

policy

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FOR BOE REVIEW**ELIGIBILITY OF RESIDENT/NONRESIDENT STUDENTS**

The Board of Education establishes the following residency policy for determining eligibility to attend the schools of this District.

The Board shall provide tuition-free education for the benefit of children at least five (5) but under twenty-two (22) years of age whose parents reside in the District and such others as may be eligible pursuant to Federal and/or State law and the policies of the Board, including disabled preschool children who are at least three (3) years of age but not of compulsory school age and who are not currently enrolled in kindergarten.

In addition, the Board shall provide tuition-free education for the benefit of a child whose grandparent(s) resides in the District and who is the subject of a:

- A. power of attorney designating the grandparent as the attorney-in-fact; or
- B. caretaker authorization affidavit executed by the grandparent that provides the grandparent with authority over the care, physical custody, and control of the child, including the ability to enroll the child in school, consent in all school related matters, and discuss with the District the child's educational progress.

In accordance with State law, the grandparent shall be considered the "parent" of the child who is the subject of the power of attorney or caretaker authorization affidavit. The child may attend the schools of this District unless the power of attorney or caretaker authorization form was created for the sole purpose of enrolling the child in the District so that the child may participate in the academic or interscholastic programs of this District or another reason exists to exclude the child under State law. Additionally, the child may attend the schools of the District until the power of attorney or caretaker authorization affidavit terminates upon the occurrence of one (1) of the following events:

- A. the child ceases to reside with the grandparent(s);

- B. the document is terminated by court order; or
- C. either the child who is the subject of the document or the grandparent dies.

Additionally, the power of attorney terminates if it is revoked in writing by the person who created it and that person gives written notice of the revocation to the grandparent and the juvenile court with which the power of attorney was filed. Further, the caretaker authorization affidavit terminates if the parent, guardian, or custodian of the child acts to negate, reverse, or otherwise disapprove of an action or decision of the grandparent(s) who signed the affidavit with respect to the child, and the grandparent either voluntarily returns the child to the physical custody of the parent, guardian or custodian or fails to file a complaint to seek custody within fourteen (14) days after delivery of the written notice of negation, revocation or other disapproval. It is the responsibility of the grandparent(s) to notify the District within one (1) week of the termination of the power of attorney or caretaker authorization affidavit.

The Board reserves the right to verify each student's residency and other conditions of eligibility for tuition-free education as well as the validity of the claim of any student to an education in the District. In addition, if a student has recently been discharged or released from the custody of the Department of Youth Services (DYS) and is seeking admittance or re-admittance into the District, such students will not be admitted until the records required to be released by DYS to the Superintendent have been received. Within twenty-four (24) hours of admission into the District, the Superintendent shall request a copy of the student's school records from the school the student most recently attended.

Nonresident Eligibility for Tuition-Free Education

A student shall be entitled to attend school in this District free of any tuition obligation under the following circumstances:

- A. A child whose parent has signed a contract to buy or build a house in this District and provides proper sworn statements shall be enrolled without payment of tuition for a period not to exceed ninety (90) days. The Superintendent is authorized to determine the number of days. The parent shall provide:
 - 1. a sworn statement explaining the situation, the location of the house being purchased or built, and stating the parent's intention to reside there upon its completion; and
 - 2. a statement from the builder that the house is being built for the parent and its location or a statement from a real estate broker or bank officer confirming that the parent has a contract to purchase, that the parent is waiting upon a closing date, and that the house is at the location identified in the parent's sworn statement.

Such child shall also be eligible to participate in interscholastic athletics, if released by formal action of the district of current residency and the OHSA.

- B. Children under a shared-parenting plan establishing both parents as "residential parents" when the child is residing with the parent, if one (1) parent resides in the District. If a student resides in another school district but attends school in this District (where one (1) parent resides), it is the obligation of the parents to provide transportation for that student from the home of the nonresident parent. Where a court has vested legal custody with only one (1) parent, the child is entitled to attend school tuition-free only in the district in which the custodial parent resides.
- C. A child under the age of eighteen (18) years of age who is married and resides in the District.

- D. Students between the ages of eighteen (18) and twenty-two (22) who support themselves by their own labor, live apart from their parents, reside in the District, and have not successfully completed the District's high school program or their I.E.P.
- E. Students who are considered by Federal law to be illegal aliens and/or homeless students who are required to be admitted by Federal law and in accordance with State guidelines.
- F. A child with a medical condition that may require emergency medical attention providing a parent is employed in the District and submits the proper certification required by the Board, including a medical statement from the child's physician.
- G. A child, living with a resident other than a parent and whose parent is in the armed services outside the State of Ohio, providing the child's parent submits the appropriate affidavit stating that the parent is in the armed forces outside the State of Ohio, intends to reside in the District upon return to the State, and provides the name and address of the person with whom the child will reside. The child may attend school in the District tuition-free for a period not to exceed twelve (12) months.
- H. A student who is living with a parent under the care of a shelter program for victims of domestic violence located in the District.
- I. A nonresident child who has been or is currently being placed for adoption with a resident of this District, unless the adoption has been terminated or another district is required to educate the child.
- J. Any student who enrolls in the District under the District's intra-district enrollment policy.

Optional Tuition-Free Education

The Board may admit students tuition-free under the following circumstances:

- (X) Children under the age of twenty-two (22), who are:
1. in the legal custody of their parent;
 2. residing with a resident grandparent; and
 3. not in need of special education, provided the Board and the board of education of the child's district of residence enter into a written agreement specifying there is good cause for the transfer, describing the nature of the good cause, and consenting to the attendance.

The grandparent, and, if possible, the custodial parent shall sign the consent form providing the necessary authorizations. This option does not apply to children who are residing with a resident grandparent and are the subject of either a power of attorney or caretaker authorization affidavit that provides the grandparent with authority over the care, physical custody, and control of the child, as set forth in an earlier section of this policy. The Board shall admit children who are the subject of either a power of attorney or caretaker authorization affidavit tuition-free.

- (X) Foreign-exchange students participating in a bona fide foreign-exchange program or residents of foreign nations who request admission as foreign-exchange students or the student is a non-Ohio, U.S. resident admitted under an exchange program operated by a student exchange organization.

- (X) Twelfth grade students whose parents move out of the District after the commencement of classes shall be allowed to attend school tuition-free for the remainder of the current year and one (1) additional semester, if student is able to graduate within year.

BOE review?

- [X] The Superintendent may allow a student to remain in school beyond the additional semester, if, in his/her opinion, the student is making adequate progress toward completion of the high school program or I.E.P. but, due to circumstances such as illness, personal hardship, family responsibilities, or the need to work part-time has been unable to complete the program or I.E.P. within the school year and/or one (1) additional semester.

- (X) A nonresident student under the age of twenty-two (22) is entitled to attend school in the District if the superintendent of the student's district of residence and the Superintendent enter into a written agreement consenting to the attendance and specifying that the purpose of the attendance is to protect the student's physical or mental well-being or to deal with other extenuating circumstances deemed appropriate by the superintendents.

If the student is not receiving special education, there shall be no requirement for either district to provide transportation for the student.

Any student admitted to the District under this provision shall be allowed to participate in all District student activities, including interscholastic athletics, on the same basis as any student who has attended the District's schools while of compulsory age.

- (X) A child who becomes a nonresident at the time of a parent's death may continue to attend school in the District on a nontuition basis for the remainder of the school year.

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Students Suspended or Expelled from Other District

After offering an opportunity for a hearing, the Superintendent, at his/her discretion, may deny admission to a student who has been suspended or expelled from another public school within or outside the State, for the period of unexpired time of the suspension or expulsion. If the expulsion is from an out-of-state public school, the lesser of the period of such expulsion or the period of expulsion which would have been applied had the student committed the offense in this District will be imposed. When the suspension or expulsion from the other district has expired, the student is to be admitted providing all other eligibility requirements have been met. This provision also applies to a student who is the subject of power of attorney designating the child's grandparent as the attorney-in-fact or caretaker authorization affidavit executed by the child's grandparent.

Mandatory Admission/Payment of Tuition

The Board shall admit students who reside in the District but his/her parents do not reside in the District and tuition payments shall be assessed pursuant to State law if:

- A. the student is in the legal or permanent custody of a governmental agency or a person other than his/her natural or adoptive parents;
- B. the student resides in a home as defined by State law;
- C. the student requires special education;
- D. the child resides in the District and the child's parent is in a residential facility, correctional facility, or juvenile placement and the other parent, if living and not in such a facility or placement, is not known to reside in this State.

If the District admits a student to the District who is not otherwise entitled to attend or whose attendance tuition is not an obligation of another district, the Board shall collect tuition from the student's parents.

The Superintendent shall develop administrative guidelines for the enforcement of this policy.

The Superintendent shall:

- (X) report to the Board annually regarding enrollment trends and nonresident student information.

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R.C. 3313.48, 3313.64, 3313.645, 3313.649, 3313.65, 3313.66, 3313.90, 3313.97

R.C. 3313.98, 3317.08, 3317.081, 3321.01(B), 3321.03, 3323.141

R.C. 3327.04, 3327.05, 3327.06, 2152.18, 5139.05, 3313.672, 3313.533

A.C. 3301-42-01

42 U.S.C. 11431 et seq.

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HOMELESS STUDENTS

Children who meet the Federal definition of "homeless" will be provided a free appropriate public education in the same manner as all other students of the District. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless and will be assigned to the school serving those non-homeless students residing in the area in which the homeless child is actually living. The District shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness.

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

- A. share the housing of other persons due to loss of housing, economic hardship, or similar reason
- B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations
- C. live in emergency or transitional shelters
- D. are abandoned in hospitals
- E. are awaiting for foster care placement
- F. have a primary night time residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, or
- G. live in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting

Additionally, pursuant to Federal and State law, migratory children who are living in circumstances described in A-G above are also considered homeless.

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

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

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

- A. transportation services;
- B. educational services for which the homeless student meets eligibility criteria including services provided under Title I of the Elementary and Secondary Education Act or similar State and local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
- C. programs in vocational and technical education;
- D. programs for gifted and talented students;
- E. school nutrition programs; and
- F. before - and after-school programs.

Homeless students have the right to remain in their school of origin or the local attendance area school, according to the child's best interest. The school of origin is the school that the student attended when permanently housed or last enrolled. The local attendance area school is any public school that non-homeless students who live in the attendance area in which the student is actually living are eligible to attend.

Homeless students have the right to dispute their school assignment, if their assignment is other than their school of origin. In determining the best interest of the student, the District shall, to the extent feasible, keep the student in the school of origin, except when doing so is contrary to the wishes of the homeless student's parent or guardian or the unaccompanied youth. If the student is sent to a school other than the school of origin or a school requested by the parent or guardian, a written explanation, including a statement regarding the right to appeal, will be provided to the homeless student's parent or guardian or the unaccompanied youth.

The Board of Education requires that these rights and the dispute process be communicated to the parent or guardian of the homeless student or unaccompanied youth.

In addition to notifying the parent or guardian of the homeless student or unaccompanied youth of the rights described above, the District shall post public notice of educational rights of children and youth experiencing homelessness in each school.

At the request of the parent or guardian, or in the case of an unaccompanied youth, the local homeless liaison, transportation shall be provided for a homeless student to and from the school of origin as follows:

- A. If the homeless student continues to live in the School District in which the school of origin is located, transportation will be provided in accordance with District policy/administrative guidelines.
- B. If the homeless student moves to an area served by another district, though continuing his/her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin. If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.

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

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

All records for homeless students shall be maintained so that they are available in a timely fashion and can be transferred promptly as necessary.

No Board policy, administrative procedure, or practice will be interpreted or applied in such a way as to inhibit the enrollment, attendance, or school success of homeless children.

42 U.S.C. 11431 et seq. (McKinney - Vento Homeless Act)

EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN

Children of an active duty member of the United States armed services shall be entitled to all of the rights and protections afforded under the Interstate Compact on Educational Opportunity for Military Children (Compact).

The intent of this policy is to minimize the potential challenges to educational success for children of military families because of frequent moves and deployment of their parents by:

- A. facilitating the timely enrollment and placement of children of military families in educational and other school programs and activities;
- B. facilitating the on-time graduation of children of military families; and
- C. providing for the uniform collection and sharing of information between and among schools and military families.

The Superintendent shall maintain guidelines for implementation of this policy which are consistent with the Compact and State law.

The guidelines shall apply to children of military families within the state as well as between member states.

R.C. 3301.60

Interstate Compact on Educational Opportunity for Military Children

BOE REVIEWENTRANCE REQUIREMENTS

The Board of Education establishes the following entrance age requirements for students, which are consistent with statute and sound educational practice, and directs that all eligible students be treated in an equitable manner.

Preschool

This does not apply to special ed – add spec ed language

[X] A child is eligible for entrance into preschool if s/he is toilet trained and attains the age of __3__ and has not yet attained the age at which s/he will be admitted to

(X) kindergarten.

Kindergarten

A child is eligible for entrance into kindergarten if s/he attains the age of five (5) on or before (**X**) September 30th of the year in which s/he applies for entrance. The Board may admit a younger child to kindergarten if the child satisfies the Board's early entrance criteria. A child under age six (6) who is enrolled in kindergarten will be considered of compulsory school age.

The Board will admit to kindergarten any child who has not attained the entrance age requirement of this District, but who was properly enrolled in a public or chartered nonpublic school kindergarten before transferring to the District.

First Grade

A child is eligible for entrance into first grade if s/he attains the age of six (6) on or before (**X**) September 30th of the year in which s/he applies for entrance and has completed the kindergarten program of this District or an equivalent program elsewhere and has been recommended by the teacher for advancement to the first grade. The Board may admit to first grade a younger child who has successfully completed kindergarten if the child satisfies the Board's early entrance criteria.

Required Documents

The Superintendent shall require that each child who registers for entrance to school provide:

- A. his/her birth certificate or similar documentation authorized by law as proof of age and birthdate;
- B. a certified copy of any custody order or decree together with any modification in such an order or decree.

If such documents are not provided, the child may be admitted under the Superintendent's guidelines. Appropriate law enforcement authorities shall be notified in the event that required documents are not provided in accordance with the provisions of R.C. 3313.672.

Each child entering the District's kindergarten or first grade program for the first time must be properly screened for any medical or health problems as well as those related to hearing, vision, speech and communications. The cost for such screening shall be paid by

(X) the parents.

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R.C. 3313.64, 3313.641, 3313.672, 3313.673, 3321.01 et seq., 3321.05, 3323.01
R.C. 3324.10

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BOE REVIEW

INTRA-DISTRICT OPEN ENROLLMENT

OPTION #1

In as much as the educational program for each grade level is housed in only one (1) building, the Board of Education does not believe that the requirement to provide for open enrollment at each grade level is applicable to this District. However, should at any time in the future an educational program at any grade level be made available at more than one (1) location, the Board shall establish a policy whereby students may attend the program at any such locations.

OPTION #2

The Board of Education shall permit any eligible, elementary or middle school student in the District to apply for enrollment in any District program or school, provided the student's application meets the requirements of the State and the conditions established in District guidelines.

The following definitions shall apply:

Home School

The school to which the student has been assigned prior to any request for transfer.

Open Enrollment

State-mandated options, policies, and regulations concerning the Board's authority to adopt resolutions regarding intra-district and inter-district enrollment policies and guidelines. Intra-district open enrollment permits the admission of students to any appropriate school or program in the District.

Home-School Student

A District student who resides in the home-school attendance area.

Nonhome-School Student

A District student who enrolls (seeks to enroll) in a program or school in another attendance area within the District.

Program

Any one (1) of the specific course offerings of this District.

Program Size

The restrictions on a number of students in a program due to circumstances unique to that specific program, a collectively-bargained, negotiated agreement, or financial or operating conditions of the District.

Racial Balance

"Racial" refers to minorities classified as African-American, Asian-American, Hispanic-American, or Native-American students. "Balance" refers to the percentage of "racial" students in a District program, classroom, or school.

Racially Isolated Building

A racially isolated building refers to a School District building in which the racial composition of the students varies significantly from the overall racial composition of the School District.

Maintaining Appropriate Racial Balance

Given our diverse society and the importance of preparing students for education, work, and citizenship, the Board is committed to providing students with equal educational opportunities, promoting educational diversity in the District, and providing students with the educational benefits of a diverse student body. To that end, the Board/Administration will give individual consideration to each applicant seeking enrollment under this policy, so that all factors that may contribute to student body diversity are meaningfully considered in admissions decisions. It is the intent of the Board to maintain an appropriate racial balance as required by law.

OPTION #1

Should a concern arise regarding racial balance in one (1) or more of the District's schools, the Superintendent shall consult with legal counsel to determine the appropriate steps that should be taken, including, but not limited to, any necessary policy revisions and other actions necessary to comply with State and Federal law. The Superintendent shall then make the appropriate recommendations to the Board. () It should be noted that as of **[insert date policy adopted or revised]** there are no racially isolated buildings within the school district.

OPTION #2

The Superintendent shall consult with legal counsel to determine the appropriate steps that should be taken, including, but not limited to, any necessary policy revisions and other actions necessary to comply with State and Federal law. () (i.e., to appropriately apply the requirements of maintaining appropriate racial balance to the racially isolated building(s) in the District). The Superintendent shall then make the appropriate recommendations to the Board.

[NOTE: END OF OPTIONS]

The Superintendent shall prepare guidelines for the implementation of this policy in ways that comply with relevant State laws and guidelines and establish procedures that provide for the following:

- A. Nondiscrimination on the basis of grade level, including preschool disabled; academic ability; English language proficiency; or any level of artistic, athletic, or extra-curricular skills. A student's application cannot be denied because of disciplinary action in his/her home school, except for a suspension or expulsion for ten (10) days or more that occurs in the current semester or the semester immediately preceding the application.
- B. Application procedures including the criteria by which applications from non home-school students shall be reviewed and prioritized. Home-school students shall be given priority over nonhome-school students. Further, a student shall submit an application only if s/he wishes to attend an alternate school in the District.
- C. Maintenance of appropriate racial balance in District schools, classrooms, and programs.

- D. Communications with applicants and their parents concerning this policy and the District's guidelines, including the timelines for application and notification of acceptance or rejection.
- E. Athletic eligibility shall comply with State regulations and the provisions set forth by the Ohio High School Athletic Association.
- F. Any transportation provided by the District for a nonhome-school student takes place within established bus routes and bus stops within the District.
- G. Set District capacity limits by grade level, school building and educational program.

R.C. 3313.97(C)

SKIPPED**INTER-DISTRICT OPEN ENROLLMENT****OPTION #1**

The Board of Education shall not allow students from other school districts to enroll in programs of this District on a nontuition basis or under an open-enrollment plan.

OPTION #2

The Board of Education shall permit the enrollment of students from adjacent school districts only in a school or program of this District, provided each enrollment is in accordance with laws and regulations of the State concerning Inter-District Open Enrollment, the provisions of this policy, and the administrative guidelines established to implement this policy.

OPTION #3

The Board of Education shall permit the enrollment of students from any Ohio district in a school or program of this District, provided each enrollment is in accordance with laws and regulations of the State concerning Inter-District Open Enrollment, the provisions of this policy, and the administrative guidelines established to implement this policy.

[NOTE: END OF OPTIONS]

The following definitions shall apply:

[IF OPTION #2 IS SELECTED, THE FOLLOWING DEFINITIONS ALSO APPLY]**Adjacent District**

A school district whose border is contiguous to a border of this District.

Adjacent-District Student

A resident student of an adjacent district who enrolls, or seeks to enroll, in this District.

[THE DEFINITIONS BELOW APPLY TO OPTION #2 and #3]

Home District

The school district from which the student emanates.

Open Enrollment

State-mandated options, policies, and regulations concerning the Board's authority to adopt resolutions regarding intra-district and inter-district enrollment policies and guidelines. Inter-district open enrollment permits the admission of students to this District from adjacent districts or any other district in Ohio.

District Student

A student who resides in this District and is referred to in the statute as a Resident Native Student.

Other-District

Any school district in Ohio.

Other-District Student

A resident student of any other district who enrolls, or seeks to enroll, in this District.

Tuition Student

A non-resident student who is enrolled in this District on a tuition basis.

[] Applications from tuition students shall be given priority over those from other districts.

Program

Any one of the specific course offerings of this District.

Program Size

The restrictions on a number of students in a program due to circumstances unique to that specific program, the terms of a collectively-bargained, negotiated agreement, and/or financial or operating conditions of the District.

Racial Balance

"Racial" refers to minorities classified as African-American, Asian-American, Hispanic-American, or Native-American students. "Balance" refers to the percentage of "racial" students in a District program, classroom, or school.

Racially Isolated Building

A racially isolated building refers to a School District building in which the racial composition of the students varies significantly from the overall composition of the School District.

Maintaining Appropriate Racial Balance

Given our diverse society and the importance of preparing students for education, work, and citizenship, the Board is committed to providing students with equal educational opportunities, promoting educational diversity in the District, and providing students with the educational benefits of a diverse student body. To that end, the Board will give individual consideration to each applicant seeking enrollment under this policy, so that all factors that may contribute to student body diversity are meaningfully considered in admissions decisions. It is the intent of the Board to maintain an appropriate racial balance as required by law.

Option #1

Should a concern arise regarding racial balance in one or more of the District's schools, the Superintendent shall consult with legal counsel to determine the appropriate steps that should be taken, including, but not limited to, any necessary policy revisions and other actions necessary to comply with State and Federal law. The Superintendent shall then make the appropriate recommendations to the Board. () It should be noted that as of **[insert date policy was adopted/revised]** there are no racially isolated buildings within the School District.

Option #2

The Superintendent is directed to consult with legal counsel to determine the appropriate steps that should be taken, including, but not limited to, any necessary policy revisions and other actions necessary to comply with State and Federal law () (i.e., to appropriately apply the requirements of maintaining appropriate racial balance to the racially isolated building(s) in the District). The Superintendent shall then make the appropriate recommendations to the Board.

[NOTE: END OF OPTIONS]

The Superintendent shall prepare guidelines for the implementation of this policy in ways that comply with relevant State laws and guidelines and establish procedures that provide for the following:

- A. Nondiscrimination on the basis of grade level, including preschool disabled; academic ability; English language proficiency; or any level of artistic, athletic, or extra-curricular skills. A student's application cannot be denied because of disciplinary action in his/her home school, except for a suspension or expulsion for ten (10) consecutive days or more that occurs in the current semester or the semester immediately preceding the application. If the District does not currently provide services required for a disabled, adjacent-district student, his/her application may be denied.
- B. Application procedures including the criteria by which applications from adjacent-district and other-district students shall be reviewed and prioritized. District students and any adjacent-district or other-school district students previously enrolled under the provisions of this policy shall be given priority.
- C. Maintenance of appropriate racial balance in District schools, classrooms, and programs.
- D. Communications with applicants and their parents concerning this policy and the District's guidelines, including the timelines for application and notification of acceptance or rejection.

- E. Athletic eligibility complies with State regulations and the provisions set forth by the Ohio High School Athletic Association.
- F. Any transportation provided by the District for an adjacent-district or other-district student takes place within established bus routes and bus stops within the District.
- G. Set District capacity limits by grade level, school building, and educational program.

The Board reserves the right to object to the Open Enrollment of a District student to another district in order to maintain an appropriate racial balance. If the Board of a student's home school district objects to a transfer of one of its students to this District for the same reason, this Board will deny the transfer unless the tuition fee is paid for the student.

This policy shall be reviewed annually by the Board to determine whether to adopt a resolution to continue the policy or to rescind Inter-District Open Enrollment. Additionally, the Superintendent shall annually review the level of diversity existing within the District's programs, grades and/or schools to assess whether the application of this policy has resulted in an adverse effect on racial balance. As a part of his/her review, the Superintendent will be responsible for determining whether there is a legal basis for the Board to use the "maintenance of appropriate racial balance" language of R.C. 3313.98. Should this review indicate that the racial balance in one or more of the District's programs, grades and/or schools has been adversely affected, the Superintendent shall consult with legal counsel to determine what, if any, appropriate steps should be taken, including, but not limited to, policy revisions or other actions necessary to comply with State and Federal law. The Board reserves the right to modify the conditions under which Inter-District Open Enrollment would continue for any particular program, classroom, or school.

R.C. 3313.98

BOE REVIEW

NONIMMIGRANT STUDENTS AND FOREIGN-EXCHANGE
STUDENTS

The Board of Education recognizes the positive cultural benefits to the students, staff, and the community in meeting students from other countries and in having exchange visitor students as members of the student body of this District's high school(s).

An exchange visitor student is a foreign national who has been selected by a sponsor that has been approved by the United States Department of State (USDOS) to participate in an exchange visitor program and who is seeking to enter or has entered the United States temporarily on a J-1 visa.

Exchange Visitor Program for Nonimmigrant Students with J-1 Visas

The Board authorizes the Superintendent to consider a request to admit an exchange visitor student who meets the USDOS requirements and applies for admission through a sponsoring organization, and determine whether or not that student should be accepted.

In accordance with Federal law, an exchange visitor student will be selected and sponsored by an organization that has been approved by the USDOS. The Board, pursuant to Federal law, requires the sponsoring agency to secure prior written acceptance of the Superintendent for the placement of an exchange visitor student

(X) in a District high school.

After written acceptance of school placement is secured, the sponsoring agency should issue the certificate of eligibility for J-1 Visas to the exchange visitor student who meets the criteria established in Federal law for participation in an EVP.

Pursuant to Federal law the sponsoring agency is also responsible for selecting a host family who resides in the District for each exchange visitor student.

Lastly, pursuant to Federal law, a sponsoring agency can place no more than five (5) exchange visitor students

(X) in a District high school.

[NOTE: The following section is optional. If appropriate, include the following language that will permit a sponsor to place more than five (5) exchange visitor students.]

[X] However, with Board approval, the Superintendent may request, in writing, the placement of more than five (5) students from a sponsoring agency.

[Choose one of the following two options to complete the sentence above.]

(X) in a specific high school.

[END OF OPTION]

Participation by nonimmigrant students in this program will be consistent with Federal law that requires the following:

- A. the student possess sufficient English language proficiency to participate in the high school curriculum;
- B. the student's participation does not exceed an academic year;
- C. the student pays to the Board the full amount of tuition prior to the commencement of the academic term of attendance;
- D. the student otherwise maintains his/her lawful temporary immigration status.

[END OF OPTIONAL SECTION]**Other Nonimmigrant Students**

This policy does not apply to nonimmigrant students with citizenship in countries other than the United States who are not participating in an approved exchange visitor program at a District school

- (X) or who are not sponsored by the District so they can attend a school in the District as participants in the student and exchange visitor program (SEVP) on a valid F-1 visa.

All other nonimmigrant students with citizenship in countries other than the United States who seek to enroll in the District's schools are subject to State law and the District's policies regarding enrollment and, if applicable, tuition.

8 C.F.R. 214 et seq.

8 U.S.C. 1101 (Immigration Reform and Control Act)

R.C. 3313.64

Mutual Educational and Cultural Exchange Act of 1961, as amended

Immigration and Nationality Act

22 C.F.R. 62, Exchange Visitor Program

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ASSIGNMENT WITHIN DISTRICT

The Board of Education directs that the assignment of students to schools within this District be consistent with the best interests of students and the best use of the resources of this District.

The Board shall determine

(X) periodically

the school attendance areas of the District and shall expect the students within each area to attend the school so designated.

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BOE REVIEW

No assignment to schools or attendance schedules shall discriminate against students on the basis of gender, race, religion, disability, or national origin.

[X] The Superintendent may assign a student to a school other than that designated by the attendance area when such exception is justified by circumstances and is in the best interest of the district.

R.C. 3313.48, 3313.49, 3319.01

BOE REVIEW**WITHDRAWAL FROM SCHOOL**

The Board of Education affirms that, while statute requires attendance of each student from six (6) years of age, or five (5) years of age if enrolled in kindergarten, and not formally withdrawn, until eighteen (18) years of age, it is in the best interests of both students and the community that they complete the educational program that will equip them with skills and increase their chances for a successful and fulfilling life beyond the schools. A child enrolled in kindergarten is deemed to be of compulsory school age unless the child's parent or guardian, at the parent or guardian's discretion and in consultation with the child's teacher and principal, formally withdraws the child from kindergarten.

The Board directs that whenever a student wishes to withdraw, effort should be made to determine the underlying reason for such action and the resources of the District should be used to assist the student in reaching his/her career goals. No student under the age of eighteen (18) will be permitted to withdraw without the written consent of a parent and in compliance with State law.

Whenever a student under the age of eighteen (18), withdraws from school without moving out of State, transferring to another approved school, being granted an age and schooling certificate, or enrolling in and attending an approved program, the Superintendent shall notify the Registrar of Motor Vehicles and the Judge of the Juvenile Court.

Such notification is to be given within two (2) weeks after the Superintendent confirms the student is not properly enrolled in and attending another approved school or program or has moved out of State.

The Superintendent shall ensure, through administrative guidelines, that proper procedures are established so that such notification complies with the provisions of R.C. 3321.13 (B)(1).

In accordance with Policy 5610, the Superintendent shall initiate expulsion proceedings against a student who has committed an act that warrants expulsion under Board policy even if the student withdraws from school prior to the hearing or decision to impose the expulsion. Any resulting expulsion shall be imposed for the same duration it would have been had the student remained enrolled.

R.C. 3313.66, 3321.13

A.C. 3301-41-01, 3301-43-01, 3301-35-03 (F)

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STUDENT TRANSFERS

The Board of Education recognizes the value to a student to participate in the interscholastic athletic program providing it does not interfere with his/her academic program and s/he meets all of the requirements of the Ohio High School Athletic Association.

R.C. 3313.20

Handbook of the Ohio High School Athletic Association, Bylaw 4, Student Eligibility

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BOE REVIEW

PERSONAL COMMUNICATION DEVICES

- [X] Students may use personal communication devices (PCDs) as long as they do not create a distraction, disruption or otherwise interfere with the educational environment, unless restricted by a teacher or administrator.

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Using a PCD to capture, record and/or transmit audio and/or pictures/video of an individual without proper consent is considered an invasion of privacy and is not permitted

- [X] Camera/recording devices may not be activated or utilized at any time in any school situation where a reasonable expectation of personal privacy exists. The Superintendent and building principals are authorized to determine other specific locations and situations where use of a PCD is absolutely prohibited.

Students may not use a PCD in any way that might reasonably create in the mind of another person an impression of being threatened, humiliated, harassed, embarrassed or intimidated. See Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior. In particular, students are prohibited from using PCDs to: (1) transmit material that is threatening, obscene, disruptive, or sexually explicit or that can be construed as harassment or disparagement of others based upon their race, color, national origin, sex, sexual orientation, disability, age, religion, ancestry, or political beliefs; and (2) engage in "sexting" - i.e., sending, receiving, sharing, viewing, or possessing pictures, text messages, e-mails or other materials of a sexual nature in electronic or any other form. Violation of these prohibitions shall result in disciplinary action. Furthermore, such actions will be reported to local law enforcement and child services as required by law.

Students are also prohibited from using a PCD to capture, record, and/or transmit test information or any other information in a manner constituting fraud, theft, cheating, or academic dishonesty. Likewise, students are prohibited from using PCDs to receive such information.

Possession of a PCD by a student may be forfeited by any student who fails to abide by the terms of this policy, or otherwise abuses this privilege.

Violations of this policy may result in disciplinary action and/or confiscation of the PCD. The building principal will also refer the matter to law enforcement or child services if the violation involves an illegal activity (e.g., child pornography, sexting). Discipline will be imposed on an escalating scale ranging from a warning to an expulsion based on the number of previous violations and/or the nature of or circumstances surrounding a particular violation. If the PCD is confiscated, it will be released/returned to the student or parent/guardian unless the violation involves potentially illegal activity in which case the PCD may be turned-over to law enforcement. A confiscated device will be marked in a removable manner with the student's name and held in a secure location until it is retrieved by the parent/guardian or turned-over to law enforcement. School officials will not search or otherwise tamper with PCDs in District custody unless they reasonably suspect that the search is required to discover evidence of a violation of the law or other school rules. Any search will be conducted in accordance with Policy 5771 – Search and Seizure. If multiple offenses occur, a student may lose his/her privilege to bring a PCD to school for a designated length of time or on a permanent basis.

A person who discovers a student using a PCD in violation of this policy is required to report the violation to the building principal.

Students are personally and solely responsible for the care and security of their PCDs. The Board assumes no responsibility for theft, loss, or damage to, or misuse or unauthorized use of, PCDs brought onto its property.

ATTENDANCE

The educational program offered by this District is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session.

(X) or during the attendance sessions to which s/he has been assigned.

In accordance with statute, the Superintendent shall require, from the parent of each student of compulsory school age or from an adult student who has been absent from school or from class for any reason, a statement of the cause for such absence. The Board of Education reserves the right to verify such statements and to investigate the cause of each single absence or prolonged absence.

[X] Attendance need not always be within the school facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board.

[X] The Board shall consider each student assigned to a program of other guided learning experiences to be in regular attendance for the program provided that s/he reports to such staff member s/he is assigned for guidance at the place in which s/he is conducting study, and regularly demonstrates progress toward the objectives of the course of study.

[X] The Superintendent may excuse a student over fourteen (14) years of age from attendance at school for a future limited period for the purpose of performing essential work directly or exclusively for his/her parents or guardians. Such excuse should not exceed five (5) days and may at the discretion of the Superintendent be renewed for five (5) additional days. At no time, however, shall such excuse cause a student to be absent from school for a period of more than ten (10) consecutive days.

At the discretion of the Superintendent or his/her designee, a student may be excused for a longer period of time than ten (10) days if a child's parent or guardian has recently died or become totally or partially incapacitated and there is no older brother or sister living in the home who is out of school. (The Superintendent may request a certificate of a physician attesting to the physical condition of the parent or guardian.)

A student will be considered habitually truant if the student is absent without a legitimate excuse for five (5) or more consecutive school days, for seven (7) or more school days in one (1) month, or twelve (12) or more school days in one (1) school year.

A student will be considered chronically truant if the student is absent without a legitimate excuse for seven (7) or more consecutive school days, for ten (10) or more school days in one (1) month, or for fifteen (15) or more school days in one (1) year.

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

- A. the student was enrolled in another school district;
- B. the student was excused from attendance in accordance with R.C 3321.04; or
- C. the student has received an age and schooling certificate.

If a student is habitually truant and the student's parent has failed to cause the student's attendance, the Board authorizes the Superintendent to file a complaint with the Judge of the Juvenile Court and/or to take any other appropriate intervention actions as set forth in this Board's policy.

If a student is chronically truant and the student's parent has failed to cause the student's attendance, the Board authorizes the Superintendent to file a complaint with the Judge of the Juvenile Court.

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The Superintendent shall develop administrative guidelines that enforce this policy.

Whenever any student of compulsory school age has ten (10) consecutive days or a total of fifteen (15) days of unexcused absence from school during any semester, s/he will be considered habitually absent. The Board authorizes the Superintendent to inform the student and his/her parents, guardian, or custodian of the record of excessive absence as well as the District's intent to notify the Registrar of Motor Vehicles, if appropriate, and the Judge of the Juvenile Court of the student's excessive absence.

R.C. 3313.664, 3321.01 et seq., 3321.13(B)(2), 3321.19, 3321.191, 3321.22

R.C. 3321.38, 3323.041, 3331.05

A.C. 3301-35-03(G), 3301-47-01, 3301-69-02

[MISSING AND ABSENT CHILDREN](#)

It is the interest of this Board of Education to cooperate with local, State, and National efforts to decrease the number of missing children.

The Superintendent is instructed to establish administrative guidelines to provide for admittance of a student lacking records into the school followed by notification of the police rather than refusing entrance and notification of authorities. Such a procedure may reduce the risk of removal of the student from the area.

R.C. 109.65, 2901.30, 3301.076, 3313.205, 3313.672, 3313.96, 3319.321

R.C. 3319.322

BOE REVIEW**RELEASED TIME FOR RELIGIOUS INSTRUCTION**

The Board of Education desires to cooperate with those parents who wish to provide for religious instruction for their children but also recognizes its responsibility to enforce the attendance requirements of the State.

Students may be provided "released time" from school to attend a course in religious instruction conducted by a private entity off District property, provided that the following requirements are met, such students will not be considered absent when the:

- A. student's parent or guardian gives consent in writing;
- B. sponsoring entity maintains attendance records and makes them available to the District;
- C. sponsoring entity provides and assumes liability for the student;
and
- D. student assumes responsibility for any missed school work.

Transportation of students to and from Released Time instruction is the complete responsibility of the sponsoring entity, the parent, guardian, and/or student. The Board of Education, its members, and employees are immune from liability for any injuries arising from transportation to and from Released Time instruction. Further, no Board funds will be expended for, and no District personnel shall be involved in the provision of religious instruction.

Students shall not be excused from a core curriculum subject course to attend Released Time instruction.

[OPTION]

- [] High school students may earn up to two (2) units of high school credit for coursework completed during Released Time instruction. Such credits may substitute for credits required pursuant to R.C. 3313.603(C)(8).

The Board will evaluate the course based on secular criteria including, but not limited to:

- A. the number of hours of instructional time;
- B. a review of the course syllabus that reflects course requirements and materials used;
- C. the assessment methods used in the course; and
- D. the instructor's qualifications, which shall be similar to the qualification of other teachers in the District.

The decision as to whether to provide credit for a specific Released Time religious instruction course will be neutral as to religious content and will not involve any test for religious content or denominational affiliation.

[END OF OPTION]

No solicitation for attendance at religious instruction shall be permitted on District premises. No staff member shall encourage or discourage participation in any religious instructional program.

Attorney General's Opinion 88-001

BOE REVIEW**LATE ARRIVAL AND EARLY DISMISSAL**

It is necessary that a student be in attendance throughout the school day in order to benefit fully from the educational program of the District.

The Board of Education recognizes, however, that from time-to-time compelling circumstances require that a student be late to school or dismissed before the end of the school day.

As agent responsible for the education of the children of this District, the Board shall require that the school be notified in advance of such absences by

☒ [X] personal

request of the student's parent, which shall state the reason for the tardiness or early dismissal. Justifiable reasons shall be determined by the _building administrator_____.

If one (1) parent has been awarded custody of the student by the courts, the parent of custody shall provide the school with a copy of the custody order and inform the school in writing of any limitations in the rights of the noncustodial parent. Absent such notice, the school will presume that the student may be released into the care of either parent.

No student who has a medical disability which may be incapacitating may be released without a person to accompany him/her.

No student shall be released to anyone who is not authorized such custody by the parents.

R.C. 3313.20, 3313.64

BOE REVIEW**HEALTH SERVICES**

The Board of Education may require students of the District to submit to periodic health examinations to:

- (X) protect the school community from the spread of communicable disease;
- (X) verify that each student's participation in health, safety, and physical education courses meets his/her individual needs;
- (X) verify that the learning potential of each child is not lessened by a remediable physical disability.

The District may provide or request parents to provide:

- (X) general physical examinations for athletics;
- (X) preschool dental examinations;
- (X) tests for communicable disease;
- (X) vision and/or audiometric screening;

The Board shall directly notify the parents of students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when any nonemergency, or screening is scheduled or expected to be scheduled.

Any student who has been removed from a physical education class, or athletic practice or competition, by a teacher, coach, or referee because s/he has exhibited signs, symptoms, or behaviors consistent with having sustained a concussion or head injury shall not be permitted to return to any physical education class, or athletic practice or competition, for which the teacher, coach, or referee is responsible until both of the following occur:

- A. The student's condition is assessed by a physician (**X**) or other healthcare provider authorized by the Board, in accordance with requirements set forth in R.C. 3313.539(E)(2), to assess such a student.
- B. The student receives written clearance that it is safe to return to physical education class, or athletic practice or competition, from a physician (**X**) or other healthcare provider authorized by the Board, in accordance with requirements set forth in R.C. 3313.539(E)(2) to grant such a clearance.

R.C. 2305.231, 3313.50, 3313.68 et seq., 3313.539

A.C. 3301-35-03 (D)

20 U.S.C. 1232(h)

BOE REVIEW**IMMUNIZATION**

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the Board of Education requires all students to be immunized against poliomyelitis, measles, diphtheria, rubella (German measles), pertussis, tetanus, mumps, and others legally designated in accordance with State statutes, unless specifically exempt for medical or other reasons. The Board requires that students who start kindergarten during or after the school year beginning in 1999 be immunized against Hepatitis B or be in the process of being immunized. The Board also requires that students who start kindergarten during or after the school year beginning in 2006 be immunized against chicken pox. This policy pertains to both students who currently attend school in the District and those eligible to attend.

The Superintendent may exempt a student from being immunized against either or both measles and mumps if the student presents a signed statement from a parent or physician indicating s/he has had measles or mumps and does not need to be immunized. The student will be allowed to attend school only if a physician's statement indicates there is no danger of contagion. In case of an outbreak of the disease for which the student has not been immunized or an epidemic, the Superintendent shall not allow the student to attend school.

In the case of a chicken pox or pertussis epidemic in the school's population, the Superintendent may deny admission to a student otherwise exempted from the chicken pox or Tdap immunization requirement. The Superintendent shall prescribe methods whereby the academic standing of a student who is denied admission during a chicken pox epidemic is preserved.

The Superintendent may also exempt a student from immunization if a physician certifies in writing that immunization from a particular disease is medically contra-indicated.

A student may also be exempted from immunization if a parent or guardian objects for good cause, including religious conviction.

A student who has not completed immunization

- (X) may not be admitted to school, except as is consistent with the law.
- (X) may be admitted to school provided the necessary immunizations are being received in the fastest time consistent with the approved immunization schedule and good medical practice.

R.C. 3313.67, 3313.671, 3313.671(B)

BOE REVIEW

**USE OF POTASSIUM IODIDE IN THE EVENT
OF A NUCLEAR ACCIDENT**

The Nuclear Regulatory Commission has found that potassium iodide is a reasonable, prudent, and inexpensive supplement to evacuation and sheltering in the event of a nuclear accident involving the release of radioactive materials. Potassium iodide (KI) is a form of salt, that if taken within the appropriate time, blocks the thyroid glands uptake of radioactive iodine and thus reduces the risk of thyroid cancers and other diseases that might otherwise be caused by thyroid uptake of radioactive iodine that could be dispersed in a severe reactor accident.

In order to minimize health and safety risks to the Board's employees and students who attend school in the District, designated school personnel are permitted to dispense the Food and Drug Administration's recommended dosage of potassium iodide to Board employees and those students whose parents provide prior written consent authorizing such administration. Potassium iodide will only be dispensed to employees and students in situations involving potential radioactive exposure due to a nuclear accident.

The individuals designated to dispense potassium iodide shall receive training concerning the Food and Drug Administration's recommended dosage of potassium iodide for children and adults.

**PROCUREMENT AND USE OF EPINEPHRINE AUTO INJECTORS IN
EMERGENCY SITUATIONS**

In accordance with state law, the Board of Education shall procure epinephrine auto-injectors ("Epi-Pens") for use in emergency situations. Epinephrine is a prescription drug used to treat life-threatening allergic reactions caused by insect bites or stings, foods, medications, latex, and other causes. The Superintendent shall adopt a policy and procedures, alternatively termed "Administrative Guidelines," governing the maintenance and use of Epi-Pens. The Superintendent shall consult with a licensed health professional who is authorized to prescribe drugs ("Prescriber") when developing policy/administrative guidelines.

The Superintendent's policy/administrative guidelines shall:

- A. include a prescriber-issued protocol specifying definitive orders for Epi-Pens and the dosages of epinephrine to be administered through the Epi-Pens;
- B. identify the location(s) in each school building where the Epi-Pens shall be stored;
- C. specify the conditions under which Epi-Pens must be stored, replaced, and disposed of;
- D. specify the individuals employed by or under contract with the Board, in addition to a licensed school nurse and licensed athletic trainer, who may access and use Epi-Pens in emergency situations;
- E. specify the training that Board employees or contractors (besides school nurses or athletic trainers) must complete before being authorized to access and use Epi-Pens;
- F. identify the emergency situations, including when an individual exhibits signs and symptoms of anaphylaxis, in which a school nurse, athletic trainer, or other trained employee/contractor may access and use an Epi-Pen;

- G. specify that assistance from an emergency medical service provider (911) must be requested immediately after an Epi-Pen is used; and
- H. specify individuals, in addition to students, employees, contractors, and visitors, to whom a dosage of epinephrine may be administered through an Epi-Pen in an emergency situation.

Each Building Principal shall endeavor to maintain at least two (2) Epi-Pens of both prescribed doses in their building. In procuring Epi-Pens, the Board will accept donations of Epi-Pens from wholesale distributors of dangerous drugs or manufacturers of dangerous drugs, as well as donations of money from any person to purchase Epi-Pens. The Superintendent shall report to the Ohio Department of Education ("ODE"), in the form and manner determined by ODE, each procurement of Epi-Pens and each occurrence in which an Epi-Pen is used from District's supply.

In order to allow the use of an Epi-Pen in an emergency situation pursuant to this Policy, the Superintendent shall obtain a standing order or protocol from an authorized prescriber in order to administer epinephrine from the District's supply. The Superintendent shall retain the original standing order/protocol and provide a copy of it to each Building Principal of each school at which Epi-Pens are maintained in accordance with this Policy.

In accordance with Ohio law, the Board, and its members, employees and contractors shall not be liable in a civil action for damages resulting from injuries arising from acts or omissions associated with procuring, maintaining, accessing, or using Epi-Pens in emergency situations as prescribed by this policy, unless the act or omission constitutes willful or wanton misconduct.

R.C. 3313.7110

USE OF MEDICATIONS

The Board of Education shall not be responsible for the diagnosis and treatment of student illness. With the exception of diabetes care covered under Policy 5336, the administration of prescribed medication and/or medically-prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend school if the medication or treatment were not made available during school hours, or if the child is disabled and requires medication to benefit from his/her educational program.

For purposes of this policy, "medication" shall include all medicines including those prescribed by a licensed health professional authorized to prescribe drugs and any nonprescribed (over-the-counter) drugs, preparations, and/or remedies. "Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization.

Option #1 (Probably Current Policy)

Before any medication (i.e., a drug) or treatment may be administered to any student during school hours, the Board shall require a written statement from a licensed health professional authorized to prescribe drugs ("prescriber") accompanied by the written authorization of the parent. These documents shall be kept on file in the office of the Principal, and made available to the persons designated by this policy as authorized to administer medication or treatment. A copy of the parent's written request and authorization and the prescriber's written statement must be given, by the next school day following the District's receipt of the documents, to the person authorized to administer drugs to the student for whom the authorization and statement have been received. No student is allowed to provide or sell any type of over-the-counter medication to another student. Violations of this rule will be considered violations of Policy 5530 - Drug Prevention and of the Student Code of Conduct/Discipline Code.

Option #2

Before any prescribed medication (i.e., a drug) or treatment may be administered to any student during school hours, the Board shall require a written statement from a licensed health professional authorized to prescribe drugs ("prescriber") accompanied by the written authorization of the parent. Before any nonprescribed medication or treatment may be administered, the Board shall require the prior written consent of the parent along with a waiver of any liability of the District for the administration of the medication. These documents shall be kept in the office of the _Principal_____, and made available to the persons designated by this policy as authorized to administer medication or treatment. A copy of the parent's written request and authorization and the prescriber's written statement must be given, by the next school day following the District's receipt of the documents, to the person authorized to administer drugs to the student for whom the authorization and statement have been received. No student is allowed to provide or sell any type of over-the-counter medication to another student. Violations of this rule will be considered violations of Policy 5530 - Drug Prevention and of the Student Code of Conduct/Discipline Code.

[NOTE: END OF OPTION #2]

Only medication in its original container; labeled with the date, if a prescription; the student's name; and exact dosage will be administered. The Superintendent shall determine a location in each building where the medications to be administered under this policy shall be stored, which shall be a locked storage place, unless the medications require refrigeration in which case they shall be stored in a refrigerator in a place not commonly used by students, and unless the medication to be administered is diabetes medication, which must be kept in an easily accessible location pursuant to Policy 5336.

[X] Parents may administer medication or treatment.

() but only in the presence of a designated school employee.

[X] Additionally, students may administer emergency medication or over-the-counter treatment to themselves, if authorized by their parents.

However, students shall be permitted to carry and use, as necessary, an asthma inhaler, provided the student has prior written permission from his/her parent and physician and has submitted Authorization for the Possession and Use of Asthma Inhalers/Other Emergency Medication(s), to the principal and any school nurse assigned to the building.

Additionally, students shall be permitted to carry and use, as necessary, an epinephrine autoinjector to treat anaphylaxis, provided the student has prior written approval from the prescriber of the medication and his/her parent/guardian, if the student is a minor, and has submitted written approval (Authorization for the Possession and Use of Epinephrine Autoinjector (epi-pen)) to the principal and any school nurse assigned to the building. The parent/guardian or the student shall provide a back-up dose of the medication to the principal or school nurse. This permission shall extend to any activity, event, or program sponsored by the school or in which the school participates. In the event epinephrine is administered by the student or a school employee at school or at any of the covered events, a school employee shall immediately request assistance from an emergency medical service provider (911). Students with diabetes authorized to attend to their diabetes care and management may do so in accordance with Policy 5336.

With the exception of diabetes care covered under Policy 5336, only employees of the Board who are licensed health professionals or who have completed a drug administration training program conducted by a licensed health professional and are designated by the Board may administer prescription drugs to students in school.

With the exception of diabetes care covered under Policy 5336, provided they have completed the requisite training, the following staff are authorized to administer medication and treatment to students:

- (X) principal
- (X) teacher
- (X) school nurse
- (X) building secretary
- (X) aide
- (X) others as designated by student's IEP and/or 504 plan
- (X) other authorized employees._____

No employee will be required to administer a drug to a student if the employee objects, on the basis of religious convictions, to administering the drug.

- [X] Students who may require administration of an emergency medication may have such medication in their possession upon written authorization of their parent(s) or, such medication, upon being identified as aforementioned, may be stored in the _Principal's_____ office and administered in accord with this policy and Policy 5336.
- [X] All dental disease prevention programs, sponsored by the Ohio Department of Health and administered by school employees, parents, volunteers, employees of local health districts, or employees of the Ohio Department of Health, which utilize prescription drugs for the prevention of dental disease and which are conducted in accordance with the rules and regulations of the Ohio Department of Health are exempt from all requirements of this policy.

The Superintendent shall prepare administrative guidelines, as needed, to address the proper implementation of this policy.

R.C. 3313.712, 3313.713, 3313.7110, 3313.716, 3313.718, 4729.01

CARE OF STUDENTS WITH CHRONIC HEALTH CONDITIONS

Students with chronic health conditions will be provided with a free appropriate public education. If their impairment does not require specially designed instruction for them to benefit educationally, they will be eligible for accommodations/modifications/interventions of the regular classroom, curriculum, or activity (i.e. the school setting) so that they have the same access to an education as students without disabilities. Such accommodations/modifications/interventions will be provided pursuant to a Section 504 Plan.

All information regarding student identification, health care management, and emergency care shall be safeguarded as personally identifiable information in accordance with Policy 8330 and Policy 8350.

The District will coordinate school health practices for management of a chronic health condition and shall provide for:

- (X) identification of individuals with chronic health conditions;
- (X) development of individual health care action plans;
- (X) communication among school staff who interact with children with chronic health conditions;

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Staff will be trained about chronic health conditions and their control

in each school in which there is a student with a chronic health condition.

BOE REVIEW**CARE OF STUDENTS WITH DIABETES**

The Board of Education is committed to ensuring that each student enrolled in the District who has diabetes receives appropriate and needed diabetes care in accordance with an order signed by the student's treating physician.

The diabetes care to be provided includes any of the following:

- A. checking and recording blood glucose levels and ketone levels or assisting the student with checking and recording these levels;
- B. responding to blood glucose levels that are outside of the student's target range;
- C. in the case of severe hypoglycemia, administering glucagon and other emergency treatments as prescribed;
- D. administering insulin or assisting the student in self-administering insulin through the insulin delivery system the student uses;
- E. providing oral diabetes medications;
- F. understanding recommended schedules and food intake for meals and snacks in order to calculate medication dosages pursuant to the student's physician's order;
- G. following the physician's instructions regarding meals, snacks, and physical activity; and
- H. administering diabetes medication, as long as the conditions described below are satisfied.

Within fourteen (14) days after the District receives an order signed by the student's treating physician, the Board will inform the student's parent or guardian that the student may be entitled to a Section 504 Plan regarding the student's diabetes.

[SELECT OPTION #1 or #2:]

BEGIN OPTION #1

With regard to the administration of diabetes medication:

- A. The diabetes medication may be administered by a school nurse, or in the absence of a school nurse, such medication can be administered by a school employee who has received training provided by the Board that complies with the Ohio Department of Education's training guidelines, and complies with the following additional requirements:
 - 1. The training must be coordinated by a school nurse, or if the school does not employ a school nurse, a medical or osteopathic doctor, a registered nurse, or a licensed practical nurse with expertise in diabetes.
 - 2. The training will take place prior to the beginning of each school year or, as needed, not later than fourteen (14) days after the Board receives a physician's order related to a student with diabetes.
 - 3. Upon completion of the training, the Board will determine whether each trained employee is competent to provide diabetes care.
 - 4. The school nurse, medical or osteopathic doctor, registered nurse, or licensed practical nurse who provided the training will promptly provide all necessary follow-up training and supervision to an employee who receives training.

- B. The principal of a school attended by a student with diabetes will distribute a written notice to each employee containing the following information:
1. A statement that the school is required to provide diabetes care to a student with diabetes and is seeking employees who are willing to be trained to provide that care.
 2. A description of the tasks to be performed.
 3. A statement that participation is voluntary and that the school district will not take action against an employee who does not agree to provide diabetes care, including that the employee will not be penalized or disciplined for refusing to volunteer to be trained in diabetes care.
 4. A statement that training will be provided by a school nurse, a medical or osteopathic doctor, a registered nurse, or a licensed practical nurse with expertise in diabetes to an employee who agrees to provide care.
 5. A statement that a trained employee will not be subject to disciplinary action by the Board for providing care or performing duties to students with diabetes.
 6. A statement that a trained employee is immune from liability for damages in a civil action for injury, death, or loss to person or property allegedly arising from providing care or performing duties (unless the act or omission constitutes willful or wanton misconduct).
 7. The name of the individual to contact if an employee is interested in providing diabetes care.

The school nurse and/or the school employee can only administer diabetes medication as described above if the requirements of Policy 5330 are met.

A student's diabetes medication will be kept in an easily accessible location.

A student with diabetes will be permitted to attend to his or her diabetes care and management, in accordance with the student's physician's order, during regular school hours and school sponsored activities only if:

- A. the student's parent or guardian provides a written request that the student be permitted to attend to his or her diabetes care and

management while at school; and

- B. the student's physician has authorized such self-care and determined that the student is capable of performing diabetes care tasks.

A student with diabetes is permitted to perform diabetes care tasks in a classroom, in any area of the school or school grounds, and at any school-related activity. The student must have access to a private area for performing diabetes care tasks if the student or the student's parent or guardian makes such a request.

A student with diabetes is permitted to possess on the student's self at all times all necessary supplies and equipment to perform diabetes care tasks. If the student performs any diabetes care tasks or uses medical equipment for purposes other than the student's own care, the Board will revoke the student's permission to attend to the care and management of the student's diabetes.

PSW OK

The Board will provide training in the recognition of hypoglycemia and hyperglycemia, and actions to take in response to emergency situations involving these conditions, to both of the following:

- A. a school employee who has primary responsibility for supervising a student with diabetes during some portion of the school day, and
- B. a bus driver employed by the Board who transports a student with diabetes.

By December 31 of each year, the Board will report to the Ohio Department of Education the following information regarding students with diabetes:

- A. the number of students with diabetes enrolled in the District during the previous school year, and
- B. the number of errors associated with the administration of diabetes medication to students with diabetes during the previous school year.

R.C. 3313.7110

R.C. 3313.713

BOE REVIEW**STUDENT ACCIDENTS**

The Board of Education believes that school personnel have certain responsibilities in case of accidents which occur in school. Said responsibilities extend to the administration of first aid by persons trained to do so, summoning of medical assistance, notification of administrative personnel, notification of parents, and the filing of accident reports.

Employees should administer first aid within the limits of their knowledge of recommended practices. All employees should make an effort to increase their understanding of the proper steps to be taken in the event of an accident.

The Superintendent shall develop administrative guidelines to include the reporting of accidents, when appropriate.

On an annual basis, physical education teachers and coaches of intramural athletics shall review the Ohio Department of Health's concussion information sheet.

Physical education teachers and coaches of intramural athletics shall remove from P.E. class participation or the intramural athletic activity any student who exhibits signs, symptoms, or behaviors consistent with having sustained a concussion or head injury. The Principal shall notify parents or guardians about the possible concussion or head injury. See also Policy 2431 Interscholastic Athletics.

Any student who has been removed from a P.E. class, or intramural athletic practice or competition, by a teacher, coach, or referee because s/he has exhibited signs, symptoms, or behaviors consistent with having sustained a concussion or head injury shall not be permitted to return to any P.E. class, or intramural athletic practice or competition, for which the teacher, coach, or referee is responsible on the same day as the removal and not until both of the following occur:

- A. The student's condition is assessed by a physician **(X)** or other health care provider authorized by the Board, in accordance with requirements set forth in R.C. 3313.539(E)(2), to assess such a student.
- B. The student receives written clearance that it is safe to return to the P.E. class, or intramural athletic practice or competition, from a physician **(X)** or other health care provider authorized by the Board, in accordance with requirements set forth in R.C. 3313.539(E)(2), to grant a such a clearance.

CK ATHLETIC DIRECTORS/COACHES

R.C. 2305.23 (Good Samaritan), 3313.20, 3313.539

EMERGENCY MEDICAL AUTHORIZATION

Annually, before the first day of October, the Board of Education will distribute to parents or guardians of all students the Emergency Medical Authorization Form. Thereafter, the Board shall, within thirty (30) days after the entry of any student for the first time into a public school in this State, provide the child's parent with a copy of the Emergency Medical Authorization Form.

When the Form is returned to the District with either Part I or Part II completed, the District shall keep the Form on file, and shall send the Form to any school to which the student is transferred. Upon request of the student's parent, the District may permit the parent to make changes in a previously filed Form, or to file a new Form.

In the event emergency medical treatment for a student is necessary, the District will adhere to the instructions on the authorization form. If a parent refuses to grant consent for emergency medical treatment, the parent must indicate in the proper place on the Form (i.e., Part II) the procedure the parent wishes school authorities to follow in the event of a medical emergency involving his/her child.

Even if a parent grants consent for emergency medical treatment, when a student becomes ill or is injured and requires emergency medical treatment while under school authority, or while engaged in an extra-curricular activity authorized by the appropriate school authorities, the building administrator(s) shall make reasonable attempts to contact the parent before treatment is given. The school representative shall present the student's Emergency Medical Authorization Form or a copy thereof to the hospital or practitioner rendering treatment.

The Emergency Medical Authorization Form will be kept in a separate, easily accessible file in each school building during the school year.

Any time a student or a group of students is taken out of the District to participate in a school event, the staff in charge of the event must take the Emergency Medical Authorization Forms for those students. This includes, and is not limited to, students involved in music trips, athletic trips, field trips, and academic contests. This does not include student spectators at events.

Whenever it is necessary for staff members to use emergency procedures in order to care properly for a student, they are to follow the procedures described in the Superintendent's administrative guidelines. Staff members shall not abide by any "Do Not Resuscitate" (DNR) order that may exist for a student, unless ordered to do so by a court of law

R.C. 2133.21 - .26, 3313.712

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STUDENT SUICIDE

The Board of Education recognizes that depression and self-destruction are problems of increasing severity among children and adolescents. A student who suffers the psychological disability of depression cannot benefit fully from the educational program of the schools, and a student who has attempted self-destruction poses a danger both to himself/herself and to other students.

All school personnel should be alert to the student who exhibits signs of unusual depression or who threatens or attempts suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness.

In accordance with Policy 8462, staff shall receive professional development training in the risk factors, warning signs, and resources regarding youth suicide awareness and prevention. () Such training shall include the warning signs of non-suicidal self-injurious behaviors.

Additional professional development training in youth suicide risk assessment and intervention shall be provided to mental health employees, counselors, psychologists, and school nurses.

The Superintendent shall develop and implement administrative guidelines whereby members of the professional staff understand how to use an intervention procedure which includes the following:

Step 1 - Stabilization

Step 2 - Assessment of the Risk

Step 3 - Use of Appropriate Risk Procedure

Step 4 - Communication with Appropriate Parties

Step 5 - Follow-up

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Throughout any intervention, it is essential that Board policies and District guidelines regarding confidentiality be observed at all times.

A.C. 5101:2-34/35
767 F2d 651 (1985)

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WORTHINGTON SCHOOLS ACCELERATION POLICY FOR ADVANCED LEARNERS

Gifted Services Department
Worthington, Ohio
May, 2006

Introduction

The *Model Policy for Academic Acceleration* has been developed to assist districts in meeting the requirements of **Section 3324.10 of HB 66**:

(A) Prior to June 30, 2006, the state board of education shall adopt a model student acceleration policy addressing recommendations in the department of education's 2005 study conducted under the gifted research and demonstration grant program. The policy shall address, but not be limited to, whole grade acceleration, subject area acceleration, and early high school graduation.

(B) The board of education of each city, local, and exempted village school district shall implement a student acceleration policy to take effect beginning in the 2006-2007 school year. The policy shall either be the model adopted by the state board under division (A) of this section or a policy covering similar issues that is adopted by the district board.

As noted in Ohio's Academic Content Standards:

No individual or group should be excluded from the opportunity to learn, and all students are presumed capable of learning. *Every Ohio student, regardless of race, gender, ethnicity, socioeconomic status, limited English proficiency, disability or giftedness shall have access to a challenging, standards-based curriculum.*

The knowledge and skills defined in Ohio's academic content standards are within the reach of all students. Students, however, develop at different rates. ***All children learn and experience success given time and opportunity, but the degree to which the standards are met and the time it takes to reach the standards will vary from student to student.***

Students who can exceed the grade-level indicators and benchmarks set forth in the standards must be afforded the opportunity and be encouraged to do so. Students who are gifted may require special services or activities in order to fully develop their intellectual, creative, artistic and academic capabilities or to excel in a specific content area. Again, the point of departure is the standards-based curriculum.

All children should be provided adjustments when necessary in order to address their individual needs. Identifying and nurturing the talents of all students will enable all students to reach the standards.

Appropriate use of accelerated learning opportunities supports compliance with requirements in **Ohio Administrative Code 3301-35-06**:

(A) Educational programs and experiences shall be designed and implemented to provide a general education of high quality to *all students*...

Instruction shall include intervention that is designed to meet student needs. Instruction and instructional activities shall be:

- (1) Consistent with educational research and proven practices;
- (2) Appropriate to student ages, *developmental needs*, learning styles, *abilities*, and English proficiency;
- (3) *Designed to ease the transition of students from one educational environment to another*

Sections (D),(E), and (F) of OAC 3301-35-06 specify that instruction for students in grades K-12 shall be provided in curricular areas identified in **sections 3301.07, 3313.60, 3313.602, and 3313.90** of the Revised Code that are "*appropriate for the student's age and ability level...* and that reflect the mission and strategic plan of the district and school."

Research conducted nationally and within Ohio's public schools has demonstrated that academic acceleration can be a powerful and cost-effective strategy for providing appropriately challenging,

standards-based instruction for students who are ready to learn above grade-level content. Acceleration has also been shown to increase motivation, reduce boredom, and enhance the social and emotional well-being of appropriately selected students.

However, acceleration is currently severely underutilized in Ohio. It is the hope of the State Board of Education and the Ohio Department of Education that this model policy will assist school districts in increasing their use of accelerated learning strategies to better meet the needs of advanced learners and help them reach their full potential.

Definitions

Whole-Grade Acceleration: The practice of assigning a student to a higher grade level than is typical given the student's age on a full-time basis for the purpose of providing access to appropriately challenging learning opportunities.

Examples:

- After completing the first grade year, a student is placed in a third grade classroom (rather than a second grade classroom) on a full-time basis at the beginning of the next school year.
- After completing the fall semester of the fifth grade year, a student is placed in the sixth grade at the start of the second semester of the same school year.

Individual Subject Acceleration: The practice of assigning a student to a higher grade level than is typical given the student's age for the purpose of providing access to appropriately challenging learning opportunities in one or more subject areas.

Examples:

- A third grade student performing above grade level in reading and math goes to a fourth grade teacher every morning for instruction in these subjects and returns to the third grade classroom for instruction in other subject areas. Student will take the Ohio Achievement Test for content grade level they are receiving which would be fourth grade.
- A musically gifted sixth grade student is enrolled in a high school instrumental music course and returns to the sixth grade classroom for instruction in other subject areas.

Early Admission to Kindergarten: The practice of admitting a student to kindergarten who has not yet reached the typical age at which students are admitted to kindergarten for the purpose of providing access to appropriately challenging learning opportunities.

Example:

- A child who can read independently and is socially similar to typical five year-olds is admitted to kindergarten, although he will not reach his fifth birthday until the end of the school year.

Early High School Graduation: The practice of facilitating completion of the high school program in fewer than four years for the purpose of providing earlier than typical access to post-secondary educational opportunities.

Example:

- An advanced student is granted a diploma after spending only five semesters in high school by accumulating credits on an accelerated basis through "dual-credit" coursework taken while in middle school and by satisfying some high school graduation requirements by completing "educational options" rather than traditional courses. The student then enrolls in college as a full-time student at age 16.

Research Summary

Acceleration, when used appropriately, is perhaps the most effective intervention for enhancing the academic growth of advanced students (Kulik & Kulik, 1989.) The landmark report *A Nation Deceived: How Schools Hold Back America's Brightest Students*, published by the University of Iowa and the Templeton Foundation, noted that, "Acceleration is the most effective curriculum intervention for gifted children;" that, "For bright students, acceleration has long-term beneficial effects, both academically and socially;" and, "Acceleration is a virtually cost-free intervention" (Colangelo, Assouline, & Gross, eds., 2004).

Rogers (2002) conducted a meta-analytic review of the research on the academic, social, and emotional effects of acceleration, and found that gifted students who were admitted early to kindergarten showed approximately ½ year's worth of additional growth in all academic areas compared to age peers of equal ability, and students who were accelerated in a single subject area were the equivalent of 3/5 of a year ahead of similar age peers in that subject area. Kulik (2004) conducted a similar review of research on acceleration dating as far back as 1932 and similarly concluded, "The meta-analytic results show that bright students almost always benefit from accelerated programs of instruction. Two major findings support this conclusion. First, on achievement tests, bright accelerated youngsters usually perform like their bright, older non-accelerated classmates. Second, the accelerated youngsters usually score almost one grade-level higher on achievement tests than bright, same-age non-accelerated students do."

Yet, despite the overwhelmingly positive research findings on acceleration, acceleration is an intervention that is severely underused in Ohio's public schools. In a study commissioned by the Ohio Department of Education's Office for Exceptional Children, Southern and Jones (2005) reported that the majority of Ohio school districts did not accelerate a single student by early-admission to Kindergarten or whole grade acceleration ("grade skipping") in the 2004-2005 school year. Yet, in the handful of districts that were employing these strategies, experiences with acceleration were viewed very positively by educators and students. Case study districts, which ranged from small, rural districts to ethnically diverse urban districts, all reported successful use of acceleration as an intervention for high ability students and increasingly positive views toward acceleration among educators as use of acceleration increased and professional development was provided.

Southern and Jones (2005) and ODE gifted education staff have identified a number of barriers to the appropriate and frequent use of acceleration in Ohio. These barriers include:

- A pervasive lack of awareness of the research on acceleration and the pervasive myth among educators that, despite overwhelming evidence to the contrary (e.g. Robinson, 2004; Gross, 1992), placing students with older peers is socially and emotionally harmful to bright children.
- District policies that included unreasonable criteria for acceleration or that explicitly discouraged the use of acceleration, sometimes using inaccurate information that is misleading to parents and educators. •
- Structural barriers, particularly related to "single-subject" acceleration when acceleration would require a student to move back and forth between two school buildings.
- Confusion amongst educators regarding state and local policies.

The General Assembly's call for the State Board of Education to adopt a model policy on acceleration has created an opportunity to address many of the above barriers and to encourage professional development on this subject. ODE will publish and disseminate a research-based "toolkit" to aid districts in effectively implementing the model policy. ODE will also develop and implement a process for comparing to age peers the score(s) on relevant state accountability measures of any student who is accelerated according to an ODE-approved acceleration policy during the first year of his or her accelerated placement.

Despite the overwhelmingly positive findings on the effects of acceleration, to ensure its successful use, acceleration should involve planning and support of the student in the accelerated setting following the placement of the student.

This model policy supports the use of research-based criteria for identifying students for accelerated placement (Assouline, Colangelo, et al., 2003), reflects procedures shown to help ensure the success of students in accelerated settings (Southern and Jones, 2005), and incorporates input and feedback on practical issues related to acceleration from educators across Ohio.

References

- Assouline, S.G., Colangelo, N., Ihrig, D., Forstadt, L., Lipscomb, J., & Lupkowski-Shoplik, A.E. (2003). The Iowa acceleration scale: Two validation studies. Presentation at the 2003 National Association for Gifted Children Convention, Indianapolis, IN, November 14, 2003.
- Colangelo, N., Assouline, S.G., and Gross, M.U.M. (eds.) (2004). *A Nation Deceived: How Schools Hold Back America's Brightest Students*. Iowa City, IA: The Connie Belin & Jacqueline N. Blank International Center for Gifted Education and Talent Development.
- Gross, M.U.M. (1992). The use of radical acceleration in cases of extreme intellectual precocity. *Gifted Child Quarterly*, 36(2), 91-99.
- Kulik, J.A., and Kulik, C.-L.C. (1989). Meta-analysis in educational research. *International Journal of Education Research*, 13, 221-340.
- Robinson, N.M. (2004). Effects of academic acceleration on the social-emotional status of gifted students. In "A Nation Deceived: How Schools Hold Back America's Brightest Students." Colangelo, N., Assouline, S.G., and Gross, M.U.M. (eds.) Iowa City, IA: The Connie Belin & Jacqueline N. Blank International Center for Gifted Education and Talent Development..
- Rogers, K.B. (2002). *Re-forming gifted education: How parents and teachers can match the program to the child*. Scottsdale, AZ: Great Potential Press.
- Southern, W.T. and Jones, E. (2005.) *Acceleration Policy Study*. Columbus, OH: Ohio Department of Education.

Policy on Academic Acceleration, Early Entrance to Kindergarten, and Early High School Graduation

In accordance with the belief that all children are entitled to an education commensurate with their particular needs, students who can exceed the grade-level indicators and benchmarks set forth in the standards must be afforded the opportunity and be encouraged to do so.

The (District) Board of Education believes that such students often require access to advanced curriculum in order to realize their potential contribution to themselves and society.

All children learn and experience success given time and opportunity, but the degree to which academic content standards are met and the time it takes to reach the standards will vary from student to student. The (District) Board of Education believes that all students, including advanced learners, should be challenged and supported to reach their full potential. For many advanced learners, this can best be achieved by affording them access to curriculum, learning environments, and instructional interventions more commonly provided to older peers.

This policy describes the process that shall be used for evaluating students for possible accelerated placement and identifying students who should be granted early admission to kindergarten, accelerated in one or more individual subject areas, promoted to a higher grade level than their same-age peers, and granted early graduation from high school.

1) Referrals and Evaluation

- a) Any student residing in the district may be referred by a teacher, administrator, gifted education specialist, guidance counselor, school psychologist, or a parent or legal guardian of the student to the principal of his or her school for evaluation for possible accelerated placement. A student may refer himself or herself or a peer through a district staff member who has knowledge of the referred child's abilities.
- b) Copies of this policy and referral forms for evaluation for possible early entrance, whole-grade acceleration, individual subject acceleration, and early high school graduation shall be made available to district staff and parents at each school building. The principal of each school building (or his or her designee) shall solicit referrals of students for evaluation for possible accelerated placement annually, and ensure that all staff he or she supervises are aware of procedures for referring students for evaluation for possible accelerated placement.
- c) The principal of the referred student's school or **Coordinator of the Gifted Services Department (depending upon the type of acceleration referral made)** shall obtain written permission from the student's parent(s) or legal guardian(s) to evaluate the student for possible accelerated placement. The district shall evaluate all students who are referred for evaluation and whose parent(s) or legal guardian(s) have granted permission to evaluate the student for possible accelerated placement.
- d) Children who are referred for evaluation for possible accelerated placement sixty or more days prior to the start of the school year shall be evaluated in advance of the start of the school year so that the child may be placed in the accelerated placement on the first day of school. Children who are referred for possible accelerated placement sixty or more days prior to the start of the second semester shall be evaluated for possible accelerated placement at the start of the second semester. In all other cases, evaluations of a referred child shall be scheduled at the student's principal's discretion and placed in the accelerated setting(s) at the time recommended by the acceleration evaluation committee – if the committee determines the child should be accelerated. Pursuant to **Ohio Administrative Code 3321.01**, all children who will be the proper age for entrance to kindergarten or first grade by the first day of January of the school year for which admission is requested shall be evaluated upon the request of the child's parent or legal guardian. Children who will not yet be the proper age for entrance to kindergarten or first grade by the first day of January of the school year for which admission is requested shall also be evaluated for possible early

admittance if referred by an educator within the district, a pre-school educator who knows the child, or pediatrician or psychologist who knows the child. Children who will not yet be the proper age for entrance to kindergarten or first grade by the first day of January of the school year for which admission is requested may also be evaluated for possible early admittance at the discretion of the principal of the school to which the student may be admitted. **The student will be screened by virtue of where he or she lives which must be within the attendance area of the district.**

- e) A parent or legal guardian of the evaluated student shall be notified in writing of the outcome of the evaluation process within 45 days of the submission of the referral to the referred student's principal. This notification shall include instructions for appealing the outcome of the evaluation process.
- f) A parent or legal guardian of the referred student may appeal in writing the decision of the evaluation committee to the local Superintendent within thirty days of being notified of the committee's decision. The Superintendent shall review the appeal and notify the parent or legal guardian who filed the appeal of his or her final decision within thirty days of receiving the appeal. The Superintendent's decision shall be final. However, the student may be referred and evaluated again at the next available opportunity if he or she is again referred for evaluation by an individual eligible to make referrals as described in this policy.

2) Acceleration Evaluation Committee (IAT)

i) Composition

- (1) The referred student's principal (or his or her designee) shall convene an evaluation committee (Intervention Assistance Team) to determine the most appropriate available learning environment for the referred student. This committee shall be comprised of the following:

- (a) A principal or assistant principal from the child's current school;
- (b) A current teacher of the referred student (with the exception of students referred for possible early admission to kindergarten);
- (c) A teacher at the grade level to which the student may be accelerated (with the exception of students referred for possible early graduation from high school);
- (d) A parent or legal guardian of the referred student or a representative designated by a parent or legal guardian of the referred student;
- (e) A gifted education coordinator or gifted intervention specialist.

- (2) The acceleration evaluation committee shall be charged with the following responsibilities:

- (a) The acceleration evaluation committee shall conduct a fair and thorough evaluation of the student.
 - (i) Students considered for **whole-grade acceleration and early entrance to kindergarten** shall be evaluated using an acceleration assessment process approved by the Ohio Department of Education. The Worthington Schools will use the Iowa Acceleration Scale or other ODE approved instruments. The committee shall consider the student's own thoughts on possible accelerated placement in its deliberations.

- (ii) Students considered for **individual subject acceleration** shall be evaluated using a variety of data sources, including measures of achievement based on state academic content standards (in subjects for which the state had approved content standards) and consideration of the student's maturity and desire for accelerated placement. The committee shall consider the student's own thoughts on possible accelerated placement in its deliberations. **Appropriately recent achievement scores from state assessments, nationally-normed instruments, and/or value-added data may be taken into consideration.**
- (iii) Students referred for possible early high school graduation shall be evaluated based on past academic performance, measures of achievement based on state academic content standards, and successful completion of state mandated graduation requirements. The committee shall consider the student's own thoughts on possible accelerated placement in its deliberations.
- (b) The acceleration evaluation committee shall issue a written decision to the principal and the student's parent or legal guardian based on the outcome of the evaluation process. If a consensus recommendation cannot be reached by the committee, a decision regarding whether or not to accelerate the student will be determined by a majority vote of the committee membership.
- (c) The acceleration evaluation committee shall develop a **written acceleration plan** for students who will be admitted early to kindergarten, whole-grade accelerated, or accelerated in one or more individual subject areas. The parent(s) or legal guardian(s) of the student shall be provided with a copy of the written acceleration plan. **Both the Written Education Plan (WEP) and Written Acceleration Plan (WAP) can be merged into one document for identified gifted students.) Non-identified students will need to have a separate written acceleration plan.** The written acceleration plan (WAP) OR **written education plan (WEP)** shall specify:
 - (i) placement of the student in an accelerated setting;
 - (ii) strategies to support a successful transition to the accelerated setting;
 - (iii) requirements and procedures for earning high school credit prior to entering high school (if applicable); and,
 - (iv) an appropriate transition period for accelerated placement for early entrants to kindergarten, grade-level accelerated students, and students accelerated in individual content areas.
- (d) For students the acceleration evaluation committee recommends for early high school graduation, the committee shall develop a written acceleration plan designed to allow the student to complete graduation requirements on an accelerated basis. This may include the provision of educational options in accordance with Ohio Administrative Code 3301-35-06(G), waiving district prerequisite requirements for enrolling in advanced courses, waiving district graduation requirements that exceed those required by the state, and early promotion to sophomore (or higher) status to allow the student to take the Ohio Graduation Test.
- (e) The acceleration evaluation committee shall designate a school staff member to ensure successful implementation of the written acceleration plan and to monitor the adjustment of the student to the accelerated setting.

3) Accelerated Placement

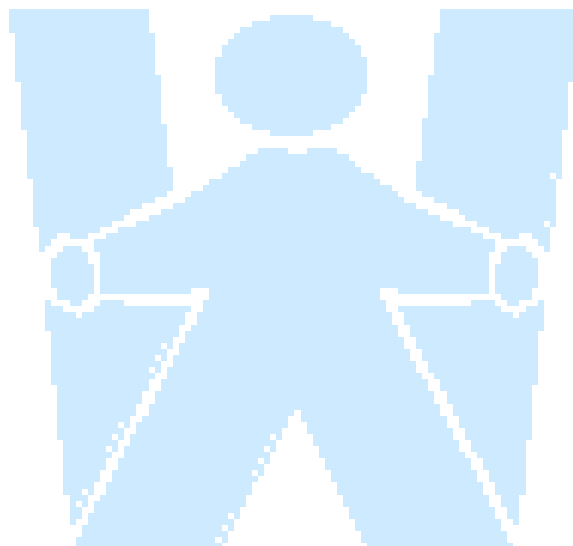
- a) The acceleration evaluation committee **(IAT)** shall specify an appropriate transition period for accelerated placement for early entrants to kindergarten, grade-level accelerated students, and students accelerated in individual subject areas.

- i) At any time during the transition period, a parent or legal guardian of the student may request in writing that the student be withdrawn from accelerated placement. In such cases, the principal shall remove the student without repercussions from the accelerated placement.
- ii) At any time during the transition period, a parent or legal guardian of the student may request in writing an alternative accelerated placement. In such cases, the principal shall direct the acceleration committee to consider other accelerative options and issue a decision within 30 days of receiving the request from the parent or legal guardian. If the student will be placed in an accelerated setting different from that initially recommended by the acceleration evaluation committee, the student's written acceleration plan shall be revised accordingly, and a new transition period shall be specified.
- b) At the end of the transition period, the accelerated placement shall become permanent. The student's records shall be modified accordingly, and the acceleration implementation plan shall become part of the student's permanent record to facilitate continuous progress through the curriculum. Adopted on the day of 2006 Signed: President of Board Signed: District Treasurer

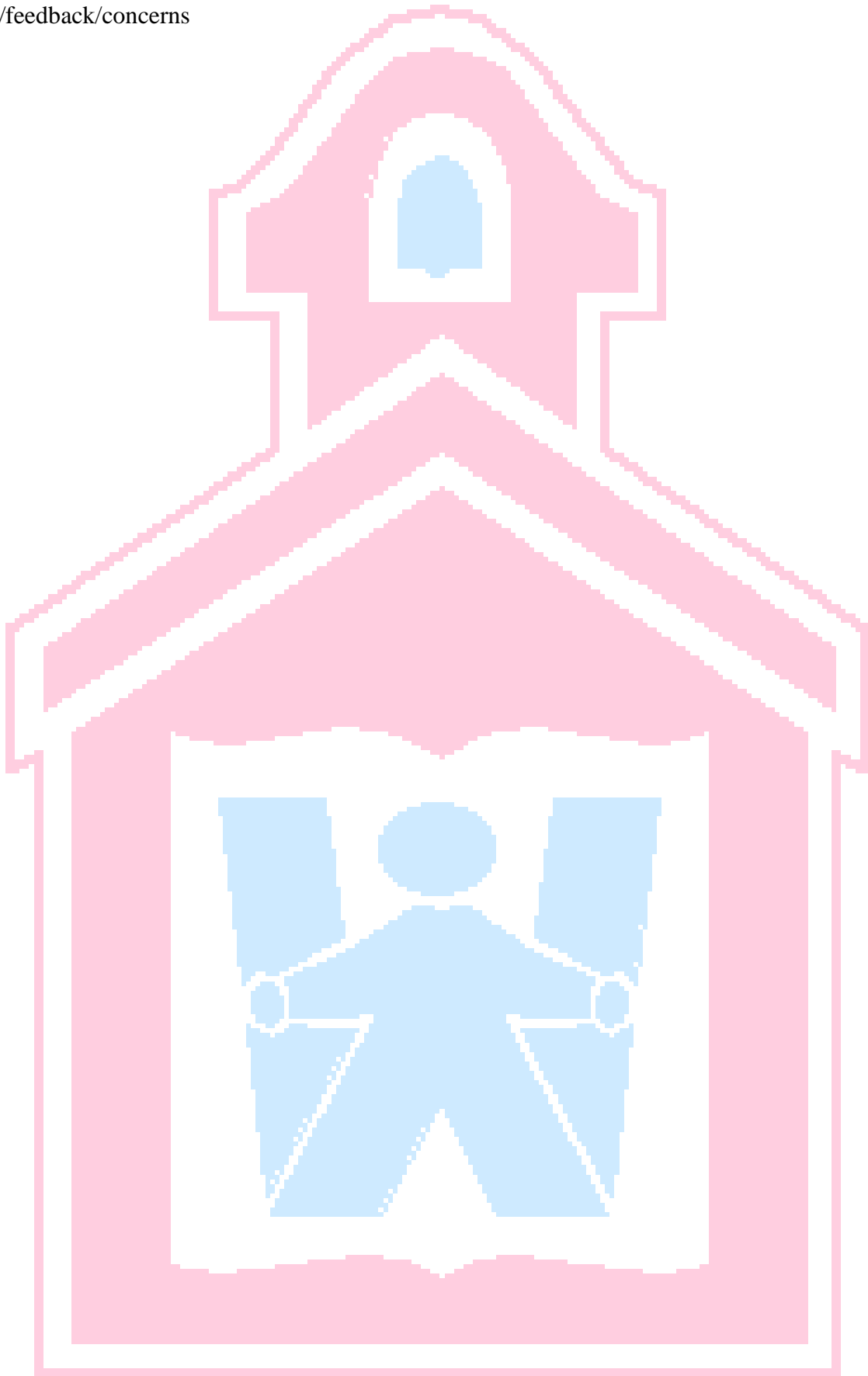
Adopted on the _____ day of _____ 2006

Signed: _____ President of Board

Signed: _____ District Treasurer



Notes/feedback/concerns



[THIS POLICY IS THE OHIO DEPARTMENT OF EDUCATION'S MODEL ACCELERATION POLICY.] IF THIS POLICY IS SELECTED, DISREGARD NEOLA'S POLICY TEMPLATES 5409 – STUDENT ACCELERATION, 5410 – PROMOTION, ACADEMIC ACCELERATION, PLACEMENT, AND RETENTION, AND 5464 – EARLY HIGH SCHOOL GRADUATION. SEE NEOLA'S POLICY TEMPLATES 5409 IF THIS POLICY IS NOT SELECTED.

[Ohio law requires districts to adopt a comprehensive policy/policies regarding student acceleration and submit those acceleration materials to the Ohio Department of Education for approval. To meet that requirement, districts have two choices – adopt the state's model acceleration policy or adopt NEOLA's policies on the same topics. This policy, Policy 5408 – Academic Acceleration, Early Entrance to Kindergarten, and Early High School Graduation, is the Ohio Department of Education's Model Acceleration Policy. If Policy 5408 is selected, do not select Policy 5409 – Student Acceleration. Also, if Policy 5408 is selected, the acceleration portions of the following policies must be removed to avoid the potential for conflicting language: Policy 5112 – Entrance Requirements, Policy 5410 – Promotion, Academic Acceleration, Placement, and Retention, and Policy 5464 – Early High School Graduation.]

TABLED

add supt or principal may be designee
use current policy

ACADEMIC ACCELERATION, EARLY ENTRANCE TO KINDERGARTEN, AND EARLY HIGH SCHOOL GRADUATION

In accordance with the belief that all children are entitled to an education commensurate with their particular needs, students who can exceed the grade-level indicators and benchmarks set forth in the standards must be afforded the opportunity and be encouraged to do so.

The Board of Education believes that such students often require access to advanced curriculum in order to realize their potential contribution to themselves and society.

All children learn and experience success given time and opportunity, but the degree to which academic content standards are met and the time it takes to reach the standards will vary from student to student. The Board believes that all students, including advanced learners, should be challenged and supported to reach their full potential. For many advanced learners, this can best be achieved by affording them access to curriculum, learning environments, and instructional interventions more commonly provided to older peers.

This policy describes the process that shall be used for evaluating students for possible accelerated placement and identifying students who should be granted early admission to kindergarten, accelerated in one or more individual subject areas, promoted to a higher grade level than their same-age peers, and granted early graduation from high school.

Referrals and Evaluation

- A. Any student residing in the District may be referred by a teacher, administrator, gifted education specialists, guidance counselor, school psychologists, or a parent or legal guardian of the student to the principal of his/her school for evaluation for possible accelerated placement. A student may refer himself/herself or a peer through a staff member who has knowledge of the referred child's abilities.
- B. Copies of this policy and referral forms for evaluation for possible early entrance, whole-grade acceleration, individual subject acceleration, and early high school graduation shall be made available to staff and parents at each school building. The principal of each school building (or his/her designee) shall solicit referrals of students for evaluation for possible accelerated placement annually, and ensure that all staff s/he supervises are aware of procedures for referring students for evaluation for possible accelerated placement.
- C. The principal (or his/her designee) of the referred students' school shall obtain written permission from the student's parent(s) or legal guardian(s) to evaluate the student for possible accelerated placement. The District shall evaluate all students who are referred for evaluation and whose parent(s) or legal guardian(s) have granted permission to evaluate the student for possible accelerated placement.

- D. Children who are referred for evaluation for possible accelerated placement sixty (60) or more days prior to the start of the school year shall be evaluated in advance of the start of the school year so that the child may be placed in the accelerated placement on the first day of school. Children who are referred for possible accelerated placement sixty (60) or more days prior to the start of the second semester shall be evaluated for possible accelerated placement at the start of the second semester. In all other cases, evaluations of a referred child shall be scheduled at the student's principal's discretion and placed in the accelerated setting(s) at the time recommended by the acceleration evaluation committee – if the committee determines the child should be accelerated. Pursuant to R.C. 3321.01, all children who will be the proper age for entrance to kindergarten or first grade by the first day of January of the school year for which admission is requested shall be evaluated upon the request of the child's parent or legal guardian. Children who will not yet be the proper age for entrance to kindergarten or first grade by the first day of January of the school year for which admission is requested shall also be evaluated for possible early admittance if referred by an educator within the District, a pre-school educator who knows the child, or pediatrician or psychologist who knows the child. Children who will not yet be the proper age for entrance to kindergarten or first grade by the first day of January of the school year for which admission is requested may also be evaluated for possible early admittance at the discretion of the principal of the school to which the student may be admitted.
- E. A parent or legal guardian of the evaluated student shall be notified in writing of the outcome of the evaluation process within forty-five (45) days of the submission of the referral to the referred student's principal. This notification shall include instructions for appealing the outcome of the evaluation process.

- F. A parent or legal guardian of the referred student may appeal in writing the decision of the evaluation committee to the Superintendent within thirty (30) days of being notified of the committee's decision. The Superintendent shall review the appeal and notify the parent or legal guardian who filed the appeal of his/her final decision within thirty (30) days of receiving the appeal. The Superintendent's decision shall be final. However, the student may be referred and evaluated again at the next available opportunity, if s/he is again referred for evaluation by an individual eligible to make referrals as described in this policy.

Acceleration Evaluation Committee

Composition

- A. The referred student's principal (or his/her designee) shall convene an evaluation committee to determine the most appropriate available learning environment for the referred student. This committee shall be comprised of the following:
1. a principal or assistant principal from the child's current school
 2. a current teacher of the referred student (with the exception of students referred for possible early admission to kindergarten)
 3. a teacher at the grade level to which the student may be accelerated (with the exception of students referred for possible early graduation from high school)
 4. a parent or legal guardian of the referred student or a representative designated by a parent or legal guardian of the referred student
 5. a gifted education coordinator or gifted intervention specialist

If a gifted coordinator or gifted intervention specialist is not available in the District, a school psychologist or guidance counselor with expertise in the appropriate use of academic acceleration may be substituted.

- B. The acceleration evaluation committee shall be charged with the following responsibilities:
1. The acceleration evaluation committee shall conduct a fair and thorough evaluation of the student.
 - a. Students considered for whole-grade acceleration and early entrance to kindergarten shall be evaluated using an acceleration assessment process approved by the Ohio Department of Education. The committee shall consider the student's own thoughts on possible accelerated placement in its deliberations.
 - b. Students considered for individual subject acceleration shall be evaluated using a variety of data sources, including measures of achievement based on State academic content standards (in subjects for which the State had approved content standards) and consideration of the student's maturity and desire for accelerated placement. The committee shall consider the student's own thoughts on possible accelerated placement in its deliberations.
 - c. Students referred for possible early high school graduation shall be evaluated based on past academic performance, measures of achievement based on State academic content standards, and successful completion of State mandated graduation requirements. The committee shall consider the student's own thoughts on possible accelerated placement in its deliberations.

2. The acceleration evaluation committee shall issue a written decision to the principal and the student's parent or legal guardian based on the outcome of the evaluation process. If a consensus recommendation cannot be reached by the committee, a decision regarding whether or not to accelerate the student will be determined by a majority vote of the committee membership.
3. The acceleration evaluation committee shall develop a written acceleration plan for students who will be admitted early to kindergarten, whole-grade accelerated, or accelerated in one or more individual subject areas. The parent(s) or legal guardian(s) of the student shall be provided with a copy of the written acceleration plan. The written acceleration plan shall specify:
 - a. placement of the student in an accelerated setting;
 - b. strategies to support a successful transition to the accelerated setting;
 - c. requirements and procedures for earning high school credit prior to entering high school (if applicable); and,
 - d. an appropriate transition period for accelerated placement for early entrants to kindergarten, grade-level accelerated students, and students accelerated in individual content areas.

4. For students the acceleration evaluation committee recommends for early high school graduation, the committee shall develop a written acceleration plan designed to allow the student to complete graduation requirements on an accelerated basis. This may include the provision of educational options in accordance with Ohio Administrative Code 3301-35-06(G), waiving District prerequisite requirements for enrolling in advanced courses, waiving District graduation requirements that exceed those required by the State, and early promotion to sophomore (or higher) status to allow the student to take the Ohio Graduation Test.
5. The acceleration evaluation committee shall designate a school staff member to ensure successful implementation of the written acceleration plan and to monitor the adjustment of the student to the accelerated setting.

Accelerated Placement

- A. The acceleration evaluation committee shall specify an appropriate transition period for accelerated placement for early entrants to kindergarten, grade-level accelerated students, and students accelerated in individual subject areas.
 1. At any time during the transition period, a parent or legal guardian of the student may request in writing that the student be withdrawn from accelerated placement. In such cases, the principal shall remove the student without repercussions from the accelerated placement.

2. At any time during the transition period, a parent or legal guardian of the student may request in writing an alternative accelerated placement. In such cases, the principal shall direct the acceleration committee to consider other accelerative options and issue a decision within thirty (30) days of receiving the request from the parent or legal guardian. If the student will be placed in an accelerated setting different from that initially recommended by the acceleration evaluation committee, the student's written acceleration plan shall be revised accordingly, and a new transition period shall be specified.
- B. At the end of the transition period, the accelerated placement shall become permanent. The student's records shall be modified accordingly, and the acceleration implementation plan shall become part of the student's permanent record to facilitate continuous progress through the curriculum.

[DISTRICTS MUST SELECT A COMPREHENSIVE POLICY(S) REGARDING ACCELERATION. CHOOSE EITHER THE COMBINATION OF NEOLA'S POLICY TEMPLATES 5409 - STUDENT ACCELERATION, 5410 - PROMOTION, ACADEMIC ACCELERATION, PLACEMENT, AND RETENTION, AND 5464 - EARLY HIGH SCHOOL GRADUATION OR NEOLA'S POLICY TEMPLATE 5408 - ACADEMIC ACCELERATION, EARLY ENTRANCE TO KINDERGARTEN, AND EARLY HIGH SCHOOL GRADUATION. POLICY 5408 IS THE OHIO DEPARTMENT OF EDUCATION'S MODEL ACCELERATION POLICY.]

[Ohio law requires districts to adopt a comprehensive policy/policies regarding student acceleration and submit those acceleration materials to the Ohio Department of Education for approval. To meet that requirement, districts have two choices - adopt the state's model acceleration policy or adopt NEOLA's policies on the same topics. This policy, Policy 5409 - Student Acceleration, is the "umbrella" policy for NEOLA's acceleration materials. If Policy 5409 is selected, do not select Policy 5408 - Academic Acceleration, Early Entrance to Kindergarten, and Early High School Graduation, the Ohio Department of Education's Model Acceleration Policy. Also, if Policy 5409 is selected, the acceleration portions of the following policies must be included to meet the provisions of the law regarding including the acceleration content: Policy 5112 - Entrance Requirements, Policy 5410 - Promotion, Academic Acceleration, Placement, and Retention, and Policy 5464 - Early High School Graduation.]

For Policies 5112, 5410 and 5464:

[See drafting notes on Policy 5408 and Policy 5409.]

CK SUZANNE PALMER

STUDENT ACCELERATION

In order to comply with the requirements of R.C. 3324.10 that boards of education adopt and implement a policy commencing with the 2006-2007 school year that addresses at least whole grade and subject area acceleration, and early high school graduation, the Board expressly combines herein and incorporates by reference:

- A. Policy 5112 - Entrance Requirements
- B. Policy 5410 - Promotion, Academic Acceleration, Placement, and Retention
- C. Policy 5464 - Early High School Graduation

BOARD OF EDUCATION

_WORTHINGTON_____

SCHOOL DISTRICT

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Students and/or parents who are interested in student evaluation and consideration for whole grade or subject area acceleration or early high school graduation should contact the building principal and/or the student's guidance counselor. Parents who wish to have their child evaluated and considered for early admission to kindergarten should contact the building principal and/or _____.

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[DISTRICTS MUST SELECT A COMPREHENSIVE POLICY(S) REGARDING ACCELERATION. CHOOSE EITHER THE COMBINATION OF NEOLA'S POLICY TEMPLATES 5409 - STUDENT ACCELERATION, 5410 - PROMOTION, ACADEMIC ACCELERATION, PLACEMENT, AND RETENTION, AND 5464 - EARLY HIGH SCHOOL GRADUATION OR NEOLA'S POLICY TEMPLATE 5408 - ACADEMIC ACCELERATION, EARLY ENTRANCE TO KINDERGARTEN, AND EARLY HIGH SCHOOL GRADUATION. POLICY 5408 IS THE OHIO DEPARTMENT OF EDUCATION'S MODEL ACCELERATION POLICY.]

CURRENT POLICY/HS LANG?

PROMOTION, PLACEMENT, AND RETENTION

The Board of Education recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at the various stages of their growth.

It is the Board's intent that each student be moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development.

[X] Such pattern should coincide with the system established by this Board and the instructional objectives established for each.

The promotion and retention provisions of this policy shall be in compliance with the terms of Ohio's Third Grade Reading Guarantee (Policy 2623.02).

Promotion:

A student will be promoted to the succeeding grade level when s/he has, in the opinion of the professional staff:

- (X) demonstrated sufficient proficiency to permit him/her to move ahead in the educational program of the next grade;
- (X) demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade.

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SCHOOL DISTRICT

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Retention:

A student may be retained at his/her current grade level when s/he has:

- (X) in the opinion of the professional staff, failed to achieve the instructional objectives set forth at the current grade level that are requisite for success at the succeeding grade level;

A student may be placed at the next grade level when retention would no longer benefit the student.

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

- (X) require the recommendation of the relevant staff members for promotion, placement, or retention;
- (X) require that parents are informed in advance of the possibility of retention of a student at a grade level;
- (X) assure that efforts will be made to remediate the student's difficulties before s/he is retained;

- (X) assign to the principal the **(X) final** responsibility for determining the promotion, placement, or retention of each student;
- (X) provide parents the opportunity to request the promotion, placement, or retention of their child;
- (X) provide parents the opportunity to appeal to the superintendent or designee the decision about their child's promotion, placement, or retention.

R.C. 3313.608, 3313.608(D), 3313.609, 3313.647, 3324.10

A.C. 3301-35-02(B)(5)

BOE REVIEW**REPORTING STUDENT PROGRESS**

The Board of Education believes that the cooperation of school and home is a vital ingredient to the growth and education of the whole child. It recognizes its responsibility to keep parents informed of student welfare and progress in school.

The Board directs the establishment of a system of reporting student progress which shall include

- (X) written reports,
- (X) parent conferences with teachers,

and shall require all appropriate staff members to comply with such a system as part of their professional responsibility.

The Superintendent, in conjunction with appropriate staff members, shall develop procedures for reporting student progress to parents which:

- (X) ensure that both student and parent receive ample warning of a pending grade of "failure" or one that would adversely affect the student's status;
- (X) enable the scheduling of parent-teacher conferences at such times and in such places as will ensure the greatest degree of participation by parents;
- (X) ensure a continual review and improvement of methods of reporting student progress to parents.

R.C. 3301.0714

A.C. 3301-11, 3301-35-02(B)(4)

BOE REVIEWGRADING

The Board of Education recognizes its responsibility for providing a system of grading students' academic performance that can help the student, teachers, and parents judge properly how well the student is achieving the goals of the District's program.

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

[X] The mandatory grade report date for all District staff shall be no later than _____five_____ day(s) following the last day of the preceding grading period; "report" means to input grades into the District's grading system so that the information can be accessed by the District's administrators as well as other persons having permitted access.

The Board directs the Superintendent to develop procedures for grading whereby the professional staff (after consultation with representatives of the professional staff):

- (X) develops clear, consistent criteria and standards particularly when grades are based on subjective assessment;
- (X) provides frequent opportunities for each student to obtain information as to his/her progress toward the learning goals of his/her courses or programs;
- (X) provides for a pass/fail grade in programs for which it is appropriate;
- (X) provides students the opportunity to assess both their own achievements and their areas of difficulty.

- [X] The grading system should be subject to continual review by staff, students, and parents. Revisions shall be made only when such changes will assure a clearer, more valid, or more reliable system of grading.

R.C. 3313.20

BOARD OF EDUCATION

_WORTHINGTON_____

SCHOOL DISTRICT

STUDENTS

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BOE REVIEW

STUDENT RECOGNITION

The Board of Education values excellence and wishes to inculcate in students the desire to do their best in all things. It shall be the policy of this Board, therefore, to recognize outstanding accomplishment in curricular, co-curricular, and extra-curricular areas.

HOLD

NEED UPDATES

GRADUATION REQUIREMENTS

In order to acknowledge each student's successful completion of the instructional program, appropriate to the achievement of District goals and objectives as well as personal proficiency, the Board of Education awards a diploma to eligible students at a graduation ceremony.

The Board shall award a regular high school diploma to every student enrolled in this District who meets the requirements of graduation established by this Board or who properly completes the goals and objectives specified in his/her individualized education program (IEP) including either the exemption from or the requirement to complete the tests required by the State Board of Education in order to graduate. In addition to earning course credits, each student must earn the required number of points, unless exempted, on the tests required by the State Board of Education to graduate.

CHOOSE OPTION #1 OR OPTION #2**[] Option #1**

The requirements for graduation from high school include earning twenty (20) units of credit in grades nine through twelve as established in State law. However, no student shall be required to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early.

[] Option #2

The requirements for graduation from high school include earning _____ units of credit in grades nine through twelve as follows:

SubjectUnits Required

English Language Arts

Health

Physical Education

Mathematics

Science

Social Studies

Fine Arts, including music

_____ electives (must include one (1)

or any combination of foreign language,

fine arts, business, career-technical

education, family and consumer

sciences, technology, agricultural

education, a junior reserve officer

training corps (JROTC) program

approved by the U.S. Congress, or

English language arts, mathematics,

science, or social studies courses not

otherwise required)

[NOTE: END OF OPTIONS]

All students must receive instruction in economics and financial literacy during Grades 9 – 12.

[NOTE: Credit requirements in State law must still be met]

- [] Students who have participated in interscholastic athletics, marching band, or cheerleading for at least two (2) full seasons as defined in the _____ handbook, while enrolled in grades 9 through 12, and as documented by the _____ **[athletic director, assistant principal, guidance counselor, etc.]** may be excused from the high school physical education requirement. Students electing such an excuse shall complete one-half (1/2) unit of at least sixty (60) hours of instruction in another course of study which is designated by the Board as meeting the high school curriculum requirements.

Credit may be earned by:

- A. completing coursework;
- B. testing out of or demonstrating mastery of course content; or
- C. pursuing one or more educational options in accordance with the District's Credit Flexibility Program.

Credit may be earned at an accredited postsecondary institution.

Every high school may permit students below the ninth grade to take advanced work for credit. This work shall count toward the graduation requirements if it was both:

- A. taught by a person who possesses a license/certificate issued under State law that is valid for teaching high school;
- B. designated by the Board as meeting the high school curriculum requirements.

An honors diploma shall be awarded to any student who meets the established requirements for graduation or the requirements of his/her IEP; attains the applicable scores on the tests required by the State Board of Education to graduate; and meets any additional criteria the State Board may establish.

Commencement exercises will include only those students who have successfully completed requirements for graduation as certified by the high school principal or those students who have been deemed eligible to participate in such exercises in accordance with the terms of their IEP. No student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure. A student may be denied participation in the ceremony of graduation when personal conduct so warrants.

The Board also shall grant a diploma of adult education to all District residents over the age of twenty-one (21) who meet the requirements established by the State Board of Education.

The Superintendent shall establish whatever administrative guidelines are necessary to comply with State rules and regulations.

R.C. 3313.60, 3313.603, 3313.61, 3313.611, 3313.614, 3313.647, 3323.08

R.C. 3301.07, 0710, 0711

A.C. 3301-41-01, 3301-13-01 to 07

BOE REVIEW**DIPLOMA DEFERRAL**

Social graduation is an opportunity for students with individualized education programs ("IEPs") to participate in high school graduation ceremonies without obtaining an official diploma. Students with IEPs who have completed all academic requirements for high school graduation, but who have not yet completed their transition-related IEP goals may be eligible for social graduation. Students may participate in social graduation only upon the recommendation of their respective IEP teams. If social graduation is recommended, the student may engage in all aspects of the graduation celebration (e.g., wearing a cap and gown; sitting with the graduating class; having his/her name printed in the program and read aloud at the ceremony; walking across the stage to receive a faux diploma). Instead of receiving an official diploma, however, the student will receive an unsigned diploma or a certificate of participation.

The determination of whether social graduation is recommended for any particular student will be done on an individual basis during the first semester of any year in which the student's chronological peer group is eligible to receive a high school diploma. The IEP team may raise the issue, or the student and/or his/her parent may raise the issue. The IEP team members should consider whether social graduation is appropriate to further the student's progress with regard to IEP goals. The team may also consider any objectives the student will be required to accomplish before s/he is eligible to participate. Finally, the team should determine additional arrangements or preparations, if any, that will need to be made to enable the student to participate in the ceremony. If the team determines that social graduation is recommended, the Superintendent or designee shall be notified. The IEP team makes the final decision with regard to social graduation, in accordance with the student's IEP goals and Federal and State laws and regulations and local Board policies. Students for whom participation in graduation ceremonies is precluded for disciplinary issues (when the discipline was not a manifestation of the student's disability) or nonpayment of school fines may not participate in social graduation.

After participating in the ceremony, the student is expected to continue working on his/her IEP transition goals and objectives. The student will also continue to receive services to address his/her transitional, vocational, and/or independent living skills as delineated in his/her IEP. An official high school diploma will be granted to the student when the IEP team determines that the transition goals have been met.

BOE REVIEW

GUARANTEE OF EMPLOYABILITY COMPETENCIES

It shall be the policy of the Board of Education to acknowledge each student's successful completion of those elements of the District's instructional program which provide for the knowledge and skills appropriate for entering the world of work and for participating productively in further education and training programs provided by an employer.

Each graduate from the regular program of the District shall be issued, in addition to a diploma, the _____ School District's Employability Competency Guarantee. The purpose is to assure any potential employer that a graduate from this School District has demonstrated satisfactory performance of the basic knowledge and skills described in the Guarantee.

Should an employer or prospective employer ascertain that a graduate who has been awarded such a Guarantee cannot demonstrate one (1) or more of the indicated competencies, the District shall provide, free of charge, an opportunity for additional instruction for the graduate until s/he attains competency to the degree specified in the District's administrative guidelines.

The Superintendent shall prepare administrative guidelines for the Guarantee including performance standards, its approval, and for any follow-on instruction that may be requested by employers.

R.C. 3313.647

BOE REVIEW

**CREDITS FROM STATE-CHARTERED, SPECIAL,
AND NONCHARTERED SCHOOLS**

In recognizing its responsibility to uphold the minimum educational standards of the State of Ohio, the Board of Education establishes the following policy and criteria regarding the acceptance of credits from nonpublic schools whether they be State-chartered, special, or nonchartered schools.

For credit or course-work to be accepted for courses taken in such schools, either a copy of the charter or other assurance of compliance with minimum requirements established by the State must be provided.

Recognition of credits or course-work shall be granted when the proper assurance and the student's transcript has been received. The District reserves the right to assess such transfer students in order to determine proper placement and to be assured the student can demonstrate the learnings which are prerequisite to a placement.

Although credits from nonchartered schools may be granted and placed on a student's transcript, no grades will be entered on the transcript or considered for class ranking. Only grades awarded for courses taken at the District or at a school approved or chartered by a State education agency shall be considered in class ranking and for entering on the transcript.

R.C. 3301.07, 3301.16, 3313.60

A.C. 3301-35, 3301-39

BOE REVIEW**STUDENT CONDUCT**

Respect for law and for those persons in authority shall be expected of all students. This includes conformity to school rules as well as general provisions of law affecting students. Respect for the rights of others, consideration of their privileges, and cooperative citizenship shall also be expected of all members of the school community. The Board of Education has zero tolerance of violent, disruptive, or inappropriate behavior by its students.

Respect for real and personal property; pride in one's work; achievement within the range of one's ability; and exemplary personal standards of courtesy, decency, and honesty shall be maintained in the schools of this District. It is the responsibility of students, teachers and administrators to maintain a classroom environment that:

- A. allows teachers to communicate effectively with all students in the class;
- B. allows all students in the class the opportunity to learn;
- C. has consequences that are fair, and developmentally appropriate;
- D. considers the student and the circumstances of the situation; and
- E. enforces the student Code of Conduct/Student Discipline Code accordingly.

Students may be subject to discipline for violation of the Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but that is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a Board official or employee, or the property of such official or employee.

Student conduct shall be governed by the rules and provisions of the Student Code of Conduct/Student Discipline Code as documented in BOE policy and student handbooks. This Code of Conduct/Student Discipline Code shall be reviewed

☐ annually.

☒ periodically.

R.C. 3313.20, 3313.534, 3313.66, 3313.661

DRESS AND GROOMING

The Board of Education recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference. The Board will not interfere with the right of students and their parents to make decisions regarding their appearance, except when their choices interfere with the educational program of the schools. The Board authorizes the Superintendent to establish

(X) a reasonable dress code

in order to promote a safe and healthy school setting and enhance the educational environment. The **(X) dress code** shall be incorporated into the Student Code of Conduct or Discipline Code.

USE OF TOBACCO

The Board of Education is committed to providing students, staff, and visitors with an indoor tobacco and smoke-free environment. The negative health effects of tobacco use for both the users and nonusers, particularly in connection with second hand smoke, are well established. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco or tobacco substitutes, including cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes or other lighted smoking devices for burning tobacco or any other substance.

In order to protect students and staff who choose not to use tobacco from an environment noxious to them, the Board prohibits the possession, consumption, purchase or attempt to purchase and/or use of tobacco or tobacco substitute products by students on Board premises, in Board-owned vehicles, within any indoor facility owned or leased or contracted for by the Board, and/or used to provide education or library services to children, and at all Board-sponsored events.

Students who violate this policy shall be subject to disciplinary action in accordance with the Student Code of Conduct/Student Discipline Code and in accordance with policies of the Board.

R.C. 3313.20, 3313.47, 3313.66, 3313.751, 2151.87
20 U.S.C. 6081 et seq., 20 U.S.C. 7182

BOE REVIEW**WEAPONS**

The Board of Education prohibits students from possessing, storing, making, or using a weapon, including a concealed weapon, in a school safety zone and any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle.

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type whatsoever, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

Policy exceptions include:

- (X) items pre-approved by the building principal as part of a class or individual presentation under adult supervision, if used for the purpose and in the manner approved (working firearms and any ammunition will never be approved as a part of a presentation);
 - (X) theatrical props used in appropriate settings.
- [X] Students shall report any information concerning weapons and/or threats of violence by students, staff members, or visitors. Failure to report such information may subject the student to disciplinary action.

The Superintendent will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion.

This policy will be published annually in all District student and staff handbooks. Publication is not a precondition to enforcement of this policy.

R.C. 2923.12, 2923.122, 3313.20, 3313.66, 3313.661
18 U.S.C. 921, 20 U.S.C. 8922, 20 U.S.C. 7151

USE OF BICYCLES

| The Board will permit the use of bicycles by students in accordance with the student handbook .

The Board will not be responsible for bicycles which are lost, stolen, or damaged.

R.C. 3313.20

USE OF MOTOR VEHICLES

Guidelines for the operation and parking of motor vehicles by students is documented in the student handbook which shall include the requirement that students

☒ [X] are licensed drivers.

The Board shall not be responsible for motor vehicles which are lost, stolen, or damaged while on school property.

R.C. 3313.20

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STUDENT HAZING

Hazing activities of any type are inconsistent with and disruptive to the educational process, and prohibited at any time in school facilities, on school property, and/or off school property if the misconduct is connected to activities or incidents that have occurred on school property. No administrator, faculty member, or other Board of Education employee shall encourage, permit, authorize, condone, or tolerate any hazing activities. No student shall plan, encourage, or engage in any hazing.

Hazing is defined as performing any act or coercing another, including the victim, to perform any act of initiation into any class, team, or organization that causes or creates a substantial risk of causing mental or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

Administrators, faculty members, and other employees of the Board shall be alerted to possible situations, circumstances, or events that might include hazing. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be ordered to end all hazing activities or planned activities immediately. All hazing incidents shall be reported immediately to the Superintendent. Students, administrators, faculty members, and other employees who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil and criminal penalties in accordance with law.

The Superintendent shall distribute this policy to all students and Board employees, and shall incorporate it into building, staff, and student handbooks. It shall also be the subject of periodic discussions at employee staff meetings or in-service programs.

Administrators, staff members and volunteers shall not intentionally remain ignorant of hazing or potential hazing activities.

Violations of this policy are subject to discipline as outlined in student handbook.

R.C. 2307.44, 2903.31, 3313.661

BULLYING AND OTHER FORMS OF AGGRESSIVE BEHAVIOR

- [X] The Board of Education is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community.

Harassment, intimidation, or bullying toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes aggressive behavior, physical, verbal, and psychological abuse, and violence within a dating relationship. The Board will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the District, including activities on school property, on a school bus, or while enroute to or from school, and those occurring off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, in a school vehicle, or where an employee is engaged in school business.

This policy has been developed in consultation with parents, District employees, volunteers, students, and community members as prescribed in R.C. 3313.666 and the State Board of Education's Model Policy.

Harassment, intimidation, or bullying means:

- A. any intentional written, verbal, electronic, or physical act that a student or group of students exhibits toward another particular student(s) more than once and the behavior both causes mental or physical harm to the other student(s) and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s); or
- B. violence within a dating relationship.

"Electronic act" means an act committed through the use of a cellular telephone, computer, pager, personal communication device, or other electronic communication device.

Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well being. This type of behavior is a form of intimidation and harassment, although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, or disability. It would include, but not be limited to, such behaviors as stalking, bullying/cyberbullying, intimidating, menacing, coercion, name calling, taunting, making threats, and hazing.

Harassment, intimidation, or bullying also means cyberbullying through electronically transmitted acts (i.e., internet, e-mail, cellular telephone, personal digital assistance (PDA), or wireless hand-held device) that a student(s) or a group of students exhibits toward another particular student(s) more than once and the behavior both causes mental and physical harm to the other student and is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student(s).

Any student or student's parent/guardian who believes s/he has been or is the victim of aggressive behavior should immediately report the situation to the Building Principal or assistant principal, or the Superintendent. The student may also report concerns to teachers and other school staff who will be responsible for notifying the appropriate administrator or Board official. Complaints against the Building Principal should be filed with the Superintendent. Complaints against the Superintendent should be filed with the Board President.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports may be made to those identified above.

All complaints about aggressive behavior that may violate this policy shall be promptly investigated. The Building Principal or appropriate administrator shall prepare a written report of the investigation upon completion. Such report shall include findings of fact, a determination of whether acts of harassment, intimidation, and/or bullying were verified, and, when prohibited acts are verified, a recommendation for intervention, including disciplinary action shall be included in the report. Where appropriate, written witness statements shall be attached to the report.

If the investigation finds an instance of harassment, intimidation, and/or bullying/cyberbullying by an electronic act or otherwise, has occurred, it will result in prompt and appropriate remedial and/or disciplinary action. This may include suspension or up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement officials.

If, during an investigation of a reported act of harassment, intimidation and/or bullying/cyberbullying, the Principal or appropriate administrator believes that the reported misconduct may have created a hostile learning environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal will report the act of bullying and/or harassment to one of the Anti-Harassment Compliance Officers so that it may be investigated in accordance with the procedures set forth in Policy 5517 - Anti-Harassment.

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of aggressive behavior is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as aggressive behavior. Retaliation may result in disciplinary action as indicated above.

Deliberately making false reports about harassment, intimidation, bullying and/or other aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Deliberately making false reports may result in disciplinary action as indicated above.

If a student or other individual believes there has been aggressive behavior, regardless of whether it fits a particular definition, s/he should report it and allow the administration to determine the appropriate course of action.

The District shall implement intervention strategies (AG 5517.01) to protect a victim or other person from new or additional harassment, intimidation, or bullying and from retaliation following such a report.

This policy shall not be interpreted to infringe upon the First Amendment rights of students (i.e., to prohibit a reasoned and civil exchange of opinions, or debate, that is conducted at appropriate times and places during the school day and is protected by State or Federal law).

The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken. If after investigation, acts of bullying against a specific student are verified, the Building Director or appropriate administrator shall notify the custodial parent/guardian of the victim of such finding. In providing such notification care shall be taken to respect the statutory privacy rights of the perpetrator of such harassment, intimidation, and/or bullying.

If after investigation, acts of harassment, intimidation, and/or bullying by a specific student are verified, the Building Director or appropriate administrator shall notify in writing the custodial parent/guardian of the perpetrator of that finding. If disciplinary consequences are imposed against such student, a description of such discipline shall be included in the notification.

Formal Complaints

Students and/or their parents/guardians shall file reports regarding suspected harassment, intimidation, or bullying. Such reports shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation, and/or bullying, and the names of any potential student or staff witnesses. Such reports may be filed with any school staff member or administrator, and they shall be promptly forwarded to the Building Principal for review, investigation, and action.

Informal Complaints

Students, parents/guardians, and school personnel may make informal or anonymous 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 complaints shall be reasonably specific including person(s) involved, number of times and places of the alleged conduct, the target of suspected harassment, intimidation, and/or bullying, and the names of any potential student or staff witnesses. A school staff member or administrator who receives an informal or anonymous complaint shall promptly document the complaint in writing, including the information provided. This written report shall be promptly forwarded by the school staff member and/or administrator to the Building Director for review, investigation, and appropriate action.

Individuals who make informal complaints as provided above may request that their name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. Anonymous complaints shall be reviewed and reasonable action shall be taken to address the situation, to the extent such action may be taken that (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 harassment, intimidation, and/or bullying.

When an individual making an informal complaint has requested anonymity, the investigation of such complaint shall be limited as is appropriate in view of the anonymity of the complaint. Such limitation of investigation may include restricting action to a simple review of the complaint subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

Privacy/Confidentiality

The School District will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.

Reporting Requirement

At least semi-annually, the Superintendent shall provide to the President of the Board a written summary of all reported incidents and post the summary on the District web site (if one exists). The list shall be limited to the number of verified acts of harassment, intimidation, and/or bullying, whether in the classroom, on school property, to and from school, or at school-sponsored events.

Allegations of criminal misconduct and suspected child abuse will be reported to the appropriate law enforcement agency and/or to Child Protective Services in accordance with statute. District personnel shall cooperate with investigations by such agencies.

Immunity

A School District employee, student, or volunteer shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy and R.C. 3313.666 if that person reports an incident of harassment, intimidation, and/or bullying promptly, in good faith, and in compliance with the procedures specified in this policy. Such immunity from liability shall not apply to an employee, student, or volunteer determined to have made an intentionally false report about harassment, intimidation, and/or bullying.

Notification

Notice of this policy will be **annually** circulated to and posted in conspicuous locations in all school buildings and departments within the District and discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. At least once each school year a written statement describing the policy and consequences for violations of the policy shall be sent to each student's custodial parent or guardian.

[X] The statement may be sent with regular student report cards or may be delivered electronically.

The policy and an explanation of the seriousness of bullying by electronic means shall be made available to students in the District and to their custodial parents or guardians.

State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review and sign off on this policy and the related complaint procedures.

RB – NOTE TO ADMIN

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying and violence within a dating relationship. The Superintendent or designee shall provide appropriate training to all members of the School District community related to the implementation of this policy and its accompanying administrative guidelines. All training regarding the Board's policy and administrative guidelines about aggressive behavior and bullying in general, will be age and content appropriate.

Annually, the District shall provide all students enrolled in the District with age-appropriate instruction regarding the Board's policy, including a written or verbal discussion of the consequences for violations of the policy.

Students in grades seven (7) through twelve (12) shall receive age-appropriate instruction in dating violence prevention education, including instruction in recognizing dating violence warning signs and characteristics of healthy relationships. Parents, who submit a written request to the Building Director to examine the dating violence prevention instruction materials used in the school, will be afforded an opportunity to review the materials within a reasonable period of time.

The District shall provide training, workshops, and/or courses on this policy for school employees and volunteers who have direct contact with students,. Time spent by school staff in these training programs shall apply toward mandated continuing education requirements.

In accordance with Board Policy 8462, the Superintendent shall include a review of this policy on bullying and other forms of harassment in the required training in the prevention of child abuse, violence, and substance abuse and the promotion of positive youth development.

The Superintendent shall develop administrative guidelines to implement this policy. Guidelines shall include reporting and investigative procedures, as needed. The complaint procedure established by the Superintendent shall be followed.

R.C. 3313.666, 3313.667

State Board of Education Model Policy (2007)

ANTI-HARASSMENT**General Policy Statement**

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (except as authorized by law), religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

[] The District will offer counseling services to any person found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.

For purposes of this policy, "School District community" means students, administrators, and professional and classified staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, District employees, coaches, or other persons in authority.

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.

Definitions**Bullying**

Bullying rises to the level of unlawful harassment when one (1) or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;

- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

Harassment

Harassment means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.

- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.

- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- J. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in R.C. 2907.03. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

Reports and Complaints of Harassing Conduct

Students and all other members of the School District community and third parties are encouraged to promptly report incidents of harassing conduct to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer () at his/her first convenience () within two (2) school days.

Members of the School District community, which includes students, or third parties who believe they have been unlawfully harassed are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Principal informed of the status of the Policy 5517 investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers".

The names, titles, and contact information of these individuals will be published annually:

(X) on the School District's web site.

The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the student, other member of the School District community or third party in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed within a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the person alleging the harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) school days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

Investigation and Complaint Procedure

Any student who believes that s/he has been subjected to unlawful harassment may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment or retaliation and a process for rendering a decision regarding whether the claim of legally prohibited harassment or retaliation was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights.

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint.

Students who believe that they have been unlawfully harassed may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process.

Students who believe that they have been unlawfully harassed may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving a District employee or any other adult member of the School District community against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if a student feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A student who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: (1) to a teacher, other employee, or building administrator in the school the student attends; (2) to the Superintendent or other District-level employee; and/or (3) directly to one of the Compliance Officers.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide students who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the student about how to communicate the unwelcome nature of the behavior to the alleged harasser.
- B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the student claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

All materials generated as part of the informal complaint process will be retained by the Compliance Officers in accordance with the School Board's records retention policy and/or Student records policy. (See Policy 8310 and Policy 8330)

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the student elects to file a formal complaint initially, the formal complaint process shall be implemented.

A student who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in writing, with a teacher, principal, or other District employee at the student's school, the Compliance Officer, Superintendent, or another District employee who works at another school or at the district level. Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, or other District employee at the student's school, Superintendent, or other District employee, either orally or in writing, about any complaint of harassment, that employee must report such information to the Compliance Officer or designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. () A Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant administrative guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;

- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. () The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within ten (10) school days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within ten (10) school days. At the conclusion of the additional investigation, the Superintendent shall issue a final written decision as described above.

☒ [X] The decision of the Superintendent shall be final.

OR

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the student alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

Privacy/Confidentiality

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The School District will employ all reasonable efforts to protect the rights of the Complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

All records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the *Family Educational Rights and Privacy Act* or under Ohio's student records law will be maintained in a manner consistent with the provisions of the Federal and State law.

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

State law defines certain contact between a teacher and a student as "sexual battery." If the Compliance Officer or a designee has reason to believe that the Complainant has been the victim of criminal conduct as defined in Ohio's Criminal Code, such knowledge should be immediately reported to local law enforcement.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Allegations Involving Conduct Unbecoming the Teaching Profession/Suspension

The Superintendent will report to the Ohio Department of Education, on forms provided for that purpose, matters of misconduct on the part of licensed professional staff members convicted of sexual battery, and will, in accordance with Policy 8141, suspend such employee from all duties that concern or involve the care, custody, or control of a child during the pendency of any criminal action for which that person has been arrested, summoned and/or indicted in that regard.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information, provided regarding the Board's policy and harassment in general, will be age and content appropriate.

R.C. 4112.02

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

20 U.S.C. 1681 et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

29 U.S.C. 794, Rehabilitation Act of 1973, as amended

29 U.S.C. 6101, The Age Discrimination Act of 1975

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

42 U.S.C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

42 U.S.C. 1983

National School Boards Association Inquiry and Analysis – May, 2008

BOE REVIEW**DISORDER AND DEMONSTRATION**

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

- [X] For purposes of this policy, disorder shall be any deliberate activity by an individual or a group, whether peaceful or violent, which interferes with the normal operation of the school.

The Board, having the responsibility for providing an educational program for the students of this District, shall have the authority to preserve order for the proper functioning of that program.

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

The Superintendent shall develop administrative guidelines for the implementation of this policy.

R.C. 3313.20

BOE REVIEW**DRUG PREVENTION**

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

- ☒ [X] As the educational institution of this community, the schools should strive to prevent drug abuse and help drug abusers by educational, rather than punitive, means.

For purposes of this policy, "drugs" shall mean:

- ☒ [X] all dangerous controlled substances as so designated and prohibited by Ohio statute;
- ☒ [X] all chemicals which release toxic vapors;
- ☒ [X] all alcoholic beverages;
- ☒ [X] any prescription or patent drug, except those for which permission to use in school has been granted pursuant to Board policy;
- ☒ [X] anabolic steroids;
- ☒ [X] any substance that is a "look-alike" to any of the above.

The Board prohibits the use, possession, concealment, or distribution of any drug or any drug-related paraphernalia as the term is defined by law, or the misuse of a product containing a substance that can provide an intoxicating or mood-altering effect

- ☒ [X] on school grounds.
- ☒ [X] on school vehicles.
- ☒ [X] at any school-sponsored event.

- [X] It further establishes a drug-free zone within 1000 feet of any facility used by the District for educational purposes.

The Superintendent shall prepare guidelines for the identification, amelioration, and regulation of drug use in the schools. Such guidelines shall:

- A. emphasize the prevention of drug use;
- B. provide for a comprehensive, age-appropriate, developmentally-based drug and alcohol education and prevention program which:
 - 1. addresses the legal, social, psychological, and health consequences of drug and alcohol use;
 - 2. provides information about effective techniques for resisting peer pressure to use illicit drugs and alcohol;
- C. include a statement to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful;
- D. provide standards of conduct that are applicable to all students and which clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students on school premises or as a part of any school activity;

- E. include a clear statement that disciplinary sanctions, up to and including expulsion and referral for prosecution, will be imposed on students who violate the school standards of conduct and a description of those sanctions;
 - (X) The sanctions may include, together with punitive action, voluntary referral to appropriate persons or agencies for screening and assessment. Such referral may only be made to qualified and properly licensed individuals or programs.
- F. provide information about any drug and alcohol counseling and rehabilitation and reentry programs available to students and provide procedures to direct students and their parents to the appropriate programs;
- G. require that all parents and students be given a copy of the standards of conduct regarding the unlawful possession, use, or distribution of illicit drugs and alcohol by students;
- H. require the notification to parents and students that compliance with the standards of conduct is mandatory;
- I. provide a biennial review of the School District's program to determine its effectiveness and implement changes as needed and to ensure that disciplinary sanctions are consistently enforced;
- [X] provide for a student assistance program which includes guidelines for prevention, intervention, referral, treatment, and after-care. Such a program must be comprehensive in nature addressing all issues affecting students' academic, social, and emotional well being in the educational setting which may negatively affect behavior and interfere with their ability to learn;

- [X] establish means for dealing with students suspected of drug use or suspected of possessing or distributing drugs in school and ensure that the District's policy and administrative guidelines on Search and Seizure Policy 5771 and AG 5771, Suspension and Expulsion Policy 5610 and AG 5610, and Permanent Exclusion Policy 5610.01 and AG 5610.01 are complied with fully.

The Superintendent shall establish administrative guidelines necessary to implement this policy. Such guidelines shall ensure that the proper notice regarding the use of anabolic steroids is posted in each of the District's locker rooms used by students in grades 7-12.

R.C. 2925.37, 3313.60(E), 3313.661, 3313.662, 3313.752, 3313.95, 3319.012

Public Law 101 - Drug-Free Schools and Communities Act of 1986

20 U.S.C. 3171 et seq.

20 U.S.C. 3224A

STUDENT ASSISTANCE PROGRAMS

In keeping with its concern for the safety and well-being of both students and staff and for maintaining a school environment that is conducive to learning, the Board of Education has adopted policies related to student conduct in the school setting and has authorized disciplinary measures for the violation of these policies.

The Board seeks to maintain a balance between maintaining a proper educational environment and a compassion for students who suffer from or are victims of intemperate, immoral, or illegal behavior. Educational programs have been established to promote healthful, productive living, and discipline shall be maintained to protect students and staff from actions that disrupt teaching and learning. However, the Board recognizes that students may experience difficulties that educational programs and sound discipline may not prevent, and that other forms of assistance need to be available through the school.

The Superintendent is authorized to establish one (1) or more assistance programs for students which provide for effective intervention in areas such as substance abuse, crisis situations, and other situations which have impact on students' emotional, mental, and/or social well-being and affect their ability to benefit from educational experiences.

INTERVIEWS WITH STUDENTS BY OUTSIDE AGENCIES

The Board of Education is committed to protecting students from harm that may or may not be directly associated with the school environment but also recognizes its responsibility to cooperate with law enforcement and public children's services agencies.

When law enforcement or other authorities arrive at the school and wish to interview a student or investigate an alleged violation of law, they must contact the building administrator indicating the nature of their investigation and their desire to question a student or students.

Investigation of Child Abuse/Neglect by a Public Children's Services Agency or Law Enforcement Agency

Every Board official and employee who, in connection with his/her position, knows or suspects child abuse or neglect must immediately report that knowledge or suspicion to a public children's services or law enforcement agency in accordance with Board Policy 8462.

At the request of the building administrator, an official of a public children's services agency or law enforcement agency may interview a student on school property during school hours in order to investigate a claim of child abuse/neglect involving such student or a member of the student's family. If neither the student nor a member of his/her family is the subject of the child abuse/neglect investigation, such agency should contact the student during non-school hours and investigate the matter off school property, if at all possible, unless the alleged child abuse took place on school property and/or involves an emergency situation.

If the student (or a member of his/her family) is the subject of a child abuse/neglect investigation, or the student is being interviewed regarding alleged child abuse that took place on school property or involves an emergency, the building administrator shall attempt to contact the parent prior to questioning, and s/he will remain in the room during questioning unless compelling reasons for exclusion are provided by the agency.

If an agency investigating child abuse/neglect indicates that the parent is believed to be the perpetrator, the building administrator will not contact either parent prior to the interview. The building administrator will remain in the room during questioning unless compelling reasons for exclusion are provided by the agency.

Investigations of Violations of Law by Law Enforcement Agencies

Such agencies should contact a student during non-school hours and investigate alleged violations of the law off school property if at all possible. An investigation can take place immediately on school property during school hours at the request of the building administrator if the alleged violation of law took place on school property or in emergency situations.

Before the student(s) is (are) questioned as a witness to or suspect in an alleged violation of law, the building administrator shall attempt to contact the parent prior to questioning and shall remain in the room during the questioning unless compelling reasons for exclusion are provided by the agency.

Notification and Release of Records

Attempts to notify the parents regarding investigations of child abuse/neglect and other law enforcement investigations should be documented diligently.

When an authorized law enforcement officer or public children's services agency removes a student, the building administrator shall notify the parent and the Superintendent.

No school official may release personally identifiable student information in education records to the police or public children's services agency without prior written permission of the parent, a lawfully-issued subpoena, or a court order. (See Board Policy 8330).

R.C. 3313.20, 3319.321

STUDENT DISCIPLINE

The Board of Education acknowledges that conduct is closely related to learning - an effective instructional program requires an orderly school environment and the effectiveness of the educational program is, in part, reflected in the behavior of students.

The Board believes that the best discipline is self-imposed and that students should learn to assume responsibility for their own behavior and the consequences of their actions. The Board has zero tolerance of violent, disruptive or inappropriate behavior by its students.

The Board shall require each student of this District to adhere to the Student Code of Conduct/Student Discipline Code adopted by the Board and to submit to such disciplinary measures as are appropriately assigned for infraction of those rules. Such rules shall require that students:

- A. conform to reasonable standards of socially-acceptable behavior;
- B. respect the person and property of others;
- C. preserve the degree of order necessary to the educational program in which they are engaged;
- D. respect the rights of others;
- E. obey constituted authority and respond to those who hold that authority.

The Student Code of Conduct/Student Discipline Code designates sanctions for the infractions of rules, excluding corporal punishment, which shall:

- A. relate in kind and degree to the infraction;
- B. help the student learn to take responsibility for his/her actions;
- C. be directed, where possible, to reduce the effects of any harm which may have been caused by the student's misconduct.

Students may be prohibited by authorized school personnel from participating in all or part of co-curricular and/or extra-curricular activities without further notice, hearing or appeal rights. A student who has been disorderly on a school bus may be suspended from transportation services consistent with Board policy and the Student Code of Conduct/Student Discipline Code.

The Superintendent shall publish to all students and their parents the rules of this District regarding student conduct and the sanctions which may be imposed for breach of those rules.

The Superintendent shall inform the Board periodically of the methods of discipline imposed by this District and the incidence of student misconduct in such degree of specificity as shall be required by the Board.

The Superintendent, principals, and other administrators shall have the authority to assign discipline to students, subject to the Student Code of Conduct/Student Discipline Code and, where required by law, to the student's due process right to notice, hearing, and appeal.

Teachers, school bus drivers, and other employees of this Board having authority over students may take such action as may be necessary to control the disorderly conduct of students in all situations and in all places where such students are within the jurisdiction of this Board and when such conduct interferes with the educational program of the schools or threatens the health and safety of others.

Discipline on Board vehicles shall be the responsibility of the driver on regular bus runs. When Board vehicles are used for field trips and other Board activities, the teacher, coach, advisor, or other Board employee shall be responsible for student discipline. If a student becomes a serious discipline problem on a vehicle, the Superintendent and/or his/her designee may suspend the transportation privileges of the student providing such suspension conforms with due process. The procedures for suspension are set forth in the Student Code of Conduct/Student Discipline Code and Board Policy 5611 – Due Process Rights.

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~~No student is to be detained after the close of the regular school day unless the student's parent has been contacted and informed that the student will be detained. If a parent cannot be contacted, the student should be detained on another day.~~

R.C. 3313.20, 3313.66, 3313.661, 3315.07, 3327.041

A.C. 3301-35-03(G), 3301-83-08

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SUSPENSION/EXPULSION OF STUDENTS WITH DISABILITIES

In addition to following the requirements and procedures set forth for all students in Policy 5610, the Board of Education shall also abide by State and Federal laws and regulations when disciplining students with disabilities through removal by suspension and/or expulsion.

The Superintendent shall establish administrative guidelines that shall be followed when disciplining any student with a disability.

20 U.S.C. Section 1401 et seq.

Section 504, 1973 Rehab. Act

29 U.S.C. 701 et seq.

34 C.F.R. 300.530-537

BOE REVIEW**PERMANENT EXCLUSION OF NONDISABLED STUDENTS**

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

- A. carrying a concealed weapon or conveying or possessing a deadly weapon or dangerous ordnance on property owned or controlled by a board of education or at an activity held under the auspices of this Board
- B. possessing, selling, or offering to sell controlled substances on property owned or controlled by a board of education or at an activity under the auspices of this Board
- C. complicity to commit any of the above offenses, regardless of where the complicity occurred

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

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

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

If the Superintendent has adequate evidence that a student, sixteen (16) years old or older at the time of the offense, has been convicted of or is an adjudicated delinquent resulting from any of the above offenses, s/he shall submit a written recommendation to the Board that the student should be permanently excluded from the public schools by the State Superintendent of Public Instruction. The recommendation is to be accompanied by the evidence, other information required by statute, and the name and position of the person who should present the District's case to the State Superintendent. The Board, after considering all the evidence, including the hearing of witnesses, shall take action within fourteen (14) days after receipt of the Superintendent's recommendation.

If the Board adopts the resolution, the Superintendent shall submit it to the State Superintendent, together with the required documents and the name of the person designated by the Board as its representative to present the case to the State Superintendent. A copy of the resolution shall be sent to both the student and his/her parents.

If the Board fails to pass the resolution, it shall so notify the Superintendent, in writing, who, in turn, shall provide written notification of the Board's action to both the student and his/her parents.

If the State Superintendent rejects the Board's request, the District Superintendent shall readmit the student in accordance with statute and District guidelines.

If the State Superintendent acts on the Board's request, his/her actions and those of the District shall be in accord with the procedures described in statute.

R.C. 2151.27, 2903.03-.04, 2903.11-.12, 2907.02, 2907.05, 2907.12, 2923.12

R.C. 2923.22, 2925.03, 2923.01-.02, 2923.122, 3313.66, 3313.661, 3313.662

IN-SCHOOL DISCIPLINE

It is the purpose of this policy to allow for an alternative to out-of-school suspension.

In-school discipline will only be offered at the discretion of the _Principal.

The Superintendent is to establish administrative guidelines for the proper operation of such programs. As long as the in-school disciplinary alternatives are served entirely in the school setting, they will not require any notice, hearing or appeal rights.

R.C. 3313.66, 3313.661

EMERGENCY REMOVAL OF STUDENTS

If a student's presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process taking place either in a classroom or elsewhere on school premises, then the Superintendent, principal or assistant principal may remove the student from curricular activities or from the school premises. A teacher may remove the student from curricular activities under the teacher's supervision, but not from the premises. If a teacher makes an emergency removal, the teacher will notify a building administrator of the circumstances surrounding the removal in writing, as soon as practicable. No prior notice or hearing is required for any removal under this policy. In all cases of normal disciplinary procedures where a student is removed from a curricular activity for less than one (1) school day and is not subject to further suspension or expulsion, the following due process requirements do not apply.

If the emergency removal exceeds one (1) school day, then a due process hearing will be held within three (3) school days after the removal is ordered. Written notice of the hearing and the reason for the removal and any intended disciplinary action will be given to the student as soon as practical prior to the hearing. If the student is subject to out-of-school suspension, the student will have the opportunity to appear at an informal hearing before the principal, assistant principal, Superintendent or designee and has the right to challenge the reasons for the intended suspension or otherwise explain his/her actions. Within one (1) school day of the decision to suspend, written notification will be given to the parent(s)/guardian(s) or custodian of the student and Treasurer of the Board of Education. This notice will include the reasons for the suspension, the right of the student or parent(s)/guardian(s) to appeal to the Board or its designee and the student's right to be represented in all appeal proceedings. If it is probable that the student may be subject to expulsion, the hearing will take place within three (3) school days and will be held in accordance with the procedures outlined in the Policy 5611 – Due Process Rights. The person who ordered or requested the removal will be present at the hearing.

If the Superintendent or principal reinstates a student prior to the hearing for emergency removal, the teacher may request and will be 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 misconduct is disposed of either by reinstatement, suspension or expulsion.

R.C. Chapter 2506, 3313.66, 3313.661, 3313.662

SUSPENSION OF BUS RIDING/TRANSPORTATION PRIVILEGES

Students on a bus or other authorized Board of Education transportation vehicles are under the authority of and directly responsible to the bus/vehicle driver. The driver has the authority to enforce the established regulations for bus/vehicle conduct. Disorderly conduct or refusal to submit to the authority of the driver will be sufficient reason for refusing transportation service to any student.

A student may be suspended from school bus/vehicle riding privileges for all or part of a school year for any violation of established regulations for bus conduct and/or for conduct occurring on the bus/vehicle in violation of the Student Code of Conduct/Student Discipline Code.

Before a suspension from bus/vehicle riding privileges is imposed, the Superintendent or other designated District personnel will provide a student with notice of an intended suspension and an opportunity to appear before the Superintendent or other designated District personnel. Disciplinary suspension periods will be commensurate with the infraction(s) committed as determined by the Superintendent or designated District personnel.

Any additional guidelines regarding conduct on school buses/vehicles, as well as general information about the school transportation program, will be made available to all parents and students and posted in a central location.

RB – POST NOTE

R.C. 3319.41, 3327.01, 3327.014

A.C. 3301-83-08

(Note: This policy must be posted in a central location in each school building and made available to students upon request in order to be effective, i.e. to take advantage of the ability to suspend students from bus privileges for more than ten (10) days without the full panoply of rights otherwise available under 3313.66. Furthermore, this policy and any guidelines should be incorporated into student handbooks.)

HOLD**CK AD RE CONSISTENCY W ATHL HANDBOOK****PROHIBITION FROM EXTRA-CURRICULAR ACTIVITIES**

Participation in extra-curricular activities, including interscholastic sports, is a privilege and not a right. Therefore, the Board of Education authorizes the Superintendent, principals, and assistant principals

[X] and other authorized personnel employed by the District to supervise or coach a student activity program,

to prohibit a student from participating in any particular or all extra-curricular activities of the District for offenses or violations of the Student Code of Conduct/Co-Curricular Student Handbook.

Students prohibited from participation in all or part of any extra-curricular activity are not entitled to further notice, hearing, or appeal rights with the exception of rights listed in Co-Curricular Handbook.

This policy shall be posted in a central location in each school building and will be available to students upon request.

R.C. 3313.664

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**REMOVAL, SUSPENSION, EXPULSION, AND PERMANENT EXCLUSION
OF STUDENTS**

The Board of Education recognizes that exclusion from the educational program of the schools, whether by emergency removal, out-of-school suspension, expulsion, or permanent exclusion, is the most severe sanction that can be imposed on a student in this District, and one that cannot be imposed without due process. However, the Board has zero tolerance of violent, disruptive or inappropriate behavior by its students.

No student is to be removed, suspended out-of-school, expelled and/or permanently excluded unless his/her behavior represents misconduct as specified in the Student Code of Conduct/Student Discipline Code approved by the Board. The Code shall also specify the procedures to be followed by school officials when implementing such discipline. In addition to the procedural safeguards and definitions set forth in this policy and the student/parent handbook, additional procedures and considerations shall apply to students identified as disabled under the IDEA, ADA, and/or Section 504 of the Rehabilitation Act of 1973. (See Policy 5605 "Suspension/Expulsion of Disabled Students.")

Students may be subject to discipline for violation of the Student Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but where such conduct is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a District official or employee, or the property of such official or employee.

For purposes of this policy and the Student Code of Conduct/Student Discipline Code, the following shall apply:

- A. "Emergency removal" shall be the exclusion of a student who poses a continuing danger to District property or persons in the District or whose behavior presents an on-going threat of disrupting the educational process provided by the District. (See Policy 5610.03 "Emergency Removal")

- B. "Suspension" shall be the temporary exclusion of a student by the Superintendent, principal, assistant principal, or any other administrator from the District's instructional program for a period not to exceed ten (10) school days. Suspension may extend beyond the current school year, if at the time a suspension is imposed, fewer than ten (10) days remain in the school year. The Superintendent may apply any or all of the period of suspension to the following year. The procedures for suspension are set forth in the Student Code of Conduct/Student Discipline Code and Board Policy 5611 "Due Process Rights".
- C. "Expulsion" shall be the exclusion of a student from the schools of this District for a period not to exceed the greater of eighty (80) school days or the number of school days remaining in a semester or term in which the incident that gives rise to the expulsion takes place or for one (1) year as specifically provided in this policy and the Student Code of Conduct/Student Discipline Code. Only the Superintendent may expel a student. The procedures for expulsion are set forth in the Student Code of Conduct/Student Discipline Code and Board Policy 5611 "Due Process Rights".

1. **Firearm or Knife**

Unless a student is permanently excluded from school, the Superintendent shall expel a student from school for a period of one (1) year for bringing a firearm or knife to a school building or on to any other property (including a school vehicle) owned, controlled, or operated by the Board, to an interscholastic competition, an extra-curricular event, or to any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, except that the Superintendent may reduce this period on a case-by-case basis in accordance with this policy. Similarly, the Superintendent shall expel a student from school for a period of one (1) year for possessing a firearm or knife at school or on any other property (including a school vehicle) owned, controlled, or operated by the Board, at interscholastic competition, an extra-curricular event, or at any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, except the Superintendent may reduce this period on a case-by-case basis in accordance with this policy. The expulsion may extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place. The Superintendent shall refer any student expelled for bringing a firearm (as defined in 18 U.S.C. 921(a)(3)) or weapon to school to the criminal justice or juvenile delinquency system serving the District.

A firearm is defined as any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or silencer, or any destructive device. A destructive device, includes, but is not limited to any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device.

A knife is defined as any weapon or cutting instrument consisting of a blade fastened to a handle; a razor blade; or any similar device (including sharp, metal martial arts weapons such as ninja throwing stars) that is used for, or is readily capable of, causing death or serious bodily injury.

The Superintendent may, in his/her sole judgment and discretion, modify or reduce such expulsion in writing, to a period of less than one(1) year, on a case-by-case basis, upon consideration of the following:

- a. Applicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student's disability);
- b. The degree of culpability given the age of the student and its relevance to the misconduct and/or punishment and/or evidence regarding the probable danger posed to the health and safety of others, including evidence of the student's intent and awareness regarding possession of the firearm or knife; and/or
- c. The academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

2. Violent Conduct

If a student commits an act at school, on other school property, at an interscholastic competition, extra-curricular event, or any other school program or activity and the act:

- a. would be a criminal offense if committed by an adult;

and

- b. results in serious physical harm to person(s) as defined in R.C. 2901.01(A)(5), or to property as defined in R.C. 2901.01(A)(6)

the Superintendent may expel the student for a period of up to one (1) year. The Superintendent may extend the expulsion into the next school year or reduce the expulsion as necessary on a case-by-case basis as specified below. The student need not be prosecuted or convicted of any criminal act to be expelled under this provision.

The Superintendent may, in his/her sole judgment and discretion, reduce such expulsion to a period of less than one (1) year, on a case-by-case basis, upon consideration of the following:

- a. Applicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student's disability);

or

- b. other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

If at the time of the suspension or expulsion, there are fewer days remaining in the school year than the number of days of the suspension or expulsion, the Superintendent may apply any or all of the remaining period to the following school year.

3. Bomb Threats

If a student makes a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat, the Superintendent may expel the student for a period of up to one (1) year. The Superintendent may extend the expulsion into the next school year or reduce the expulsion as necessary on a case-by-case basis as specified below. The student need not be prosecuted or convicted of any criminal act to be expelled under this provision.

The Superintendent may, in his/her sole judgment and discretion, reduce such expulsion to a period of less than one (1) year, on a case-by-case basis, for the following reasons:

- a. for students identified as disabled under the IDEA, ADA, and Section 504 of the Rehabilitation Act of 1973, upon recommendation from the group of persons knowledgeable of the student's educational needs;

or

- b. other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

If at the time of the suspension or expulsion, there are fewer days remaining in the school year than the number of days of the suspension or expulsion, the Superintendent may apply any or all of the remaining period to the following school year.

- D. "Permanent exclusion" shall mean the student is banned forever from attending a public school in the State of Ohio. (See Policy 5610.01)

If a student is expelled for more than twenty (20) school days or for any period of time that extends into the next school year, the Superintendent shall provide the student and his/her parents with the names, addresses, and telephone numbers of those public or private agencies in the community which offer programs or services that help to rectify the student's behaviors and attitudes that contributed to the incident(s) that caused the expulsion.

If the Superintendent determines that a student's behavior on a school vehicle violates school rules, s/he may suspend the student from school bus-riding privileges for the length of time deemed appropriate for the violation and remediation of the behavior. Any such suspension must comply with due process and the Student Code of Conduct/Student Discipline Code.

The Board authorizes the Superintendent to provide for options to suspension/expulsion of a student from school which may include alternative educational options.

The Superintendent shall initiate expulsion proceedings against a student who has committed an act that warrants expulsion under Board policy even if the student withdraws from school prior to the hearing or decision to impose the expulsion. The expulsion must be imposed for the same duration it would have been had the student remained enrolled.

The Board may temporarily deny admittance to any student who has been expelled from the schools of another Ohio district or an out-of-state district, if the student's expulsion period set by the other district has not expired. The expelled student shall first be offered an opportunity for a hearing. This provision also applies to a student who is the subject of a power of attorney designating the child's grandparent as the attorney-in-fact or caretaker authorization affidavit executed by the child's grandparent and is seeking admittance into the schools of this District in accordance with Policy 5111.

The Board may temporarily deny admittance to any student who has been suspended from the schools of another Ohio district, if the student's suspension period set by the other district has not expired. The suspended student shall first be offered an opportunity for a hearing before the Board.

When a student is expelled from this District, the Superintendent shall send written notice to any college in which the expelled student is enrolled under Postsecondary Enrollment Options at the time the expulsion is imposed. The written notice shall indicate the date the expulsion is scheduled to expire.

- (X) and that the Board has adopted a provision in Policy 2271 under R.C. 3313.613 to deny high school credit for postsecondary courses taken during an expulsion.

If the expulsion is extended, the Superintendent shall notify the college of the extension.

- [X] The Superintendent may require a student to perform community service in conjunction with or in place of a suspension or 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 suspension or expulsion into the following school year.

A copy of this policy is to be posted in a central location in each school and made available to students and parents upon request. Key provisions of the policy should also be included in the parent-student handbook.

R.C. 2919.222, 3313.534, 3313.649, 3313.66, 3313.661, 3313.662, 3313.663

R.C. 3313.664, 3321.13 (B)(3) and (C), 3327.014

18 U.S.C. Section 921

20 U.S.C. 3351, 20 U.S.C. 7151, 20 U.S.C. 8921

BOE REVIEW

DUE PROCESS RIGHTS

The Board of Education recognizes that students waive certain constitutional rights, regarding their education.

Accordingly, the Board establishes the following procedures:

A. Student subject to suspension:

When a student is being considered for an out-of-school suspension by the Superintendent, principal, or other administrator:

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

4. Within one (1) school day of the suspension the Superintendent, principal, or other administrator will notify the parents, guardians, or custodians of the student and the Treasurer of the Board. The notice will include the reasons for the suspension and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; and the right to request the hearing be held in executive session if before the Board. The notice shall also specify that if the student, parent, guardian, or custodian intends to appeal the suspension to the Board or its designee, such notice of appeal shall be filed, in writing, with the Treasurer of the Board or the Superintendent within ____14____ calendar days after the date of the notice to suspend. **[Note: It is recommended that the Board require individuals to file the notice of appeal within a specific number of calendar days after the suspension notice. The Board cannot specify a date for the filing of a notice of appeal of an expulsion that is less than fourteen (14) days].** If the offense is one for which the District may seek permanent exclusion, then the notice will contain that information.
5. Notice of this suspension will also be sent to the:
 - a. Superintendent;
 - b. Board Treasurer;
 - c. student's school record (not for inclusion in the permanent record).

6. If a student leaves school property without permission immediately upon violation (or suspected violation) of a provision of the Student Code of Conduct/Student Discipline Code or prior to an administrator conducting an informal hearing as specified above, and the student fails to return to school on the following school day, the principal, assistant principal, Superintendent, or any other administrator, may send the student and his/her parent(s)/guardian(s) notice of the suspension, and offer to provide the student and/or his/her parents an informal hearing upon request to discuss the reasons for the suspension and to allow the student to challenge the reasons and to explain his/her actions, any time prior to the end of the suspension period.

Appeal of Suspension to the Board or its designee

The student who is eighteen (18) or older or the student's parent(s) or guardian(s) may appeal the suspension to the Board or its designee. They may be represented in all such appeal proceedings.

A verbatim record will be kept of the hearing which may be held in executive session at the request of the student, parent, or guardian, if held before the Board.

The procedure to pursue such appeal will be provided in regulations approved by the Superintendent. Notice of appeal must be filed, in writing, with the Treasurer or the Superintendent within ____14____ calendar days after the date of the notice to suspend.

[Note: It is recommended that the Board require individuals to file the notice of appeal within a specific number of calendar days after the suspension notice. The Board cannot specify a date for the filing of a notice of appeal of an expulsion that is less than fourteen (14) days].

Appeal to the Court

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

B. Students subject to expulsion:

When a student is being considered for expulsion by the Superintendent:

1. The Superintendent will give the student and parent, guardian, or custodian written notice of the intended expulsion, including reasons for the intended expulsion.
2. The student and parent or representative have the opportunity to appear before the Superintendent or designee to challenge the proposed action or to otherwise explain the student's actions. The written notice will state the time and place to appear, which must not be earlier than three (3) school days nor later than five (5) school days after the notice is given, unless the Superintendent grants an extension upon request of the student or parent.
3. Within one (1) school day of the expulsion, the Superintendent will notify the parents, guardians, or custodians of the student and Treasurer of the Board. The notice will include the reasons for the expulsion and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; and the right to request the hearing be held in executive session if before the Board. The notice shall also specify that if the student, parent, guardian, or custodian intends to appeal the expulsion to the Board or its designee, such notice of appeal shall be filed, in writing, with the Treasurer of the Board or the Superintendent within ____14____ calendar days after the date of the notice of expulsion. **[Note: Under statute, the Board cannot specify a date for the filing of a notice of appeal of an expulsion that is less than fourteen (14) days].** If the offense is one for which the District may seek permanent exclusion, then the notice will contain that information.

Appeal of Expulsion to the Board

A student who is eighteen (18) or older or a student's parent(s) or guardian(s) may appeal the expulsion by the Superintendent to the Board or its designee. They may be represented in all such appeal proceedings and will be granted a hearing before the Board or its designee.

A verbatim record will be kept of the hearing which may be held in executive session at the request of the student, parent, or guardian.

The procedure to pursue such appeal will be in accordance with regulations approved by the Superintendent. Notice of appeal must be filed, in writing, within ____14____ calendar days after the date of the Superintendent's decision to expel with the Treasurer of the Board or the Superintendent. **[Note: Under statute, the Board cannot specify a date for the filing of a notice of appeal of an expulsion that is less than fourteen (14) days].**

While a hearing before the Board may occur in executive session, the Board must act in public.

Appeal to the Court

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

C. Students subject to emergency removal:

Students whose conduct warrants emergency removal shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.03 – Emergency Removal.

D. Students subject to permanent exclusion:

Students whose conduct is that for which permanent exclusion is warranted shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.01 – Permanent Exclusion of Nondisabled Students.

E. Students subject to suspension from bus riding/transportation privileges:

Students whose conduct warrants suspension from bus riding and/or transportation services shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.04 - Suspension of Bus Riding/Transportation Privileges.

The Superintendent shall ensure that all members of the staff use the above procedures when dealing with students. In addition, this statement of due process rights is to be placed in all student handbooks in a manner that will facilitate understanding by students and their parents.

These procedures shall not apply to in-school disciplinary alternatives including in-school suspensions. An in-school suspension is one served entirely within a school setting. Nor shall these disciplinary alternative procedures apply to students who are prohibited by authorized school personnel from all or part of their participation in co-curricular, interscholastic, and/or noninterscholastic extra-curricular activities.

R.C. 3313.20, 3313.66, 3313.661

BOE REVIEW

**POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS AND LIMITED USE
OF RESTRAINT AND SECLUSION**

The Board is committed to the District-wide use of Positive Behavior Intervention and Supports ("PBIS") with students. Student Personnel shall work to prevent the need for the use of restraint and/or seclusion. PBIS emphasizes prevention of student behavior problems through the use of non-aversive techniques, which should greatly reduce, if not eliminate, the need to use restraint and/or seclusion.

Professional staff members and support staff determined appropriate by the Superintendent are permitted to physically restrain and/or seclude a student, but only when there is immediate risk of physical harm to the student and/or others, there is no other safe and effective intervention possible, and the physical restraint or seclusion is used in a manner that is age and developmentally appropriate

All restraint and seclusion shall only be done in accordance with this Policy, which is based on the standards adopted by the State Board of Education regarding the use of student restraint and seclusion.

Training in methods of PBIS and the use of restraint and seclusion will be provided to all professional staff and support staff determined appropriate by the Superintendent. Training will be in accordance with the State's Standards. Only school staff who are trained in permissible seclusion and physical restraint measures shall use such techniques.

Every use of restraint and seclusion shall be documented and reported in accordance with this Policy.

This Policy shall be made available to parents annually and shall be published on the District's website.

DEFINITIONS

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

Chemical restraint means a drug or medication used to control a student's behavior or restrict freedom of movement that is not:

- A. Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under Ohio law, for the standard treatment of a student's medical or psychiatric condition; and
- B. Administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under Ohio law.

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

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

Mechanical restraint means any method of restricting a student's freedom of movement, physical activity, or normal use of the student's body, using an appliance or device manufactured for this purpose. Mechanical restraint does *not* mean devices used by trained school personnel, or used by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed, including:

- A. restraints for medical immobilization;
- B. adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or
- C. vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

Parent means:

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

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

Physical restraint means the use of physical contact that immobilizes or reduces the ability of a student to move his/her arms, legs, body, or head freely. Physical restraint does *not* include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does *not* include brief physical contact for the following or similar purposes to:

- A. break up a fight;
- B. knock a weapon away from a student's possession;
- C. calm or comfort;
- D. assist a student in completing a task/response if the student does not resist the contact; or
- E. prevent an impulsive behavior that threatens the student's immediate safety (e.g., running in front of a car).

Positive Behavior Intervention and Supports ("PBIS") means a school-wide systematic approach to embed evidence-based practice and data-driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increase learning for all students. PBIS encompasses a range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behaviors to students.

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

Prone restraint means physical or mechanical restraint while the student is in the face-down position for an extended period of time.

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

Student means a child or adult aged three (3) to twenty-one (21) enrolled in the District.

Student Personnel means teachers, principals, counselors, social workers, school resource officers, teacher's aides, psychologists, bus drivers, or other District staff who interact directly with students.

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

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS

Positive Behavior Intervention and Supports ("PBIS") creates structure in the environment using a non-aversive effective behavioral system to improve academic and behavior outcomes for all students.

The PBIS prevention-oriented framework or approach shall apply to all students and staff, and in all settings.

PBIS shall include:

- A. school staff trained to identify conditions such as where, under what circumstances, with whom, and why specific inappropriate behavior may occur;
- B. preventative assessments that include:
 - 1. review of existing data;
 - 2. interviews with parents, family members, and students; and
 - 3. examination of previous and existing behavioral intervention plans.

- C. development and implementation of preventative behavioral interventions, and the teaching of appropriate behavior, including:
 - 1. modification of environmental factors that escalate inappropriate behavior;
 - 2. supporting the attainment of appropriate behavior; and
 - 3. use of verbal de-escalation to defuse potentially violent dangerous behavior.

The Superintendent shall develop emergency procedures for the District.

SECLUSION

Seclusion may be used only when a student's behavior poses an immediate risk of physical harm to the student or others and no other safe and effective intervention is possible. Seclusion may be used only as a last resort safety intervention that provides the student with an opportunity to regain control of his/her actions. Seclusion must be used in a manner that is age and developmentally appropriate, for the minimum amount of time necessary for the purpose of protecting the student and/or others from physical harm, and otherwise in compliance with this Policy and the Ohio Department of Education's ("ODE") corresponding policy.

Seclusion shall be implemented only by Student Personnel who have been trained in accordance with this Policy to protect the care, welfare, dignity and safety of the student.

Additional requirements for the use of seclusion:

If Student Personnel use seclusion, they must:

- A. continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- B. use verbal strategies and research-based de-escalation techniques in an effort to help the student regain control as quickly as possible;
- C. remove the student from seclusion when the immediate risk of physical harm to the student and/or others has dissipated;
- D. conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- E. complete all required reports and document their observations of the student.

Requirements for a room or area used for seclusion:

A room or area used for seclusion must provide for adequate space, lighting, ventilation, clear visibility, and the safety of the student.

A room or area used for seclusion *must not be locked* or otherwise prevent the student from exiting the area should staff become incapacitated or leave the area.

Additional prohibited seclusion practices:

Seclusion shall never be used as a punishment or to force compliance.

Seclusion shall not be used:

- A. for the convenience of staff;
- B. as a substitute for an educational program;
- C. as a form of discipline or punishment;
- D. as a substitute for less restrictive alternatives;
- E. as a substitute for inadequate staffing;
- F. as a substitute for staff training in positive behavior supports and crisis prevention and intervention;
- G. as a means to coerce, retaliate, or in a manner that endangers a student; or
- H. if it deprives the student of basic needs.

Seclusion of preschool-age children is prohibited, except that a preschool-age child may be secluded from his or her classmates, either in the classroom or in a safe, lighted, and well-ventilated space, for an amount of time that is brief in duration and appropriate to the child's age and development, if the child is always within sight and hearing of a preschool staff member.

RESTRAINT

There are different types of restraint, as defined above, including physical restraint, prone restraint, mechanical restraint, and chemical restraint. The use of restraint other than physical restraint is prohibited.

Physical restraint may be used only when the student's behavior poses an immediate risk of physical harm to the student and/or others and no other safe and/or effective intervention is possible. The physical restraint must be implemented in a manner that is age and developmentally appropriate, does not interfere with the student's ability to communicate in his/her primary language or mode of communication, and otherwise in compliance with this Policy and the ODE's corresponding policy.

Physical restraint shall be implemented only by Student Personnel who have been trained in accordance with this Policy to protect the care, welfare, dignity and safety of the student, except in the case of rare and unavoidable emergency situations when trained personnel are not immediately available.

Additional requirements for the use of physical restraint:

If Student Personnel use physical restraint, they must:

- A. continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- B. use verbal strategies and research-based de-escalation techniques in an effort to help the student regain control;
- C. remove the student from physical restraint immediately when the immediate risk of physical harm to the student and/or others has dissipated;
- D. conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- E. complete all required reports and document their observations of the student.

Physical restraint shall not be used for punishment or discipline, or as a substitute for other less restrictive means of assisting a student in regaining control.

Prohibited Restraint Practices

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

- A. prone restraint as defined in Executive Order 2009-13 (which defines prone restraint to mean "all items or measures used to limit or control the movement or normal functioning of any portion, or all, of an individual's body while the individual is in a face-down position for an extended period of time");
- B. physical restraint that restricts the airway of a student or obstructs the student's ability to breathe;
- C. physical restraint that impacts the student's primary mode of communication;
- D. restraint of preschool-age students, except for holding a child for a short period of time, such as in a protective hug, so that the child may regain control;
- E. restraint that deprives the student of basic needs;
- F. restraint that unduly risks serious harm or needless pain to the student, including physical restraint that involves the intentional, knowing, or reckless use of any of the following techniques:
 - 1. using any method that is capable of causing loss of consciousness or harm to the neck or restricting/obstructing respiration in any way;
 - 2. pinning down the student by placing knees to the torso, head and/or neck of the student;

3. using pressure points, pain compliance, or joint manipulation;
 4. dragging or lifting of the student by the hair or ear or by any type of mechanical restraint;
 5. using other students or untrained staff to assist with the hold or restraint; or
 6. securing the student to another student or to a fixed object.
- G. mechanical restraint (that does not include devices used by trained Student Personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed); or
- H. chemical restraint (which does not include medication administered as prescribed by a licensed physician).

ADDITIONAL PROHIBITED PRACTICES

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

- A. corporal punishment;
- B. child endangerment as defined in Ohio Revised Code 2919.22; and
- C. aversive behavioral interventions.

FUNCTIONAL BEHAVIORAL ASSESSMENT AND BEHAVIOR INTERVENTION PLAN

If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, District personnel shall conduct a functional behavioral assessment to identify the student's needs and more effective ways of addressing those needs. If necessary, District personnel shall also develop a behavior intervention plan that incorporates positive behavioral interventions.

TRAINING AND PROFESSIONAL DEVELOPMENT

The District shall provide training as follows:

- A. All Student Personnel, as defined in this Policy, shall be trained annually on the requirements of the Ohio Department of Education's Policy on Positive Behavior Intervention and Supports, and Restraint and Seclusion; Ohio Administrative Code 3301-51-15; and this Policy.

- B. The Superintendent, in consultation with each school building's principal

(X) and/or assistant principal

, shall identify which District employees should receive additional training so that an adequate number of personnel in each building are trained in crisis management and de-escalation techniques, including the use of restraint and seclusion. District employees who receive such additional training must keep their training current in accordance with the requirements of the provider of the training.

- C. The Superintendent shall develop a plan to provide training to school personnel, as defined in this Policy, so that Positive Behavior Intervention and Supports are implemented on a District-wide basis.

[X] Implementation of PBIS throughout the District may be a multi-year process, with training taking place over several years.

The District shall maintain written or electronic documentation on training provided and lists of participants in each training.

Only individuals trained in accordance with this Policy in the appropriate use of restraint and seclusion may use those techniques.

MONITORING AND COMPLAINT PROCEDURES

The Superintendent shall develop a monitoring procedure to ensure that this Policy is appropriately implemented.

Any parent of a child enrolled in school in the District may submit a written complaint to the Superintendent regarding an incident of restraint or seclusion. The Superintendent shall investigate each written complaint and respond in writing to the parent's complaint within thirty (30) days of receipt of the complaint.

(X) If the parent is not satisfied with the response provided, the parent may request to meet with the Board in executive session to address the situation.

REQUIRED DATA AND REPORTING

Each use of restraint or seclusion shall be:

- A. documented in writing;
- B. reported to the building administration immediately;
- C. reported to the parent immediately; and
- D. documented in a written report.

A copy of the written report shall be made available to the student's parent or guardian within twenty-four (24) hours of the use of restraint or seclusion. A copy of the written report shall also be maintained in the student's file.

All written documentation of the use of restraint or seclusion are educational records pursuant to the Family Educational Right to Privacy Act ("FERPA"), and district personnel are prohibited from releasing any personally identifiable information to anyone other than the parent, in accordance with FERPA's requirements.

The Superintendent shall develop a process for the collection of data regarding the use of restraint and seclusion.

The Superintendent shall report information concerning the use of restraint and seclusion annually to the Ohio Department of Education as requested by that agency, and shall make the District's records concerning restraint and seclusion available to the staff of the Ohio Department of Education upon request.

* Adapted from the Ohio Department of Education's Policy on Positive Behavior Intervention and Supports, and Restraint and Seclusion, adopted January 15, 2013.

CORPORAL PUNISHMENT

While recognizing that students may require disciplinary action in various forms, the Board of Education does not condone the use of unreasonable force and fear as an appropriate procedure in student discipline.

Professional staff should not find it necessary to resort to physical force or violence to compel obedience. If all other means fail, staff members may always resort to removal of the student from the classroom or school through suspension or expulsion procedures.

Professional staff as well as classified staff may, within the scope of their employment, use and apply reasonable and necessary force and restraint to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon or within the control of the student, in self-defense, or for the protection of persons or property.

Corporal punishment is not permitted. If any employee threatens to inflict, inflicts, or causes to inflict unnecessary, unreasonable, irrational, or inappropriate force upon a student, s/he may be subject to discipline by this Board and possibly charges of child abuse as well. This prohibition applies as well to volunteers and those with whom the District contracts for services.

R.C. 2919.22(B), 3313.20(B), 3319.41

BOE REVIEW**STUDENT COMPLAINTS**

The Board of Education recognizes that, as citizens, students have the right to request redress of grievances. Further, the Board believes that the inculcation of respect for lawful procedures is an important part of the educational process. Accordingly, individual and group complaints should be provided for and appropriate appeal procedures implemented.

For purposes of this policy, a student complaint shall be any such that arises out of actions, procedures, and policies of this Board or its employees or the lack of such policy or procedure.

The Board or its employees will hear the complaints of the students of this District provided that such complaints are made according to procedures established by Board Policy 9130.

BOE REVIEW & HS ADMIN

SCHOOL-SPONSORED PUBLICATIONS AND PRODUCTIONS

The Board of Education sponsors student publications and productions as means by which students learn, under adult direction/supervision, the rights and responsibilities inherent when engaging in the public expression of ideas and information in our democratic society.

For purposes of this policy, "school-sponsored student media" shall include both student publications and productions. "Student publications" shall include any written materials, (including, but not limited to, banners, flyers, posters, pamphlets, notices, newspapers, playbills, yearbooks, literary journals, books, and t-shirts and other school-sponsored clothing), as well as material in electronic or on-line form (including, but not limited to, websites, web logs ("blogs"), video or audio clips, and newsletters or announcements transmitted by e-mail, wireless broadcast or other similar distribution/dissemination). "Student productions" shall include vocal and theatrical performances, impromptu dramatic presentations, or any electronic media (including, but not limited to, radio and television programs, podcasts, and other video or audio productions that are recorded for re-broadcast or broadcast in real time using any available broadcast technology). Further, the term "publication" shall include distribution and dissemination of a student publication; and the term "performance" shall include presentation and broadcast of a student production.

The following speech is unprotected and prohibited in all school-sponsored student publications and productions: speech that is defamatory, libelous, obscene or harmful to juveniles; speech that is reasonably likely to cause substantial disruption of or material interference with school activities or the educational process; speech that infringes upon the privacy or rights of others; speech that violates copyright law; speech that promotes activities, products or services that are unlawful (illegal) as to minors as defined by State or Federal law; and speech that otherwise violates school policy and/or State or Federal law. The Board authorized the administration to engage in prior review and restraint of school-sponsored publications and productions to prevent the publication or performance of unprotected speech.

[NOTE: PLEASE CHOOSE 1 OF THE FOLLOWING 4 OPTIONS.]

- ☐ **Option #1 [Select, if the Board intends all school-sponsored student media (i.e., publications/productions) to be nonpublic forums – i.e. subject to routine prior review/restraint. This is the most restrictive option.]**

All school-sponsored student publications and productions are nonpublic forums. While students may address matters of interest or concern to their readers/viewers, as nonpublic forums, the style and content of the student publications and productions can be regulated for legitimate pedagogical, school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the style and/or content of all school-sponsored student publications and productions prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. Legitimate pedagogical concerns are not confined to academic issues, but include the teaching by example of the shared values of a civilized social order, which consists of not only independence of thought and frankness of expression but also discipline, courtesy/civility, and respect for authority. School officials may further prohibit speech that is grammatically incorrect, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

- ☐ School-sponsored student media may not be published/performed outside the school community (i.e. publication/performance is limited to students, staff and parents/family members) ☐ except with prior written approval of the ☐ building principal ☐ Superintendent.
- ☐ While school-sponsored student media generally may be published/performed outside the school community (i.e. to the general public), the following student media may only be published/performed to students, staff and parents/family members: _____ **[identify]**. ☐ See Board Policy 9160.
- ☐ The Board expressly authorizes the publication/performance of student media outside the school community (i.e. to the general public). See Board Policy 9160.

- [] The Board expressly authorizes the publication/performance of only the following student media outside the immediate school community (i.e. to the general public): _____ **[identify]** () high school newspaper **[could substitute with the name of the publication]** () high school yearbook **[could substitute with the name of the yearbook]**.
() See Board Policy 9160.
- [] **Option #2 [Select if the Board intends to identify specific student publications/productions to be limited-purpose public forums, but wants to retain the right to engage in limited prior review/restraint on the basis of the four (4) identified reasons. Publications/productions not listed are considered nonpublic forums and will be subject to routine prior review and restraint. This is second most restrictive option and permits some prior review/restraint involving what are otherwise limited-purpose public forums.]**

The Board designates the following official, school-sponsored student media to be limited-purpose public forums:

[List all publications so designated:]

As limited-purpose public forums the student journalists or performers associated with the publications and/or productions listed above may address matters of concern and/or interest to their readers/viewers. These limited-purpose public forums are not open to the public at large and are not intended to address general matters of public concern. As limited-purpose public forums, school officials will not routinely and systematically restrict content of the publications and/or productions listed above prior to their publication/performance; however, school officials may review the content and reject an article/publication/production due to one of the following four (4) reasons:

- A. where poor grammar or writing is evident;
- B. where a legitimate question of age appropriateness of the material exists;
- C. where matters beyond the limited scope of the forum are included; and/or
- D. where the content involves unprotected speech.

These publications and or productions shall contain a notice to the reader/viewer that the material, while school-sponsored, is student directed and subject only to limited prior review. Given these student publications and/or productions have been designated as limited-purpose public forums, the school assumes no liability for their content beyond that covered by the school officials' limited prior review. With editorial control comes responsibility. Student journalists and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/theatrical/broadcast standards.

[] School-sponsored student media may not be published/performed outside the school community (i.e. publication/performance is limited to students, staff and parents/family members) () except with the prior written approval of the () building principal () Superintendent.

[] While school-sponsored student media generally may be published/performed outside the school community (i.e. to the general public, the following student media may only be published/performed to students, staff and parents/family members: _____ **[identify]**.
() See Board Policy 9160.

- ☐ The Board expressly authorizes the publication/performance of student media outside the school community (i.e. to the general public): See Board Policy 9160.
- ☐ The Board expressly authorizes the publication/performance of only the following student media outside the immediate school community (i.e. to the general public): _____ **[identify]** ☐ high school newspaper [could substitute with the name of the publication] ☐ high school yearbook **[could substitute with the name of the yearbook.]**
☐ See Board Policy 9160.

All other school-sponsored student publications and productions, including classroom and/or other curricular, co-curricular, or extra-curricular/club-related publications and/or productions, are nonpublic forums. As nonpublic forums, the content of these other student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of all school-sponsored student media except those publications/productions listed above, prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker.

- ☐ **Option #3 [Select if the Board intends to identify specific student publications/productions to be limited-purpose public forums (i.e., not subject to prior review/restraint), which may be published/performed outside the school community. Publications/productions not listed are considered nonpublic forums and will be subject to routine prior review and restraint. This is the second most permissive option and only permits prior review/restraint of nonpublic forums, and generally allows limited-purpose public forums to be generally published/performed outside the school community.]**

The Board designates the following official, school-sponsored student media to be limited-purpose public forums:

[List all publications/productions so designated:]

As limited-purpose public forums the student journalists or performers associated with the publications and/or productions listed above may address matters of concern and/or interest to their readers/viewers. The student journalists and/or performers involved in the above-listed publications/productions have the right to determine the content of these student media. () The content is open to the public at large at the discretion of the student journalist/performers and may address general matters of public concern. School officials will not routinely and systematically restrict content of the publications and/or productions listed above prior to their publication/performance, except with respect to unprotected speech. () Each medium should provide a full opportunity for students to inquire, question and exchange ideas. () Content should reflect all areas of student interest, and may include topics about which there may be dissent and/or controversy.

These publications and/or productions shall contain a notice to the reader/viewer that the material, while school-sponsored, is student directed and not subject to prior review. Given these student publications and/or productions have been designated as limited-purpose public forums, the school assumes no liability for their content. With editorial control comes responsibility. Student journalists and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/theatrical/broadcast standards.

All other school-sponsored student publications and productions, including classroom and/or other curricular, co-curricular, or extra-curricular/club related publications and/or productions, are nonpublic forums. As nonpublic forums, the content of these other student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of all schools-sponsored student media except for those publications/productions listed above, prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker.

- [] Nonpublic forum school-sponsored student media may not be published/performed outside the school community (i.e. publication/performance is limited to students, staff and parents/family members) () except with the prior written approval of the () building principal () Superintendent.
- [] While nonpublic forum school-sponsored student media generally may be published/performed outside the school community (i.e. to the general public), the following nonpublic forum student media may only be published/performed to students, staff and parents/family members:
_____ **[identify]**. () See Board Policy 9160.
- [] The Board expressly authorizes the publication/performance of nonpublic forum student media outside the school community (i.e. to the general public). See Board Policy 9160.
- [] The Board expressly authorizes the publication/performance of only the following nonpublic forum student media outside the immediate school community (i.e. to the general public): _____ **[identify]**
() high school newspaper **[could substitute with the name of the publication]** () high school yearbook **[could substitute with the name of the yearbook]**. () See Board Policy 9160.
- [] **Option #4 [Select if the Board intends to designate all student media, except those related to classes that are not directly associated with student publications/productions, to be limited-purpose public forums (i.e., not subject to prior review/restraint). This is the most permissive/liberal of the options.]**

The Board hereby designates all school-sponsored student media, with the exception of those originating from classrooms not otherwise directly associated with student publications and productions, as limited-purpose public forums whereby students can address matters of concern and/or interest to their readers/viewers. The student journalists and/or performers involved in these publications/productions have the right to determine the content of the student media. () The content is open to the public at large at the discretion of the student journalists/performers and may address general matters of public concern. School officials will not review or restrict the content of non-classroom school-sponsored student publications or productions prior to publication/performance, except with respect to unprotected speech. () Each medium should provide a full opportunity for students to inquire, question and exchange ideas. () Content should reflect all areas of student interest, and may include topics about which there may be dissent and/or controversy.

These publications and/or productions shall contain a notice to the reader/viewer that the material, while school-sponsored, is student directed and not subject to prior review. Given these student publications and/or productions have been designated as limited-purpose public forums, the school assumes no liability for their content. With editorial control comes responsibility. Student journalists and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/theatrical/broadcast standards.

Publications and/or productions that are related to classrooms not otherwise directly associated with student publications and productions are nonpublic forums. As nonpublic forums, the content of these student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of these school-sponsored student publications and productions prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker.

[] Nonpublic forum school-sponsored student media may not be published/performed outside the school community (i.e., publication/performance is limited to students, staff and parents/family members) () except with the prior written approval of the () building principal () Superintendent.

- [] While nonpublic forum school-sponsored student media generally may be published/performed outside the school community (i.e. to the general public), the following nonpublic forum student media may only be published/performed to students, staff and parents/family members: _____ **[identify]**. () See Board Policy 9160.
- [] The Board expressly authorizes the publication/performance of nonpublic forum student media outside the school community (i.e. to the general public). See Board Policy 9160.
- [] The Board expressly authorizes the publication/performance of only the following nonpublic forum student media outside the immediate school community (i.e. to the general public): _____ **[identify]** () See Board Policy 9160.

[END OF OPTIONS #1 THROUGH #4]

- [] Students shall not be disciplined and/or retaliated against for exercising and/or asserting their free speech rights as defined in this policy. Nothing in this policy, however, restricts the Board's ability to impose post-publication/performance discipline related to a student engaging in the impermissible publication/performance of unprotected speech.

[NOTE: CHOOSE ONE OF THE FOLLOWING THREE OPTIONS RE: ADVERTISING.]

- [] **Option #1 [Select if the Board intends to permit advertising in some or all student publications/productions, but wants a school employee/official to be responsible for approving the advertisements.]**

Advertising is permitted in () all school-sponsored student publications/productions () the following school-sponsored student publications/productions: **[identify publications/productions]** _____

Advertisements submitted for publication or inclusion in a production shall be reviewed by () the class/activity advisor () the building principal () the Superintendent () school officials for a determination that they are appropriate for juveniles. The () Superintendent () Board retains the final authority to determine whether an advertisement is appropriate and will be included in a publication/production. Advertisements may be rejected for legitimate pedagogical school-related reasons unrelated to the viewpoint of the advertiser (e.g., the advertisement encourages action that would endanger the health and safety of students).

[] **Option 2 [Select if the Board intends to permit advertising in some or all student publications/productions that are designated to be limited-purpose public forums, and the students involved in the specific publications/productions will be responsible for accepting or rejecting the advertisements.]**

Advertising is permitted in

- () all school-sponsored student media that have been designated as limited-purpose public forums.
- () the following school-sponsored student media that have been designated as limited-purpose public forums: **[identify publications/productions]**. _____

The students in the class(es)/activity(ies) associated with

- ☐ all school-sponsored student media that have been designated as limited-purpose public forums
- ☐ the above listed student media

will determine whether to include advertisements in the publications/productions. Acceptance or rejection of specific advertisements is within the control of the publication/production staff, which may accept any ads except those for activities, products or services that are illegal for students and/or that violate State or Federal law.

☐ The publication/production staff is encouraged to consider the age appropriateness of the ads they select.

☐ **Option 3 [Select if the Board intends to prohibit advertisements in all student publications/productions.]**

Advertising is not permitted in school-sponsored student publications/productions.

[END OF OPTIONS RE: ADVERTISING]

General Prohibitions

Regardless of their status as non-public or limited-purpose public *forums*, the Board prohibits publications, productions and advertisements that:

- A. promote, favor, or oppose any candidate for election or the adoption of any bond issue, proposal, or question submitted at any election;
- ☐ fail to identify the student or organization responsible for the publication/performance;
- ☐ solicit funds for nonschool organizations or institutions when such solicitations have not been approved by the Board.

BOE REVIEW

**EQUAL ACCESS FOR NONDISTRICT-SPONSORED,
STUDENT CLUBS AND ACTIVITIES**

The Board of Education will not permit the use of school facilities by nondistrict-sponsored student clubs and activities or District-sponsored, noncurriculum-related clubs and activities during instructional hours. During noninstructional time, however, no group of students, regardless of the size of the group, will be denied an opportunity to meet on the basis of the religious, political, philosophical, or other content of the activity.

An application for permission for nondistrict-sponsored student clubs and activities to meet on school premises shall be made to the _Principal_____, who shall grant permission provided that s/he determines that:

- A. the activity has been initiated by students;
- B. attendance at the meeting is voluntary;
- C. no agent or employee of the District will promote, lead, or participate in the meeting;
- D. the meeting does not materially and substantially interfere with the orderly conduct of instructional activities in the school;
- E. nonschool persons do not direct, conduct, control, or regularly attend the activity.

A student-initiated group granted permission to meet on school premises shall be provided the same rights and access and shall be subject to the same administrative guidelines that govern the meetings of student organizations sponsored by this Board, except as provided by this policy. Participation in a student-initiated meeting must be available to all students who wish to attend and cannot be denied on the basis of a student's race, color, creed, religion, gender, national origin, disability, or social or economic status.

The Board will not permit the organization of a fraternity, sorority, or secret society. A student-initiated meeting may be attended by no more than (2) outside resource person(s). The Superintendent may exclude nonstudents from directing, controlling, or attending any such meetings of students.

A professional staff member may be assigned to attend a student-initiated meeting in a custodial capacity but shall not participate in the activity. No professional staff member shall be compelled to attend a student-initiated meeting if the content of the speech at the meeting is contrary to his/her beliefs.

The principal may take such actions as may be necessary to maintain order and discipline on school premises and to protect the safety and well-being of students and staff members.

R.C. 3313.75, 3313.76, 3313.77

20 U.S.C. 4071 et seq., Equal Access Act of 1984

42 U.S.C. 12101, et seq., Americans with Disabilities Act of 1990

42 U.S.C. 2000e, Civil Rights Act of 1964

PARENTAL STATUS OF STUDENTS

No student, whether married or unmarried, who is otherwise eligible to attend school in the District shall be denied an educational program solely because of pregnancy, childbirth, pregnancy-related disabilities, or actual or potential parenthood.

The Board of Education reserves the right to require as a prerequisite for attendance in the regular classes of the schools and the co-curricular

(X) and extra-curricular

programs of the schools that each pregnant student present to the Superintendent her physician's written statement that such activity will not be injurious to her health nor jeopardize her pregnancy.

A pregnant student will be considered on an excused absence for so long a period as is deemed medically necessary by the student's physician. At the conclusion of the absence, the student shall be reinstated to the status she held when the absence began.

R.C. 2151.85, 2505.073, 3321.01 et seq.

BOE REVIEW**SEARCH AND SEIZURE**

The Board of Education recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner.

The Board acknowledges the need for in-school storage of student possessions and shall provide storage places, including desks and lockers, for that purpose. Such spaces remain the property of the Board and, in accordance with law, may be the subject of random search. Where locks are provided for such places, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a school official. The Board directs the school principals to conduct a routine inspection at least annually of all such storage places.

School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person or property, including vehicles, of a student, with or without the student's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction and the student's age.

- [X] This authorization to search shall also apply to all situations in which the student is under the jurisdiction of the Board.
- [X] Administrators are permitted to conduct a random search of any student's locker and its contents at any time, providing proper notice has been posted in the locker areas of each building.

Search of a student's person or intimate personal belongings shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances when the health or safety of the student or of others is immediately threatened.

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

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

Except as provided below, a request for the search of a student or a student's possessions will be directed to the principal who shall seek the freely offered consent of the student to the inspection. Whenever possible, a search will be conducted by the principal in the presence of the student and a staff member other than the principal. A search prompted by the reasonable belief that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property.

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

The Superintendent shall prepare administrative guidelines to implement this policy.

R.C. 3313.20

U.S. Constitution, 4th Amendment

BOE REVIEW**WEAPONS**

The Board of Education prohibits students from possessing, storing, making, or using a weapon, including a concealed weapon, in a school safety zone and any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle.

The term "weapon" means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type whatsoever, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, and explosives.

Policy exceptions include:

- (X) items pre-approved by the building principal as part of a class or individual presentation under adult supervision, if used for the purpose and in the manner approved (working firearms and any ammunition will never be approved as a part of a presentation);
 - (X) theatrical props used in appropriate settings.
- [X] Students shall report any information concerning weapons and/or threats of violence by students, staff members, or visitors. Failure to report such information may subject the student to disciplinary action.

The Superintendent will refer any student who violates this policy to the student's parents or guardians and to the criminal justice or juvenile delinquency system. The student may also be subject to disciplinary action, up to and including expulsion.

This policy will be published annually in all District student and staff handbooks. Publication is not a precondition to enforcement of this policy.

R.C. 2923.12, 2923.122, 3313.20, 3313.66, 3313.661
18 U.S.C. 921, 20 U.S.C. 8922, 20 U.S.C. 7151

STUDENT/PARENT RIGHTS

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

In providing students the opportunity for an education to which they are entitled, the Board shall attempt to offer nurture, counsel, and custodial care appropriate to their age and maturity. At the same time, the Board recognizes that no student may be deprived of the basic right to equal access to the educational program, and his/her constitutional right to due process and free expression and association as appropriate for the school environment.

Attendant to the rights afforded to each student, however, are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the guidelines and rules of the District.

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

Since a student who has reached the age of majority possesses the full rights of an adult, s/he may authorize those school matters previously handled by his/her parents, but s/he also assumes the responsibility for his/her performance in school, attendance, and compliance with school rules.

Parents also have rights in the school system to know about their student's educational experience. Specific rights are listed in topic areas of these policies.

In addition, parents have the right to inspect any instructional materials used as part of the educational curriculum for their student. Instructional materials means instructional content, regardless of format, that is provided to the student, including printed or representational materials, audio-visual materials, and materials available in electronic or digital formats (such as materials accessible through the Internet). Instructional material does not include academic tests or academic assessments.

The Superintendent shall, in consultation with parents, develop a procedure addressing the right of parents as described herein and procedures to assure timely response to parental requests to review instructional material. The procedure shall also address reasonable notification to parents and students of their rights to review these materials.

This policy shall not supercede any rights under the Family Education Rights and Privacy Act.

R.C. 3109.01

20 U.S.C. 1232h

BOE REVIEW

STUDENT GOVERNMENT

The Board of Education acknowledges the importance of offering students the opportunity to participate in self-government within the establishment of the schools.

Students shall have the right to organize, conduct meetings, elect officers and representatives, and petition the Board.

The Board shall appoint a qualified member of the faculty to serve as advisor to student government activities.

R.C. 3313.20

BOE REVIEW**McCuen****STUDENT FUND-RAISING**

The Board of Education acknowledges that the solicitation of funds from students by students must be limited since compulsory attendance laws make the student a captive donor and since such solicitation may disrupt the program of the schools.

For purposes of this policy "student fund-raising" shall include student solicitation and collection of money for any purpose including collection of money in exchange for tickets, papers, or any other goods or services. "Student fund-raising" also includes giving away goods or services, but suggesting a monetary donation.

The Board will permit student fund-raising in school, on school property, or at any school-sponsored event only when the profit therefrom is to be used for school purposes or for an activity connected with the schools.

Student fund-raising by approved school organizations, whose funds are managed by the Treasurer, may be permitted in school by the Principal. For any fund-raisers, including those operated by student clubs and organizations, parent groups, or boosters clubs, that involve the sale of food items and/or beverages to students that will be consumed on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) during the school day (the period from the midnight before, to thirty (30) minutes after the end of the official school day), the food items and/or beverages to be sold shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards, and also be consistent with requirements set forth in Policy 8550, Competitive Foods.

Student fund-raising by approved school organizations off school grounds may be permitted under administrative guidelines of the Superintendent.

Fund-raising by students on behalf of school-related organizations whose funds are not managed by the Treasurer may be permitted on school grounds in accordance with the Superintendent's administrative guidelines.

These administrative guidelines should:

- A. specify the times and places in which funds may be collected;
- B. describe permitted methods of solicitation which do not place undue pressure on students;
- C. limit the kind and amount of advertising for solicitation.

Advisors for approved school organizations shall not accept any form of compensation from vendors that might influence their selection of a vendor that will provide a fund-raising activity or a product that will be sold as a fund-raiser. Furthermore, advisors for approved school organizations shall not accept any compensation from a vendor after a decision has been made regarding a fund-raising activity or a product that will be sold as a fund-raiser. In addition, advisors for approved school organizations who make the selection of a vendor that will provide a fund-raising activity or a product that will be sold as a fund-raiser shall not enter into a contractual arrangement whereby an advisor receives compensation in any form from the vendor that provides a fund-raising activity or a product that will be sold as a fund-raiser.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that an advisor of an approved school organization receives such compensation, albeit unsolicited, from a vendor, the individual shall notify the Treasurer, in writing, that s/he received such compensation and shall thereafter properly transmit said compensation to the Treasurer at his/her earliest opportunity.

The Superintendent shall distribute this policy and the guidelines which implement it to each student organization granted permission to solicit funds.

R.C. 1716.02, 1716.03, 3313.811
Auditor of State Bulletin 2000-006
7 C.F.R. Parts 210 and 220

STUDENT GROUPS

It is the policy of the Board of Education that student groups be recognized as authorized school organizations only if they are approved by the school administration, sponsored by school-approved personnel, composed of members of the current student body, hold the majority of their meetings at school, and have established aims which are educational in nature.

Membership or participation in the organization or operation of any fraternity, sorority, or other secret group as described by law is prohibited throughout the School District. In particular, the Board shall not tolerate any type of gang or gang-related activity to occur on District property or while students are under the auspices of the Board.

BOE REVIEW

PUBLIC PERFORMANCES BY STUDENTS

The Board of Education recognizes the value to students of sharing their talents and skills with the community through participation and performances in public events.

The Board endorses such performances when:

- (X) they constitute a learning experience which contributes to the educational program.

All requests for public performances by students require the approval of the:

- (X) principal.

The Superintendent shall develop administrative guidelines to implement this policy which include the requirement that parental permission is sought and received before students participate and that the interests of our students are to be protected and guarded against exploitation.

R.C. 3313.20

STUDENT EMPLOYMENT

The Board of Education will adhere to state and federal statutes and local city regulations in employment of students in work-study and employment.