent who notifies the school of the student's absence within the first 120 minutes after the beginning of the school day. In addition, an immunity provision is included in the new law, which states that a school district or any officer, director, employee, or any member of the district board of education is not liable in a civil action for injury, death, or loss to person or property from an employee's action or inaction in good faith compliance with the law.

HB 491 requires boards to adopt a policy establishing parameters for completing and grading assignments missed due to a student's suspension. The policy must permit the completion of classroom assignments missed and students must receive at least partial credit for completed assignments. The policy may permit grade reductions and must prohibit the receipt of a failing grade solely on account of the student's suspension. Districts may further customize this policy to reflect parameters or outline in detail in student handbooks.

STUDENT ATTENDANCE ACCOUNTING
(Missing and Absent Children)

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

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

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

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

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

Parents must notify the school on the day a student is absent unless previous notification has been given in accordance with school procedure for excused absences. The District makes an attempt to contact the parent, guardian, or other person having care of a student who has not notified the school of the student's absence that day regarding that student's unexcused absence with 120 minutes of the start of the school day. The Board authorizes the Superintendent to determine and use the appropriate notification procedure and methods consistent with State law.

Parents or other responsible persons shall provide the school with their current home and/or work telephone numbers, home addresses and any emergency telephone numbers.

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

[Adoption date: October 22, 2013]

[Re-adoption date: March 10, 2015]

[Re-adoption date: April 9, 2019]

LEGAL REFS.: ORC 109.65
2901.30
3313.205; 3313.672; 3313.96
3319.321; 3319.322
3321.12
3321.141
3705.05

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

NOTE: In developing your own policy and complying with the spirit of the law, you may want to consider the following:

- *Building administrators should be consulted during the development of this policy and any related regulations.*
- *Materials for informational programs may be obtained from the State Department of Education.*
- *Ohio Revised Code Section (RC) 3313.96 authorizes school districts to develop a voluntary student-fingerprinting program in conjunction with local law enforcement agencies.*
- *RC 3319.322 requires the school principal to request any person authorized to take student photographs to provide a wallet size photograph of each student for inclusion in his file.*

Each school district should make its own decision as to what best suits the needs of their particular district.

House Bill (HB) 367 (2014) defines a “protected child” as a child placed in a foster home as defined by Ohio Revised Code Section (RC) 5103.02 or in a residential facility defined as a group home for children, a children’s crisis care facility, children’s residential center, residential parenting facility that provides 24-hour childcare, county children’s home or district children’s home. A protected child or their parent/guardian has 90 days from initial entry to the school to present a birth certificate or comparable document. The definition and accompanying prohibition on denying a protected child admission based solely on inability to present a birth certificate upon enrollment is found in RC 3313.672.

HB 66 added a requirement that districts will attempt to contact the parent, guardian, or other person having care of a student regarding that student’s unexcused absence within 120 minutes of the start of the school day using a method consistent with State law. The following methods are acceptable:

- *A telephone call placed in-person*
- *An automated telephone call (via a system that includes verification that each call was actually placed)*
- *A notification sent through the school’s automated student information system*
- *A text message*
- *An email*
- *An in-person visit*
- *Any other notification procedure that has been adopted by resolution of the board of education*

Schools are not required to notify a parent who notifies the school of the student’s absence within the first 120 minutes after the beginning of the school day. In addition, an immunity provision is included in the new law, which states that a school district or any officer, director, employee, or any member of the district board of education is not liable in a civil action for injury, death, or loss to person or property from an employee’s action or inaction in good faith compliance with the law.

USE OF ELECTRONIC COMMUNICATIONS EQUIPMENT BY STUDENTS

Students may be allowed to possess electronic communications devices while on school property or while attending school-sponsored activities on or off school property, as long as these devices are used in compliance with building regulations.

Students violating District procedures for use of electronic devices may have their device confiscated and may be subject to discipline.

The District assumes no liability if these devices are broken, lost or stolen. Notices of this policy are posted in a central location in every school building and in the student handbooks.

[Adoption date: October 22, 2013]

[Re-adoption date: April 9, 2019]

LEGAL REFS.: ORC 3313.20; 3313.753

CROSS REFS.: AC, Nondiscrimination
EDE, Computer/Online Services (Acceptable Use and Internet Safety)
JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)
Student Handbooks

NOTE: If districts want to prohibit or restrict the use of cell phones and other electronic communications devices by students the board must adopt a policy. This policy can be customized to reflect district requirements for use or possession. Most districts leave the details of how these devices can be used within student handbooks. Districts also may revise this policy to completely prohibit the possession of electronic communications devices on school property or while attending school-sponsored activities on or off school property.

STUDENT SUSPENSION

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

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

Whenever possible, principals will consult with a mental health professional under contract with the District or school prior to suspending a student in grades pre-K through three. If needed, the principal or mental health professional will assist the student's parent in locating additional mental health services.

The District permits students to complete any classroom assignments missed due to suspension. Students will receive at least partial credit upon completion of any assignment missed due to suspension. The Board directs the Superintendent to develop written procedures for completing and grading these assignments. Grade reductions are permitted, but students will not receive a failing grade on a completed assignment solely due to the student's suspension.

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

1. The student is informed in writing of the potential suspension and the reasons for the proposed action.
2. The student is provided an opportunity for an informal hearing to challenge the reason for the intended suspension and explain his/her actions.
3. An attempt is made to notify the parent(s) by telephone if a suspension is issued.

4. Within one school day, a letter is sent to the parent(s) stating the specific reasons for the suspension and including notice of the right to appeal such action.
5. Notice of this suspension is sent to the:
 - A. Superintendent and
 - B. student's school record (not for inclusion in the permanent record).
6. Permanent Exclusion — If the offense is one for which the District may seek permanent exclusion, the notice contains that information.

Appeal Procedure

Should a student or a student's parent(s) choose to appeal the principal's suspension, he/she must do so within 10 calendar days of the notice of suspension. The appeal shall be in writing and made to the Superintendent. If dissatisfied with the Superintendent's decision, an appeal may be made to the Board. At the request of the student or of the student's parent(s) or attorney, the meeting may be held in executive session. All witnesses are sworn and a verbatim record is kept of the hearing. The decision of the Board shall be acted upon at a public meeting. The student may be excluded from school during the appeal process.

Appeal to the Court

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

[Adoption date: October 22, 2013]
[Re-adoption date: February 14, 2017]
[Re-adoption date: October 9, 2018]
[Re-adoption date: April 9, 2019]

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

CROSS REFS.: IGCI, Community Service
JEGA, Permanent Exclusion
JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs

JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)
JFCJ, Weapons in the Schools
JG, Student Discipline
JGE, Student Expulsion

NOTE: House Bill (HB) 410 (2016) prohibits districts from extending a suspension into the next school year if there are less than 10 days remaining in the current school year. The superintendent may instead require the student to complete community service or another alternative consequence determined appropriate. Districts also are prohibited from disciplining a student based solely on the basis of the student being absent from school without legitimate excuse.

HB 318 (2018) restricts out-of-school suspensions and expulsions for students in grades pre-K through three unless the behavior rises to a certain level specified in State law. It is recognized that these forms of discipline are commonly used as a behavior management tool and therefore the General Assembly established a gradual phase in.

For each of the school years 2018-2019, 2019-2020, 2020-2021 and 2021-2022 each school district must report to Ohio Department of Education (ODE) the number of out-of-school suspensions and expulsions issued to a student in grades pre-K through three categorized by the following offenses:

- *Type 1 - A serious offense for which suspension or expulsion is required or authorized by law*
- *Type 2 - An offense not classified as a Type 1 serious offense, but for which the school determined suspension or expulsion was necessary to protect the immediate health and safety of the student, the student's classmates, or the staff and teachers*
- *Type 3 - Any other offense not described above*

Using the numbers reported for the 2018-2019 school year as a baseline each district must reduce the number of Type 3 suspensions and expulsions according to the following schedule to be in compliance with the revised law:

- *2017-2018 and 2018-2019 – 0% reduction in Type 3 suspensions and expulsions*
- *2019-2020 – 25% reduction in Type 3 suspensions and expulsions*
- *2020-2021 – 50% reduction in Type 3 suspensions and expulsions*
- *2021-2022 – 100% reduction in Type 3 suspensions and expulsions*

For the 2021-2022 school year and going forward all suspensions and expulsions for students in any of grades pre-K through three can only be for Type 1 or Type 2 offenses. Type 3 offenses must be at zero.

Reporting after the 2021-2022 school year will only be required if ODE determines that continued reporting of the information is needed to effectively carry out the requirements of HB 318.

HB 477 addresses the potential liability related to the procurement of mental health services for students. Under amended Ohio Revised Code 3313.668 a school district, school board member, or district employee is not liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a district employee's decision not to procure mental health services for a suspended or expelled student. There is an exception to this liability protection where the decision is made with malicious purpose, in bad faith, or in wanton or reckless manner. This new language does not eliminate, limit or reduce any other immunity or defense to which the district, board member, or employee may be entitled to under the law.

HB 491 requires boards to adopt a policy establishing parameters for completing and grading assignments missed due to a student's suspension. The policy must permit the completion of classroom assignments missed and students must receive at least partial credit for completed assignments. The policy may permit grade reductions and must prohibit the receipt of a failing grade solely on account of the student's suspension. Districts may further customize this policy to reflect parameters or outline in detail in student handbooks.

STUDENT EXPULSION

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

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

Whenever possible, principals will consult with a mental health professional under contract with the District or school prior to expelling a student in grades pre-K through three. If needed, the principal or mental health professional will assist the student's parent in locating additional mental health services.

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

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

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

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

Permanent Exclusion

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

Appeal to the Board

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

Appeal to the Court

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

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

[Adoption date: October 22, 2013]

[Re-adoption date: February 14, 2017]

[Re-adoption date: October 9, 2018]

[Re-adoption date: April 9, 2019]

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

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

NOTE: House Bill (HB) 410 (2016) prohibits districts from disciplining a student based solely on the basis of the student being absent from school without legitimate excuse.

HB 318 (2018) restricts out-of-school suspensions and expulsions for students in grades pre-K through three unless the behavior rises to a certain level specified in State law. It is recognized that these forms of discipline are commonly used as a behavior management tool and therefore the General Assembly established a gradual phase in.

For each of the school years 2018-2019, 2019-2020, 2020-2021 and 2021-2022 each school district must report to Ohio Department of Education (ODE) the number of out-of-school suspensions and expulsions issued to a student in grades pre-K through three categorized by the following offenses:

- Type 1 - A serious offense for which suspension or expulsion is required or authorized by law*
- Type 2 - An offense not classified as a Type 1 serious offense, but for which the school determined suspension or expulsion was necessary to protect the immediate health and safety of the student, the student's classmates, or the staff and teachers*
- Type 3 - Any other offense not described above*

Using the numbers reported for the 2018-2019 school year as a baseline each district must reduce the number of Type 3 suspensions and expulsions according to the following schedule to be in compliance with the revised law:

- 2017-2018 and 2018-2019 – 0% reduction in Type 3 suspensions and expulsions*
- 2019-2020 – 25% reduction in Type 3 suspensions and expulsions*
- 2020-2021 – 50% reduction in Type 3 suspensions and expulsions*
- 2021-2022 – 100% reduction in Type 3 suspensions and expulsions*

For the 2021-2022 school year and going forward all suspensions and expulsions for students in any of grades pre-K through three can only be for Type 1 or Type 2 offenses. Type 3 offenses must be at zero.

Reporting after the 2021-2022 school year will only be required if ODE determines that continued reporting of the information is needed to effectively carry out the requirements of HB 318.

HB 477 addresses the potential liability related to the procurement of mental health services for students. Under amended Ohio Revised Code 3313.668 a school district, school board member, or district employee is not liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a district employee's decision not to procure mental health services for a suspended or expelled student. There is an exception to this liability protection where the decision is made with malicious purpose, in bad faith, or in wanton or reckless manner. This new language does not eliminate, limit or reduce any other immunity or defense to which the district, board member, or employee may be entitled to under the law.

REPORTING CHILD ABUSE AND MANDATORY TRAINING

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

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

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

The Board directs the Superintendent/designee to develop a program of in-service training in child abuse prevention; violence; school safety and violence prevention including human trafficking; substance abuse, the promotion of positive youth development and youth suicide awareness and promotion. Training is also provided on the Board's harassment, intimidation, or bullying policy. Where required this program is developed in consultation with public or private agencies or persons involved in child abuse prevention, school safety, violence prevention or intervention programs or youth suicide awareness and prevention.

Each person employed by the Board to work as a school nurse, teacher, counselor, school psychologist or administrator shall complete at least four hours of the established in-service training within two years of commencing employment with the District, and every five years thereafter.

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

Each person employed by the Board to work as a school nurse, teacher, counselor, school psychologist, administrator or any other personnel the Board deems appropriate shall complete training in youth suicide awareness and prevention once every two years.

[Adoption date: October 22, 2013]

[Re-adoption date: April 9, 2019]

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

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