

POLICIES
OF
THE GOVERNING AUTHORITY
OF
DAYTON BUSINESS TECHNOLOGY HIGH SCHOOL

An Ohio Non-Profit Corporation
And
Ohio Community School

Adopted

Date

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SECTION 1:
GOVERNANCE POLICIES

SECTION 100

IDENTIFICATION/DEFINITIONS

101 Name

The School Governing Authority of this Ohio Community School known as Dayton Business Technology High School shall be referred to herein as the “Governing Authority” or “Board of Directors” or “Board.”

102 Type of Corporation

Dayton Business Technology High School was established as an Ohio non-profit corporation under Chapter 1702 of the Ohio Revised Code (R.C. 3314.03(A)(1)) to operate a community school.

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

The official address of the Governing Authority shall be 348 W. First Street, Dayton, Ohio 45402.

105 **Definitions and Headings**

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

Board or Governing Authority

The Board of Directors of the Corporation.

Charter Contract

The contract (“Contract”) between the Sponsor and the School, also known as the Community School Contract.

Corporation

The Ohio non-profit corporation known as Dayton Business Technology High School.

Principal

The Principal, Director of Business Operations, Director of Education, or Chief Executive Officer of the School. Principal also means, to the extent permissible by law, the Principal’s designee.

Headings

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

Management Company

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

May

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

Parent

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

Policy

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

School

The Dayton Business Technology High School, sometimes referred to herein as “Dayton Tech” or School.

School Property

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

School Sponsored Activity or Event

A School sponsored activity or event is any activity or event conducted on or off School property (including School buses and other School-related vehicles) that is sponsored, recognized or authorized by the School Board and/or State Board of Education.

Shall

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

Sponsor

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

Staff or Employee

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

Student

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

SECTION 110

POWER AND ETHICS OF BOARD

111 Authority

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

112 Board Powers

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

113 Board Members' Powers

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

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

114 Ethics and Conflicts Policy

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

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

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

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

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

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

public servant or party official, in consideration for (a) appointing, securing, maintaining, or renewing the appointment of any person to public office, employment or agency, or, (b) preferring or maintaining a public employee's compensation, duties, placement, location, promotion or other material aspect of employment. A person is not prohibited from making voluntary contributions.

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

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

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

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

1. For purposes of these procedures the following words have the following definitions.

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

transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

- d. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested Board members whether the transaction or arrangement is in the School's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

E. Other Procedures and Record Keeping Requirements.

1. Violations of the Conflicts of Interest Policy.
 - a. If the Board or committee has reasonable cause to believe a member has failed to disclose an actual or possible conflict of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
 - b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.
2. Documentation. The minutes of the Board and all committees with board- delegated powers shall contain:
 - a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board's or committee's decision as to whether a conflict of interest in fact existed.
 - b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.
3. Annual Statements. Each Board member, principal officer and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:
 - a. Received a copy of the conflict of interest policy;
 - b. Read and understands the policy;
 - c. Agreed to comply with the policy;
 - d. Understands the School is charitable and must engage primarily in activities which accomplish one or more of its tax-exempt purposes to maintain its federal tax exemption;

- e. Acknowledges that a voting Board member who receives compensation, directly or indirectly, from the School for services is precluded from voting on matters pertaining to that member's compensation;
 - f. Acknowledges that a voting committee member whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the School for services is precluded from voting on matters pertaining to that member's compensation; and
 - g. Acknowledges that no voting member of the Board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the School, either individually or collectively, is prohibited from providing information to any committee regarding compensation.
4. Periodic Reviews. To ensure the School operates in a manner consistent with its charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:
- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.
 - b. Whether partnerships, joint ventures, and arrangements with management companies conform to the School's written policies, are properly recorded, are a reasonable investment or a reasonable payment for goods and services, further its charitable purposes and do not result in inurement, impermissible private benefit, or an excess benefit transaction.
5. Use of Outside Experts. The School may use outside experts in conducting its reviews, but, such use does not relieve the Board's obligation to conduct periodic reviews.
6. Immediate Relatives. No present or former Board member, or immediate relative of any present or former Board member, shall be an owner, employee, or consultant of any sponsor or operator of any community school, unless at least one year has elapsed since the person's membership or employment with the sponsor or operator ceased.
- a. An "immediate relative" means the spouse, children, parents, grandparents, siblings, and in-laws of the Board member's family.

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

Signature and Title

Date

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

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

115 Complaints/Judicial Powers

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

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

See **Appendix 115-A** Complaint Procedure.

SECTION 120

GENERAL GOVERNANCE

121 **Code of Regulations**

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

See **Appendix 121-A** Code of Regulations.

122 **Orientation**

The Board believes that the preparation of each Board member for the performance of Board duties is essential to the effectiveness of the Board's functioning. The Board shall encourage each new Board member to understand the functions of the Board, acquire knowledge of matters related to the operation of the School, and learn Board procedures.

Accordingly, each new Board member, at a minimum, shall receive for use during his/her term on the Board:

- a copy of the Ohio Open Meetings Law (R.C. 121.22);
- a copy of these Governance Policies;
- a copy of the current Contract with the School's Sponsor;
- the current budget statement and related fiscal materials;
- a copy of the contract with a Management Company, if any;
- governance training if required by the Sponsor or the Board.

Each new Board member shall be entitled to meet at the new member's request, with the Board President and any other one (1) Board member to discuss the School, Board functions, policies and procedures.

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

Reimbursement

A Board member may receive reimbursement only for expenses that are pre-approved by the Board.

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

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

When attending a Board-approved conference, fees, parking, mileage, meals, and housing which are reasonable can be submitted for approval, including a maximum gratuity of twenty percent (20%). A Board member will not be reimbursed for any upgrades for example, a hotel room with a view, or for room service.

A Board member cannot be reimbursed for any expense if the Board member received a benefit through a rewards program for that expense. Rewards programs allow users to earn rewards based on how much money they spend. Examples of rewards programs include, but are not limited to, frequent flier miles, grocery store loyalty card programs, and hotel free night programs. This prohibition includes rewards programs tied to credit cards and loyalty customer cards. No entertainment expenses or purchases of alcoholic beverages are reimbursable.

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

Compensation Procedures

The Board and any compensation committee will follow these procedures in reviewing compensation arrangements with Board members, officers, and employees:

- a. Approve all compensation arrangements in advance (before paid).
- b. Document (in writing) its terms and the date approved.
- c. Document (in writing) the decision made by each member who participated in process.
- d. When warranted, consider compensation surveys and compensation paid or offered by similarly situated entities for similar services.
- e. Document (in writing) the information considered in making the decision, and its source.

The Board hereby approves does not approve [check one] compensation of \$_____ per meeting attended (no more than \$125 per meeting attended) for each community school Board member to be effective at the end of his or her term, for his or her next term.

The Board hereby approves does not approve [check one] compensation of \$_____ for attendance at an approved training program three hours or less in length (no more than \$60 per day). The Board hereby approves does not approve [check one] compensation of \$_____ for attendance at an approved training program over three hours in length (no more than \$125 per day).

No Board member shall be compensated more than a total amount of \$5,000 per year for all Ohio community school governing authorities on which the individual serves.

R.C. 3314.02; Ohio Ethics Comm. Advisory Opinion No. 91-010

125 Background Checks of Board Members

Each Board member shall, if required by law and/or the community school contract, submit to a background check, including criminal history and fingerprinting at the time of proposed election to the Board and at any time thereafter. The Sponsor, or the Board, may disapprove of any background check, at its or their discretion. Each Board member must consent to the release of his/her background check to the Sponsor and the Board.

R.C. 3314.19(I).

SECTION 130

BOARD MEETINGS

All pre-arranged gatherings by a majority of the Board to discuss School business shall be conducted in compliance with Ohio's Open Meetings Law. For all regularly scheduled meetings, the Board shall: 1) post the time and place of all meetings on site; 2) post the time and place on the School's website (if applicable); and 3) ensure the publication of an advertisement announcing the time and place of all regularly scheduled Board meetings at least one time during the school year in a local newspaper of general circulation.

All other meetings of the Board shall be special meetings or emergency meetings. The Board will provide at least twenty-four hours' advance notice of special meetings to the public and the news media that have requested notification. In the event of a special meeting, the Board shall: 1) post the time, place, and purpose of the special meeting on site; 2) post the time, place, and purpose of the special meeting on the School's website (if applicable); and 3) send notification of the time, place, and purpose of the special meeting to the news media that have requested notification. In the event of an emergency meeting requiring official action, the member or members calling the meeting shall immediately notify the news media that have requested notification of the time, place, and purpose of the meeting, and post the time, place, and purpose of the emergency meeting on site as soon as possible.

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

There are times when the Board may need to meet privately during a regular or special meeting to discuss or deliberate certain statutorily allowable matters requiring confidentiality.

An executive session may be held to consider any matter authorized by law as a proper subject for executive session, including but not limited to:

- A. the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing;
- B. the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest, so long as no member of the Board shall use this section as a subterfuge for providing covert information to prospective buyers or sellers;
- C. conferences with an attorney for the Board concerning disputes involving the Board that are the subject of pending or imminent court action;
- D. matters required to be kept confidential by Federal or State laws and regulations or state statutes; and

- E. details relative to the security arrangements and emergency response protocols for the Board of School, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the School.

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

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

All resolutions, rules and formal actions of the Board resulting from deliberations that occurred in executive session shall be adopted during an open meeting.

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

R.C. 121.22.

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

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

In certain circumstances, a majority vote of the full Board must occur, such as, to affirm, revise, vacate or modify an order of student expulsion or to reinstate a student (R.C. 3313.66(E)) (unless an authorized designee is used).

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

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

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

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

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

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

With that responsibility in mind, Board members agree that:

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

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

136 Public Participation at Meetings

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

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

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

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

The presiding officer shall be guided by the following rules:

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

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

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

SECTION 140

GENERAL BOARD DUTIES

141 **Review of Policies**

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

142 Approval and Monitoring of Budget/Bond; Financial Reporting

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

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

The Board shall comply with the standards for financial reporting adopted by the State Board of Education under R.C. 3301.07(B)(2).

R.C. 3301.07(B)(2); 3301.0714; 3314.011; 3314.042; OAC 117-6-07.

See also Policy No. 148.5 Annual Financial Report.

143 Monitoring of Charter Contract

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

144 Reporting Requirements

The Governing Authority shall comply with the annual reporting requirements of the Ohio Revised Code 3314.08(B)(2)(a)-(i), and 3314.0714, and may delegate this responsibility or any other applicable reporting requirements to the Principal or his/her designee.

Representatives of the local press, radio, and TV are an important link in the communications between the School and community. Maintenance of good working relationships with these persons is essential and requires the support and cooperation of the media representatives.

The Board authorizes the development of a sound working relationship between the news media and the School, based on mutual respect and cooperation and reserves the right to negotiate for the radio broadcasting, televising, filming or sound recording of any School event by an outside agency. These rights, if sold, shall be contracted under conditions designed to bring the most favorable terms to the School.

The Principal or his/her designee approved by the Board shall:

- A. available to media representatives;
- B. keep media representatives informed with regard to the School program and activities, so that any reporting may be done on the basis of a complete and valid overview;
- C. submit, suggest, or request feature stories or articles to media representatives which are of interest or importance;
- D. provide Board packets to media representatives who attend meetings of the Board;
- E. assist various School related groups in their relations with the news media;
- F. protect School personnel from any unnecessary demands on their time by news media representatives.

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

- A. Staff Members not give school information or an interview requested by representatives of the news media without prior approval of the Principal or his/her designee who will either set up an appointment for this purpose which will not interfere with the Staff Member's daily activities, or speak to the media representative about the matter personally;
- B. the Principal or his/her designee be present at all meetings with news media representatives;
- C. any photograph of a controversial nature, or questionable with regard to individual right of privacy, shall not be sanctioned.

See also Policy No. 429 Crisis Media Situations.

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

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

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

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

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

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

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

Redacting, Encrypting or Truncating Personal Information

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

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

DBTHS Business Manager

Acknowledgement of Employee or Designee
in Charge of Public Records

May 29, 2018

Date

R.C. 149.43

See also Policy No. 325.1 Public Records; **Appendix 147-A** Public Records Poster; **Appendix 147-B** Request to Redact Personal Information.

147.1 Records Retention and Disposal Policy

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

The Board President, Treasurer (fiscal officer) and Principal shall be Records Committee and meet annually to carry out the necessary work associated with the School's records.

The procedures listed in **Appendix 147.1-A** shall guide them, as modified from time to time.

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

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

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

E-Mail and Correspondence Retention

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

1. Non-Record Materials (delete immediately)

E-mail messages and correspondence that do not meet the criteria of being a "public record" under R.C. 149.43, because they do not document the organization, functions, policies, decisions, procedures, operations or other activities of the office, may be deleted immediately. These e-mails include:

Personal correspondence.

Publications, promotional materials and similar materials (unless specifically incorporated into other materials that are "records")

2. Official Records

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

B. Transitory messages of very limited administrative value.

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

Intermediate Retention

General Correspondence (Two years)

Internal Correspondence (letters, memos)

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

Routine Correspondence (One year)

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

Long term Retention

Executive Correspondence

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

Storing E-mail Records

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

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

___ 1. The individual who sends an e-mail maintains the “record” copy. If an e-mail is received from someone outside the organization, the recipient should retain it.

___ 2. A mailbox is created (i.e. admin@<School Name>) for individuals sending out email to copy (cc) when email is sent and retention will then be administered by the IT Department of the School or Management Company.

RC §149.41; RC §149.351

See **Appendix 147.1-A** Records Retention.

148.1 Purchasing/Invoicing

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

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

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

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

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

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

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

Purpose

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

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

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

Criteria for Fixed Asset Capitalization and Valuation

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

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

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

Management of Fixed Assets

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

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

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

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

The following information shall be maintained for all fixed assets:

1. description of the asset
2. title information
3. serial number of the asset, if applicable

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

Acquisition of Fixed Assets

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

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

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

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

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

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

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

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

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

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

Disposal of Fixed Assets

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

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

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

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

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

2 C.F.R. 200.

See also Policy No. 148.8 Federal Grants Procurement, Monitoring, and Administration.

148.3 Audit Committee

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

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

OAC 117-2-05

148.4 Independent Contractors

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

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

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

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

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

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

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

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

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

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

OR

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

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

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

IRC 6041; R.C. 3314.41

148.5 Annual Financial Report

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

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

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

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

148.6 Credit Cards

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

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

6. Upon receipt of a School credit card, employees shall:
 - a. Inform merchants that the purchase is for “Official School Business” and is not subject to State or local sales tax. However, if the merchant fails to waive the tax, the employee shall pay it. For large purchases where the merchant refuses to waive the tax, the employee shall present a tax exemption form.
 - b. Maintain credit cards in a secure fashion and prevent unauthorized charges to the account.
 - c. Maintain sufficient documentation of all purchases, including, but not limited to, charge receipts, original cash register slip or other detailed receipt, and invoices.
 - d. Provide documentation of all purchases to the Principal in a timely manner to ensure prompt payment.
 - e. Immediately notify his/her immediate supervisor and the Principal if the card is lost or stolen.
 - f. After use, School credit cards are to be returned to the Principal, along with appropriate receipt copies of all charges.
 - g. Upon receipt of the appropriate documentation, credit card expenditures will be paid through the Principal’s Office.
 - h. The Principal or his/her designee will monitor the credit card account(s) and reconcile all credit card accounts on a monthly basis. A report will be a part of the monthly Cash Activity Report, as reported to the Board.
 - i. If the employee is terminated or resigns, (s)he must return the credit card and shall remain responsible for any inappropriate use.
7. Failure to turn in receipts and appropriate forms to the Principal within five business days may result in the charges being deemed unrelated or unsubstantiated. This amount will then be charged back to the user.

See also Policy No. 148.1 Purchasing/Invoicing.

148.7 Staff Reimbursement

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

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

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

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

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

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

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

Ohio Ethics Comm. Advisory Opinion No. 91-010

148.8 Federal Grants Procurement, Monitoring, and Administration

In addition to the applicable policies set forth elsewhere in this manual, the following policies shall apply when the School expends federal grant funds to purchase property or obtain services.

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

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

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

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

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

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

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

Nothing in this policy shall be read to alter the obligations and restrictions on public officials pursuant to Ohio Revised Code Chapters 3314 and 102, and Section 2921.42-.43 as applicable to community schools.

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

1. The School shall review any proposed procurement to avoid purchasing unnecessary property or services. The School shall avoid purchasing duplicative items.
2. Before acquiring an item, the School shall compare the advantages of leasing and purchasing property, purchasing surplus property, or sharing services where permitted by law. The School shall also consider consolidation or breaking out procurements to obtain more economical purchases.
3. Prior to accepting bids or proposals, the School shall make independent estimates of cost and price. The School shall conduct a cost or price analysis in connection with every procurement transaction, including contract modifications.
4. The School shall ensure that its solicitations for goods and services contain descriptions and technical requirements of the goods and services sought, all factors to be used in evaluating bids or proposals, and provide any other information required under the applicable federal regulations. The School shall not require brand name products unless the brand name is specified as a means to define the performance or other salient requirements of procurement.
5. The School shall attempt to ensure that the parties with which it contracts are responsible and capable of fulfilling the terms and conditions of the contract. The School shall give consideration to the contractor's integrity, compliance with public policy, record of past performance, and financial and technical resources.
6. The School shall only use time and material type contracts after a determination that no other contract is suitable and, if a contract includes a ceiling price, the contract must specify that the contractor exceeds the ceiling at its own risk.
7. The School shall create and maintain records that document the procurement process that the School followed in each procurement transaction, including the rationale for utilizing the selected procurement method, the selection of contract type, the basis for awarding or rejecting the contract, the justification for lack of competition if competitive bids or proposals are not sought, and the basis for the award cost or price.
8. The School shall make its procurement records available for review upon request by the awarding federal agency or pass-through entity.

D. Contract Provisions. Procurement contracts shall, at minimum, include the terms and conditions that are required by the applicable federal procurement regulations. To the extent required by law, the School shall require that the person awarded a contract satisfy the bonding requirements set forth in the applicable federal regulations.

E. Contract Administration. The School shall delegate to one or more school employee the responsibility for administering all procurement contracts and ensuring that the party awarded the contract satisfies the terms, conditions, and specifications of the procurement contract or purchase order.

- F. Small/Minority/Women Businesses. The School shall take affirmative steps to contract with small businesses, minority-owned firms, and women's business enterprises when possible. The School shall also require a contractor, if it subcontracts, to take affirmative steps to contract with small businesses, minority-owned firms, and women's business enterprises when possible.
- G. Dispute Resolution. Any issues related to the procurement contract and administrative procedures, including source evaluation, protests, disputes, and claims, will be resolved according to the following dispute resolution procedures, and the School will disclose information regarding the dispute to the appropriate federal officials. Any grievant must file a written complaint requesting an opportunity to be heard by the Governing Board or the Board's designee. The Board or its designee will review any information presented and provide a written decision within a reasonable time. If the grievant is not satisfied with this decision, the matter shall be submitted to a qualified mediator for mediation. The parties will make every attempt to resolve such disputes through mediation and shall equally split all fees or costs of any third party mediator.

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

Federal Grant Administration

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

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

Effective for fiscal year 2015 and fiscal year 2016, the School selects to postpone the implementation of this internal procurement policy unless the Board resolves to adopt the Uniform Grant Guidance pursuant to 2 C.F.R. 200 for any earlier grant.

2 C.F.R. 200.

See also Policy 114 Ethics and Conflicts Policy and Policy 148.2 Fixed Asset Policy/Title I and Federal Grant Assets Policy.

148.11 Crowdfunding

The Board recognizes that the use of cellular telephones and other wireless devices (*i.e.*, smartphones, Blackberries, tablets, wifi- or cellular data-enabled devices, broadband access devices, pagers/beepers, personal digital assistants (PDAs or Palm Pilots), mobile “hotspots,” etc.) (“Wireless Communication Devices”) have become routine in daily life. Wireless Communication Devices may also serve to support the efficient and effective operations of the School. All administrators, teachers, and staff shall be permitted to possess personally-owned Wireless Communication Devices at the School at their own expense.

Due to the nature of some positions and job duties of certain employees, the Board may determine that possession and use of a Wireless Communication Device by select employees is essential to the proper functioning of the School. Where the Board finds that an employee’s possession and use of a Wireless Communication Device is necessary, the Board may either: (1) provide the employee with a Board-owned Wireless Communication Device for the employee’s work-related use, or (2) provide the employee with a monthly allowance of up to a set dollar amount, as established by the Board, to be used for expenses related to the possession and use of a personally-owned Wireless Communication Device.

Board-Owned Wireless Communication Devices

Wireless Communication Devices provided by the Board are intended to be tools for conducting School business and enhancing business efficiencies. Use of Wireless Communication Devices is not intended to give a personal benefit to any employee. Employees shall not use Board-owned Wireless Communication Devices as their primary means to make phone calls, send text messages or emails, or otherwise communicate, unless the use of the Wireless Communication Device constitutes the most cost-effective means to conduct School business. When a less costly alternative method of communication is safe, convenient, and readily available, the employee shall utilize that method of communication.

The Principal shall regularly ensure the following:

- A. The need for each Board-owned Wireless Communication Device and corresponding service account is clearly justified for School business purposes;
- B. Alternative solutions for work production and communication have been considered;
- C. Employees provided with Wireless Communication Devices and service understand the purpose and limitations of usage;
- D. Wireless Communication Device service account invoices outlining the details of usage are received and reviewed for conformance with this policy;
- E. Employees reimburse the Board for non-business use of Wireless Communication Devices; and
- F. Use of a Wireless Communication Device service account is terminated when no longer justified by business requirements, when the employee leaves the Board’s employment, and/or when the employee has by actions demonstrated a disregard for School policies.

Board-owned Wireless Communication Devices may be used for the following:

- A. To make phone calls, send text messages or emails, or otherwise communicate in emergency situations; and

- B. To place calls, send text messages or emails, or otherwise communicate with the administration, other employees, or parents concerning classroom or school-based activities.

Wireless Communication Device service accounts are expected to be set at the minimum service level that fulfills the business needs for the position in question. If the cellular telephone contract is based on minutes used, a minimal plan shall be utilized. In other words, the smallest plan available to accommodate the particular business need shall be utilized. If the Wireless Communication Device is wifi- or cellular data-enabled or is a broadband access device, the contract that is selected for an employee should provide for only the necessary amount of cellular data or broadband access as is necessary to meet business needs. The Wireless Communication Device contract that is selected for an employee should be the one that provides a combination of services, including but not limited to the number of minutes/ talk time, cellular coverage, and local call zone most nearly matching the employee's recurring business needs.

Possessing a Board-owned Wireless Communication Device is a privilege and all employees are expected to use the devices appropriately and responsibly. Employees are responsible for managing the cost-effectiveness of Wireless Communication Devices by utilizing assigned landlines, accessing wifi, and using desktop hardware where such secure, appropriate, and available alternatives exist. Employees should know that calls outside the immediate area may result in roaming charges, in addition to long distance and regular charges, and that the Board is charged for both outgoing and incoming cellular telephone calls. Employees should also be aware that excessive use of Wireless Communication Devices capable of using cellular data or accessing broadband services may result in overage charges and temporary suspension of the use of cellular data or broadband service.

Employees must safeguard any Board-owned Wireless Communication Device in their possession. Reasonable precautions should be made to prevent equipment loss, damage, theft, and vandalism. The Board reserves the right to audit all Board-owned Wireless Communication Devices and their use. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the Wireless Communication Device for return or inspection. Employees unable to present the equipment in good working condition within the time period requested (e.g., twenty-four (24) hours) may be expected to bear the cost of a replacement device. Staff who leave employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

Personally-Owned Wireless Communication Devices Reimbursed by the School

The Board may elect to reimburse the Principal or other designated employees for additional charges incurred as a result of the use of a personal Wireless Communication Device for the purpose of conducting School business. Employees designated for reimbursement shall provide the Principal with their cellular telephone numbers, if the reimbursement is for costs associated with cellular telephone service, so that the employees may be contacted as the need arises.

Reimbursements received by employees may be considered additional compensation for income tax purposes. For individual determinations of tax liability, employees should speak with a personal tax advisor.

Responsible Use of Wireless Communication Devices

Except in the event of an emergency, use of Wireless Communication Devices will not be permitted during periods of instruction or supervision of students, unless use of the device is instrumental to the lesson. Wireless Communication Devices shall be kept on “silent” at all times during periods of instruction and supervision of Students, unless the employee is directed or permitted by the Principal or his/her designee to act otherwise. Employees may use personally-owned Wireless Communication Devices for personal uses, such as to make personal calls, but use is limited to employee break periods and lunch period. It is the responsibility of employees to ensure that friends and family members are aware of the Board’s policy.

All employees are expected to use discretion in using personal Wireless Communication Devices while at work, and all calls, emails, text messages, or other communication made on School property, even personal communications, should be professional and appropriate for an educational environment.

Safety is a priority of the Board, and responsible use of Wireless Communication Devices includes safe use. Employees are discouraged from using Wireless Communication Devices while driving. Staff should plan to make all calls, send text messages and emails, or engage in other communications either prior to traveling or while on rest breaks.

When a Wireless Communication Device is equipped with an internal security mechanism, such as a “lock”, “passcode,” or “password” feature, employees must utilize such internal security mechanism to protect the contents of the Wireless Communication Device from unauthorized access. Employees shall also be responsible for safeguarding personally-owned Wireless Communication Devices and should be aware at all times of the location and accessibility of the device to unauthorized users. Employees are responsible for any intrusion into an “unlocked” or unprotected Wireless Communication Device.

Even when Wireless Communication Devices are “locked,” the devices and the data stored therein are not absolutely secure. Employees should use discretion in relaying confidential information, particularly confidential information relating to Students, through the use of Wireless Communication Devices. Except in the event of an emergency, employees shall not record, capture, or transmit any audio, video, or photographic images of any Student during School hours, on School grounds, or during a School-sponsored event, without the express permission and prior notice of the Student’s parent. Additionally, employees should be aware that all recorded wireless communications, including emails, text messages, calls, or other communications made or received using a Wireless Communication Device that serve to document the function of the School may constitute public records subject to inspection.

Wireless Communication Devices containing a built-in camera or video recorder are prohibited from use in locker rooms, bathrooms, swimming pools, or other areas where it is reasonably anticipated that individuals may be in various stages of undress.

If deemed necessary, the Principal shall prepare the necessary administrative guidelines for the implementation of this policy. Violation of this policy or any adopted administrative guidelines may constitute just cause for disciplinary action up to and including termination.

SECTION 150

ADMINISTRATION/PROGRAM/SCHOOL POLICIES

151 Approval of Management by Management Company

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

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

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

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

153 Role of Management Company, if any

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

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

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

The Board directs the Principal, or the Management Company, if any, to maintain continuously a comprehensive, coordinated set of job descriptions for Staff so as to promote effectiveness, efficiency, and economy in the operation of the School, and to coordinate its personnel policies with the Contract and School policies. No job description shall preclude the Board or Principal from adding or subtracting from such description at any time.

Dayton Business Technology High School, in collaboration with community partnerships, businesses and post-secondary options, provides educational opportunities that cultivate lifelong learners who demonstrate ambition, leadership, and motivation to stay ahead of industry trends and having transferable skills to various industries.

The vision of Dayton Business Technology High School is to craft a holistic learning community that allows individuals to develop essential skill sets in order to thrive in a global economy.

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

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

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

The School Treasurer, fiscal agent, Principal, or management company (check one) shall administer the insurance program.

158 Curriculum Development

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

As educational leader, the Principal or his/her designee shall be responsible to the Board for the development and evaluation of curriculum.

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

The Board directs that the curriculum of this School:

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

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

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

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

The Board directs the Principal or his/her designee to pursue actively State and Federal aid in support of all School activities.

The Board itself will formulate and adopt policies and may accept recommendations of the Principal. The Board delegates to the Principal or his/her designee, the function of designing and implementing the guidelines, required actions, procedures and detailed arrangements under which the School will operate. These administrative guidelines shall not be inconsistent with the Policies adopted by the Board, unless the law so requires.

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

As long as the provisions of these administrative guidelines, procedures, or handbooks are not inconsistent with Board policies, or with Federal or State law, they shall be binding upon all staff and students.

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

SECTION 2:
PROGRAM AND STUDENT POLICIES

SECTION 200

PROGRAM OPERATION

Dayton Business Technology High School, in collaboration with community partnerships, businesses and post-secondary options, provides educational opportunities that cultivate lifelong learners who demonstrate ambition, leadership, and motivation to stay ahead of industry trends and having transferable skills to various industries.

The vision of Dayton Business Technology High School is to craft a holistic learning community that allows individuals to develop essential skill sets in order to thrive in a global economy.

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

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

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

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

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

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

R.C. 3313.472

203.1 Parent Participation in Title I Programs

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

- A. involve parents in the development of the School's Title I plans and in the process of school review and improvement, if necessary;
- B. provide coordination, technical assistance, and other support necessary to plan and implement effective parent involvement;
- C. coordinate and integrate parent involvement strategies with other federal programs;
- D. in consultation with parents, annually evaluate the content and effectiveness of the parent involvement policy in improving the academic quality of schools, including:
 - 1. identifying barriers to greater parent participation;
 - 2. designing strategies for more effective parental involvement; and,
 - 3. revising the parental involvement policy if necessary;
- E. provide opportunities for the participation of parents who are English language learners, parents with disabilities and parents of migratory children, including providing information and school reports in a format, and to the extent practicable in a language, such parents can understand;
- F. conduct meetings with parents including provisions for flexible scheduling and assistance to parents to better assure their attendance at meetings;
- G. develop agendas for parent meetings to include review and explanation of the curriculum, means of assessments, and the proficiency levels students are expected to achieve and maintain;
- H. communicate information concerning school performance profiles and their child's individual performance to parents;
- I. assist parents in helping their children in achieving the objectives of the program by such means as ensuring regular attendance, monitoring television-watching, providing adequate time and the proper environment for homework; guiding nutritional and health practices, and the like;
- J. provide timely responses to parental questions, concerns, and recommendations;
- K. conduct other activities as appropriate to the Title I plan and State and Federal requirements.

- L. convene an annual meeting at a convenient time to which all parents of participating children are invited and encouraged to attend to explain the parents' rights to be involved and the school's obligations to develop a parental involvement plan. The School-Parent Compact will be given to parents prior to school opening. It describes how the parents, Staff and students will share the responsibility for improving student achievement. See **Appendix 203-A**
- M. provide materials and training to help parents work with their children to improve achievement;
- N. educate teachers, pupil services personnel, and other staff, with the assistance of parents, about the value and utility of contributions of parents, how to reach out to, communicate with, and work with parents as equal partners, how to implement and coordinate parent programs, and how to build ties between parents and the school;
- O. consider training parents to enhance the involvement of other parents;
- P. consider establishing a parent advisory council to provide advice on all matters related to parental involvement programs;
- Q. develop appropriate roles for community-based organizations and businesses in parental involvement activities.

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

203.2 Title I – Parent’s Right to Know

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

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

In addition, the parents shall be provided:

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

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

20 U.S.C. 6311; 34 C.F.R. Part 200 et seq.

See **Appendix 203.2-A** Parent’s Right-to-Know letter; **Appendix 203.2-B** Letter to Parent Regarding Instruction Provided by Non-Highly Qualified Teacher.

203.3 Parental Involvement-Use of Scientifically Based Research

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

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

203.4 Parental Review of Instructional Materials

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

20 U.S.C. §1232h.

203.5 Parental Consultation Regarding Physical Exams

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

20 U.S.C. §1232h.

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

204.1 Policy Regarding Low Performing Children

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

20 U.S.C. §6301(3); NCLB §1001(3).

204.2 Teacher Responsibility

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

20 U.S.C. §6301(7); NCLB §1001(7).

204.3 Scientifically Based Instruction Methods

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

20 U.S.C. §6301(9); NCLB §1001(9).

204.4 School to Work Programs

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

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

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

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

See also Credit Flexibility Policy No. 247 and Post-Secondary Enrollment Options Program-Dual Enrollment Policy No. 204.13.

204.5 Compliance With State Academic Standards

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

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

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

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

If the School desires to receive funding under Title I, Part F, the School will develop comprehensive reforms, based on scientifically based research and effective practices that emphasize basic academics and parental involvement to enable its students to meet the state's academic achievement standards.

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

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

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

The School will use measurable goals for academic achievement.

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

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

20 U.S.C. §6511; NCLB §1601; 20 U.S.C. §6516(a)(1); NCLB §1606(a)(1); 20 U.S.C. §6516(a)(2); NCLB §1606(a)(2); 20 U.S.C. §6516(a)(3); NCLB §1606(a)(3); 20 U.S.C. §6516(a)(4); NCLB §1606(c)(4); 20 U.S.C. §6516(a)(7); NCLB §1606(a)(7); 20 U.S.C. §6516(a)(9); NCLB §1606(a)(9)

204.7 Teacher/Paraprofessional Qualifications

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

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

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

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

20 U.S.C. §6319(c); NCLB §1119(c); 20 U.S.C. §6319(c); NCLB §1119(c); 20 U.S.C. §6319(d); NCLB §1119(d); R.C. 3319.074

204.8 Migrant Students

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

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

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

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

20 U.S.C. §6391(1); NCLB §1301(1); 20 U.S.C. §6391(3); NCLB §1301(3); 20 U.S.C. §6391(4); NCLB §1301(4); 20 U.S.C. §6391(5); NCLB §1301(5)

204.9 Advanced Placement Program

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

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

The School will make every reasonable effort to:

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

20 U.S.C. §6532(1); NCLB §1702(1); 20 U.S.C. §6532(2); NCLB §1702(2); 20 U.S.C. §6532(4); NCLB §1702(4); 20 U.S.C. §6532(6); NCLB §1702(6); 20 U.S.C. §6532(7); NCLB §1702(7); 20 U.S.C. §6532(7); NCLB §1702(7); 20 U.S.C. §6532(8); NCLB §1702(8)

204.10 Preventing Dropouts

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

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

204.11 Assistance to English Language Learners and Immigrant Students

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

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

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

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

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

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

20 U.S.C. §6825(a); NCLB §3115(a)

204.12 Reading Standards

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

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

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

20 U.S.C. §6361(1); NCLB §1201(1); 20 U.S.C. §6361(2); NCLB §1201(2); 20 U.S.C. §6361(4); NCLB §1001(4)

204.13 College Credit Plus Program – Advanced Standing Program

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

Any high school Students (grades 9 through 12) and middle school Students (grades 7 through 8) may participate in the Program. A Student participating in the Program shall elect one of two basic tracks: Option A – Elect to receive only college credit, in which case the cost of attending the college courses is borne entirely by the Student and his/her Parent; or, Option B – Elect to receive both college and high school credit, in which case the Student and his/her Parent may elect for participation to either (1) be subsidized by direct payments to the college out of the School’s foundation funds or (2) be borne entirely by the Student and his/her Parent(s). If the School provides its own transportation to students, reimbursement for transportation costs may be available.

Prior to participating in the Program, a Student shall be provided with specific information and counseling designed to make the Student aware of the possible risks and benefits of the Program. The School shall provide information on the program to Students in the grades prior to the years of eligibility on or before March 1, at minimum, through a notice provided to Students annually (see Appendix 204.13-B). Beginning with the 2016-2017 school year, such notice shall be given to Students in grades 6 through 11 on or before February 1. All communications sent to Students and Parent(s) related to academic planning shall include information on the Program. Information shall also be made available on the School’s website. The School shall hold at least one informational session per year in conjunction with each participating college within a 30 mile radius of the School. If no participating colleges are within a 30 mile radius, the School shall partner with the closest participating college to offer an informational session. Beginning with the 2016-2017 school year, this informational session must occur between October 1 and February 15. The School may coordinate with other schools in the area to hold informational sessions.

A Student wishing to participate in the Program shall give notice to the School between February 15 and April 1. If notice is received after April 1, the Student must obtain the written consent of the Principal in order to participate. If the Principal refuses to give written consent, the Student may appeal the Principal’s decision to the State Board of Education. Students wishing to participate in the Program during the summer term must also comply with the April 1 deadline for notice, but are strongly encouraged to give notice to the School in February in order to improve chances of meeting summer registration timelines.

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

1. Program eligibility;

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

The School shall notify each Student participating in the Program of the total number of college credits he/she may earn in an academic year through the Program prior to the date the Student registers for a course or courses in a term at an enrolling college.

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

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

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

The School, in coordination with a participating college or university, may elect to provide Program courses at the School under the instructor of a qualified high school teacher. Such a course must follow the same college course syllabus, use the same textbook and other course materials, aspire to achieve the same course objectives and learning outcomes, and assess

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

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

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

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

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

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

If the Student receives a failing grade in any college course while participating in the Program, the Student and his or her Parent(s) may be held responsible to reimburse the amount of state funds paid to the college on the Student's behalf. A Student who receives a failing grade may have grades and credits withheld by the School until such reimbursement occurs. However, the School shall not seek reimbursement from any participating Student who is economically disadvantaged.

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

Annually, the School and the participating college shall jointly submit the required data to the Chancellor of the Ohio Board of Regents for any Student participating in the Program by July 15.

Nothing in the "College Credit Plus" program shall preclude a Student from also choosing to complete coursework in another Advanced Standing Program while enrolled in high school.

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

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

R.C. 3313.6013; Chapter 3365; OAC 3333-1-65; OAC Chapter 3301-44.

See **Appendix 204.13-A** Letter of Intent to Participate in College Credit Plus, **Appendix 204.13-B** College Credit Plus Informational Sheet, and **Appendix 204.13-C** Sample Invitation Letter for Informational Sessions.

204.14 Career Advising and Student Success Plans

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

I. Definitions

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

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

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

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

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

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

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

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

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

II. Career Advising Plan

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

The School's career advising program:

1. will provide career advising to students in grades 9-12 through a combination of formal scheduled meetings with each student, classroom instruction regarding possible career options and career advice provided by teachers;
2. shall provide grade-level examples linking a student's schoolwork to one or more career fields by consulting the Career Connections Learning Strategies and/or any other career advising source the Principal of the School and/or the Board deems appropriate;
3. shall develop multiple academic pathways through high school that will allow a student to earn a high school diploma, including career technical programs and advanced standing programs;
4. will provide the supports necessary for students to transition successfully from high school to their post-secondary destination, including interventions and services necessary for students who need remediation in mathematics and English language arts; and
5. identify and publicize courses that can award students both traditional academic and career technical credit.

III. Documentation of the School's Career Advising Program

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

IV. Students At Risk of Dropping Out of High School

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

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

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

R.C. 3313.6020. See Appendices 204.14-A Model Student Success Plan Invitation Letter to Parent and 204.14-B Model Letter to Parent After Development of Student Success Plan.

204.15 Blended Learning Program

If the School operates a blended learning program registered with the Ohio Department of Education, the School shall develop procedures that address, at a minimum, the following:

- A. Means of personalization of student-centered learning models to meet the needs of each student;
- B. The evaluation and review of the quality of online curriculum delivered to students;
- C. Assessment of each participating student's progress through the curriculum;
- D. Assignment to a sufficient number of teachers to ensure that a student has an appropriate level of interaction to meet the student's personal learning goals;
- E. The method by which each participating student will have access to the digital learning tools necessary to access the online or digital content;
- F. The means by which the School shall use a filtering device or install filtering software that protects against internet access to materials that are obscene or harmful to juveniles on each computer provided to or made available to students for instructional use, and provision at no cost of such devices or software to any student who uses a device obtained from a source other than the School; and
- G. The means by which the School will ensure that teachers have appropriate training in the pedagogy of the effective delivery of online or digital instruction.

Each participating student shall be assigned to at least one teacher of record, and no teacher of record may be assigned to more than 125 students.

Participating students shall be permitted to earn credits and advance through each level of the curriculum by demonstrating mastery of knowledge or skills through competency-based learning models. Credits shall not be based on a minimum number of days or hours in a classroom or on a digital learning device. Student shall be promoted to the next grade based on credits earned.

R.C. 3301.079, 3302.41, OAC 3301-35-03

205 **Program Assessment**

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

The assessment shall consist of four major elements:

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

Process for Comprehensive Continuous Improvement Plan ("CCIP") Grants

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

205.1 Report Card

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

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

205.2 Annual Report

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

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

205.3 Other Reporting

The Principal or his/her designee shall report to the Board, all matters required by the Ohio Revised Code Section 3314.08(B)(2)(a)-(g) and 3314.0714.

See also Policy No. 144 Reporting Requirements.

205.4 Adequate Yearly Progress

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

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

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

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

NAME and/or TITLE
ADDRESS
TELEPHONE NUMBER

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

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

SECTION 220

PROGRAM ADMINISTRATION

221 Access to Equal Educational Opportunity

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

The Board appoints the Principal or his/her designee to be the Compliance Officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any complaints are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination rights under applicable laws is provided to students, their parents, staff members, and the general public.

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

Section 222.1 - Title IX Grievance Procedure and/or

Section 223.1 - Title I Complaint Procedure and/or

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

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

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

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

34 CFR 106.8

222.1 Title IX Grievance Procedure

The Title IX Grievance Procedure listed below is meant to provide for prompt and equitable resolution of student and employee complaints. All attempts should be made to resolve grievances at the lowest level possible.

Level I- Informal Procedure

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

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

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

The Board or its designee (1-3 members of the Board) shall make a decision on the grievance and shall give that decision in writing to the Title IX Coordinator and the Student or employee.

Level III- Office for Civil Rights

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

A student or employee who believes there is a basis for a grievance related to Title IX may file a written complaint with the Office for Civil Rights, U.S. Department of Education, 600 Superior Avenue East, Suite 750, Cleveland, Ohio 44114-2611. Any such written complaint must be filed within 180 days from the date of the alleged discrimination.

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

The Principal or his/her designee shall prepare and present to the Department of Education a plan for the delivery of services which meets the requirements of the law, including those described below. The plan shall be developed by appropriate staff members and parents of students who will be served by the plan.

Assessment

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

Scope

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

Participation

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

Comparability of Services

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

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

Professional Development

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

1. involve parents in the training, when appropriate;

2. combine and consolidate other available Federal and School funds; and
3. foster cooperative training with institutions of higher learning and other educational organizations including other school districts.

Simultaneous Services

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

20 U.S.C. §6314

223.1 Title I Complaint Procedure

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

Responsibilities of the Principal or his/her designee:

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

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

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

34 CFR 104.7

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

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

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

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

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

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

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

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

20 U.S.C. §7904(b); NCLB §9524(b)

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

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

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

Employment

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

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

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

Facilities

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

Program

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

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

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

Section 504

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

The Principal or his/her designee shall be the Section 504 Compliance Officer. A complaint regarding a violation of law and this policy in an employment decision shall be subject to a grievance procedure (Policy No. 228) that provides for the prompt and equitable resolution of disputes.

Procedures

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

20 USC 1412; 34 CFR 300.220.

227.1 Child Find

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

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

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

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

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

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

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

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

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

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

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

OFFICER

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

GRIEVANCE PROCEDURE

The grievance procedure shall follow these steps:

1. The grievant will file a written complaint, stating the specific facts of his/her grievance and the alleged discriminatory act, with the Section 504 Compliance Officer within fifteen (15) calendar days of the conduct alleged to be in violation of Section 504.
2. The compliance officer shall make all reasonable efforts to resolve the matter informally.
3. In the event the complaint cannot be resolved informally, the Compliance Officer will investigate the matter and will provide a written copy of his/her determination to both parties.
4. The grievant may appeal the determination of the compliance officer to the Board or a committee of the Board within ten (10) calendar days of the receipt of the Compliance Officer's determination. The appeal shall be in writing and attached to copies of the original complaint and the written determination of the compliance officer. The Board or its designated committee may, in its discretion, convene a hearing at which the parties may present testimony and argument.
5. The Board shall provide both parties with a written decision.

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

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

Evaluation and Compliance

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

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

Employment Practices

Discrimination Prohibited

In accordance with Section 504/ADA, no qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment under any of the School's programs

or activities. Further, the Board will take positive steps to employ and advance in employment qualified individuals with disabilities. The Board will not limit, segregate, or classify applicants or employees in any way that adversely affects their opportunities or status because of disability. Additionally, the Board will not participate in any contractual or other relationships that have the effect of subjecting qualified individuals with disabilities who are applicants or employees to discrimination on the basis of disability.

Reasonable Accommodation

The Board will make reasonable accommodation to the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee, unless the accommodation would impose an undue hardship on the operation of the School's program and/or activities.

Facilities

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

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

Education

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

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

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

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

The Board is committed to educating (or providing for the education of) each qualified person with a disability who resides within the School with persons who are not disabled to the maximum extent appropriate to the needs of the person with disabilities. Generally, the School will place a person with a disability in the regular educational environment unless it is demonstrated that the education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. If the School places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.

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

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

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

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

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

See also Policy No. 275.1 Disciplining a 504 Student.

Because of their sustained contact with school-age children, teachers and other employees are in a position to identify abused or neglected children. The School requires that every elementary, middle and high school teacher, counselor, psychiatrist, nurse or administrator complete at least four hours of in-service training in child abuse prevention, school safety, violence prevention, human trafficking, substance abuse, the promotion of positive youth development, and suicide awareness within two years of commencing employment in the School, and every five years thereafter. The School may develop its own curriculum or adopt the curriculum developed by the Ohio Department of Education for the in-service training. The School shall maintain records of staff participation in in-service child abuse detection.

Every School official, School employee, or employee assigned to the School who knows or has reasonable cause to suspect based on facts that would cause a person in a similar position to suspect, that a student under eighteen years of age (or a mentally retarded, developmentally disabled, or physically impaired student under twenty-one (21) years of age) has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the student, shall immediately report that knowledge or suspicion, by telephone or in person, to the public Children's Services Agency or local law enforcement agency. S/He shall also notify the Principal or his/her designee.

All suspected cases are to be reported even if documentation is not available. The law provides protection for the reporting person who acts in good faith.

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

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

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

“Sexting” is a term applied to creating, receiving, exchanging, sending or possessing a photograph or other material showing a minor in a state of nudity, and sexting is prohibited, regardless of whether any child pornography laws are violated. Students, parents and/or the police may be contacted and sexting may be reported as suspected child abuse or neglect.

If the School has notified Student's parents or guardian of a potential threat of Student suicide, and the School has reasonable cause to suspect based on facts that the Student's parents or guardians have disregarded the reported threat, the School shall immediately report that knowledge or suspicion, by telephone or in person, to the public Children's Services Agency or local law enforcement agency.

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

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

A report made under this policy is confidential under Ohio law. No person may disclose the contents of any report made under this policy except as provided above.

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

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

See also Policy No. 234 Electronic Communication Devices, Policy No. 271 Student Code of Conduct, and Policy No. 424.1 Student Suicide.

230 Notice of Policy Changes

From time to time, policies, rules and regulations may be changed. The Principal or his/her designee or the Board will provide notification of changes and/or notice will be posted in the common area of the School's facilities.

231 Policy Manual Distribution and Maintenance

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

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

232 Technology and Internet Acceptable Use

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

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

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

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

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

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

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

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

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

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

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

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

Signature of Parent/Guardian

Date

Signature of Student

Date

OR;

Signature of Staff Member

Date

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

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

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

R.C. 3313.801.

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

1. Devices shall not be used in a manner that disrupts the educational process, or educational mission including, but not limited to, posing a threat to academic integrity or violating confidentiality or privacy rights of another individual. Unless an emergency situation exists that involves imminent physical danger or a certified employee authorizes the student to do otherwise, devices shall be turned off during the School day. They may be stored in the Student's backpack during the School day, but may only be turned on and operated before and after the regular school day.
2. When Students violate this prohibition, they shall be subject to disciplinary action, including but not limited to losing the privilege of bringing the device onto School property. In addition, an administrator may confiscate the device, which shall only be returned to the Student's Parent. All requests to confiscate these items must be complied with in a spirit of cooperation. If, upon confiscation, the School becomes aware of other misuse of the device, or, has a reasonable suspicion of other violations of School policy, the Student may be disciplined for additional violations of this or other School policies. In other words, a Student loses his/her privacy rights in the device and information contained in the device, once a School policy is violated and the device confiscated so long as the School has a reasonable suspicion of misuse.
3. Students are responsible for devices they bring to School. The School shall not be responsible for loss, theft, or destruction of devices brought onto School property.
4. Students shall comply with any additional rules developed by the School concerning appropriate use of electronic communication devices.
5. Students shall not utilize an electronic communication device in a manner that would violate the School's Technology and Internet Acceptable Use Policy or its Student Code of Conduct.
6. Examples of types of prohibited behavior involving electronic communication devices include, but are not limited to:
 - a. text messaging on or off School Property during School hours to or from a student on School Property;
 - b. sexting, which is the act of sending sexually explicit messages or photographs, primarily between mobile phones or other electronic communication devices;
 - c. using digital cameras or camera phones to invade the privacy of others by transmitting unauthorized or derogatory photos or video clips to another person via email, to another camera phone or by posting it on the web;

- d. using digital cameras, camera phones, or any other device to cheat on examination;
- e. playing digital games;
- f. using digital cameras, camera phones, or any other device to harass or bully another.

See also Policy No. 229 Child Abuse and Neglect; Policy No. 232 Technology and Internet Acceptable Use; and Policy No. 271 Student Code of Conduct.

SECTION 240

STUDENT ADMISSION/GRADING/GRADUATION

241 Admission and Lottery Standards

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

- Each applicant will be assigned a number;
- The numbers will then be drawn at random by a disinterested third party;
- The first number drawn will be the first new applicant placed on a permanent waiting list and so on until all numbers are drawn;
- Applicants on a permanent waiting list prior to any lottery will retain their position on the waiting list;
- The school may separate the lottery and the waiting lists for each grade or age grouping;
- Students attending the previous year and students who reside in the district in which the school is located will have preference for a position in the current year, even though they may be in a different age or grade group;
- Siblings may be given preference for the next open position.

R.C. 3314.06.

NOTICE

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

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

241.2 Records Upon Enrollment

Newly enrolled student records:

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

Requests for student records:

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

R.C. 3313.672.

See also Policy No. 252 Missing and Absent Children.

241.3 Compulsory Kindergarten Admissions

Policy left blank until and unless the School offers a kindergarten program.

241.4 Enrollees Suspended or Expelled Elsewhere

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

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

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

241.5 Enrollment and Residency Policy

The School admits students residing statewide (“admissions areas”). The School serves grades 9-12 and ages 16-22 as per its Community School Contract with its Sponsor, and, as approved by the Ohio Department of Education, a 22+ Adult High School Diploma Program.

A child shall be admitted to the School as a student, if the child’s parent resides in the School’s admission areas. Residency is not determined solely by where the parents own or rent a home or an apartment, but rather by where the primary residence is and where substantial family activities take place.

Any one of the following documents can be used to establish proof of residency for verification of a child’s ability to be enrolled. These items must be current, be in the parent’s name, and include a street address. A post office box address cannot be used to validate residency records:

- A deed, mortgage, lease, current home owner’s or renter’s insurance declaration page; or
- A current real property tax bill; or
- A utility bill or receipt of utility installation issued within ninety days of enrollment; or
- A paycheck or paystub issued to the parent or student within ninety days of enrollment that includes the address of the parent’s or student’s primary residence; or
- The most current available bank statement issued to the parent or student that includes the address of the parent’s or student’s primary residence; or
- Any other official document issued to the parent or student that includes the address of the parent’s or student’s primary residence and as approved by the Ohio Superintendent of Public Instruction.

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

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

See also, 22+ Adult High School Diploma Program, Missing and Absent Children, Homeless Children and Youth; Admissions and Lottery; Compulsory School Age and Kindergarten Admissions, Student Records and Release of Information; Grandparent Caretaker and Migrant Students Policies and Laws.

241.6 Tuition for Out-of-State Students

The Board may open admission to the School on a tuition basis to any individual age five (5) to twenty-two (22) who is not a resident of Ohio, to the fullest extent allowed under state and federal law, and it may set or revise such tuition amount by Board resolution.

R.C. 3314.06.

State-Mandated Assessments. The School shall administer State-mandated assessments (e.g., diagnostic assessments and achievement tests) to Students at the times designated by the State Board of Education. The School may, for medical reasons or other good cause, excuse a Student from taking a State-mandated assessment on the date scheduled, but any such assessment shall be administered to such excused Student not later than nine (9) calendar days after the last regularly scheduled test administration date. The School shall annually report to the State Board of Education, not later than June 30, the number of Students who have not taken one or more of the State-mandated assessments.

The Superintendent or his/her designee shall administer State-mandated assessments and submit the assessments to the entity with which the Ohio Department of Education contracts for the scoring of the tests, in accordance with Ohio law.

Diagnostic Assessments are assessments aligned with the Ohio academic content standards and model curriculum designed to measure student comprehension of academic content and mastery of related skills for relevant subject areas. Diagnostic assessments shall be administered by the School at least once annually for grades levels kindergarten through second grade in reading, writing, and mathematics, and for grade three in reading and writing to the following students:

- Any Student who transfers to the School if his/her former school did not administer each applicable diagnostic assessment to the Student in the current school year (must be administered within thirty (30) days from the date of transfer).
- Previously home-schooled Students enrolling at the School will be given a diagnostic assessment in order to determine their appropriate grade level placement.
- Each kindergarten student will complete the readiness assessment. The School shall administer the readiness assessment not earlier than the first day of the school year and not later than November 1 of that year, except that the language and reading skills portion of the assessment must be administered by September 30 of that year.
- As required pursuant to the Third Grade Reading Guarantee. See Policy No. 245, Promotion and Retention Policy.

Recordkeeping. The School shall keep records for each student that include the following:

- A unique state student identification code or student data verification code in accordance with R.C. 3301.0714(D)(2);
- A list or designation of which assessments are required and which assessments are not required;
- A list or designation of which assessments, required or not required, are taken and which assessments are not taken during each assessment administration period;
- A score for each assessment taken, whether required or not required;
- Whether or not each student attained the requisite performance standard designated for each required assessment;
- What, if any, assessments must still be taken;
- Whether or not intervention must be provided; and
- For each test required for graduation, the date passed shall be recorded on the student's transcript. No information regarding a test not passed shall be on the student's transcript.

After the administration of any diagnostic assessment and upon a Parent's request, the School shall provide a Student's completed diagnostic assessment, the results of such assessment, and any other accompanying documents used during the administration of the assessment to the Student's Parent.

Retention. No results from required statewide assessments shall be used as the sole basis for determining whether or not to promote a student from grade to grade, except as specified in the Third Grade Reading Guarantee.

Summer Remediation Services. Instruction will be developed and offered by the School during the summer to any student who failed to score at the proficient level on a third grade reading achievement test or a diagnostic assessment.

Superintendent Duties. The Superintendent, or his/her designee, shall develop an assessment system that includes:

- The administration of state-mandated assessments;
- Regular assessments of student performance;
- Multiple and appropriate assessments that will be used to measure student progress;
- Assessment practices that conform to current professional standards for validity and reliability; and
- Sharing information with parents, students, and the community regarding assessment purposes and results.

The Superintendent, or his/her designee, shall also develop:

- Procedures for using diagnostic assessments to measure student progress in accordance with academic standards;
- A plan for the design of classroom-based intervention services to meet the instructional needs of individual students as determined by the results of the diagnostic assessments;
- Procedures for the regular collection of student performance data; and
- Procedures for using student performance data to evaluate the effectiveness of intervention services and, if necessary, to modify those services.

Students with Disabilities. All identified students with disabilities in the School shall be considered for participation in State-mandated testing. The extent of the student's participation shall be determined by the IEP/504 team. The IEP/504 plan developed for the student must specify the manner in which the student will participate in the state achievement assessments. All students shall participate in diagnostic assessments except those with significant cognitive disabilities or other disabilities as authorized by the Ohio Department of Education on a case-by-case basis.

This policy shall be reviewed and updated annually.

R.C. 3301.0710, 3301.0711, 3301.0715, 3313.608, 3313.6012; OAC 3301-13 et seq. and 3301-35 et seq.

See Policy No. 242.2 Alternate Assessments for Students with Disabilities; Policy No. 245 Promotion and Retention Policy.

See Appendix 242.3-A for Individual Student Recordkeeping Chart.

242.1 Security Provisions for Statewide Assessment Tests

Administrative Organization. The Principal or his/her designee will serve as the School coordinator for the Statewide assessments, and is responsible for distributing, collecting and securing (in a locked cabinet or closet) all testing materials while they are in the School, and appointing specific staff members to serve as test examiners.

Examiners are responsible for distributing, administering, proctoring, collecting, and securing all test materials while they are in their possession.

The Principal or his/her designee and other staff members specifically designated to administer the tests are the only persons authorized to have access to the test materials or to be present in the testing room(s).

Security and Ethical Use of Test Materials. Achievement tests and all material developed for use in any form (except practice tests) are secure. All testing examiners and classroom teachers giving the test must follow these provisions, as well as the provisions of the Ohio Department of Education. It is unethical and illegal to: (1) alter a Student's responses or to assist a Student to cheat in any way; (2) use any secure materials to prepare Students for the test or to assist Students who have failed the tests; (3) reproduce any secure material; and (4) release secure material to Students, parents, or any other individual or group.

Test Security Violations. Any alleged test security violation will be investigated by the Principal or his/her designee. If it is determined that a violation occurred, any of several consequences may follow:

- A. All security or ethical breaches must be reported to the Ohio Department of Education within ten (10) days of any violation.
- B. One or more answer sheets may not be scored.
- C. The Board, after appropriate procedures are followed, may terminate or otherwise discipline an employee found guilty of a violation.
- D. The State Board of Education, following appropriate procedures, may seek the suspension of an educator's license certificate.
- E. A law enforcement agency, following an appropriate investigation, may prosecute under Ohio's criminal code.

Prior to commencing an Ohio Department of Education investigation and taking action as a result of an allegation of a test security violation, the State Board of Education will provide the individual with notice of the allegation and an opportunity to respond and present evidence.

Building Administration. All coordinators and examiners are responsible for ensuring that all test security provisions are followed while the test materials are at the School. All test coordinators and classroom teachers giving the test must read the Directions for Administration and Rules for Testing prior to the testing dates. All test coordinators must keep these booklets on file. The tests will be serially numbered and wrapped in sealed packages when they arrive at the test sites. The testing coordinator is to open the sealed packages at the appropriate time, check and verify in writing the accuracy and receipt of all test materials, and prepare the test booklets. Since testing coordinators are required to account for and return all materials, they must carefully

track the materials before, during, and after test administration. This responsibility includes the timely packing and shipping of all used materials and transporting any unused materials to the Principal or his/her designee for shipment. Careful written record keeping and thorough rechecking are essential throughout the testing process.

Final Accounting of Missing Materials. All testing materials are computer scanned before they are shipped to the School and scanned again after they are returned to the testing company. Should any testing materials be unaccounted for after they are returned to the testing company, the Principal or his/her designee, along with the appropriate examiner(s), will conduct a thorough investigation. If after the investigation of all written records the materials are still unaccounted for, the Principal or his/her designee will report his/her findings the Ohio Department of Education. If further investigation should occur, the individual(s) involved will be provided with an opportunity to respond to the charges and present a defense.

Communication of this Policy with Students and Staff. The Principal will ensure that this policy is handed out to and discussed with students participating in the assessments, and staff members who administer the assessments, are authorized to be in the assessment room, and/or who have access to the assessment materials.

Participation of Students with Disabilities. Students with disabilities participate in the Statewide assessments, with appropriate accommodations, as necessary. Decisions about how a Student with a disability will participate in any statewide assessment program will be made by the IEP team. The IEP developed for a disabled student must specify the manner in which the student will participate in the state achievement assessments. See Policy No. 242.2 Alternate Assessments for Students with Disabilities.

Participation of Limited English Proficient Students. Limited English Proficient Students participate in the Statewide assessments according to the applicable rules and laws. They may receive approved accommodations following consultation with their instructor.

OAC 3301-7-01; OAC 3301-13-01 et seq.

See **Appendix 242.1-A** Standards for the Ethical Use of Tests.

242.2 Alternate Assessments for Students With Disabilities

All students with disabilities are required to participate in state assessments as determined annually by the student's IEP team. The IEP developed for a disabled student must specify the manner in which the student will participate in the state achievement assessments.

A. Regular Assessments With Accommodations

For any student with disabilities who takes an assessment that is administered to nondisabled students, the school shall include that information in the student's IEP or document that information in writing for a Section 504 student, and provide the student with any appropriate accommodations pursuant to this policy. Any accommodations shall meet all of the following criteria specified below:

1. The accommodation is specified in the student's IEP or 504 Plan and is provided for classroom and schoolwide assessments.
2. The accommodation does not change the content or structure of an assessment.
3. The accommodation does not change what type of knowledge or skill that an assessment is intended to measure.
4. The accommodation does not change or enhance the student's response as to what type of knowledge or skill is intended to be assessed, but it facilitates how the response is provided or assessed.

B. Alternative Assessments

A student's IEP team may excuse a student with disabilities from taking any particular assessment that is administered to nondisabled students during any school year. An excused student with disabilities shall participate instead in an alternate assessment approved by the Ohio Department of Education. A valid excuse must meet all of the following criteria:

1. The student is completing a curriculum that is modified substantially in form and/or substance by the IEP from the general education curriculum, or the student is completing the regular curriculum, but the student has a disability that presents unique and significant challenges such that the student's IEP provides for accommodations in classroom and schoolwide tests that do not meet the criteria of this policy.
2. The student has a significant cognitive disability.
3. The student requires instruction focused on the application of state standards through essential life skills.
4. The student requires instruction at multiple levels below age or grade level.
5. The student who is unlikely to provide valid and reliable measures of proficiency in content areas in a standardized assessment with accommodations that meet the criteria included in this policy.

Each excuse from participating in assessments administered to nondisabled students shall be documented in a student's IEP or 504 Plan, stating why the particular alternate assessment selected is appropriate for the student, as well as the explanations and reasons for the excuse and a description of benchmarks or short term objectives. Accommodations may be used in accordance with the criteria provided in Part A of this Policy. The school shall conduct the alternate assessment and report results according to the guidelines established by the Ohio Department of Education.

Any student excused from taking a regular assessment who nevertheless wishes to take a regular assessment, may do so, and if that student meets at least the proficient level of performance, the student's transcript will show that the performance standard was met. Accommodations may be used, so long as each accommodation provided meets the criteria provided in Part A of this Policy.

Statewide assessment pass rates used to determine school and building performance include the results of those who take assessments without any accommodation; those who take assessments with accommodations that meet the criteria of this policy; and those who are excused under this policy and take alternative assessments.

Any student with disabilities who otherwise has completed an IEP program but has not received a diploma due to not having passed a required assessment may take any assessment required for graduation at any time it is administered in any school.

OAC 3301-13-03.

See **Appendix 242.2-A** Guidelines for Participation in Ohio's Alternate Assessment for Students with Disabilities.

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

The Board believes that the School's grading system should be a reliable system and one that ensures each student's grades signify accurately his/her degree of accomplishment of those expected learning goals which are to be stated for each program at every grade level, grades 9 through 12.

The Principal or his/her designee shall develop procedures for grading which

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

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

244 **Graduation Requirements**

- English:** High School English is required all four years.
- Math:** Required all four years; *minimum completion of Algebra III and Geometry II.*
- Science:** Required--minimum one biological science and one physical science
- World Language:** Required all four years.
- History:** Required for three years: At least two years of American History must be completed.
- Fine Arts:** Required for two years. Sample courses include but are not limited to:
- Music
 - Art
 - Creative Writing
- Physical Education:** Required for all four years, one term per year.
- Health:** Required for one term.
- Computer Programming:** Required for one year.

A total of 26 credits are required for graduation. A passing grade of 60% is required to get credit for any class that is graded numerically. A passing grade of FAIR is required to get credit for any class that is graded using comments.

Credit Assignments:

English	1.3 credits/year
Math	1.3 credits/year
Language	1.3 credits/year
Science	1.0 credit/year
History	1.0 credit/year
Fine Arts	credits vary depending on the number of hours/week the class meets.
Computer	0.5 credits/year
Advising	0.3 credits/year
Physical Education	0.2 credits/term
Health	0.3 credits/term
AP Psychology	1.0 credits/year
AP Statistics	1.3 credits/year

244.1 22+ Adult High School Diploma Program

Consistent with R.C. 3314.38 and subject to Department of Education continued approval, the School may enroll and educate eligible individuals as defined in R.C. 3317.23 who are at least twenty-two years of age for up to two consecutive school years to allow enrollees to earn a high school diploma. An enrolled eligible individual may satisfy the requirements to earn a high school diploma by successfully completing a competency-based educational program. The School shall comply with all requirements set forth in R.C. 3317.23, 3317.231, R.C. 3314.38, and Chapter 3301-45 of the Administrative Code as applicable to community schools operating dropout prevention and recovery programs.

The School shall create success plans for all enrolled eligible individuals through a career counselor that considers the abilities and interests of the student and creates a pathway to a diploma and a career beyond secondary education. Success plans shall include benchmarks to monitor student progress toward a diploma.

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

Promotion

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

Retention

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

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

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

Factors

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

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

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

- 3rd grade math and reading achievement assessments;
- 4th grade reading, writing and math achievement assessments;
- 5th grade reading, math, science and social studies achievement assessments;
- 6th grade reading and math achievement assessments;
- 7th grade reading, writing and math achievement assessments; or
- 8th grade reading, math, science and social studies achievement assessments.

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

Disabled Students

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

Third Grade Guarantee

The School will not promote any student to the 4th grade who does not achieve at least the level equivalent to the level designated by the Ohio Board of Education unless:

- The student is a limited English proficient student who has been enrolled in U.S. schools for less than three full school years and has had less than three years instruction in an English as a second language program;
- The student is a student with a disability entitled to special education and related services and the student's IEP exempts the student from retention;
- The student demonstrated an acceptable level of performance on an alternative standardized reading assessment as determined by the Ohio Dept. of Education;
- The student received intensive remediation for reading for two school years but still demonstrates a deficiency in reading and was previously retained in any grades K through 3; or
- All of the following apply:
 - The student is a student with a disability;
 - The student has taken the 3rd grade English language arts achievement assessment;
 - The student's IEP or 504 plan shows that the student has received intensive remediation in reading for two school years but still demonstrates a deficiency in reading; and
 - The student previously was retained in grades K-3.

If a student is promoted despite not attaining the Ohio Board of Education specified level (which may change yearly), the student will continue to receive intensive reading instruction in the 4th grade, including an altered instructional day, and specialized diagnostic information and specific research-based reading strategies that have been successful in improving reading among low performing readers.

If the student is retained, the School shall:

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

If a student who has been retained demonstrates that he or she is reading at or above grade level, the student may be promoted mid-year to the 4th grade at the Principal's discretion.

Intervention

Annually, the School will assess the reading skills of each student enrolled in kindergarten to third grade by September 30th and will identify students who are reading below grade-level except those students with cognitive disabilities or other disabilities as authorized by the Ohio Department of Education on a case-by-case basis.

For students reading below grade-level, the School will:

- Provide written notification to the student's parent(s) that includes the following:
 - A statement that the student has been identified as having a substantial deficiency in reading;
 - A description of the current services that are provided to the student;
 - A description of the proposed supplemental instructional services and supports that will be provided to the student that are designed to remediate the identified areas of reading deficiency;
 - A statement that if the student receives a score within a certain range on the assessment to measure English and language arts skills, the student will be retained unless the student is exempt; and
 - A statement that the assessment is not the sole determination of promotion and that additional evaluations and assessments are available to assist the School and parent(s) in knowing whether the student is reading at or above grade level and is ready for promotion.
- Provide intensive reading instruction to the student immediately following identification of a reading deficiency, including research-based reading strategies that have been shown to be successful in improving reading among low-performing readers and targeted at the student's identified deficiencies.
- Develop a reading improvement and monitoring plan within 60 days after receiving the student's results on the diagnostic assessment. The plan must include:
 - Identification of the student's specific reading deficiencies;

- A description of the additional instructional services and support that will be provided to the student to remediate the identified reading deficiencies;
- Opportunities for the student’s parent(s) to be involved in the instructional services and support;
- A process for monitoring the extent to which the student receives the instructional services and support;
- A reading curriculum during regular school hours that does all of the following: assists students to read at grade level; provides scientifically based and reliable assessment; and provides initial and ongoing analysis of each student’s reading process; and
- A statement that if the student fails to attain a level designated by the Ohio Board of Education on the assessment to measure skill in English language arts expected by the end of the 3rd grade, the student may be retained in the 3rd grade.

Teacher Qualifications

Each student with a reading improvement and monitoring plan who enters the 3rd grade after July 1, 2013 shall be assigned a teacher who has at least one year of teaching experience and:

- Holds a reading endorsement on the teacher’s license and has attained a passing score on the corresponding assessment for that endorsement, as applicable; or
- Was rated “most effective” for reading instruction consecutively for the most recent two years based on assessments of student growth measures developed by a vendor that is on the list of student assessments approved by the State Board of Education; or
- Was rated “above expected value added” in reading instruction, as determined by criteria established by the Ohio Department of Education, for the most recent, consecutive two years; or
- Earned a passing score on a rigorous test of principles of scientifically research-based reading instruction; or
- Holds an educator license for teaching grades pre-kindergarten through three or four through nine issued on or after July 1, 2017.

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

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

Nothing in the Third Grade Reading Guarantee prevents a student with a reading improvement and monitoring plan from receiving reading intervention and remediation services from an individual employed as a speech-language pathologist who holds a license issued by the board of

speech-language pathology and audiology and a professional pupil services license as a school speech-language pathologist issued by the State Board of Education.

Reporting Requirement

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

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

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

246 Procedure to Notify Parent/Guardian or Custodian of Ohio Core Curriculum Requirements

The School will notify the parent, guardian or custodian of each student enrolled in the high school in writing of the Ohio graduation requirements and that one consequence of not completing that curriculum is ineligibility to enroll in most state universities in Ohio without further coursework. See **Appendix 246-A** for the Ohio core curriculum requirements.

R.C. 3313.6014; R.C. 3313.603; R.C. 3314.03.

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

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

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

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

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

RC Sections 3313.60; 3313.603; 3313.609; 3313.6013; 3313.611; 3313.613; 3313.614; 3313.90; 3321.04; Chapters 3324; 3365; OAC Chapters 3301-34; 3301-35-06; 3301-46; 3301-51; 3301-61

SECTION 250

ATTENDANCE

251 Attendance/Truancy/Withdrawal

General Policy

Students enrolled in the School must attend School regularly in accordance with the laws of the State. The educational program offered by the School is predicated upon the presence and punctuality of the student and requires continuity of instruction and classroom participation. A parent must contact the School in accordance with the procedure set forth in Policy No. 252 whenever a student is absent.

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

Excused Absences

Absences due to the following will be excused:

1. Personal physical illness such as to prevent attendance at School.
2. Personal mental illness such that the student will not benefit from instruction.
3. Illness in the family if student is age fourteen or older.
4. Quarantine of the home.
5. Death in the family.
6. Observance of religious holidays.
7. Court subpoena.
8. Necessary work at home due to absence of parents/guardians.
9. Instruction at home from a person qualified to teach the branches of education in which instruction is required.
10. An emergency or set of circumstances which in the judgment of the School constitutes a good and sufficient cause for absence.
11. If a student is absent from School for the sole purpose of traveling out of state to participate in a School-approved enrichment activity or extra-curricular activity, the School shall count that absence as an excused absence, up to a maximum of 4 days per school year. The student must complete any classroom assignments he/she misses due to the absence. If the student will be absent for 4 or more consecutive school days, classroom teachers must accompany the student during the travel period to provide the student with instructional assistance in order to count the student as in attendance.

Upon return to School, the student must provide to the School a written statement from a parent of the cause for absence, or the absence will be considered unexcused. The Principal or his/her designee reserves the right to verify such statements and to investigate the cause of each individual absence.

Withdrawal

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

Disciplinary Action for Unexcused Tardiness or Absence

Repeated unexcused absences/tardiness shall be grounds for disciplinary action in accordance with Policy No. 271 Student Code of Conduct.

A student is tardy when a student is more than five minutes late for School or for a class. If a student misses more than half a class, the student will be marked absent for the class.

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

Truancy

A student is 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 is 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 fifteen (15) or more School days in one (1) year.

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

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

If the student is habitually truant and the student's parents have failed to cause the student's attendance, the Board authorizes the Principal or his/her designee to inform the student and his/her parents of the truancy record and the Board's intent to notify the Judge of the Juvenile Court of the student's excessive truancy.

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

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

R.C. §3321.01; §3314.03(A)(6); §3321.13-.191.

See also Policy No. 271 Student Code of Conduct.

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

A student at the time of his/her initial entry to school shall present to the person in charge of admission any records given to him/her by the elementary or secondary school s/he most recently attended and a certification of birth* issued pursuant to Section 3705.05 of the Ohio Revised Code or a comparable certificate or certification issued pursuant to the statutes of another state, territory, possession, or nation. Within twenty-four (24) hours of the student's entry into the school, a school official shall request the student's official records from the elementary or secondary school s/he most recently attended. If the school the student claims to have most recently attended indicates that it has no records of the student's attendance or the records are not received within fourteen (14) days of the date of request, or the student does not present a certification of birth or comparable certificate or certification from another state, territory, possession, or nation, principal or Principal of the School shall notify the law enforcement agency having jurisdiction in the area where the student resides of this fact and of the possibility that the student may, be a missing child, as this term is defined in Section 2901.30 of the Ohio Revised Code.

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

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

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

The primary responsibility for a student's attendance at School rests with his/her parent(s) or guardian(s). Parent(s)/guardian(s) must notify the School on the day a student is absent unless previous notification has been given in accordance with school procedure for excused absences. The person in charge of admissions is also required to notify a student's parents, custodial parent,

guardian, legal custodian, or other person responsible for him/her when the student is absent from school. The parent or other responsible person shall be notified by telephone or written notice shall be mailed on the same day that the student is absent. Parents or other responsible persons shall provide the School with their current home and/or work telephone numbers and home addresses, as well as emergency telephone numbers.

The procedure for absences is as follows:

1. A parent must call the School to inform the School that his/her child or children will be absent from School. This phone call should take place within the first hour that School is in session.
2. If a parent fails to call the School as prescribed in Part A, School personnel will call the parent to inform him/her of the student's absence.
3. In those cases where telephone communication could not be made, School personnel will initiate a written communication to the home of the legal guardian the day of the student's absence.

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

R.C. §109.65; R.C. §.3313.96; R.C. §3313.672

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

Prior to the first day of August each school year, the School may submit a plan to the Ohio Department of Education which requires students to access and complete classroom lessons posted on the School's website in order to make up hours in that School year on which it is necessary to close the School for any of the following reasons:

- (1) Disease epidemic;
- (2) Hazardous weather conditions;
- (3) Law enforcement emergencies;
- (4) Inoperability of school buses or other equipment necessary to the school's operation;
- (5) Damage to the school building; or
- (6) Other temporary circumstances due to utility failure rendering the school building unfit for school use.

A plan submitted by the School shall provide for making up any number of hours, up to a maximum of the equivalent of three days. Each plan must provide for the following:

- (1) Not later than the first day of November of the school year, each classroom teacher shall develop a sufficient number of lessons for each course taught by the teacher that school year to cover the number of make-up hours specified in the plan. The teacher shall designate the order in which the lessons are to be posted on the School's web site in the event of a school closure.
- (2) To the extent possible and necessary, a classroom teacher shall update or replace, based on current instructional progress, one or more of the lesson plans before they are posted on the web site.
- (3) As soon as possible after a school closure, a school employee responsible for web site operations shall make the designated lessons available to students on the School's site. A lesson shall be posted for each course that was scheduled to meet during the hours of the closure.
- (4) Each student enrolled in a course for which a lesson is posted on the site shall be granted a two-week period from the date of posting to complete the lesson. The student's classroom teacher shall grade the lesson in the same manner as other lessons. The student may receive an incomplete or failing grade if the lesson is not completed on time.
- (5) If a student does not have access to a computer at the student's residence and the plan does not include "blizzard bags" (see below), the student shall be permitted to work on the posted lessons at the school after the student's school reopens. If the lessons were posted prior to the reopening, the student shall be granted a two-week period from the date of the reopening, rather than from the date of posting as otherwise required. The School may provide the student access to a computer before, during, or after the regularly scheduled school day or may provide a substantially similar paper lesson in order to complete the lessons.

Blizzard Bags

In addition to posting classroom lessons online, the School may include in the plan distribution of “blizzard bags” which are paper copies of the lessons posted online. If the School opts to use blizzard bags, teachers shall prepare paper copies in conjunction with the lessons to be posted online and update the paper copies whenever the teacher updates the online lesson plans. The plan must specify the method of distribution of blizzard bag lessons, which may include, but not be limited to, requiring distribution by a specific deadline or requiring distribution prior to anticipated school closure as directed by Principal.

R.C. 3313.482; 3314.08

SECTION 260

STUDENT CONDUCT/RIGHTS

261 Student Expression

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

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

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

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

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

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

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

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

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

1. All individuals are deserving of respect and acceptance. Both adults and youth at the School will exhibit respectful behavior in their speech and actions. All individuals are expected to set positive examples.
2. Students have a right to a learning environment free from physical and verbal threats and harassment. Individuals must not threaten or harass others. Neither must they cause or encourage threatening or harassment of others.
3. Students have a right to learn free from excessive distractions. Individuals must maintain behavior, including dress, vocalization, and other actions, which allows others to learn.
4. Students have a right to the ownership, possession, and respect of their property. Individuals must obtain permission before taking and/or utilizing the property of others. For exceptions, see Policy No. 268 Search and Seizure. Property must be treated with care and respect.
5. Students have a right and are encouraged to ask questions when they do not understand, as long as the questions are presented respectfully and are appropriate for the setting. At times, questions may need to be deferred.

6. Students have a right to disagree with statements and policies affecting them as long as the students' positions are stated respectfully and in a way which does not disrupt the functioning of the class. Disagreement does not mean that statements and policies affecting students will be changed.
7. Students have a right to obtain an explanation of rules and expected behaviors before they are accused of breaking the rules.

Dayton Business Technology High School regulates dress and grooming in the interest of health, safety, and effective instruction. Children are expected to be neat and well groomed. Forms of dress considered distracting or disruptive to the learning atmosphere will not be permitted.

No item of clothing will exhibit violent or inappropriate graphics or language. We expect all students to adhere to the guidelines below:

1. A solid, size appropriate, **GREY, PURPLE, OR BLACK** Polo Styled Shirt
 - a. Polo styled is 2-3 buttons at the top with a collar
 - b. Shirts are not to be oversized or too small
 - c. May be short or long-sleeved
2. Solid, size appropriate, **BLACK** or **KHAKI** Dickies Styled Pants.
3. **BLACK** or **KHAKI** Skirts and Shorts (knee length ONLY)
4. A **BELT** must be worn at all times

Articles Not Permitted

- Sagging pants
- Bare midriffs, tank tops, swimsuits, short shorts, transparent garments, beach attire, low neckline, low back line, spaghetti straps, or back/shoulder exposing garments
- Undergarments may not be exposed (this means see-through shirts also)
- Slippers, “shower shoes,” house shoes, thong, or flip flop shoes
- Hoods must remain down at all times and be **GREY, PURPLE** or **BLACK**
- Hats, wave caps, bandanas, hairnets, combs, or head coverings of any kind, unless required by bona fide religious requirement
- Chains, badges patches, spiked accessories, and initialed belt buckles
- Pajamas, yoga pants, sweat pants, joggers, leggings, jeggings
- T-shirts or White shirts (White is NOT a DBTHS uniform color)

Polo shirts with the school logo are optional and may be purchased at:

Apple Heart
2240 East Central Ave.
Miamisburg, OH 45342-7601
(937) 384-0430

Students who do not adhere to the uniform policy WILL BE SENT HOME!

See also Policy No. 271 Student Code of Conduct.

264 Sexual and Other Forms of Harassment

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

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

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

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

20 USC §§ 1681 et seq.; R.C. 4112.02.

See also Policy No. 271 Student Code of Conduct. See **Appendix 264-A** Form for Reporting Incidents of Harassment, Intimidation and Bullying.

264.1 Anti-Harassment, Intimidation and Bullying Policy

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

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

"Harassment, intimidation, or bullying" means either of the following: (1) any intentional, written, verbal, electronic, graphic, or physical act that a student or group of students has exhibited toward another particular student more than once and the behavior both causes mental or physical harm to the other student; and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student; or (2) violence within a dating relationship. The definition of "harassment, intimidation or bullying" also includes the above described acts which are electronically generated, stored or transmitted, sometimes called "cyberbullying".

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

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

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

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

The School prohibits reprisal or retaliation against any victim or person who reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the Principal or his/her designee after consideration of the nature and circumstances of the act, in accordance with School policies and procedures. However, Students who deliberately make false reports of harassment, intimidation, or bullying will be disciplined up to and including suspension or expulsion.

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

Harassment, intimidation and bullying behavior can take many forms and can vary dramatically in seriousness and impact on the targeted individual and other students. Accordingly, there is no one prescribed response to verified acts of harassment, intimidation and bullying. While conduct that rises to the level of "harassment, intimidation or bullying" will warrant disciplinary action whether and to what extent to impose disciplinary action (*i.e.*, detention, in- and out-of-school suspension, or expulsion) is a matter left in the professional discretion of the Principal. The following procedure sets forth possible interventions for the Principal to enforce the prohibition against harassment, intimidation or bullying. Anonymous complaints that are not otherwise verified, however, shall not be the basis for disciplinary action.

1. Non-disciplinary Interventions

When verified acts of harassment, intimidation or bullying are identified early and/or when such verified acts do not reasonably require a disciplinary response, students may be counseled as to the definition of harassment, intimidation or bullying, its prohibition and their duty to avoid any conduct that could be considered harassing, intimidating or bullying. If a complaint arises out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring such cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. The victim's communication and assertiveness skills may be low and could be further eroded by fear resulting from past intimidation and fear of future intimidation. In such cases, the victim should be given additional support. Peer mediation may be deemed inappropriate to address the concern at the discretion of the School administration.

2. Disciplinary Interventions

When acts of harassment, intimidation and bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. In- and out-of-school suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation. Expulsion may be imposed only after a hearing before the Board of Directors, a committee of the board or an impartial hearing officer designated by the Board of Directors in accordance with Board policy. This consequence shall be reserved for serious incidents of harassment, intimidation or bullying and/or situations where past interventions have not been successful in eliminating prohibited behaviors.

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

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

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

R.C. §§ 3313.666, 3313.667, 3319.073

See also Policy No. 271 Student Code of Conduct; Policy No. 273 Expulsion and Suspension; Policy No. 232 Technology and Internet Acceptable Use; Policy No. 234 Electronic Communication Devices; Policy No. 261 Student Expression; Policy No. 262 Student Bill of Rights/Responsibilities; and Policy No. 264 Sexual and Other Forms of Harassment.

264.2 Anti-Hazing Policy

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

Hazing or hazing activity means doing any act or coercing another, including the victim, to do any act of initiation into any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person. For purposes of this Anti-Hazing policy, mental harm means mental stress, anxiety, physical injury, sickness, injury to feelings, humiliation, mental anguish, and/or depression, connected to and arising from the hazing activity. Permission, consent or assumption of risk by an individual subjected to hazing does not lessen the prohibition contained in this policy.

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

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

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

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

R.C. 2307.44, 2903.31; 3313.661

See also Policy No. 271 Student Code of Conduct.

264.3 Gang Activity Policy

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

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

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

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

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

See also Policy No. 271 Student Code of Conduct.

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

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

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

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

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

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

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

The School's drug prevention program:

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

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

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

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

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

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

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

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

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

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

20 USC 7114.

See also Policy No. 271 Student Code of Conduct.

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

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

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

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

Students have no expectation of privacy with respect to the use of the internet, intranet or e-mail. Routine maintenance and monitoring of the School network system may lead to the discovery that a student has or is violating School policy or the law. Violations of School policy, the student code of conduct or the law may result in severe penalties, up to and including expulsion.

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

Search and Seizure of Property:

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

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

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

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

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

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

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

The use of tobacco presents a health hazard that can have serious consequences both for the user and the nonuser and is, therefore, of concern to the School.

For purposes of this policy, “use of tobacco” shall mean all uses of tobacco, including a cigar, cigarette, pipe, snuff, or any other matter or substances that contain tobacco, as well as electronic, “vapor,” or other substitute forms of cigarettes.

The School cannot, even by indirection, condone the use of tobacco, and the School has an interest in protecting non-smokers from the harmful second-hand impact of tobacco use. As such, the School prohibits the use of tobacco on School Property.

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

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

SECTION 270

STUDENT DISCIPLINE/ PROCEDURE

271 Student Code of Conduct

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

Progressive Discipline

First Level Offense

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

Second Level Offense

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

Third Level Offense

If actions taken at Levels 1 – 2 have not corrected the inappropriate behavior, or, if the student engaged in serious act(s) of misconduct, the Principal may suspend the student from School, not to exceed ten School days.

Fourth Level Offense

If actions taken at Levels 1 -3 have not corrected the inappropriate behavior, or, if the student engaged in serious act(s) of misconduct, the highest level administrator of the School likened to a Superintendent may expel the student from School, not to exceed 80 days, unless one year is specifically authorized, or, unless the student is permanently excluded under Policy No. 273.

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

Infractions and Likely Disciplinary Action

	<u>DEFINITION</u>	FIRST OFFENSE	SECOND OFFENSE	THIRD OFFENSE
Academic Misconduct	Plagiarizing, cheating, copying another's work or internet materials, gaining unauthorized access to material, using, submitting, or attempting to obtain data or answers dishonestly or by means other than authorized by the teacher. Falsifying information (signing homework, etc.).	Level 1-2 disciplinary action.	Level 2-3 disciplinary action.	Level 3-4 disciplinary action.
Bomb Threat	Making a bomb threat to a School building or to any premises at which a School activity is occurring at the time of the threat.	Level 3-4 disciplinary action and 1 year discretionary expulsion.	Level 3-4 disciplinary action and 1 year discretionary expulsion.	Level 4 disciplinary action and 1 year discretionary expulsion.
Criminal Act	Committing an act that is a criminal offense when committed by an adult that results in serious physical harm to persons or serious physical harm to property.	Level 3-4 disciplinary action and 1 year discretionary expulsion.	Level 3-4 disciplinary action and 1 year discretionary expulsion.	Level 4 disciplinary action and 1 year discretionary expulsion.
Disruptive Behavior	Engaging in any conduct that causes or results in the breakdown of the orderly process of instruction and/or School activities, including but not limited to failure to carry out directions and/or School guidelines, failure to cooperate with School personnel or parent volunteers, verbally harassing other Students or Staff, and running and/or making excessive noise in the building.	Level 1-2 disciplinary action.	Level 2-3 disciplinary action.	Level 2-4 disciplinary action.
Dress Code Violations	See Dress Code	Change into school provided uniform for the day and return it at the end of the school day. Excessive dress code violations may result in additional consequences (Levels 2-3)		
Electronic and Other Communication Devices	No Student shall display or possess any electronic devices (cellular telephones, PDA's, CD players, I-Pods, gaming devices, etc.) without approval on School property from the beginning of the day to the conclusion of School.	Level 1-2 disciplinary action.	Level 2-3 disciplinary action.	Level 2-4 disciplinary action.
Firearm	Bringing a firearm to the School or onto School Property (any Property owned, used, or leased by the School for School, School extracurricular or School-related events).	1 year mandatory expulsion.	1 year mandatory expulsion.	1 year mandatory expulsion.
	Bringing a firearm to an interscholastic competition, an extracurricular event, or any other School program or activity that is located at a School or on School property.	Level 4 disciplinary action and 1 year discretionary expulsion.	Level 4 disciplinary action and 1 year discretionary expulsion.	Level 4 disciplinary action and 1 year discretionary expulsion.
	Possessing a firearm at School, on School Property or at an interscholastic competition, an extracurricular event, or any other School program or activity which firearm was initially brought onto School Property by another person.	Level 4 disciplinary action and 1 year discretionary expulsion.	Level 4 disciplinary action and 1 year discretionary expulsion.	Level 4 disciplinary action and 1 year discretionary expulsion.
Gang Activity	No student shall be involved in initiations, hazing, intimidations and/or related activities of group affiliations which are likely to cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to Students or Staff. No Student shall wear, carry or display gang paraphernalia or exhibit behaviors or gestures which symbolize gang membership or cause and/or participate in activities which intimidate or affect the attendance of another student. See also Gang Policy.	Levels 1-3	Level 2-4	Level 3-4

Homework	Daily homework assignments are an extension of, and reinforce class work, and may be assigned Monday through Friday evenings. The amount of homework and time required for its completion will depend on the grade level of the student and the type of skill or content being developed. All homework must be completed in a timely manner, as determined by the classroom teacher. Repeated failure to timely complete homework is of great concern, and may result in appropriate disciplinary measures.	Level 1	Level 1-2	Level 2 -3
Inappropriate language	Using or directing, insulting, degrading, or demeaning language, written or verbal, toward School personnel or any member of the School community. See also Dignity Policy.	Level 1-2 disciplinary action.	Level 1-3 disciplinary action.	Level 2-4 disciplinary action.
Insubordination	Verbal or nonverbal refusal to comply with a reasonable request or directive while on School property or at any School related activity or event.	Level 1 disciplinary action.	Level 2 disciplinary action.	Level 3 or 4 disciplinary action.
Intimidation/ Menacing/ Bullying/Cyber-Bullying	Threats, verbal or physical, that inflict fear, injury, or damage. Cyber-bullying is a sub-set of bullying and involves the use of information and communication technologies, including but not limited to e-mail, cell phone and pager text messages, blogs, MySpace, Facebook, Wikipedia, Bebo, the Internet, Xanga, Piczo, instant messaging, defamatory personal Web sites, and defamatory online personal polling Web sites, to support deliberate or repeated, or hostile behavior by an individual or group, that is intended to harm, intimidate or harass others on School time or the School premises, at School events, programs or activities or off School time or School premises if such acts affect other Students or Staff of the School. See also Anti-Bullying.	Level 2-3 disciplinary action.	Level 3-4 disciplinary action.	Level 3-4 disciplinary action.
Knife	Bringing a knife to School, onto School property, to an interscholastic competition, an extracurricular event, or any other program or activity sponsored by the School or which the School is a participant.	Level 4 disciplinary action and 1 year discretionary expulsion.	Level 4 disciplinary action and 1 year discretionary expulsion.	Level 4 disciplinary action and 1 year discretionary expulsion.
	Possessing a knife at School, on School Property or at an interscholastic competition, an extracurricular event, or any other School program or activity which knife was initially brought onto School Property by another person.	Level 4 disciplinary action and 1 year discretionary expulsion.	Level 4 disciplinary action and 1 year discretionary expulsion.	Level 4 disciplinary action and 1 year discretionary expulsion.
Lying	Intentionally giving untrue communication.	Level 1-2 disciplinary action.	Level 1-2 disciplinary action.	Level 2-4 disciplinary action.
Obscenities/ Verbal Abuse/ Vulgarities	Directing obscene, abusive, vulgar, profane, harassing, insulting, racial, sexual, religious, or ethnic slurs, written or verbal, toward School personnel or any member of the School community. This shall include use of obscene gestures and signs that willfully intimidate, insult, or in any other manner, abuse others.	Level 1-2 disciplinary action.	Level 2-4 disciplinary action.	Level 3-4 disciplinary action.
Physical Contact	Participating in unacceptable physical contact, including but not limited to fighting, pushing, intentionally hurting other students. See also Fighting Policy.	Level 1-3 disciplinary action.	Level 2-4 disciplinary action.	Level 3-4 disciplinary action.
Refusal to Do Classroom Work	The refusal to complete work, labs, projects, or other assignments given by the teacher.	Level 1 disciplinary action.	Level 2 disciplinary action.	Level 3 disciplinary action.
Minor Safety	Students shall be concerned about their own safety and that of others. Student actions that may be considered a minor safety risk include, but are not limited to: <ul style="list-style-type: none"> • Talking during safety drills • Running, pushing, yelling, or other inappropriate behaviors • Any inappropriate playground behaviors • Minor insubordination to adults 	Level 1 disciplinary action.	Level 2 disciplinary action.	Level 2-4 disciplinary action.

Major Safety	Behavior that creates a more severe possibility of harm to oneself or others, including but not limited to <ul style="list-style-type: none"> Leaving the school building or grounds without permission Other acts which could harm the student or others 	Level 2-4	Level 2-4	Level 2-4
Sale, Use, Possession, or Distribution of Alcohol, Drugs, or other Chemical Controlled Substances	Using, selling/purchasing, distributing, possessing, or attempting to possess, mood altering chemicals, or substances (including counterfeit or look-alike substances), distributing any narcotics, drugs, controlled substances of any kind, or alcoholic beverages, or other intoxicant on School property or at School functions or event. See also Drugs and Alcohol.	Level 3-4 disciplinary action.	Level 3-4 disciplinary action.	Level 4 disciplinary action.
Sale, Use, Possession, or Distribution of Tobacco Product	Using, selling/purchasing, distributing, possessing or attempting to possess, any tobacco product or paraphernalia (including e-cigarettes, vapor-based nicotine, and lighters). See also Use of Tobacco on School Premises.	Level 1-2 disciplinary action.	Level 2 - 3 disciplinary action.	Level 2- 4 disciplinary action.
School Property	Textbooks, computers, and school facilities are available for student use. Proper care and use of school property is expected. All violations in this area require restoration and/or restitution. Violations include but are not limited to: <ul style="list-style-type: none"> Defacing textbooks, library books, and other school materials Destruction or improper use of school computers, printers, or other technology Defacing/destruction of school property including desks, walls, lockers, etc. Failure to respect the property of other students, teachers, school personnel, etc. Gum chewing on school property Improper use of restrooms and/or supplies Stealing 	Level 1 disciplinary action.	Level 2 disciplinary action.	Level 2-4 disciplinary action.
Sexual or Other Harassment	Unwelcome advances of a sexual nature, requests for sexual favors, and/or other verbal or physical conduct or communication of a sexual nature. Sexual harassment that includes unwelcome physical contact shall be assumed to have the effect of substantially interfering with the victim's employment or educational environment. See Harassment Policies.	Level 1-3 disciplinary action.	Level 2-4 disciplinary action.	Level 3-4 disciplinary action.
Tardiness	To class: The act of a student not being in his/her classroom or seat when class is scheduled to begin as defined in the School schedule.	Level 1 disciplinary action.	Level 1-2 disciplinary action.	Level 2-3 disciplinary action.
Theft	Stealing, attempting to steal, possessing or transferring School or private property, or participating in the theft or attempted theft of School or private property.	Level 1 disciplinary action.	Level 2 or 3 disciplinary action.	Level 3 or 4 disciplinary action.
Toys or Play Objects	School is a place of learning. Distractions cause students to be inattentive. Therefore students are to keep all toys or play objects at home unless the teacher designates a specific day for sharing what a student owns. If a Student chooses to share a toy or other object on such an occasion, the School is not responsible for these items. Violations include but are not limited to: <ul style="list-style-type: none"> Bringing toys or distracting objects to school Creating toys or distracting objects at school 	Level 1 disciplinary action.	Level 1-2 disciplinary action.	Level 1-2 disciplinary action.
Truancy	Habitual or chronic absence from School or class without legitimate excuse and failure to follow proper attendance check-in/check-out and absence procedures. See also Truancy Section.	Level 1 disciplinary action; possible referral to the Juvenile Court system.	Level 2 disciplinary action; possible referral to the Juvenile Court system.	Level 2-4 disciplinary action; possible referral to the Juvenile Court system.
Violating Classroom Rules	Not following the classroom rules as determined by the classroom teacher.	Level 1 disciplinary action.	Level 2-3 disciplinary action.	Level 2-4 disciplinary action.

Transportation Discipline

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

273 **Expulsion and Suspension Policies**

The Principal or his/her designee, may suspend a student for up to ten (10) school days. The Principal may expel a student for up to eighty (80) school days, and in some instances one (1) year.

In the event that, in the opinion of the Principal or his/ her designee, a student's presence at the School creates a health risk, presents a danger to other persons or property or seriously disrupts the functions of the School, the student may be removed from the premises without formal suspension or expulsion procedures, with notice and procedures to follow the removal in accordance with R.C. 3313.66.

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

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

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

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

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

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

1. a recommendation from the group of persons knowledgeable of the student's educational needs in accordance with The Individual with Disabilities Education Act;

2. the student was unaware that s/he was possessing a firearm or knife;
3. the student did not understand that the item s/he possessed was considered a firearm or knife;
4. the student brought the item to School as part of an educational activity and did not realize it would be considered a firearm or knife; and
5. the student may be eligible for participation in an alternative program.

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

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

While serving an out-of-school suspension or expulsion, the Board [does or does not] authorize students to receive instructional services from the School. If students are authorized to receive instructional services from the School, then such instructional services shall include the following:

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

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

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

The Board designates the Principal or his/her designee as its representative at all hearings regarding the appeal of a suspension. The Board, or _____, the Board's designee, will hear the appeal of an expulsion.

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

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

Due Process Rights

Suspension

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

1. Prior to the imposition of the suspension, a written Notice of Intent to suspend will be given to the student, which contains the following:
 - a. The reasons for the intended suspension; and
 - b. If the suspension is based on one of the serious criminal offenses for which permanent exclusion is allowed, and if the student is age 16 or older, the notice must also indicate the possibility that the Principal may seek permanent exclusion.
2. The student must be allowed an informal hearing before the Principal or his/her designee to challenge the reasons for the intended suspension or otherwise explain his actions. The student is not entitled to call witnesses at this informal hearing.
3. Within one school day after the suspension is imposed, the Principal or his/her designee shall provide written notification to the parent, guardian, or custodian of the student and the treasurer of the Board of Directors of the suspension. The notice must contain the following:
 - a. The reasons for the suspension;
 - b. Notification of the right to appeal to the Board of Directors or its designee. The intent to appeal must be in writing and received by the Board of Directors within 14 days after receiving the notice.
 - c. The right to representation at all appeals;
 - d. The right to a hearing before the Board or its designee; and
 - e. The right to request that the hearing be held in executive session.

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

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

Expulsion

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

1. Prior to the imposition of the expulsion, the Principal must provide not only the student, but also the parent, guardian, or custodian written notice of his intention to expel. The notice must include the following:
 - a. The reasons for the intended expulsion; and
 - b. The time and place for a hearing, which must be not less than three nor more than five school days after giving the notice, unless the period is extended by the Principal at the request of the student, his parent, custodian, guardian or representative. The parent, guardian, or custodian must be sent written notice of any extension, and the subsequent notice should contain the same information required in the original notice.
 - c. If the student is age 16 or older and the expulsion is for one of the serious criminal offenses for which permanent exclusion is allowed, the notice must also indicate the possibility that the Principal may seek permanent exclusion.
2. A hearing must be scheduled not less than three or more than five school days after giving the notice, for the student and his parent, guardian, custodian or representative to appear in person before the Principal to challenge the reasons for the expulsion or otherwise explain his/her actions.
3. Within one school day after the expulsion is imposed, the Principal shall provide written notification to the parent, guardian, or custodian of the student and the treasurer of the Board of Directors of the expulsion. The notice must include the following:
 - a. The reasons for the expulsion;
 - b. Notification of the right to appeal to the Board of Directors or its designee. The intent to appeal must be in writing and received by the Board of Directors within 14 days after receiving the notice.
 - c. The right to representation at all appeals;
 - d. The right to an appeal hearing before the Board or its designee;
 - e. The right to request that the hearing be held in executive session;
 - f. If the expulsion is based on one of the serious criminal offenses for which permanent exclusion is allowed, and the student is age 16 or older, the notice must also indicate the possibility that the Principal may seek permanent exclusion;
 - g. When the Principal expels a student for more than twenty days or for any period of time extending into the next semester or school year, the School shall provide, along with this notice, the student and his parent, guardian or custodian with information about services or programs offered by public and private agencies that work toward improving those aspects of the student's attitudes and behaviors that contributed to the incident giving rise to the expulsion. The information must include names, addresses, and phone numbers or the appropriate public and private agencies.

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

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

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

Prohibition of Corporal Punishment

All teachers, administrators, non-licensed School employees and School bus drivers are prohibited from inflicting or causing to be inflicted corporal punishment as a means of discipline upon a pupil attending the School. However, they may, within the scope of their employment, use and apply such amount of force and restraint as is reasonable and necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects upon the person or within the control of the pupil, for the purpose of self-defense or for the protection of persons or property.

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

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

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

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

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

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

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

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

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

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

If the State Superintendent rejects the Board's request, the School shall re-admit the student in accordance with statute and Board guidelines. If the State Superintendent acts on the Board's request, his/her actions and those of the School shall be in accord with the procedures described in Ohio Revised Code §3313.66.

Any information regarding the permanent exclusion of a student shall be included in the student's official records and shall be included in any records sent to any school that requests the student's records.

When the permanently excluded student reaches the age of twenty-two or when the permanent exclusion of the student is revoked, the school shall remove and destroy all references to the exclusion from the student's file.

R.C. 3313.662

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

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

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

Removals of More than 10 Days - Change of Placement

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

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

Manifestation Determination Review (“MDR”)

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

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

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

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

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

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

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

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

School personnel may remove a student to an IAES for up to 45 school days, without a prior MDR or IEP meeting, when a student:

- carries or possesses a weapon (a device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except that the term does not include a pocket knife with a blade of less than 2 1/2 inches in length);
- knowingly possesses or uses illegal drugs (a controlled substance not legally possessed or used under the supervision of a licensed health care professional, or legally possessed or used under any other authority under the Controlled Substances Act (21 U.S.C. §812) or under any other provision of federal law), or sells or solicits the sale of a controlled substance (a drug or other substance identified under Schedule I, II, III, IV or V in the Controlled Substances Act); or
- has inflicted serious bodily injury on another person (a cut, abrasion, bruise, burn or disfigurement, physical pain, illness, impairment of the function of a bodily member, organ or mental faculty, or any other injury, no matter how temporary).

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

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

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

Due Process Complaint

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

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

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

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

275.1 Disciplining a 504 Student

Section 504 Manifestation Determination Reviews

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

Disciplinary Procedures for Students Possessing or Using Alcohol or Illegal Drugs

The School may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any Student on a 504 Plan who currently is engaging in the illegal use of drugs or in the use of alcohol to the same extent that such disciplinary action is taken against Students without disabilities, in accordance with Policy No. 273 Expulsion and Suspension Policies. In such a case, the disability due process procedures found in Policy Discipline/Suspension/Expulsion of Disabled Students are inapplicable.

Emergency Removal from Placement

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

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

See also Policy No. 228 Section 504 of the Rehabilitation Act of 1973.

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

I. Definitions

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

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

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

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

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

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

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

Physical Restraint: the use of physical contact that immobilizes or reduces the ability of a student to move his/her arms, legs, body, or head freely. This does not include a physical escort, mechanical restraint, or chemical restraint, or brief, but necessary, physical contact for the following purposes: (A) to break up a fight; (B) to knock a weapon away from student's possession; (C) to calm or comfort; (D) to assist a student in completing a task if the student does not resist the contact; or (E) to prevent an impulsive behavior that threatens the student's immediate safety.

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

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

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

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

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

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

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

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

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

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

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

III. Prohibited Practices

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

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

IV. Restraint

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

Staff must:

- (A) Be appropriately trained to protect the care, welfare, dignity, and safety of the student;
- (B) Continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern;

- (C) Use verbal strategies and research based de-escalation techniques in an effort to help the student regain control;
- (D) The least amount of force necessary should be used;
- (E) Remove the student from physical restraint immediately when the immediate risk of physical harm to self or others has dissipated;
- (F) Conduct a de-briefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- (G) Complete all required reports and document staff observations of the students.

V. Seclusion

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

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

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

Staff must:

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

VI. Functional Behavioral Assessment

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

VII. Training and Professional Development

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

VIII. Required Data and Reporting

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

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

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

IX. Monitoring and Complaint Procedures

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

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

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

SECTION 280

STUDENT ACTIVITIES

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

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

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

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

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

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

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

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

The School also prohibits publications and productions which:

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

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

School-Sponsored Trips

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

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

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

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

The Principal or his/her designee shall approve all trips before taken.

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

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

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

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

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

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

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

The Principal has discretion in determining whether students will be allowed to participate in a non-curricular School-sponsored trip. When a student has been a disciplinary problem and it is reasonably determined that the student would embarrass the School with disrespect or inappropriate behavior, the Student may be denied participation in the trip.

See **Appendix 282-A** School sponsored Trip Permission Form.

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

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

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

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

No students may participate in any interscholastic athletic activity (contest, practice, try-out, etc.) unless they have provided a completed form stating that the student and his/her parent, guardian, or person in care or charge of the student has received the concussion and head injury information sheet required by R.C. 3707.52. This form is required for each school year. **Appendix 285-A, Concussion Information Sheet for Interscholastic Athletics.**

Any student who exhibits signs, symptoms, or behaviors consistent with having sustain a concussion or head injury (such as loss of consciousness, headache, dizziness, confusion or balance problems) while practicing for or during an interscholastic competition shall be immediately removed from the practice or contest by either (a) the individual who is serving as the student's coach during that practice or competition or (b) an individual who is serving as a contest official or referee during the practice or competition.

Protocol

Upon removing a student from a practice or contest under this policy, the removing coach or referee shall not permit the student to return to that practice or competition or to participate in any other practice or competition for which the coach or contest official is responsible **for the rest of that day.**

Following this mandatory removal for the rest of the day, the coach or contest officials shall not permit the student to return to practice and/or competition until both of the following conditions are satisfied:

- 1) The student's condition is assessed by a physician authorized under Chapter 4731 of the Ohio Revised Code to practice medicine and surgery or osteopathic medicine or surgery (M.D. or D.O.) or any other licensed health care provider that the Board authorizes under this policy to assess the student who has been removed from practice or competition.
- 2) The student receives written authorization from a physician or other licensed health care provider authorized by the Board under this policy confirming that it is safe for the student to return to practice or competition.

For OHSAA interscholastic athletic teams, students must submit a complete OHSAA Medical Authorization to Return to Play Form to his/her coach in order to resume participation in any school athletic practice or competition. **Appendix 285-B.** See also, the Ohio High School Athletic Association website (<http://ohsaa.org/medicine/AuthorizationToReenter.pdf>).

Licensed Health Care Providers

The Board may authorize a School employee or volunteer who is a licensed health care provider but who is not a physician to make the assessment and grant authorization for a student to return to participation. Any individual authorized to assess a student under this policy shall act in accordance with one of the following as applicable to the provider's authority to practice in Ohio:

- In consultation with a physician;
- Pursuant to the referral of a physician;
- In collaboration with a physician; or
- Under the supervision of a physician.

Requirements for School Coaches

All individuals who serve as School coaches must possess a current Department of Education-issued Pupil Activity Program/Coaching Permit. When renewing this permit, all individuals must complete a concussion education course that has been approved by the Ohio Department of Health every three years, or as otherwise required by the Ohio Department of Education to retain the permit.

Requirement for Contest Officials and Referees

The Board shall not permit an individual to serve as a contest official or referee in any interscholastic athletic competition unless the official/referee:

- Holds a pupil-activity program permit issued by the Department of Education; or
- Presents evidence that the individual has successfully completed an online training program to recognize symptoms of concussions and head injuries offered by the Department of Health, or a comparable training program authorized and required by an organization that regulates interscholastic conferences or events.

R.C. 3313.539; 3314.142; 3707.511; 3707.52; OHSAA Concussion Regulations

See **Appendix 285-A**, Concussion Information Sheet for Interscholastic Athletics, and **Appendix 285-B**, OHSAA Medical Authorization to Return to Play.

Prospective Student-Athletes

At Dayton Business Technology High School, we strive to teach our students to be responsible for their actions. Therefore, it is important for both students and parents alike to understand that being involved in a school sport is an awesome responsibility that is very much a **privilege and not a right**.

As we expand our sports program here at Dayton Business Technology High School, it is important to get participation. Students are encouraged to come out to be part of a team. It is also understood that the athletic field is a different dynamic than that of the classroom and some behaviors conducive to one are not necessarily acceptable in the other.

Student-athletes that have the privilege of representing Dayton Business Technology High School need to grasp the reality that when they wear the colors, they are representing not only the school, but classmates, teammates, parents, coaches, and the community as a whole. As such, our student-athletes will be held to a very high standard. With this privilege comes great responsibility.

Expectations of a student-athlete are including, but not limited to:

- 1) To be considered for participation, a student must have completed a physical, clearing the student for physical activity prior to the season intended to participate. A copy of the physical must be turned into Dayton Business Technology High School prior to any involvement in the athletic program. There will be **no exceptions**.
- 2) A student-athlete may be considered ineligible to participate if he/she has a failing grade in any of the core subjects of Math, English, Science, Social Studies, and Spanish. Also, student-athletes must maintain a minimum average of 65%.
- 3) Student-athletes are expected to conduct themselves appropriately in regards to behavior on and off the field of play. Disruptive behavior/rudeness to an adult/disrespect to peers will not be tolerated at a game, practice, or in the classroom.
- 4) Being a part of a team is a time consuming and important commitment. It should be taken very seriously all the while having fun. Attendance to practice and games is not optional. It is expected that student-athletes will be at as close to 100% of scheduled practice/games as possible. Teammates and coaches rely on everyone being present to conduct appropriate drills and practice. Repeat offenders of missed practices without a valid excuse are subject for dismissal from the team. Student-athletes must be able to be counted on. Missing a practice due to detention or suspension (whether in or out of school) will be considered an unexcused absence.
- 5) Some uniform items will be given to the student-athlete to keep, some will be available to buy, and some will remain property of Dayton Business Technology High School. It is the responsibility of the student-athlete to keep up with the uniform. If uniforms are lost, stolen, or damaged, they will need to be replaced at the charge of the student-athlete. Report cards could be held or student-athlete may not participate in future sports upon refusal to cooperate with replacement of lost, stolen, or damaged uniforms

SECTION 290

MISCELLANEOUS STUDENT POLICIES

291 **Boy Scouts and Patriotic Youth Groups**

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

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

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

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

292.1 Obscene Materials

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

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

292.2 Sex Education

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

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

292.3 Contraceptives

The School shall not distribute contraceptives to its students.

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

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

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

20 U.S.C. § 7908(a)(1); NCLB § 9528(a)(1); 20 U.S.C. § 7908(a)(2); NCLB § 9528(a)(2); 20 U.S.C. § 7908(a)(3); NCLB § 9528(a)(3)

Parents and Eligible Students

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

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

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

Release of Directory Information

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

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

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

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

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

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

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

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

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

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

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

- 1 A testing scoring company has notified ODE that the student’s written response to a question on a state achievement test included threats or descriptions of harm to the student or another person and ODE needs the information to identify the student for the purpose of alerting the School of the potential for harm;

2. The School asks ODE to verify the accuracy of the student's score on an achievement test; or
3. The student has passed all but one of the Ohio Graduation Tests (OGT) and ODE must determine whether the student satisfies the alternative requirements for a high school diploma.

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

Student Records Log

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

Health and Safety Emergency Exception

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

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

See **Appendix 294-A** Notification of Rights Under the Family Educational Rights and Privacy Act ("FERPA") and Authorization to Release Student Directory Information, and **Appendix 294-B** Request and Consent for Release of Records.

See also **Appendix 242.1-A** Standards for the Ethical Use of Tests.

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

The School shall notify parents and eligible students at least annually of the potential administration of any School-approved third party surveys and parents and eligible students shall have the right to inspect any such survey upon a reasonable request. A student shall not be required to submit to a survey, analysis or evaluation without the prior written consent of the student’s parent or an eligible student that reveals any of the following information:

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

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

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

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

1. College or other postsecondary education recruitment, or military recruitment.
2. Book clubs, magazines, and programs providing access to low-cost literary products.

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

20 U.S.C. § 1232h

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

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

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

20 U.S.C. § 9622(c)(1)(A); 20 U.S.C. § 9622(d)(2)

I. Definitions.

A. Homeless Youth. Homeless children and youth are defined as homeless children and youth who are:

- sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as doubled-up);
- living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
- living in emergency or transitional shelters;
- abandoned in hospitals; or
- awaiting foster care placement;
- children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
- children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- migratory children who qualify as homeless because they are living in circumstances described above.
- children displaced from their housing during naturally occurring disasters.
- When children and their families are displaced from their housing as a result of a natural disaster, there is often a period of instability in which various private organizations and local, State, and Federal agencies provide assistance. The School should determine such children's eligibility for McKinney-Vento services on a case-by-case basis. In making this determination, they should take into consideration the services that are available through these other sources.

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

B. Unaccompanied Youth. The term unaccompanied youth includes a youth not in the physical custody of a parent or guardian. This would include youth living in runaway shelters, abandoned buildings, cars, on the streets, or in other inadequate housing and children and youth denied housing by their families, and school-age unwed mothers living in homes for unwed mothers who have no other housing available.

C. School of Origin. The school of origin is the school that the child or youth attended when permanently housed, or, the school in which the child or youth was last enrolled.

II. School Liaisons For Homeless Children.

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

School liaisons help to ensure that:

- Homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies;
- Homeless students enroll in, and have equal opportunity to succeed in, the School;
- Homeless children and youth and their families receive educational services for which they are eligible, including Head Start, Even Start, and preschool programs administered by the School, and referrals to health, mental health, dental, and other appropriate services;
- Parents or guardians of homeless children and youth are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children;
- Parents and guardians and unaccompanied youth are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing transportation services;
- Enrollment disputes are mediated in accordance with the requirements of this policy; and
- Public notice of the educational rights of homeless students is disseminated to locations where they receive services.
- Immunizations or medical records are obtained;
- Staff is trained on the requirements regarding immediate enrollment;
- Policies are reviewed to ensure that they comply with this Policy;
- Affidavits of residence or other forms replace typical proof of residency without creating barriers or delaying enrollment;
- School-based immunization or other opportunities for on-site immunizations are arranged;
- Community-based or public agencies are contacted who may provide school uniforms;
- School records are accepted directly from families and youth;
- Previous schools are contacted for records and assistance with placement decisions;
- Short term educational assessments place students immediately while awaiting complete academic records;
- Families and youth are communicated with in a language they understand or in an accessible format, as appropriate, of their right to attend either their school of origin or local school;
- Staff places homeless children and youth and identifies and serve disabilities in accordance with the Individual with Disabilities Education Act (“IDEA”);
- The School works with State Coordinators for the Department of Education concerning support services to homeless children and youth;
- Understandable forms are written and accessible explaining decisions and rights to appeal;
- Follow-up is timely concerning special education, language assistance, referrals and services.

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

III. School Placement and Enrollment.

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

- Continue the child’s or youth’s education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year; or
- Enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.
- In determining a child’s or youth’s best interest, the School must, to the extent feasible, keep a homeless child or youth in the “school of origin” unless doing so is contrary to the wishes of the child or youth’s parent or guardian. If the School wishes to send a homeless child or youth to a school other than the school of origin or a school requested by the parent or guardian, the School must provide a written explanation of its decision to the parent or guardian, together with a statement regarding the right to appeal the placement decision.

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

To the extent feasible, the School must educate a homeless child or youth in his or her school of origin, unless doing so is contrary to the wishes of the parent or guardian. The placement determination should be a student-centered, individualized determination. Factors that a School may consider include the age of the child or youth; the distance of a commute and the impact it may have on the student’s education; personal safety issues; a student’s need for special instruction (e.g., special education and related services); the length of anticipated stay in a temporary shelter or other temporary location; and the time remaining in the school year.

IV. Placement Disputes between a School and a Parent.

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

The School must provide the parent, guardian, or unaccompanied youth with a written statement of the school placement decision and the appeal rights. The School must refer the unaccompanied youth, parent, or guardian to the School liaison, who must expeditiously carry out the dispute resolution process.

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

1. Disputes should be resolved at the administrative, if possible;
2. If other Schools are involved, representatives from all involved schools and the State should be present to resolve the dispute;
3. A State-level appeal process, involving the State coordinator, should be available for appeals and resolution of inter-district disputes;
4. The dispute resolution process should be as informal and accessible as possible, and allow for impartial and complete review;
5. Parents, guardians, and unaccompanied youth should be able to initiate the dispute resolution process directly at the school they choose, as well as with the homeless liaison's office;
6. Parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their position;
7. Students should be provided with all services for which they are eligible while disputes are resolved;
8. Written notice should be complete, as brief as possible, simply stated, and provided in a language the parent, guardian, or unaccompanied youth can understand. The notice should include:
 - a. Contact information for the School homeless liaison and State coordinator, with a brief description of their roles;
 - b. A simple, detachable form that parents, guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process. (The School should copy the form and return the copy to the parent, guardian or youth for their records when it is submitted);
 - c. A step-by-step description of how to dispute the School's decision;
 - d. Notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
 - e. Notice that "immediate enrollment" includes full participation in all school activities;
 - f. Notice of the right to appeal to the State if the School-level resolution is not satisfactory; and
 - g. Timelines for resolving School- and State-level appeals.

V. Prohibition Against Segregation.

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

- If a State receives funds under the McKinney-Vento program, every district in that State – whether or not it receives a McKinney-Vento subgrant from the State – is prohibited from segregating homeless students in separate schools or in separate programs within schools, based on the child's or youth's status as homeless.

- Schools may not provide services with McKinney-Vento funds on school grounds in settings that segregate homeless children and youth from other children and youth [except as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless children and youth].

VI. Transportation.

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

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

VII. Comparable and Coordinated Services.

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

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

42 U.S.C. 11431 et seq.; Education for Homeless Children and Youth Program, Title VII-B of the McKinney-Vento Homeless Assistance Act, As Amended by the No Child Left Behind Act of 2001 Non-regulatory Guidance

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

A grandparent with a grandchild living with them may enroll the grandchild in the School pursuant to the Admission and Lottery Standards Policy No. 241. Such grandparent must provide either a Power of Attorney or a Caretaker Authorization Affidavit, as well as any additional documentation required by the local Clerk of Courts, if applicable.

A. Power of Attorney

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

B. Caretaker Authorization Affidavit

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

The execution of a Power of Attorney or Caretaker Authorization Affidavit for the purpose of enrolling the child in a school or school district so that the child may participate in the academic or inter-scholastic athletic programs provided by the school or school district is prohibited. Such falsification is a first degree misdemeanor, and voids the Power of Attorney or Caretaker Authorization Affidavit.

The Power of Attorney will terminate on the occurrence of any of the following events:

- Revocation in writing by the person who created it, and that person gives written notice of the revocation to the grandparent designated as the attorney in fact and to the juvenile court with which the power of attorney was filed;
- The child ceases to reside with the grandparent;
- By court order;
- The death of the child; or
- The death of the grandparent.

An executed Caretaker Authorization Affidavit shall terminate after the occurrence of any of the following:

- The child ceases to reside with the grandparent;

- The parent, guardian, or custodian of the child acts to negate, reverse, or otherwise disapprove an action or decision of the grandparent, 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 days after the delivery of written notice of negation, reversal, or other disapproval;
- By court order;
- Death of the child; or
- Death of the grandparent.

If a parent, guardian, or custodian gives either written notice of revocation of power of attorney or written notice of negation, reversal, or disapproval of an action or decision of the grandparent under a caretaker authorization, the grandparent may, within fourteen days of the notice, file a complaint with the juvenile court to seek a determination of custody if the grandparent believes it is in the best interest of the child. The grandparent may retain custody of the child until the fourteen day period for filing a complaint has expired, or if the grandparent files a complaint, until the court orders otherwise.

R.C. 3109.52; 3109.53; 3109.65; 3109.66; 3109.72; See also R.C. 3109.59; 3109.60; 3109.76

See **Appendix 298-A** Caretaker Authorization Affidavit and **Appendix 298-B** Caretaker Power of Attorney.

On September 17, 1787, the U.S. Constitution was signed. Thus, on September 17 of each year, the School shall hold an educational program pertaining to the United States Constitution, which shall be designated as Constitution Day and Citizenship Day ("Constitution Day"). Unless September 17 falls on a weekend or holiday, the program must be held on that date; otherwise, the program will be held the week prior to or after September 17th.

November 11 is Veterans' Day. Thus, on or about November 11 each year, the School shall hold an observance to convey the meaning and significance of Veterans' Day to all students and staff. The School shall devote at least one hour, or, if the School has class periods of less than one hour, at least one standard class period to specific activities that constitute observance of Veterans' Day. Specific activities that constitute the observance will be determined by the Board after consultation with School administrators.

36 USC 106, R.C. 3313.602 (D)

POLICIES
OF
THE GOVERNING AUTHORITY
OF
DAYTON BUSINESS TECHNOLOGY HIGH SCHOOL
An Ohio Non-Profit Corporation
And
Ohio Community School

PART 2 OF 2

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STAFF POLICIES/HANDBOOK

**STAFF
HANDBOOK**

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EMPLOYEE ACKNOWLEDGMENT FORM

Welcome to Dayton Business Technology High School

Dear Staff Member:

It is my pleasure to welcome you to Dayton Business Technology High School. You have become a part of an organization that prides itself on its commitment to our students. With the commitment of hardworking staff like you, we are able to successfully serve our students and their families.

Our teachers and other employees are the School's most valuable assets. This staff handbook is a general guide that we hope will help you understand how you and the School can work together toward a shared success. We ask that you take the time to read it and familiarize yourself with our School philosophy, policies, and practices. If anything in this handbook is not clear to you, or if you need more information, please ask your immediate supervisor or the Principal.

Thank you for joining our team. We hope your experience here will be challenging, fun, and rewarding.

Best wishes,

Dayton Business Technology High School

By: _____
Principal

In your best interest as an Employee of Dayton Business Technology High School, we have designed this handbook to answer questions regarding your job and make you aware of the School rules, procedures, policies, fringe benefits and other matters of interest to you. The information expressed in this handbook, or any future additions or revisions does not constitute an agreement or any contractual rights in favor of employment for any specified period or definite duration. The employment relationship may be established pursuant to a contract and may be “at will” meaning that, with or without cause and without prior notice, the employer and Employee may terminate the employment relationship, subject only to a written authorized agreement to the contrary. The only person authorized by Dayton Business Technology High School to enter into any agreement or assurances to the contrary of this handbook is the Principal of Dayton Business Technology High School and any such agreement or assurance must be in writing and signed by the Principal. The policies, procedures, benefits and matters contained in this book are subject to revisions at any time by Dayton Business Technology High School Board.

You are expected to read this handbook thoroughly so that you understand all its contents. You are encouraged to bring questions regarding any policies or benefits to any member of management. You are required to sign a Handbook Acknowledgment form and return it. We encourage you to ask questions so that misunderstandings will be kept to a minimum and we can concentrate on our number one job - teamwork and service to our students.

We want you to enjoy your job and sincerely hope that you find your employment at Dayton Business Technology High School to be pleasant, personally challenging, rewarding and profitable.

[Insert statement, if applicable]

The mission of Dayton Business Technology High School is to connect with individuals and educated them to foster lifelong learning and promote community stewardship.

The vision of Dayton Business Technology High School is to craft a holistic learning community that allows individuals to develop essential skill sets in order to thrive in a global economy.

The School is an Equal Opportunity Employer. It is our policy to administer all of our employment practices, including those pertaining to recruitment, hiring, placement, transfer, promotion or compensation (i.e. wage rate), layoff or termination, and selection for training in a nondiscriminatory manner without regard to age, color, gender/sex, national origin, disability, race, religion, military or veteran status, genetic information, sexual orientation, or on any other basis prohibited by federal, state, or local law. The School will also make reasonable accommodation for qualified individuals with known disabilities unless doing so would result in an undue hardship.

Any employee with a question or concern about discrimination in the workplace is encouraged to bring their concern to the attention of the Superintendent or his or her designee. No reprisal will be permitted for raising concerns or making a report. Anyone determined to have engaged in discrimination or retaliation for a report of discrimination will be subject to disciplinary action, up to and including termination of employment.

29 USC § 631; 29 USC § 206(d); 42 USC § 2006(c); 42 USC § 12101; 42 USCS § 2000ff et. seq.; R.C. 4112.02; 4111.17

306.1 Statement of Philosophy

The School strives for a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in an atmosphere which promotes equal opportunities and prohibits discriminatory practices and harassment based upon age, color, disability, national origin, race, religion, or gender/sex, military or veteran status, genetic information, or sexual orientation. Harassment, whether verbal, physical, or environmental, is unacceptable and will not be tolerated.

306.2 Definition of Harassment

For purposes of this policy, harassment is defined as unwelcome or unwanted conduct of an offensive nature (whether verbal, visual, or physical) when: 1) submission to or rejection of this conduct by an individual is used or threatened to be used as a factor in decisions affecting hiring, evaluation, promotion, or other aspects of employment; or 2) this conduct has the purpose or effect of unreasonably interfering with an individual's employment performance or creating an intimidating, abusive, hostile, or offensive work environment.

Examples of harassment include, but are not limited to: unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; repeated jokes which include offensive references to age, disability, national origin, race, religion, or gender; unwelcome flirtations, advances, or propositions; verbal abuse of a sexual nature; graphic, verbal commentary about an individual's body, sexual prowess, or sexual deficiencies; leering; whistling; touching; pinching; assault; coerced sexual acts; suggestive, insulting, threatening, or obscene comments or gestures; dissemination or display in the workplace of objects, written materials, or pictures which include offensive references to age, color, gender/sex, national origin, disability, race, religion, military or veteran status, genetic information, sexual orientation; asking questions about sexual conduct; racial or ethnic slurs or epithets.

Harassment is unacceptable in the workplace itself and in other work-related settings, such as business trips, meetings, or business-related social events.

29 USC § 631; 29 USC 206(d); 42 USC 2006(c); 42 USC 12101; R.C. 4112.02.

See also Policy No. 264.1 Anti-Harassment, Intimidation and Bullying.

306.3 Individuals Covered Under the Policy

This policy protects all employees. The School will not tolerate, condone, or allow harassment, whether engaged in by fellow employees or other non-employees who conduct business with the School. The School encourages reporting of all incidents of harassment, regardless of who the offender may be.

306.4 Reporting a Complaint

The School encourages all individuals who believe they are being harassed to firmly and promptly notify the offender that his or her behavior is unwelcome. The School does, however, recognize that, in some instances, power and status disparities between the alleged harasser and the individual may make such a confrontation impossible. In the event that such informal, direct communication between individuals is either ineffective or impossible, the following steps should be followed in reporting a harassment complaint. A complaint may be filed by one experiencing or witnessing harassment.

Notification of Appropriate Staff

Individuals who believe they have been subjected to harassment should report the incident to the Principal or his/her designee. When appropriate, the Principal or his/her designee will immediately consult with the Board. If the Principal or his/her designee is allegedly involved in the incident, then the individual should report the incident directly to the President of the Board.

The School encourages prompt reporting of complaints so that rapid response and appropriate action may be taken, but no limited time frame applies. Late reporting of complaints will not in and of itself preclude the School from taking remedial action.

Protection Against Retaliation

The School will not in any way retaliate or permit retaliation against any individual who makes a good faith report of harassment or who assists or cooperates in an investigation thereof. Retaliation is a serious violation of this harassment policy and should be reported immediately. Any person found to have violated this policy by retaliating against another individual for making a report of harassment or for assisting or cooperating in the investigation thereof will be subject to the same disciplinary action provided for harassment offenders.

Investigating the Complaint

Any allegation of harassment brought to the attention of the School will be thoroughly and promptly investigated. Confidentiality will be maintained where possible throughout the investigatory process to the extent practical and appropriate under the circumstances.

Resolving the Complaint

Upon completing the investigation of a harassment complaint, the School will communicate its findings and intended actions.

If the investigation finds that harassment occurred, the harasser will be subject to appropriate disciplinary procedures, as listed below.

If the investigation determines that no harassment has occurred, this finding will be communicated as appropriate.

Sanctions

Individuals found to have engaged in misconduct constituting harassment will be disciplined, up to and including discharge. Appropriate actions will be determined by the School. For example, action may include reprimanding the offender, documenting the occurrence in the personnel file, referral to counseling, withholding of a promotion, demotion, reassignment, temporary suspension without pay, or termination of employment.

Although the School's ability to discipline a non-employee harasser (e.g., customer, supplier) is limited by the degree of control, if any, that the School has over the alleged harasser, any individual who has been subjected to harassment by such an individual should still file a complaint and be assured that the School will take those actions it deems appropriate to end any harassment.

307 Immigration Law Compliance Policy

Dayton Business Technology High School is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form if they have not completed an I-9 with Dayton Business Technology High School within the past three years, or if their previous I-9 is no longer retained or valid.

8 USC § 1324a.

See **Appendix 307-A** Form I-9, Employment Eligibility Verification.

SECTION 310

YOUR EMPLOYMENT AT DAYTON BUSINESS TECHNOLOGY HIGH SCHOOL

311 Employment Status

Some Dayton Business Technology High School employees may have an “employment-at-will” relationship. This means that the employee is free to leave Dayton Business Technology High School at any time, with or without reason, and that the School has the same right to end its employment relationship with that employee. No one at Dayton Business Technology High School has authority to make a contrary agreement with you except the Principal or his/her designee. Any such contrary agreement must be in a formal written document and signed by the Principal or his/her designee.

312 Employment Contracts

Employment contracts or letters are issued to some full time employees. Supplemental contracts may be issued to employees who perform duties in addition to their regularly contracted services. Hourly rated employees are not issued annual contracts and they are considered to be casual employees and are paid on a time sheet basis. All contracts are subject to final approval by the Board and may either be “At Will” contracts or otherwise as stated therein.

313 Salaries

The annual salary of each employee will be paid in 24 equal twice-monthly payments unless they begin their service after the start of a new year and in that instance the salary will be paid in equal installments through the end of the year. Paydays shall be on the 15th and 30th of each month. When payday falls on a weekend or a holiday, the payday will be the last regular workday before the weekend or holiday.

Fair Labor Standards Act; R.C. 4113.15(A).

SECTION 315

EMPLOYEE QUALIFICATIONS

316 Teachers

Applicants must submit the following documents:

- A. Application for employment;
- B. Evidence of a Bachelor's Degree or higher;
- C. Certified transcripts from an accredited college or university attended by the teacher;
- D. Copy of the diploma issued by an accredited college or university;
- E. A current Teaching Certificate issued by the Ohio Department of Education;
- F. References and recommendations for employment, and;
- G. An application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Every employee must undergo a criminal background check upon application. Certain convictions as outlined in Ohio Law, referred to as “absolute bar offenses,” will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School’s office. Teachers must comply with all licensure requirements established by the Ohio Department of Education.

In certain circumstances, an individual who would otherwise be disqualified may be hired if that individual’s offense has been rehabilitated. Rehabilitation is limited to certain offenses. A complete list of offenses that cannot be rehabilitated (“absolute bar offenses”) may be obtained from the School’s office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) for a felony, at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or the individual has had his/her conviction sealed or expunged; (3) for a misdemeanor, at least five years have elapsed since the date of conviction or the individual has had the record of his/her conviction sealed or expunged; (4) the individual is not a “repeat offender” (has not been convicted of any of the offenses listed in R.C. 3319.39(B)(1) or R.C. 3319.31 two or more times in separate criminal actions); (5) the individual has provided written confirmation of rehabilitation efforts, the results of those efforts, and whether the terms of his/her probation, parole, or deferred adjudication have been completed; and (6) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated. Written confirmation required in item (5), above, will not be conclusive evidence that the applicant has met the other rehabilitation requirements required by the Board and by law.

Teachers may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for any specific position.

20 U.S.C. 6301; R.C. 3319.291; R.C. 3319.30; 3319.39; R.C. 3313.71; OAC 3301-20-01.

316.1 Ohio Resident Educator Program Policy

The School shall institute the Ohio Resident Educator Program which is a four-year, entry-level program for classroom teachers.

The School shall comply with the requirements of the Program as established by the Ohio Department of Education (education.ohio.gov; “Resident Educator Program”), which shall include the following components:

- (1) mentoring by teachers who hold a five-year professional license or two year provisional license that has been renewed two or more times under Ohio law;
- (2) counseling to ensure that program participants receive needed professional development; and
- (3) measures of appropriate progression through the Program.

Every Employee who holds a Resident Educator License or an Alternative Resident Educator License issued under Ohio law must participate in the Teacher Resident Educator Program. Successful completion of the Program is required to qualify for a Professional Educator License issued under Ohio law.

R.C. 3319.223; O.A.C. 3301-24-04; 3301-24-18; 3301-24-19; 3301-24-20; 3301-24-21.

See **Appendix 316.1-A** Ohio Resident Educator Rules.

317 Educational Assistants/Paraprofessionals

An educational assistant/paraprofessional is a nonteaching employee who directly assists a teacher by performing duties for which a teaching license is not required.

Educational assistants/paraprofessional applicants must submit the following documents:

- A. Application for employment;
- B. Written references and recommendations for employment;
- C. Copy of a valid educational aide permit or paraprofessional license issued by the State Board of Education;
- D. An application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Every employee must undergo a criminal background check upon application. Certain convictions as outlined in Ohio Law, referred to as “absolute bar offenses,” will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School’s office. Educational assistants must comply with all licensure/permit requirements established by the Ohio Department of Education.

In certain circumstances, an individual who would otherwise be disqualified may be hired if that individual’s offense has been rehabilitated. Rehabilitation is limited to certain offenses. A complete list of offenses that cannot be rehabilitated (“absolute bar offenses”) may be obtained from the School’s office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) for a felony, at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or the individual has had his/her conviction sealed or expunged; (3) for a misdemeanor, at least five years have elapsed since the date of conviction or the individual has had the record of his/her conviction sealed or expunged; (4) the individual is not a “repeat offender” (has not been convicted of any of the offenses listed in R.C. 3319.39(B)(1) or R.C. 3319.31 two or more times in separate criminal actions); (5) the individual has provided written confirmation of rehabilitation efforts, the results of those efforts, and whether the terms of his/her probation, parole, or deferred adjudication have been completed; and (6) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated. Written confirmation required in item (5), above, will not be conclusive evidence that the applicant has met the other rehabilitation requirements required by the Board and by law.

An educational assistant/paraprofessional must be under the supervision and direction of an assigned teacher at all times in the performance of their duties, although such duties need not necessarily be performed in the physical presence of the teacher except as otherwise stated in this policy. An educational assistant/paraprofessional working for the School in a Title I supported program may be assigned to duties consistent with any of the following:

- providing one-on-one tutoring for eligible students during times when the teacher would not otherwise be instructing the student;

- assisting with classroom management, such as organizing instructional and other materials;
- providing assistance in a computer laboratory;
- providing support in a library or media center;
- conducting parental involvement activities;
- acting as a translator;
- providing instructional services to students, if working under the direct supervision of a teacher.

An educational assistant/paraprofessional will be considered to be working under the “direct supervision” of a teacher if:

- the teacher plans the instructional activities that the educational assistant/paraprofessional carries out;
- the teacher evaluates the achievement of the students with whom the educational assistant/paraprofessional is working; and
- the educational assistant/paraprofessional works in close and frequent physical proximity to the teacher.

Nonteaching employees whose functions are solely secretarial and clerical and who do not perform duties as educational assistants are not required to hold a license even though they work under the direction of a teacher.

Educational assistants/paraprofessionals are prohibited from divulging personal information concerning any pupil in the school which was obtained or obtainable while employed, except to the teacher to whom assigned, or the school administrator in such teacher’s absence, or when required to testify in a legal proceeding.

R.C. 3319.088; R.C. 3319.291; R.C. 3319.39; R.C. 3319.391; O.A.C. 3301-20-01; 3301-24-05; 3301-25.

Prior to employment, applicants for positions that do not require a license issued by the State Board of Education or that involve the operation of vehicles of public transportation must submit the following documents:

- A. An application for employment;
- B. Written references and recommendations for employment;
- C. Copies of any specific license or certificate as may be required by law or by the Board or the School administration for the position sought;
- D. An application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Every employee must undergo a criminal background check at the time of application and then by the fifth of September every five years thereafter, unless the employee is a bus driver, in which case every six years thereafter. After the initial background checks, the employee will need to provide only an updated FBI criminal background check if the school previously requested a BCI criminal background check, and if he/she presents proof of having been an Ohio resident for the five-year period preceding September 5 of the applicable year. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

In certain circumstances, an individual who would otherwise be disqualified may be hired or retained as an employee if that individual's offense has been rehabilitated. Rehabilitation is limited to certain offenses; a complete list of offenses that cannot be rehabilitated may be obtained from the School's office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a victim who was or is a student; (2) the individual has provided written confirmation of rehabilitation efforts and the results of those efforts; and (3) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated.

To qualify as rehabilitated, bus drivers must also establish that (1) at least five years have passed since the individual was fully discharged from imprisonment, probation, or parole or since the individual entered a guilty plea, and (2) the individual has not pled guilty, been found guilty by a court, or been convicted of a rehabilitative offense two or more times in separate criminal actions. The School has discretion to decide whether the offense has been rehabilitated.

Employees must possess both physical and mental health to be able to fulfill the duties of employment or the continuation of employment.

Employees may be required to possess such other experience, training or special skills as may be required by the Board or the School administration for the position.

R.C. 3319.291; R.C. 3319.39; R.C. 3327.10(J); R.C. 3319.391; O.A.C. 3301-20-03; O.A.C. 3301-20-03; O.A.C. 3301-83-23 (Bus Drivers).

Substitute teachers must possess a valid substitute teacher license issued by the Ohio Department of Education. If an applicant can provide evidence that application for a substitute teacher license has been made, that person may be employed conditionally for up to 60 days pending receipt of the license. If a license is not obtained within that period of time, employment will be terminated.

All substitute teachers must complete an application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check.

Certain convictions as outlined in Ohio Law, referred to as “absolute bar offenses,” will prohibit an individual from working in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

In certain circumstances, an individual who would otherwise be disqualified may be hired if that individual's offense has been rehabilitated. Rehabilitation is limited to certain offenses. A complete list of offenses that cannot be rehabilitated (“absolute bar offenses”) may be obtained from the School's office. To be rehabilitated, (1) the offense cannot involve a victim who was a minor or a student; (2) for a felony, at least five years must have passed since the individual was fully discharged from imprisonment, probation, or parole or the individual has had his/her conviction sealed or expunged; (3) for a misdemeanor, at least five years must have passed since the date of conviction or the individual has had the record of his/her conviction sealed or expunged; (4) the individual must not be a “repeat offender” (has not been convicted of any of the offenses listed in R.C. 3319.39(B)(1) or R.C. 3319.31 two or more times in separate criminal actions); (5) the individual must provide written confirmation of rehabilitation efforts, the results of those efforts, and whether the terms of his/her probation, parole, or deferred adjudication have been completed; and (6) as viewed by a reasonable person, the employment of the individual will not jeopardize the health, safety, or welfare of people served by the school. The School has discretion to decide whether the offense has been rehabilitated. Written confirmation required in item (5) above will not be conclusive evidence that the applicant has met the other rehabilitation requirements required by the Board and by law.

R.C. 3319.226; R.C. 3319.291; R.C. 3319.36; R.C. 3319.101; 1964 O.A.G. No. 903; OAC 3301-20-01.

SECTION 320

EMPLOYMENT STATUS/PERSONNEL FILES

321 Full-Time Employee

A full-time employee is one who is expected to regularly work an average of no less than 40 hours per week.

All full-time employees must complete an application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check. Every employee must undergo a criminal background check. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School 's office.

Fair Labor Standards Act; R.C. 3319.086.

322 **Part-Time Employee**

A part-time employee is one who is expected to work less than 40 hours/week on average.

All part-time employees must complete an application for the completion of a Bureau of Criminal Identification and Investigation and FBI criminal background check as required by Ohio law. New employees are employed on a conditional basis pending receipt of a satisfactory background check. Every employee must undergo a criminal background check. Certain convictions as outlined in Ohio Law will prohibit an individual from being employed in a public school. A listing of the disqualifying offenses may be obtained from the School's office.

Fair Labor Standards Act (29 USC § 201 et. seq.); R.C. 3319.086.

During School hours, employees are prohibited from engaging in personal activities and associations that may be in conflict with the interests of the Dayton Business Technology High School. Examples of such activities include, but are not limited to private enterprises with competitors or vendors, campaigning for a candidate for political or elected office, and soliciting fees for private tutoring of students. Staff members who have any question regarding a potential conflict of interest should confer with the Principal or his/her designee.

“Personal Information” is any information describing anything about a person who is an employee of the School or about actions done to or by, or about personal characteristics of such an employee, if such Personal Information can be retrieved from a system by a name or other identifying number or symbol assigned to such employee.

The School maintains personnel files on each employee. These files may contain the following Personal Information: application for employment; resume; copies of personal references; job evaluations; professional credentials or certification; copies of performance appraisals; disciplinary warning notices; letters of recommendation; criminal background reports and any notices, writings or reports related to the Employee.

To ensure that personnel files are accurate, relevant, timely and complete at all times, it is the responsibility of each Employee to promptly notify the School of any changes in name, telephone number, home address, marital status, change in legal name, addition or deletion of dependents, change in beneficiaries, change in Federal or State tax deductions, scholastic achievements, the individuals to notify in case of an emergency, or any other Personal Information. Personal Information shall be updated annually by the Principal or his/her designee.

Personnel files are the property of the School, and access to the information they contain is restricted. This is subject only to applicable requirements of public records law. Generally, if the School’s governing authority has a legitimate reason to review information in a file, then it is allowed to do so. The Principal is directly responsible for the Personal Information systems and may adopt further procedural rules consistent with this policy. No Personal Information may be accessed without first completing a written request to the Principal. The Principal may grant blanket access to all or part of the Personal Information systems for employees whose jobs require such access. All Employees granted access to any Personal Information in the files shall be informed of the substantive provisions of the policy and accompanying appendices. In an effort to protect Personal Information in the system from unauthorized modification, destruction, use or disclosure, the Principal shall keep a log of authorized parties and specific access granted, and all Personal Information systems shall be password protected.

The School shall maintain and use only Personal Information that is necessary and relevant to the functions that the School is required to perform and shall eliminate Personal Information when it is no longer necessary and relevant to those functions.

If an Employee is asked to supply Personal Information to be maintained in the School’s personnel files, the School shall inform the Employee whether that information is legally required, or whether the Employee may refuse to provide the Personal Information.

The Principal shall establish disciplinary measures for the unauthorized use of information contained in the system, which shall include, but not be limited to the following: reprimand; suspension or administrative leave with or without pay; termination; referral to authorities for prosecution.

Employees who wish to review their own files should contact the Principal or his/her designee. With reasonable advance notice, Employees may review their own personnel files by appointment.

Procedural rules regarding the operation of the Personal Information System are in Appendix 324-A Personal Information Procedure. Each Employee shall be informed of the rules contained in Appendix 324-A Personal Information Procedure.

Ohio Privacy Act; R.C. Chapter 1347; R.C. 149.43.

See **Appendix 324-A** Personal Information Procedure; See **Appendix 324-B** Personal Information Notice.

325.1 Public Records

Public records are recorded accounts or information that are kept by the School for the conduct of School business and instruction. Any person may inspect the public records of the School during regular business hours of the office in which such records are kept, provided adequate advance notice is given to the custodian of the records. An Employee or representative will be present during the inspection of the records. A person may purchase copies of the School's public records upon payment of a fee, which is equal to the exact cost of making the copies. The School's public records may not be removed from the School except by an Employee who is authorized to do so.

R.C. 149.43.

See also Policy No. 147 Public Records Policy and Policy No. 147.1 Records Retention and Disposal Policy.

325.2 Student Records

Student records will be collected and maintained in the School office. These records shall be available only to Students, their Parents, legal guardians or School officials who have a legitimate educational or instructional purpose for the records. Both Parents shall have equal access to their child's records unless a court has ordered otherwise. Upon receiving notification that a student has transferred and when the new school requests student records, the School will forward the records to the new School. Copies may be made of a student's record if requested by a Parent or court appointed guardian. The Principal or his/her designee shall maintain a log of persons who have accessed School records and the specific record(s) which were inspected or copied. An Employee shall be present during the inspection of the records.

R.C. 3319.321.

See also Policy No. 294 Student Records and Release of Information and **Appendix 294-B** Request and Consent for Release of Records.

325.3 Confidentiality of Records

If the Dayton Business Technology High School receives information as confidential from a public agency the School will maintain the confidentiality of such information unless directed to do otherwise by a court of law, to the fullest extent permitted by law.

R.C. 149.43.

See also Policy 147 Public Records Policy; Policy 147.1 Records Retention and Disposal Policy; Policy 294 Student Records and Release of Information; and **Appendix 294-B** Request and Consent for Release of Records.

Staff members report directly to the Principal or his/her designee regarding administrative and instructional issues. The Principal or his/her designee reports to the Board of on all issues, which affect the operation of the School, and on any other concerns regarding the School.

All communications from Dayton Business Technology High School staff members to the Board should be submitted through the Principal or his/her designee. This procedure shall not deny any employee the right to appeal to the Board through established procedures. The appropriate forms to initiate a communication or an employee grievance may be obtained from the Principal or his/her designee.

SECTION 330

ETHICAL BEHAVIOR

330.1 General Ethical Behavior

The Dayton Business Technology High School requires exemplary moral and ethical standards of conduct by its employees. The Board also requires that all employees maintain high standards in interpersonal relationships with other employees, parents, visitors and with students.

A public school teacher may not (1) authorize or use his/her position as a teacher to secure authorization of a contract of the Board in which he/she or their family members or business associates have an interest (2) profit from a School contract he/she authorize unless it was awarded to the lowest and best bidder after a competitive bid, or, (3) have an interest in the profits or benefits of a School contract other than his/her own employment contract.

R.C. 102.04(C), R.C. 2921.42, R.C. 2921.43.

See also Policy No. 114 Ethics and Conflicts Policy.

331 Use of Alcohol and Drugs

Persons subject to the terms of this policy and the testing procedures are as follows:

- A. All employees.
- B. All employees of temporary employee agencies or employee leasing services assigned to perform work for or on behalf of the School or its subsidiaries.
- C. All employees of contractors providing services at School locations.
- D. All applicants for employment who may work at the School.

The policy of the School prohibits possession of, use of, or being under the influence of alcohol or illegal drugs or other controlled substances during working hours, on School property at School programs, or School activities, in any facility maintained by the School, or in School-supplied vehicles.

Employees working at the School are a valuable resource and for that reason, their health and safety is of paramount concern. The School will not tolerate any alcohol or drug use which imperils the health and well-being of employees or threatens its business. The use of illegal drugs and abuse of other controlled substances, on or off duty, is inconsistent with the law-abiding behavior expected of all employees. Employees who use illegal drugs or abuse other controlled substances, on or off duty, pose a risk to their own health and safety, as well as that of other employees. Such employees also tend to be less productive, less reliable, and prone to greater absenteeism resulting in the potential for increased cost, delay, and risk in the School's business. Employees have the right to work in a drug-free environment. In addition, alcohol and drug abuse inflicts a toll on the nation's productive resources and the health and well-being of American workers. The School is, therefore, committed to maintaining a safe workplace, free from the influence of alcohol and drugs.

U.S. Const. Amend. IV, XIV; Oh. Const. Art. 1 §14; R.C. 2925.03; R.C. 3319.20; R.C. 4123.34.

331.1 Use of Over-the-Counter Medicine and Authorized Use of Prescription Medicine

Employees using over-the-counter medication or medication prescribed by a physician are expected to discuss potential side effects with a physician. An employee using any drug which may alter his or her physical or mental ability must report this treatment to the Principal or his/her designee, who will determine whether the School should temporarily change the employee's job assignment during the period of treatment.

331.2 Prohibitions

The School's policy prohibits the following:

- A. Use, possession, manufacture, distribution, dispensation, or sale of illegal drugs, alcoholic beverages, and tobacco products on School premises or School business, in School supplied vehicles, or during working hours.
- B. Unauthorized use or possession, or any manufacture, distribution, dispensation, or sale of a controlled substance on School premises or any facility maintained by the School, in School supplied vehicles, or during working hours.
- C. Use, manufacture, distribution, dispensation, possession, storage, or any sale of alcohol or illegal drugs or controlled substances on School premises or School business, in School supplied vehicles, or during working hours.
- D. Being under the influence of alcohol or a controlled substance or illegal drugs on School premises or School business or at any facility maintained by the School, in School supplied vehicles, or during working hours.
- E. Use of alcohol off School premises that adversely affects the individual's work performance, his own or others' safety at work, or which the School regards as adversely affecting its reputation in the community or with its customers.
- F. Possession, use, manufacture, distribution, dispensation, or sale of illegal drugs off School premises.
- G. Switching or adulterating any urine, blood, or other sample submitted for testing.
- H. Refusing consent to testing or to submit a urine, blood, or other sample for testing when requested by management.
- I. Refusing to submit to a search when requested by management in accordance with this policy.
- J. Failure to adhere to the requirements of any alcohol or drug treatment or counseling program in which the employee is enrolled.
- K. Arrest or conviction under any criminal drug law.
- L. Arrest or conviction under any law prohibiting driving under the influence of alcohol or other drugs.
- M. Failure to notify the School of any arrest or conviction under any criminal drug law or laws prohibiting driving under the influence of alcohol or other drug, within five (5) days of the arrest or conviction.
- N. Refusing to sign a statement agreeing to abide by the School's Alcohol and Drug Abuse Policy.
- O. Refusing consent or refusing to submit to pre-employment testing.

R.C. 2925; R.C. 2925.03.

331.3 Searches

- A. Whenever the School has reason to believe that an employee's work performance or on-the-job behavior may be affected by alcohol or drugs, the School may search the employee, the employee's locker, desk, or other School property under the control of the employee, as well as the employee's personal effects or automobile on School property or any facility maintained by the School.

- B. Whenever the School has reason to believe that an employee possesses alcohol or drugs on School premises, the School may search the employee, the employee's locker, desk, or other School property under the control of the employee, as well as the employee's personal effects or automobile on School property or any facility maintained by the School.

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

331.4 Consequences for Violation of this Policy

- A. Violation of the School's Alcohol and Drug Abuse Policy may result in severe disciplinary action, including discharge, at the School's sole discretion.
- B. In addition to any disciplinary action, the School may, in its sole discretion, refer the employee to a treatment and counseling program for alcohol or drug abuse. The Principal shall determine whether an employee it has referred for alcohol or drug treatment and counseling should be temporarily reassigned to another position.
- C. The School will promptly terminate any employee who tests positive for alcohol or drugs while undergoing treatment and counseling for alcohol or drug abuse, regardless of whether such treatment and counseling is voluntary or required by the School.
- D. The results of, or an employee's refusal to submit to, any chemical/drug/alcohol test described herein may, in addition to any disciplinary action imposed, disqualify an employee from receiving compensation and benefits under Ohio's workers' compensation laws.

331.5 Testing

- A. Whenever the School has reason to believe that an employee's work performance or on the job behavior may be affected in any way by alcohol or drugs, the School may require the employee to submit a urine, blood, or other sample for testing.

- B. The School will afford employees subject to testing the opportunity, prior to testing, to list all prescription and non-prescription drugs they have used in the last thirty (30) days and to explain the circumstances surrounding the use of such drugs.

- C. Employees subject to testing must sign an approved form consenting to the testing and consenting to the release of the test results to the School. Refusal to sign the consent form will be considered refusal to be tested and will result in discharge and may result in denial of workers' compensation benefits.

- D. The School, prior to taking any action, will give all applicants and employees who test positive the opportunity to explain in writing the test results.

331.6 Types of Testing

All employees are subject to the following types of testing:

A. Post-Accident Testing

1. Alcohol and drug testing is required of employees whose performance either contributed to an accident or cannot be completely discounted as a contributing factor to an accident. Because alcohol does not remain in the body for extended periods of time, testing will be done as soon as possible.
2. Reportable accidents that require testing include:
 - a. Death of any person.
 - b. Bodily harm to any person resulting in one or more of the following:
 - (i) Loss of consciousness
 - (ii) Necessity to carry person from the scene
 - (iii) Necessity for medical treatment (beyond first-aid)
 - (iv) Disability which prevents the discharge of normal duties or pursuit of normal activities beyond the day of the accident
 - c. Explosion or fire.
 - d. Serious damage to the property of the School or others.
 - e. Any event that is serious in the judgment of the School requires testing.
3. If any employee who is subject to post-accident testing is conscious, and refuses to be tested, that person will immediately be placed on suspension, pending further disciplinary action.

B. Other Testing

1. Alcohol and drug testing of employees will be conducted when there is reason to believe the employee is impaired from the use of alcohol or drugs. A decision to test will be based on specific physical, behavioral, or performance indicators of possible alcohol or drug use. For example, repeated errors on the job, regulatory or School rule violations, or unusual time and attendance patterns, could provide evidence to test an employee based on reasonable cause.
2. Any employee who is tested will immediately be placed on suspension pending test results.
3. The School may conduct pre-employment testing.

R.C. 4123.651.

331.7 Medical Examinations

Employees may be required to undergo medical examinations from time to time during their employment if, in the judgment of the School, such examinations are shown to be job-related and consistent with business necessity. A School-designated health care provider may perform examinations or the employee may be required to provide results of a medical examination from the employee's health care provider. The School will maintain employee medical records in a file separate from other personnel records, and access to such medical information will be restricted as allowed or required by law.

R.C. 149.43; R.C. 1347; R.C. 4123.651.

Tuberculin Testing – All Employees

A. New employees shall:

1. present documented evidence of having a negative tuberculin test (Mantoux Test 5 TU PPD preferred) within ninety (90) days before the first day of work;
2. if a known positive reactor, have a chest X-ray and other appropriate examinations revealing the absence of tuberculosis in a communicable state within ninety (90) days before the first day of work.

B. Currently employed teachers, administration or staff shall:

1. present documented evidence of having a negative tuberculin test (Mantoux 5 TU PPD preferred) performed no earlier than September 1, 1974, and every third year thereafter;
2. if a known positive reactor, have a chest X-ray annually or if the person has completed a course of preventative therapy or adequate chemotherapy in accordance with guidelines prescribed by the Principal or his/her designee of the Ohio Department of Health, have a chest X-ray at three (3) year intervals;
3. have additional tuberculosis screening at more frequent intervals at the discretion of the local board of health.

42 USC 12112(d); R.C. 3313.71; OAC 3701-15-02-(A) and (B).

333 **Weapons in the Workplace**

Objective

To create a safe working environment for our employees and students by prohibiting the possession and/or use of weapons in the workplace. The School will not tolerate any weapon possession or use.

Scope

Persons subject to the terms of this policy are as follows:

- A. All employees of the School.
- B. All substitute teachers working in the School.
- C. All employees of contractors providing services on behalf of the School.
- D. All applicants for employment with the School.
- E. All other persons, including visitors, vendors, subcontractors, students, etc.
- F. All persons, except
 - law enforcement personnel or state or federal officers, agents, or employees who are authorized to carry deadly weapons or dangerous ordnance and are acting within the official duties of such position;
 - security officers employed by the Governing Authority who are on duty and authorized to convey or possess deadly weapons or dangerous ordnance in(to) the school safety zone;
 - any other person with written authorization from the Governing Authority to convey or possess deadly weapons or dangerous ordnance in(to) the school safety zone.

Policy

This policy prohibits possession and/or use of prohibited weapons at any time on School grounds, a School vehicle, or at a School sponsored event. However, an individual with a valid concealed-carry license or temporary emergency license who is either a driver or passenger in a motor vehicle and who is immediately in the process of dropping off or picking up a child in a school safety zone may convey, attempt to convey, or possess an unloaded handgun in(to) the school safety zone if one of the following applies:

- (1) the handgun is in a closed case, bag, box or other container that is in plain sight and that has a lid, cover or closing mechanism with a zipper, snap or buckle, which lid, cover or closing mechanism must be opened for a person to gain access to the handgun;
- (2) the handgun is located in a compartment that can be reached only by leaving the vehicle;
or
- (3) the handgun is located in plain sight and secured in a holder for the purpose.

Prohibited weapons include any form of weapon and any form of explosive restricted under local, state or federal law or regulation. This includes all firearms, illegal knives or other weapons restricted by the law. The terms “deadly weapon” and “dangerous ordnance” are defined in R.C. 2923.11. If you have a question about whether an item is covered by this policy, please contact the Superintendent or his/her designee. You will be held responsible for making sure beforehand that any potentially covered item you possess is not prohibited by this policy.

Prohibitions

The School's policy prohibits:

- A. Use or possession of weapons on School grounds, on a School vehicle, or at a School sponsored event.
- B. Use or possession of weapons while performing any task on the School’s behalf.
- C. Refusing to sign a statement agreeing to abide by the School’s Weapons in the Workplace Policy.
- D. Failing or refusing to report a known violation of this policy.
- E. Failing or refusing to cooperate with any investigation relating to a possible violation of this policy.

Consequences For Violation of This Policy

- A. Violation of the School's Weapons Policy may result in severe disciplinary action, including discharge, at the School's sole discretion.
- B. Using or possessing a weapon on School grounds in violation of this policy will be considered an act of criminal trespass and will be grounds for immediate removal from School grounds and may result in criminal prosecution.

If you become aware of anyone violating this policy, take no action and immediately report it to your supervisor or to the Superintendent or his/her designee.

Gun Free School Zones Act, 18 USC 922(q); Gun Free Schools Act, 20 USC 7151; R.C. 2923.11; R.C. 2923.122; R.C. 2923.126; R.C. 2923.16.

See also Policy No. 421 Dangerous Weapons and **Appendix 333-A** Notice Regarding Weapons in the Workplace.

335 **Mandatory Reporting of Misconduct by Licensed Employees**

The Board recognizes its responsibility to effectively address employee misconduct.

Definitions

“Licensed professional staff member” refers to employees who hold an educator's license or certification with the Ohio Department of Education (“ODE”) (including the Treasurer and Business Manager), educational assistants (aides with a permit and paraprofessionals with a license from ODE), employee holding a one (1) year conditional teaching permit in the area of intervention specialist or seeking an alternative educator license, and those employees who do not hold a valid educator's license but who are employed by the Board under a Pupil Activity Program Permit. For purposes of this policy, licensed professional staff member will be referred to as “employee.”

“Conduct unbecoming the teaching profession” is defined to mean:

- A. crimes or misconduct involving minors;
- B. crimes or misconduct involving school children;
- C. crimes or misconduct involving academic fraud;
- D. crimes or misconduct involving the school community;
- E. making, or causing to be made, any false or misleading statement or concealing a material fact in obtaining the issuance or renewal of any educator licensing documents;
- F. the violation of the terms and conditions of a consent agreement with the State Board of Education;
- G. a plea of guilty to or a finding of guilt or conviction upon any offense enumerated under R.C. 3319.39.

The complete rule adopted by the State Board of Education is in **Appendix 335-A**.

Reporting Professional Misconduct

The School’s Principal is responsible for reporting teacher misconduct to ODE. If the Principal is the employee who must be reported, the Board president or chairperson must make the report. The School’s Principal must report misconduct by an employee of an operator who is working in the School.

Reports

Reports must be filed about School and/or operators employees working in the School under the following circumstances:

- A. When the Principal, Board president or chairperson knows that an employee has a **guilty plea or conviction**, or has been found to be eligible for intervention in lieu of conviction, or for a pre-trial diversion program concerning a disqualifying or other criminal offense applicable to teachers;
- B. When the Principal or Board president or chairperson has initiated **termination or nonrenewal** proceedings against, has terminated, or has not renewed the contract of the employee because the Principal or Board president or chairperson has reasonably

determined that the employee has committed an act that is unbecoming to the teaching profession or a disqualifying criminal offense or other criminal offense applicable to **teachers**.

- C. When the employee has **resigned under threat** of termination or nonrenewal for an act that is unbecoming to the teaching profession or a disqualifying or other criminal offense applicable to teachers.
- D. When the employee has **resigned because of or in the course of an investigation** by the Board regarding whether the employee has committed an act that is unbecoming to the teaching profession or a disqualifying or other criminal offense applicable to teachers.

The report must be made to ODE and must include the name and social security number of the employee in question together with a factual statement. The making of a report does not itself create any legal presumption that the described misconduct or any related crime has in fact occurred. The form for reporting misconduct is in **Appendix 335-B**.

A report must be kept in the employee's personnel file. The State Board of Education may proceed to conduct an investigation to determine whether further action is warranted. If, after an investigation, ODE determines that the results of that investigation do not warrant initiating action, the Board must move such reports from the employee's personnel file to a separate public file.

R.C. 3314.40-3314.403, R.C. 3314.99.

Social media tools offer the opportunity for users to gather in online communities of shared interest and to create, share, or consume content. Social media tools include social networking sites such as Facebook, video and photo sharing websites such as YouTube and Flickr, micro-blogging sites such as Twitter, weblogs, corporate blogs, personal blogs, conversation pages, discussion boards, message boards, news forums, wikis, virtual worlds, or any other websites that allow users to publish user generated content.

Once something is posted online, it can become viral and may never be completely eliminated—even if deleted. Public online forums and websites are accessed by many people, including our parents and students and may reflect upon the posting Staff Member and/or the School.

Staff Members are advised to exercise discretion and good judgment and act in a positive and ethical manner in using social media tools when they are officially responsible for representing the School and when they are discussing the School, aspects of their job or employment with the School, School-related issues or other issues impacting the School, or any matters impacting the perception of the School.

Staff Members are personally responsible for the content they publish via social media tools and should have no expectation of privacy in such forums. Staff Members should monitor the content of their “pages” and remove anything that violates the terms of this policy or any other School policy immediately.

Staff Members may not represent themselves as spokespersons for the School without express authorization. It should be clear that all information shared via social media tools solely expresses the thoughts of the writer/poster/etc. and has not been communicated on behalf of the School. Staff members must abide by all copyright and intellectual property laws in the event that they elect to use School or company logos.

Nonpublic proprietary information relating to the School is property of the School, and the unauthorized disclosure or distribution of such information is forbidden unless otherwise authorized by law.

Staff Members may not post images or photos of students and should use special caution before posting pictures of others.

Staff Members may not post or display comments about coworkers or supervisors that are vulgar, obscene, threatening, intimidating, harassing, or a violation of workplace policies against discrimination, harassment, or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, or other protected class, status, or characteristic. Staff Members may be held responsible for the use of ethnic slurs, personal insults, obscenity, or for engaging in any of the above conduct that would not be acceptable in the workplace itself. Staff Members also are prohibited from posting data, links, documents, photographs or inappropriate information on any website that may result in a disruption of classroom activity.

Fraternization between Staff Members and Students via the Internet, personal e-mail accounts, social networking websites and other modes of virtual technology is also prohibited.

Access to social networking websites during working hours or via school computers/devices is prohibited.

When used properly, blogging can be a great way for teachers to learn new ideas for the classroom. However, Staff Members must use discretion and good judgment when posting comments on a blog.

Staff Members who blog in their capacity as staff members of the School may be asked by the Principal to put a disclaimer on their blog stating that the opinions expressed are their own and they do not necessarily reflect the beliefs or ideologies of the School. The Principal may make such a request if he or she reasonably believes that information in the blog could appear to a reasonable person to be written on behalf of or with the authorization of the School.

Under certain circumstances the Principal must report acts unbecoming to the teacher profession to the Ohio Department of Education. The definition of “conduct unbecoming to the teaching profession” includes but not be limited to the following: “using technology to intentionally host or post improper or inappropriate material that could reasonably be accessed by the school community” and “using technology to promote inappropriate communications with students.”

Accordingly, a licensed Staff Member’s use of technology may result in their conduct being reported to the Ohio Department of Education, which may result in the ODE taking disciplinary action against a Staff Member.

See Licensure Code of Professional Conduct for Ohio Educators, Adopted March 11, 2008, State Board of Education.

SECTION 340

EMPLOYEE AND STUDENT CARE AND SAFETY

341 Staff Student Relationship

Professional and support Staff members, because of their proximity to Students, are frequently confronted with situations which, if handled incorrectly, could result in liability to the School and personal liability to the Staff member. Compliance with the following guidelines will minimize that possibility.

Each Staff member shall maintain a standard of care for supervision, control, and protection of Students commensurate with assigned duties and responsibilities.

A Staff member should not voluntarily assume responsibility for duties s/he cannot reasonably perform. Such assumption carries the same responsibilities as assigned duties.

A Staff member shall provide proper instruction in the safety matters presented in assigned curriculum guides.

Each Staff member shall immediately report to the Principal or his/her designee any accident or safety hazard s/he detects.

A Staff member shall not send students on any personal errands.

A Staff member shall not associate with Students at any time in a manner which gives the appearance of impropriety, including, but not limited to, the creation or participation in any situation or activity which could be considered abusive or sexually suggestive or involve illegal substances such as tobacco, alcohol, or drugs.

This provision should not be construed as precluding a professional or Staff member from associating with Students in private for legitimate or proper reasons.

If a Student comes to a Staff member to seek advice or to ask questions regarding a personal problem related to sexual behavior, substance abuse, mental or physical health, and/or family relationships, the Staff member may help the student make contact with certified or licensed individuals in the community or the facility who specialize in the assessment, diagnosis, and treatment of the Student's problem. Under no circumstances should a Staff member attempt, unless properly licensed and authorized to do so, to counsel, assess, diagnose, or treat the Student's problem or behavior.

A Staff member shall not transport Students in a private vehicle without the approval of the Principal or his/her designee. Such approval shall be granted for emergencies only or pursuant to a Parental consent and waiver, and shall not operate to subject the School to liability for accidents or injuries.

A Student shall not be required to perform work or services that may be detrimental to his/her health.

Possession of weapons or any device designed to inflict bodily harm by any Staff member, Student or visitor while on School grounds, on a School vehicle, or at a School sponsored event is prohibited and shall result in suspension or dismissal of the Student or the employee.

Pursuant to the Ohio laws, each Staff member shall report immediately to the Principal or his/her designee any sign of suspected child abuse or neglect. The Principal or his/her designee shall

follow required procedures for reporting suspected child abuse or neglect to proper legal authorities.

See Policy 229 Child Abuse and Neglect, Policy 347 Student Transportation by Private Vehicle, Policy 342 General Safety Rules, Policy 343, Reporting Accidents and Policy 426 Accidents to Students Policy.

342 **General Safety Rules**

The School has written and posted fire, tornado and emergency safety procedures. These procedures are reviewed with Students and Staff members.

Students shall not be left unattended. If a teacher leaves the classroom another Staff person must be left in charge.

In class projects, experiments and similar activities, which could have some measure of potential danger, must first be approved by the Principal or his/her designee. If approved, the Staff member must provide intensive close supervision of the project.

Chemicals and chemical products shall be secured and placed in locked storage units. (See School procedure manual for further specific actions to be taken regarding hazardous chemicals).

See also Policy No. 424 Emergency Preparedness and Evacuation, **Appendix 424-A** Safety and Health Plan Emergency Drills; Policy No. 428 Bomb Threat Policy; **Appendix 428-A** Bomb Threat Form and Call Checklist; Policy No. 441 OSHA Compliance/Risk Reduction Programs; Policy No. 443 Hazard Communication Program; Policy No. 444 Toxic Hazards and Asbestos Hazards; Policy No. 447 School Safety Plan.

343 **Reporting Accidents**

All accidents on School property, on School transportation and at School-sponsored events must be reported to the Principal or his/her designee immediately. An accident report form must be completed as soon as possible following the accident and turned into the Principal or his/her designee. These reports will be compiled, summarized and submitted to the Board quarterly. See **Appendix 426-A** for accident/incident reporting form.

R.C. 4123.51 and R.C. 4123.511.

See also Policy Nos. 426 Accidents to Students and **Appendix 426-A** Form for Reporting Accidents to Students, Policy No. 405 Emergency Medical Procedures, Policy No. 409 Control of Blood-Borne Pathogens, Policy No. 410 Hand-Washing Procedures, Policy No. 411 Head Lice Infestation Administrative Procedures and Policy No. 412 Infectious Disease Policy.

The main office, _____ or _____ shall have a first aid kit for treating minor injuries. Minor scratches and cuts may be attended to in the classroom or School office. When a student is more seriously injured, the Principal or his/her designee shall contact the parent or guardian. If medical treatment is indicated, appropriate steps shall be taken. The child's health form should be taken from the file and be available for examination. Teachers shall not administer medication to students.

Once the squad is called, they have the authority to determine if transport to a hospital is needed. The School shall notify the parent or guardian regarding the accident and the action taken.

Parents are responsible for notifying School officials if a student has any special medical needs. Dayton Business Technology High School personnel will not address any needs requiring the services of a trained professional. In most instances, the special medical needs will result in limited participation in certain activities and classes rather than any treatment being administered. In all instances the Principal or his/her designee will make the final decision as to how the School will handle any special needs requests.

Any Staff member acting in his or her official capacity who knows or reasonably suspects that a child has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates child abuse or neglect shall immediately report the suspicions to the proper authorities as required by law and the Principal or his/her designee. The Staff member shall make such a report to the public children services agency or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect is occurring or has occurred. The Principal or his/her designee shall then investigate and, if necessary, contact the appropriate authorities on his or her own behalf. The identity of a reporting Staff member shall be kept confidential to the fullest extent permitted by law. The identity of the Student and any information pertaining to the report shall not be shared with any unauthorized person.

R.C. 2151.421; R.C. 3319.073.

See also Policy No. 229 Child Abuse and Neglect.

347 Student Transportation by Private Vehicle

The Board authorizes the incidental transportation by private vehicle of School students. Any such transportation must be approved in advance and in writing by the Principal or his/her designee. The parent of the participating student will be given, upon request, the name of the driver, the owner of the vehicle, and the description of the vehicle.

No person shall be approved for the transportation of students in a private vehicle who is not an employee of this Board or its contracted Educational Management Company, if any; an approved volunteer; the parent of a student enrolled in the School; and the holder of a currently-valid license to operate a motor vehicle in the State of Ohio (“Approved Driver”).

No person shall be permitted to transport students if s/he does not possess and maintain automobile liability and personal injury insurance.

The responsibility of professional staff members for the discipline and control of students will extend to their transportation of students in a private vehicle. Drivers who are not professional staff members are requested to report student misconduct to the Principal.

Guidelines for Transportation of a Student in a Private Vehicle

These guidelines are to be followed whenever an Approved Driver will be transporting students by a private vehicle whether it is in his/her vehicle or another private vehicle:

1. Determine that transportation by School vehicle is unavailable or not feasible.
2. Obtain written consent from each student's parent using **347-A-Parental Consent for Transportation by Private Vehicle Permission Form**. No student shall be allowed to ride in the vehicle without his/her parent's written consent.
3. Submit form **347-B- Request for Transportation by Private Vehicle** to the Principal for his/her approval prior to the trip. Attach the parent consent forms to the request form.
4. The Approved Driver shall keep a copy of each student's Emergency Medical Authorization Form.
5. The Approved Driver shall provide the School office with a list of names of the students who will be riding in the vehicle.

This guideline does not apply if an Employee regularly uses his/her vehicle or another private vehicle to transport School students. In such case, the School employee must comply with the Ohio Pupil Transportation Operation and Safety Rules of OAC 3301-83 et seq.

348.1 Emergency School Evacuation

The School has a written and posted set of procedures which will insure the health and safety of students and employees in the event an evacuation of the School is necessary.

See also Policy No. 424 Emergency Preparedness and Evacuation; **Appendix 424-A** Safety and Health Plan Emergency Drills; Policy No. 428 Bomb Threat Policy; **Appendix 428-A** Bomb Threat Form and Checklist; and Policy No. 447 School Safety Plan.

348.2 Emergency School Closing/Inclement Weather

The School will follow the decisions of the Principal or his/her designee regarding weather related closings. Information about the School closing will be posted on the School telephone system. The Principal or his/her designee may close the School, delay the opening of the School, or dismiss School early when such actions are required for the protection of the health and safety of students and employees. In the event School is closed no School related activities will be held.

349 Threatening Behavior Toward Staff Members

The Board believes that all Staff Members should work in an environment free of threatening speech or actions. Threatening behavior that consists of words or deeds that intimidate the Staff Member or cause anxiety concerning his/her physical well-being are strictly forbidden. Any student, parent, visitor, Staff Member, representative of the School, vendor of the School or guest, invitee, or trespasser who is found to have threatened a member of the Staff will be subject to discipline or reported to the authorities. The Principal shall implement the guidelines, outlining the appropriate procedures for prompt and effective action on any reported incidents.

See **Appendix 349-A** Threatening Behavior Toward Staff Members Procedure. See also Policy 427 Visitors, Volunteers and Guests; and, Policy 422 Public Conduct on School Property.

SECTION 350

SCHOOL STAFFING, ORGANIZATION AND TRAINING

On a regular basis, the Principal or his/her designee will review the staffing, training, and organization needs of the Dayton Business Technology High School for the purpose of recommending changes, if needed, to the Board.

The teaching staff of the Dayton Business Technology High School is encouraged to continue their professional growth through a variety of activities. Teachers and Teacher Aides will attend in service training which is conducted throughout the School year. Absence requests must be submitted to the Principal or his/her designee for prior approval.

Every staff member, both certificated and non certificated will receive one formal performance evaluations during the year which will incorporate all ongoing assessments (observations) made frequently throughout the year. Such assessments will include, but not limited to, the student performance outcomes.

The performance evaluation process is designed to provide the information employees need in order to maintain or improve their performance. The results of the performance evaluation will be used to assess continued employment and the level of compensation for the following year. All evaluation documents shall be dated and signed by the evaluator and the person being evaluated.

Following an employee evaluation, if the Principal or his/her designee determines that the employee's performance does not meet the standards of the Dayton Business Technology High School the Principal or his/her designee may engage the employee in the Performance Coaching Process. This process shall not interfere with the School's right to terminate an employee.

1. The Principal or his/her designee will meet with the employee to discuss the performance concern(s) and to identify ways to improve the employee's performance. This discussion must be documented and include specific measurable performance objectives that the staff member must meet within a specified time. The date and time of the next meeting will be established before the meeting is concluded.
2. If the employee does not meet the objectives by the time of the second meeting or if improvement is not sustained, then at the discretion of the Principal or his/her designee, a second plan similar to the first may be devised or the Principal or his/her designee may elect to proceed to step 3 (below). This meeting also must be documented.
3. If the employee's performance still does not improve or is not sustained at a level satisfactory to the Principal or his/her designee, then appropriate action may be taken which could include termination.

The Board reserves the right to eliminate positions and reduce staff as deemed necessary. The Principal or his/her designee shall make recommendations for staff reduction and report them to the Board.

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

1. The LPDC shall be a consortium with _____ (building and non-building consortium), or, _____ (building level committee) (either option being referred to herein as “consortium” or “constituents”).
2. The certified/licensed general education teachers in the School shall elect, by majority vote, three (3) certified/licensed teachers to be a member of the LPDC.
3. Representation of a principal on the LPDC shall be determined by majority vote of the School Governing Authority (if the LPDC is a building level committee), or, of the principals of the constituents participating in the LPDC (if the LPDC is and building and non-building level consortium). The following apply to the votes of the principal if the LPDC is both a building level and non-building level consortium:
 - a. The principals of the constituents shall vote at a time concurrent with the vote by the teacher constituents.
 - b. The principals of the consortium shall vote on an order of membership on the LPDC whereby the principals’ representation shall revolve between the consortium schools on a yearly basis.
4. An additional member of the LPDC may be elected by the Principal, and if none, by the School Governing Authority, or, if the committee is a consortium of building and non-building level schools, by the three teachers and the principal representatives.
5. The activities of the LPDC shall apply to each constituent as though the consortium were a district.
6. The terms of the members of the LPDC shall be one (1) year and the members may be re-elected in accordance with 2, 3, and 4 above. Members may serve additional terms, except for the principal in accordance with 3(b) above, if applicable.
7. Mid-term vacancies on the LPDC shall be filled by: for teachers, by a majority vote of those teachers elected to the LPDC, and, for principals, by the Principal of the School, or, if none, by the School Governing Authority or Authorities.
8. The LPDC shall meet at least two (2) times per school year, but may meet more. This policy empowers the LPDC to determine the frequency, time, and place of the meetings and such decisions shall have a binding effect.
9. An educator wishing to appeal the decision of the LPDC may appeal to the President of the School Governing Authority for review by School Governing Authority (if a building level

committee) or, if a consortium of non-building level and building level constituents, to the _____.

10. Any tie vote or any vote without a majority shall be decided by the President of the School Governing Authority (if a building level committee) or, if a consortium of building and non-building _____ level _____ constituents, _____ by _____ the _____.

11. The LPDC shall 1) set the requirements for teachers requiring renewal of Ohio Department of Education certificates or licenses, 2) make decisions regarding participation in external training or professional development, 3) address the performance improvement processes internally, and 4) all other matters required by law.

R.C. 3319.22

SECTION 360

EMPLOYEE MISCONDUCT, DISCIPLINE AND TERMINATION

361 Employee Discipline

The School is committed to establishing and maintaining supervisory practices and procedures that support effective operations in the interest of the organization and its employees. Such procedures may include the administration of disciplinary action to assist employees in overcoming work related problems, performance deficiencies, or behavior that violates the School's policies, practices, and procedures.

Although the School maintains a progressive disciplinary procedure, circumstances may warrant disciplinary action outside of the progressive procedure. For example, the progressive procedure may not be appropriate: (1) when the conduct at issue involves severe performance deficiencies, performance problems related to skill or ability, or certain types of inappropriate or disruptive conduct; (2) when the initial steps of progressive discipline do not assist the employee in correcting the problem; (3) when the employee occupies a position requiring the exercise of effective management and leadership; or (4) when the employee's actions, or inactions, may seriously impair the School's ability to carry out its mission. If the School determines that these, or similar circumstances exist, the School may determine that the progressive disciplinary procedure is inappropriate. Moreover, under certain circumstances, a supervisor may determine that although the procedure should be utilized, certain steps in the procedure should be omitted or repeated.

362 **Disciplinary Procedure**

Step 1: Oral Discussions and Warning

The initial step of the progressive disciplinary procedure is for the supervisor to discuss the problem with the employee as soon as possible after the incident or awareness of the problem occurs. The supervisor should discuss the problem, suggest ways to improve or to correct the problem, and identify a time period for corrective action.

Step 2: Written Warning

The second step is for the supervisor to provide the employee with a written warning. The step is generally taken when the initial step does not correct the problem, although a supervisor may determine that a written warning is warranted as the initial step. When a written warning is given an employee, the supervisor should meet with the employee, outline the problem, suggest ways to improve or correct the problem and identify a time period for corrective action. The specifics of this discussion should be documented in a letter or memorandum that is provided to the employee and forwarded to the Principal or his/her designee of the School for placement in the employee personnel file. A copy of the letter or memorandum should also be initialed by the employee. If the employee refuses to sign it, this should be documented by the supervisor.

Step 3: Suspension

Although not generally a step in the progressive disciplinary procedure, suspension may be appropriate as the third step. If utilized at all, suspension is generally limited to two circumstances. First, a supervisor may determine that suspension should be used as a corrective measure to emphasize the seriousness of a problem. Second, suspension may be used because discharge appears warranted but the supervisor needs time for an investigation to be conducted to determine if discharge is actually warranted. In any event, suspension is for a specified period and, except for exceptional circumstances, without pay.

Step 4: Discharge

If prior measures fail to correct a problem, the final step in the progressive discipline procedure is termination. If the supervisor is satisfied that discharge is appropriate, and the Principal or his/her designee concur, discharge should be initiated. The circumstances that led to the decision to discharge the employee should be documented by the supervisor.

In certain circumstances, Dayton Business Technology High School will choose to be an “At Will” employer and as such an employee may be terminated without cause. Whether an employee is “at will,” or, serving under a contract that requires cause for termination, listed below are some reasons which may result in an employee being terminated. This list is not intended to contain all possible reasons for termination.

- Theft or Dishonesty;
- Intentional destruction or unauthorized use of School property;
- Falsification of School Records;
- Unacceptable work performance, including irregular or tardy attendance;
- Willful violation of School policies or property;
- Unacceptable attendance record;
- Providing inappropriate assistance or information to students on tests;
- Threatening, harassing, assaulting or abusing any student, employee or visitor;
- Fighting, physical violence and verbal abuse;
- Possession of firearms or explosives;
- Violation of the drug, alcohol and/or smoking policies;
- Intoxication or use of alcohol on School property;
- Use, sale or possession of unlawful drugs on School property
- Sleeping on duty;
- Neglect of duty and disruption of others;
- Insubordination or inefficiency;
- Abuse or inappropriate access of confidential information;
- Willful violation of School safety or security regulations;
- Violation of procedures or policies of the School;
- Unequal application of procedures or polices of the School.
- Conduct unbecoming to a teacher or school employee.

364 Resignation

When an employee wishes to resign, he/she must submit their resignation in writing at least 30 days prior to the effective date.

365 Whistleblower Policy

The Ohio Revised Code prohibits employers from taking any disciplinary or retaliatory action against an employee for making a report of a violation of any state or federal statute which an employee believes is:

- (1) a criminal offense that is likely to cause either an imminent risk of physical harm to persons or a hazard to public safety,
- (2) is a felony;
- (3) an improper solicitation for a contribution.

In order to receive the protection afforded by the Revised Code, the employee must orally notify his or her supervisor of the violation and subsequently file a written report with the supervisor that provides sufficient detail to identify and describe the violation. If the employee is unable to report the violation to his or her supervisor, the oral and written reports must be made to the Board. Employees must make a reasonable and good faith effort to determine the accuracy of any information that is reported verbally or in writing.

If the employer does not correct the violation or make a reasonable and good faith effort to correct the violation within twenty-four hours after the oral notification or the receipt of the report, whichever is earlier, the employee may file a written report that provides sufficient detail to identify and describe the violation with the prosecuting authority of the county or municipal corporation where the violation occurred, with a peace officer, with the inspector general if the violation is within the inspector general's jurisdiction, or with any other appropriate public official or agency that has regulatory authority over the employer and the industry, trade, or business in which the employer is engaged.

The employer will not retaliate or take part in any form of reprisal against the employee bringing the complaint. Employees who believe they may have been subject to retaliation should report suspected retaliation to the Board President.

An employee may be subject to discipline if it is determined that the report of wrongdoing was knowingly fabricated by the employee or was, knowingly distorted, exaggerated or minimized to either injure someone else or, to protect the reporting party or others.

Complaints of harassment will be handled in accordance with the anti-harassment policy.

In addition, the Ohio Auditor of State's office maintains a system for the reporting of fraud, including the misuse of public money by any official or office. You may make an anonymous complaint through a toll free number, through the Auditor of State's website, or through the United States mail at:

Telephone: 1-866-FRAUD OH (1-866-372-8364)
Ohio Auditor of State's Office
Special Investigations Unit
88 East Broad Street
P. O. Box 1140
Columbus, OH 43215

Web: www.ohioauditor.gov

You must sign either **Appendix 365-A** OR the acknowledgement of receipt of the employee handbook, in order to confirm receipt and understanding of this information.

R.C. 4113.51; R.C. 117.103(B)(1)

SECTION 370

COMPENSATION AND BENEFITS

The School strives to establish pay levels that are competitive with those of similar Schools in our area. The School's goal is to attract excellent staff-one of our School's most valued assets. Adjustments may be made by the Board, taking into consideration past performance, experience, market availability, job responsibilities, etc.

The hours worked will be established and changed as necessary to meet the needs of the School and its students. A general description of School and work hours will be announced at the beginning of the School year. This schedule may change from time to time as necessary.

373 Recording Work Time

All hourly employees are responsible for keeping accurate time records in accordance with School procedure. Instructions will be given by the Principal or his/her designee as to how to complete your time slip. You are not to complete any other employees' time slip nor permit/direct someone else to complete yours.

20 USC 211(c).

As defined by law, nonexempt employees receive overtime pay for hours worked beyond 40 in a workweek. Overtime is defined as any hours in excess of 40 hours accumulated during the normal work week which is Sunday through Saturday. Overtime hours are paid at time and one half. A substantial amount of overtime is available to employees with good attendance and work performance.

Under federal law, exempt employees generally speaking, salaried executive, professional, and administrative employees, as defined by law, and outside sales persons, as defined by law are exempt from the law requiring payment for overtime work. Exempt employees are responsible for working as many hours as necessary to get the job done and are not offered to overtime pay. At hire you will be notified of your exempt or non-exempt status.

29 U.S.C. 207(a)(1) – (2); R.C. 4111.03.

It is our policy to comply with the “salary basis” requirements of the Fair Labor Standards Act. Therefore, we prohibit the School from making any improper deductions from the pay of exempt employees. We want employees to be aware of this policy and that the School does not allow deductions that violate the FLSA.

Deductions from pay are permissible when an exempt employee: is absent from work for one or more full days for personal reasons other than sickness or disability; for absences of one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness; to offset amounts employees receive as jury or witness fees, or for military pay; or for unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions. Also, the School is not required to pay the full salary in the initial or terminal week of employment; for penalties imposed in good faith for infractions of safety rules of major significance, or for weeks in which an exempt employee takes unpaid leave under the Family and Medical Leave Act. In these circumstances, either partial day or full day deductions may be made.

If you believe that an improper deduction has been made from your salary, you should immediately report this information to the Principal. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

29 C.F.R. § 531, et. seq.

376 Tuition Reimbursement Program - Policies and Procedures

The Tuition Reimbursement Program of the School has been established to provide you with increased opportunity to improve your knowledge and skills through participation in courses offered by accredited educational institutions.

Full-Time employees who have completed six (6) months of continuous employment are eligible to apply for reimbursement for tuition costs and required lab fees (books, extraneous fees, etc. are not included). Courses must be directly related to your current job, an advanced position, becoming highly qualified or an identifiable career path within the organization. Course must not interfere with your normal work schedule, and participation in the program must be approved in writing by your supervisor before being submitted to the Principal. The Principal has the final authority for determining the eligibility of a tuition reimbursement request.

If you are enrolled in a degree program, the program must be approved as being job-related. Degree curriculum and proof of tuition cost must be attached to the application. Once the degree program has been approved, you are eligible for tuition reimbursement for any course necessary to complete the degree program. Prior to a course commencing, submit your approved tuition reimbursement application, course description, and proof of cost to Office Manager. See **Appendix 376-A** for necessary forms.

The amount the School reimburses is based on your final grade according to the following chart.

Undergraduate Course:

<u>Final Grade</u>	<u>Reimbursement percent</u>
A	50%
B	50%
PASS	50%

Graduate course: 50 percent reimbursement for grade B or better or PASS on a PASS/FAIL grading scale. No reimbursement will be offered for a lower grade.

Your final grade must be submitted to the Principal within sixty (60) days of completion of the course and must be on an official university transcript or letterhead.

Note: Grant supported coursework, seminars, workshops, and short-term course that will enhance an employee's skill set are not covered under this Tuition Reimbursement Program. Some exceptions may be allowable with the approval and permission of the Principal. The Principal has the final response on reimbursement payment. Please contact the Principal if you have questions or need further clarification about this program.

The Principal reserves the right to remove or modify benefits at any time upon written notice.

SECTION 380

TIME OFF FROM YOUR JOB

381 Personal Leave

Each full time employee is given *up to* _____ paid days per year. Employees receive _____ days of personal leave credit for each month of service to be used for personal matters, including vacation, illness or illness in the family. Personal leave not used will be carried over to the next year. Employees who are terminated or resign are not paid for unused personal leave.

Use of paid time off should be requested as far in advance as possible. An employee absent due to illness must notify the Principal or his/her designee as soon as possible and no later than 1-1/2 hours prior to the opening of School. Failure to promptly and properly notify School administrators may result in disciplinary action and a charge of personal time without payment for the time off. Upon return to duty the employee must complete a Readmission Form to be submitted to the Principal or his/her designee who will approve the return to work and forward it to the School Treasurer. Failure to promptly complete the Readmission form may result in disciplinary action and/or denial of pay for personal time off.

In the event of a pandemic flu outbreak or any other pandemic disease outbreak, use of personal leave shall be limited to the employee's illness or illness in the employee's immediate family. Personal leave may not be used for personal matters or vacation during such time.

A pandemic is a global disease outbreak. The limitations on the use of personal leave for all employees shall apply only upon a determination by the Federal or State government that a pandemic flu outbreak or other pandemic outbreak exists within the School's community.

These provisions do not limit an eligible employee's ability to utilize unpaid leave time under the Family and Medical Leave Act, if applicable.

The School observes the following holidays:

- New Year's Eve
- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day and the following day
- Christmas Eve
- Christmas Day

Specific dates for paid holidays are listed each year on the school calendar.

If an employee is unable to physically or mentally perform his or her job they may request an unpaid medical leave of absence. This should be done in concert with the recommendations of a physician(s). Medical leaves of absence must be reported to the Board. While on medical leave the employee shall not accumulate personal leave, health insurance shall not be continued by the Board and the employee shall not take other employment. Employees may elect to pay the cost of health insurance during a period of approved leave.

384 Jury Duty and Military Leave

Jury Duty Leave

Full time employees who are selected for jury duty will be excused for the duration of the leave and receive their normal pay for each day they serve, for up to two weeks. The employee may also keep their jury duty pay.

R.C. 2313.18; R.C. 3313.211.

Military Leave

Dayton Business Technology High School observes all applicable laws concerning military leave and re-employment rights following military training and service.

38 U.S.C. 4301; R.C. 3319.085; R.C. 5923.05.

Eligibility. To qualify for FMLA leave, an employee must meet each of the following criteria and have a qualifying reason for the leave:

- Be employed at a location that has at least fifty (50) of our employees within a 75-mile radius.
- Have been employed by the School at least twelve months.
- Have worked at least 1,250 hours during the twelve month period or fifty-two (52) weeks immediately before the date the leave begins.

Even though the School may be a covered employer, employees must meet all three of the above requirements to be eligible.

General Policy. We provide eligible employees with 12 weeks of unpaid, job-protected leave for any of the following family and medical reasons according to the Family and Medical Leave Act (FMLA).

- An employee's own serious health condition, as defined, that makes the employee unable to perform the essential functions of the job.
- For incapacity due to pregnancy, prenatal medical care or child birth.
- To care for an employee's spouse, child, or parent with a serious health condition.
- To care for an employee's newborn child, newly adopted child, or newly placed foster child as long as the leave is taken in the year following the child's birth or placement.
- To attend to a qualifying exigency relating to a spouse, child or parent on or called to active duty in the Armed Forces, including the National Guard or Reserves in support of a contingency operation. (Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions and attending post-deployment reintegration briefings.)

An eligible employee may take a total of twenty-six (26) weeks of unpaid leave during a single twelve (12) month period to care for the spouse, son, daughter, parent, or next of kin of a service member who is a current member or veteran (within five years) of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render him/her medically unfit to perform his/her duties. The leave may be taken to care for the covered servicemember while he or she is undergoing medical treatment, recuperation, or therapy or is in outpatient status or is on the temporary disability retired list.

If a husband and wife both work for the School, and each wishes to take FMLA leave for the birth or placement for adoption or foster care of a healthy child, or to care for an employee's parent (not parent "in law") with a serious health condition, the husband and wife may be limited to a combined 12 weeks of leave.

Requesting a Leave. An employee must inform his/her supervisor/manager and Human Resources at least 30 days in advance of the need to take FMLA leave when the need for the leave is foreseeable. If it is not possible to give 30 days' notice, an employee must provide notice as soon as practicable and must comply with the School's normal call-in procedures and attendance policy. Failure to give appropriate notice of the need for leave may result in denial of the leave, disciplinary action and/or termination of employment.

To request a leave, the employee must notify his/her supervisor, complete the appropriate form(s) and return it to Human Resources by the required date.

Human Resources will inform the employee whether he/she is eligible for leave under the FMLA and, if so, will advise the employee of any information required and of the employee's rights and responsibilities associated with the leave. Human Resources will also inform the employee of the reason if the employee is not eligible for leave.

Additional Forms and the Leave Determination. An employee may be required to provide additional information to determine if the employee qualifies for FMLA protection. Information requests may include documentation of the employee's inability to perform his/her job, an employee's family member's disability status, continuing treatment and/or hospitalization needs or other circumstances surrounding the nature of the employee's leave. An employee must inform the School if any requested leave is for a reason for which FMLA leave was previously taken or certified. An employee will be required to provide sufficient information informing the School of the timing and duration of his/her leave. An employee may also be required to provide certification and periodic recertification supporting his/her need for leave.

Certification of Health Care Provider. An employee's treating health care provider must specify and certify the nature of the qualifying serious health condition, beginning/ending dates of incapacity, treatment, or care, etc. A Certification of Health Care Provider form must be fully completed, signed, and dated by the treating health care provider and submitted to Human Resources within 15 days of the date requested, absent extenuating circumstances. If leave is requested to provide care for an eligible family member, both the employee and the family member's treating health care provider will need to complete the applicable sections of a Certification form. If an employee fails to provide the Certification of Health Care Provider form within 15 days of the date requested, leave may be delayed or denied. It is an employee's responsibility to ensure timely completion and return of the Certification of Health Care Provider form.

The health care provider may be asked to authenticate the certification or the School may ask for the employee's authorization to contact the health care provider to obtain clarifying information related to the Certification of Health Care Provider form if questions arise at the time of approval reviews and any subsequent determination(s) related to leaves. The School may also request certification and other updates as appropriate and necessary.

The School may also seek second or third opinions (at School expense) from independent third party medical experts. An employee (or the employee's family member) may be required to submit to an examination by one or more of such experts. An employee's cooperation with such examinations is required and failure to cooperate may cause the leave to be delayed or denied. An employee will be granted provisional leave while the School waits for clarifications and/or the results of a second or third opinion.

Communicating Leave Status. Human Resources will inform the employee if the leave has been approved, usually after receiving the Certification of Health Care Provider form. The employee will also receive a designation of his/her FMLA leave status in writing which will detail the type of leave being approved, along with the approved leave period, return-to-work date, and related requirements. The time off prior to approval will be counted as part of the leave if eligibility and qualification are established. The School may retroactively designate time away from work that qualifies as job-protected FMLA and count the absences toward the 12-week entitlement. An employee will be notified in writing of this designation while absent or after returning to work. If an employee's leave is determined to be nonqualifying, he/she will be advised in writing.

Serious Health Condition Defined. A serious health condition means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- *Overnight Care* in a medical care facility.
- *Continuing treatment* by a health care provider that prevents the employee from performing the functions of his/her job (or prevents the employee's family member from participating in daily activities, like work or school.)
 - The continuing treatment requirement generally is met by a period of incapacity of *more than three consecutive calendar days* combined with:
 - At least two visits to a health care provider; or
 - A visit to a health care provider and a regimen of continuing treatment.

Note: Treatment does not include routine physical, eye, or dental examinations. A regimen of continuing treatment does not include the taking of over-the-counter medications such as aspirins, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a treating health care provider.
- Due to *pregnancy or prenatal care*.
- Due to a *chronic condition*.
- Chronic Conditions Requiring Treatments. A chronic condition that is documented by a physician and requires all of the following:
 - Requires periodic visits for treatment by a health care provider or by a nurse or physician's assistant under direct supervision of a health care provider;
 - Continues over an extended period of time (including recurring episodes of a single underlying condition); and
 - May cause episodic rather than a continuing period of incapacity (for example, asthma, diabetes, epilepsy, etc.).
- *Permanent/Long-term Conditions Requiring Supervision*. A period of incapacity that is permanent or long term due to a condition for which treatment may not be effective. The employee or his/her family member must be under the continuing supervision of, but need not be receiving active treatment by a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.
- *Multiple Treatments (Non-Chronic Conditions)*. Any period of absence to receive multiple treatments (including any period of recovery) by a health care provider, either for restorative surgery after an accident or injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days.

Personal Time Off. When an employee requests FMLA, he/she is required to use his/her PTO in accordance with the School's normal PTO policy unless he/she is receiving short-term disability or Workers' Compensation payments. After PTO is exhausted, unpaid leave will be granted until the end of the FMLA leave. Leave time compensated with PTO, short term disability and/or workers' compensation runs concurrent with (counts against) the employee's weeks of available FMLA leave.

Period of Leaves of Absence. The School measures the 12 month FMLA leave period as a rolling 12 month period counted backward from the date an employee uses leave under this policy. Each time an employee takes FMLA leave, the School will compute the amount of leave taken under this policy and subtract it from the 12 weeks of available leave, specific to each rolling 12 month period. The remaining balance is the maximum the employee is entitled to take at that time under FMLA.

Second Qualifying Event While on Leave. If an employee has a second qualifying leave while out on approved FMLA leave, he/she may request approval for a concurrent leave. The leave periods may partially or fully overlap. The employee will be required to complete the appropriate FMLA leave forms and provide a Certification of Health Care Provider form to establish qualification, the leave period and a return-to-work date, which may be different. If the leave is approved, the employee's return-to-work date is the latter of the two leave periods.

Benefits While On Leave. The School will continue to pay its portion of the employee's group health insurance benefit premiums during the leave period at the same level and under the same conditions as if he/she were actively at work. If the employee receives a paycheck during the period of leave, the employee will have his/her benefit premiums deducted as usual. If the employee does not receive a paycheck while on FMLA leave, he/she is responsible for paying the employee share of the benefit premiums while on FMLA leave. At the beginning of the leave, Human Resources will provide the employee with information on how and when to make premium payments. Premium payments must be made within 30 days of the due date to avoid cancellation. *The employee must continue paying his/her share of premiums or the benefit coverage may be canceled.* If an employee does not return to work after FMLA leave, he/she may be required to reimburse the School for any benefit premiums paid on his/her behalf.

Use of FMLA will not cause an employee to lose any employment benefit that accrued prior to the start of the employee's leave.

Manner in Which FMLA Leave May be Taken. FMLA may be taken in a single block of consecutive weeks, or, when medically necessary, leave for some conditions (including qualified exigencies) may be taken intermittently or on a reduced leave schedule. **"Intermittent Leave"** is leave taken in separate blocks of time due to a single illness or injury, rather than for one continuous period of time. **"Reduced Leave"** is a leave that reduces an employee's usual number of working hours per workweek or per workday. In all cases, the total leave time may not exceed a total of 12 weeks in a rolling 12-month period.

An employee is required to schedule leave for planned appointments outside of work hours so as to not disrupt the School's operations or to consult with his/her supervisor prior to the scheduling of treatment in order to work out a treatment schedule which best suits the needs of both the employee and the School without unduly disrupting the School's operations.

Requests for intermittent leave are handled the same as any other FMLA leave (See, “Requesting a Leave”). Once FMLA status has been established, further requests for intermittent leave require the employee to:

- Notify his/her supervisor/manager and Human Resources of the need to use intermittent leave as soon as possible.
- Follow the School’s absence and call off requirements.
- Provide appropriate documentation for each time he/she uses intermittent leave.

Employees are not eligible for intermittent leave or reduced work schedules to care for a newly born or placed child.

The School may temporarily transfer an employee taking intermittent or reduced leave for planned medical treatment to an available alternative position with no loss of pay or benefits in order to better accommodate the intermittent or reduced leave schedule.

Return to Work. As soon as you know your return-to-work date, the employee must notify his/her supervisor and Human Resources. If the return to work date changes, the employee must notify the School immediately – no later than two days after learning of the change.

An employee may be required to provide a fitness for duty certificate from the health care provider indicating the employee’s capacity to return to work and to perform the work required. The employee must be able to perform the essential functions of his/her job upon return. Requests for different (light) duties because of work restrictions cannot generally be accommodated.

When an employee returns from FMLA leave, he/she will be reinstated to his/her former position or an equivalent position with equivalent benefits, pay, and other terms and conditions of employment. Exceptions may apply if business circumstances have changed and for certain highly compensated positions under conditions defined within FMLA legislation.

If an employee fails to provide a required fitness for duty certificate from his/her treating physician, does not complete the School’s return-to-work requirements and/or fails to return to work in a timely manner, the employee may not be reinstated to his/her job and may have his/her employment terminated.

Restrictions While on Leave. No employee may not engage in other employment (including self-employment) while on FMLA leave (or on a leave of absence of any kind.) A leave must be used only for the purpose requested. If an employee uses a leave of absence for any other purpose, including for travel/vacation, the employee will be treated as if he/she voluntarily resigned from his/her position.

It is the policy of the School that employees with infectious, long-term, life-threatening, or other serious diseases or illnesses may work as long as they are able to perform the duties of their job without undue risk to their own health or that of pupils, other employees, or members of the public.

An employee who is diagnosed as having a infectious, long-term, life-threatening, or other serious disease or illness is encouraged to notify the Principal or his/her designee of the condition as soon as possible and should provide the Principal or his/her designee with any pertinent medical information needed to make decisions regarding job assignments, ability to continue working, or ability to return to work. The School may require a doctor's certification of an employee's ability to perform job duties. In addition, the School may request that an employee undergo a medical examination by a physician or other health care provider determined by the School.

An employee may be subject to an isolation requirement if he or she is infected with one of the diseases or conditions specified by the Ohio Health Department. Employees diagnosed with one of the following diseases must immediately report the diagnosis to the Principal or his/her designee: Amebiasis, Campylobacteriosis, Chickenpox, Cholera, Conjunctivitis, Cryptosporidiosis, Cyclosporiasis, Diarrhea (infectious or of unknown cause), Diphtheria, Escherichia coli (E. coli) O157:H7 or hemolytic uremic syndrome (HUS), Giardiasis, Hepatitis A, Measles, Meningitis (aseptic, and viral meningoencephalitis, but not including arthropod-borne disease), Meningococcal disease, Mumps, Pediculosis, Pertussis (whooping cough), Plague, Rubella, Salmonellosis, Scabies, Shigellosis, Smallpox, Streptococcal infection, Tuberculosis (TB), Typhoid fever, Typhus, Viral hemorrhagic fever (VHF), Yellow fever, Yersiniosis. This list is not exhaustive and may be modified in accordance with State and Federal law.

The School will attempt to maintain the confidentiality of the diagnosis and medical records of employees with serious diseases and illnesses, unless otherwise required by law. Information relating to an employee's serious disease or illness will be treated as confidential and ordinarily will not be disclosed to other employees.

The School will comply with applicable occupational safety regulations concerning employees exposed to blood or other potentially infectious materials. Universal precautions, work practice controls, and personal protective equipment will be used where appropriate to limit the spread of diseases in the workplace. Compliance with the Infectious Diseases Policy of this School is mandatory and failure to abide by the policy may subject the employee to discipline, up to and including discharge.

Employees concerned about being infected with a serious disease or illness by a pupil, coworker, or other person should convey this concern to the Principal or his/her designee. Employees who refuse to work with or perform services for a person known or suspected to have a serious disease or illness, without first discussing their concern with the Principal or his/her designee will be subject to discipline. In addition, where there is little or no evidence of risk of infection to the concerned employee as determined by the Principal or his/her designee, the employee's continued refusal to work may be found unreasonable and could result in discipline, up to and including termination.

The School has discretion to subject an employee to an examination by a physician or other health provider determined by the School in order to protect the health of all pupils and school employees. The School may place an employee on a communicable disease involuntary leave of absence when

the employee has contracted a communicable disease that puts others in imminent danger of death or serious injury in the workplace or if an examination finds that he or she has contracted a communicable disease.

The School may require any employee who was put on a communicable disease involuntary leave of absence to obtain and present certification from a physician or other health care provider as determined by the School that the employee is able to resume work without risking the health of others.

These provisions do not limit an eligible employee's ability to utilize accrued paid time off or unpaid leave time under the Family and Medical Leave Act, if applicable, during a communicable disease involuntary leave of absence.

R.C. 3313.71 and O.A.C. 3701-3-13

See Section 400 Health and Safety Policies.

Military Leave for Family Member

An employee who is the parent, spouse, guardian or former guardian of an active duty military member may be permitted unpaid leave for up to ten days (or eighty hours, whichever is less) per calendar year in the following circumstances:

- The employee has at least twelve consecutive months of service with the School;
- The employee has worked at least one thousand two fifty hours in the twelve months immediately preceding the leave;
- The military member is called to active duty (for a period of longer than 30 days) or is injured, wounded, or hospitalized while serving on active duty.

Leave taken because of a call to active duty may be taken no more than two weeks before nor more than one week after deployment.

Notice of the need for leave should be given to the School as far in advance as is possible. Certification or verification of the need for leave must be submitted prior to commencement of the leave.

Military leave for a family member is available only if the employee has no other form of leave available (except for sick or disability leave.)

Benefits provided to the employee taking unpaid leave shall continue uninterrupted. The employee is required to continue making his/her contribution to benefit costs during the leave period.

Employees taking military leave for a parent, spouse, guardian or former guardian will be returned to work with no adverse impact on terms and conditions of employment.

R.C. Chapter 5906.

In the course of your employment, there may be situations in which you are required to provide medical information to the Company (FMLA, leave of absence, workers' compensation, etc.) The Genetic Information Nondiscrimination Act of 2008 (GINA) restricts employers from requesting or requiring genetic information, except in limited circumstances. Accordingly, employees should not provide any genetic information when responding to requests for medical information.

'Genetic information' includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

42 USC § 2000ff *et. seq.*

SECTION 390

MISCELLANEOUS POLICIES

391.1 Health Insurance and Annuities

The Board provides health insurance for all full time employees. Hourly employees are not generally provided paid health insurance. The amount contributed by the Board is determined annually prior to the start of a new School year. The Board also contracts for dental and legal insurance, which is paid totally by the employee, provided, however, an employee may use their FSA money (see policy no. 391.2 below) for these costs. From time to time the Board may have several contracts with companies who provide tax sheltered annuities to employees who wish to contribute. These are paid entirely by the employee. Employee contributions shall be made through payroll deductions. If an employee is given a leave of absence for a period of time the Board will not pay the employee's health insurance except as required for eligible parties under the FMLA (See Policy No. 385 above). The employee may elect to pay the premiums for such time as they are on an approved leave. An employee who resigns prior to the end of their contract year will have Board paid health insurance only through the end of the month in which their resignation is effective. If a teacher or teacher aide resigns at the end of their contract year the Board will continue to pay their health insurance premium through the month of August. Other staff members who resign at the end of their contract will have their health insurance paid through the end of the month immediately following the end of the contract.

R.C. 9.90.

391.2 Workers' Compensation Insurance

As required by law, all employees are covered by Workers' Compensation Insurance, which may provide benefits for injuries or illness that occur as a result of employment at Dayton Business Technology High School. Any injury, regardless of its apparent seriousness must be reported immediately to your supervisor. Failure to immediately report an on the job injury will result in discipline up to and including discharge.

R.C. 4123.01; R.C. 4123.83.

391.3 STRS/SERS

By law, many Staff may be covered by the State Teachers Retirement System (STRS) or the State Public Employee Retirement System (SERS). Some contractors may not be eligible for such benefits. Determinations will be made based on law, facts and circumstances, in conjunction with applicable professional advisors and governmental agencies.

R.C. 145.03.

391.4 Unemployment Compensation

By law, most workers are insured for unemployment compensation, which provides income payment in certain conditions for a period of weeks if you lose your job under certain conditions.

R.C. 4141.01.

Personal and professional appearance and conduct are important both to oneself and to the School. Neat, conservative dress and good personal hygiene make a good impression on students, visitors, and colleagues. All persons employed by Dayton Business Technology High School are representatives of the School. As such, they are expected to conduct themselves in a manner that will reflect credit upon themselves and the School.

The formation of all student activities (clubs, teams, groups etc) must first be approved by the Principal or his/her designee. The Principal or his/her designee will give consideration to all factors in determining the potential value to students before final approval is given. Copies of all the necessary forms, rules and regulations pertaining to the establishment of a student activity are available from the Principal or his/her designee.

394 Fundraising Activities and Projects

Copies of the forms and rules and regulations are available from the Treasurer. There is a potential personal liability associated with maintaining proper and accurate records, safeguarding and depositing funds and assuming responsibility for conducting and overseeing a fund raising project. Staff members are advised to carefully follow all rules, regulations and policies governing fund raising activities.

395.1 Purchase of Supplies and Materials, Equipment

Staff members may request the purchase of supplies and materials provided the Principal or his/her designee approves the purchase and there are adequate funds in the budget to cover the cost. All staff members must follow the following rules, regulations and procedures when making a purchase.

1. Verbal approval by itself is never acceptable to make a purchase or place an order. A requisition must first be completed and then signed by the appropriate supervisor and the Principal or his/her designee and then sent to the Treasurer. The Treasurer will determine if there are adequate funds available in the budget for the transaction and will then issue a written purchase order and send it to the vendor.
2. Upon receipt of the supplies and materials the staff member who made the request will be responsible to verify that all items ordered have been received and are acceptable for use. If there are any problems with the items received contact the Principal or his/her designee for advice on how to resolve any concerns.
3. When an invoice for payment is received the Treasurer will make a copy of the invoice and send it to the staff member who placed the order. The staff member will date, sign and write on the copy "OK to pay" and return it to the Principal or his/her designee. The Principal or his/her designee has the authority to approve up to \$2,500 for any one purchase, subject to any budget constraints, before having to receive Board approval of a purchase.

See also Policy 148.1 Purchasing/Invoicing, Policy 148.6 Credit Cards, Policy 148.7 Staff Reimbursement, and Policy 149 Use of Cellular Telephones.

395.2 Leases and Contracts

All leases and contracts must be initiated by a School administrator and approved by the Board. No staff member, School administrator, consultant, parent or any other person has the authority to sign a lease or contract without Board approval.

Students and their parents are discouraged from the routine presentation of gifts to School employees on occasions such as religious holidays. Where a student feels a spontaneous desire to present a gift to a staff member, the gift should not be elaborate or unduly expensive. The Board considers as always welcome, and in most circumstances more appropriate, the writing of letters to staff members, expressing gratitude or appreciation.

Each employee is responsible for the School's electronic equipment or other property, supplies, and vehicles in his or her possession or otherwise assigned to the employee. It is the responsibility of employees to understand and care for all equipment used. Report any defective, damaged, or missing equipment to your supervisor immediately. At no time should an employee operate or use damaged or defective equipment or attempt to repair any equipment without the supervisor's approval. Observe all established safety rules and use all required safety equipment or protective wear when operating the School's equipment. At no time should the School's equipment be used for personal use. Employees will be responsible for incidents which result in damage to the School's electronic equipment or other property, supplies, and vehicles, or to the electronic equipment or other property, supplies, and vehicles of another through the employee's own negligence or misconduct, as determined by the School. Employees will be required to either repay the obligation or to sign a written authorization for deduction from pay for the cost of the obligation until the obligation is satisfied. Immediately upon request or upon termination of an employee's relationship with the School, all property (including but not limited to texts, manuals, key(s), equipment, access cards, credit cards, security badges, name tag, cell phones, hand held computers, etc.) and documents and records (including all copies and electronic files) shall be left with or returned to the School. The School will also take all action deemed appropriate to recover or protect its property.

See **Appendix 397-A** Employee Acceptance of Terms of Use and Return of Property.

See also Policy No. 232 Technology and Internet Acceptable Use (to be signed by Staff as well as Students), Policy No. 234 Electronic Communication Devices, Policy No. 149 Use of Cellular Telephones, and Policy Nos. 397.1 – 397.3.

397.1 Use of Electronic Equipment

To ensure that the School's electronic equipment is used only for lawful and appropriate purposes and to further its business interests, the School has adopted the following Policy which applies to all employees. Each employee and student having access to the electronic equipment of the School is required to abide by this Policy. The School will strictly enforce this Policy.

397.2 Acceptable Uses of the School's Equipment

Software and business equipment, including telephones, facsimile machines, computers, the School's electronic mail system, the School's Internet access, and copy machines (collectively, the "Equipment") are intended to be used for business purposes only. The Equipment is the exclusive property of the School, and its sole purpose is to facilitate the business of the School. Each student and employee has the responsibility to maintain and enhance the public image of the School and to use the Equipment in a productive and appropriate manner.

397.3 Unacceptable Uses of the School's Equipment

The School's Equipment may not be used for transmitting, receiving, or storage of any communications of a defamatory, discriminatory, or harassing nature, or materials that are sexually explicit, pornographic, or obscene. Harassment of any kind is prohibited. No messages with derogatory or inflammatory remarks about an individual's race, sex, age, disability, religion, national origin, or physical attributes shall be transmitted through the School's Equipment. The School will not tolerate actions that may create a hostile environment. Equipment may not be used for any purpose which is illegal or against the School's policies or contrary to the School's best interest. Sensitive or confidential information respecting the School or its students or vendors should not be transmitted via the Internet or over facsimile machines without the consent of the School. Solicitation of non-School business, or any use of the School's Equipment for personal gain, is prohibited.

See also Policy No. 232 Technology and Internet Acceptable Use (to be signed by Staff as well as Students).

Students and employees are responsible for the content of all information that they transmit over the School's equipment. All electronic communications must correctly identify the student or employee responsible for the communication. Any information sent to an individual outside of the School via the School's Equipment are statements that reflect on the School. All communications sent by students and employees via the School's Equipment must comply with this and other School policies.

398.1 Software and Copyright Issues

To prevent computer viruses from being transmitted through the School's Equipment, there will be no downloading or copying of any software onto the School's Equipment without prior approval of the School. No files of any kind will be downloaded from the Internet without prior approval of the School. License agreements relating to any software, whether individually owned or owned by the School, will be strictly complied with. Any student or employee desiring to reproduce or store information of any sort downloaded from the Internet should contact the Principal or his/her designee to determine whether the intended use is permissible. Copyright laws are very complex and can apply even to information that appears to be freely available for any use. No copyrighted material will be copied illegally on the School's Equipment or transmitted through the School's Equipment.

The Board encourages teachers and staff assigned to the School to make judicious use of appropriate printed materials, sound recordings, and electronic programs in the curriculum but recognizes that Federal law, applicable to public school districts, protects authors and composers from the unauthorized use of their copyrighted work.

The copyright law of the United States (Title 17, USC) governs the making of photocopies or other reproductions of copyrighted materials. According to the copyright law, it is illegal to copy or reproduce on disk or paper, by use of school equipment or any other means, materials for which the person reproducing or the School does not own the copyright, unless the written permission of the copyright owner has been obtained, or unless the activity is within some of the limited exceptions to the copyright laws. Copyright infringement carries with it serious civil and criminal penalties under law.

Title 17, Section 107, regarding the Fair Use of copyrighted work, reads in pertinent part:

... [T]he fair use of a copyrighted work, including such use by reproduction in copies or photo-records or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include B:

1. the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the effect of the use upon the potential market for or value of the copyrighted work.

The Principal or his/her designee is responsible for disseminating the guidelines for duplication and use of copyrighted materials to all employees. The Guidelines are contained in **Appendix 398.1-A**.

Any employee who is uncertain as to whether the reproducing or use of copyrighted materials complies with the procedures or is permissible under law shall contact the Principal or his/her designee.

U.S. Const. Art. I, Section 8; Copyright Act, 17 USC 101 et seq.

See Appendix 398.1-A Copyright Guidelines.

398.2 Security

No student or employee may use a pass code or voice-mail access code that has not been issued to that employee by the School. The School has the technical means, and the legal right, to monitor all office electronic mail and Internet communications sent to or from the School's Equipment. The School will exercise this right as deemed necessary by the School. There are several legitimate business reasons for the School monitoring the use of its Equipment including: (1) ensuring that the sole use of the Equipment is to further its business purposes; (2) preventing inappropriate and unprofessional comments, or even illegal activity, via its Equipment; (3) preventing and controlling the spread of viruses in its Equipment; (4) the need for supervision, control, and the efficient operation of the workplace; and (5) controlling costs.

In some respects, communication via the Internet is not completely private. For instance, certain information with regard to sender's name, receiver's name, and subject matter is tracked and recorded automatically at various stages of the transmission process. In addition to these automatic tracking features of Internet communications, the School has the added capability, as well as the right, to monitor and record all information with regard to Internet communications into and out of the School, as well as all internal e-mail communications. Despite certain equipment features that may give the appearance of creating privacy, such as passwords and the ability to delete and purge messages, students and employees have no expectation of privacy with regard to any communications or data transfer utilizing the School's Equipment. By using the School's Equipment, students and employees consent to the monitoring of their activities on the School's Equipment and forfeit any expectation of privacy.

398.3 Violations

Any student or employee who abuses the privilege of using the School's Equipment will be subject to appropriate disciplinary action. The School also reserves its right to advise appropriate authorities of any illegal use of the School's Equipment.

Employee Acknowledgment Form

I understand that this handbook does not imply or constitute a contract or employment agreement between myself and Dayton Business Technology High School. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

I understand that unless my written contract states otherwise, that I work at Dayton Business Technology High School "at will," meaning that I am free to leave Dayton Business Technology High School at any time, with or without reason, and that the School has the same right to end its employment relationship with me. No one at Dayton Business Technology High School has authority to make a contrary agreement with me except the Principal or his/her designee.

I understand that this handbook contains general statements about current School policy, and that Dayton Business Technology High School retains the right to revise or modify the terms, information, policies, and benefits at its sole discretion and at any time.

I understand that if I have knowledge, either direct or indirect, of harassment or discrimination in any form, I am obliged to report the circumstances immediately to the Principal or his/her designee, or, to another supervisor if necessary.

I understand the School requirements and expectations regarding attendance and hours of work. I also realize that, when necessary, I may be assigned evening and/or weekend hours as part of my work schedule.

I understand that I should consult with my supervisor regarding any questions I may have about School policies and practices.

Employee Signature _____

Employee Name Printed _____

Date _____

Witness Signature _____

Witness Name Printed _____

Date _____

SECTION 4:

HEALTH AND SAFETY POLICIES

SECTION 400

GENERAL HEALTH AND WELFARE

401 Health Services

Prior to November 1 of the school year in which a child is enrolled for the first time in either kindergarten or first grade, the child shall be screened for disorders in hearing, vision, speech and communication, for general health or medical problems, and for developmental disorders. This screening, or any of its elements, may be provided directly by the School or by contract with another person or governmental entity. The School may also establish a list of approved providers of screening services and request the parents to utilize one of these providers.

Prior to August 1, the parents or guardians of any child entering school for the first time must be provided with information about the screening program. If the School has determined that screening is to be obtained by the parents or guardians, it must prepare a list of providers together with information about screening services available in the community to those who cannot afford them. A parent or guardian may reject the requested screenings by signing a written statement to the effect that he/ she does not wish to have his/ her child screened.

If the results of any health screening reveal the possibility of special learning needs, the School is required to conduct further assessment in accordance with Ohio's handicapped education laws.

R.C. 3313.673; 3314.03.

The School shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, or the student would not be able to attend school if the medication or treatment were not made available during school hours, and, only if a physician's request is completed. See Appendix 402-A Physician's Request for Medication Form.

In the case of an emergency, only the custodial parent can authorize treatment or designate alternative individuals to make those decisions in his or her absence. However, if all reasonable measures to contact the custodial parent and his/her designees have failed, the School may seek authorization from an involved non-custodial parent (i.e. a parent who has rights of unsupervised visitation with the child).

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

The total responsibility for dispensing or administering any medication or treatment shall rest solely with the parent(s) and their child. Before any medication or treatment may be administered to any student during school hours, the School shall require the written prescription from the child's physician with detailed instructions, written promises of the physician and the parent to forward any changes in the prescription or instructions to the school immediately upon change and to ensure delivery to the appropriate staff. This must be accompanied by the written authorization and waiver of the parent. This document shall be kept on file in the main office of the School with the secured medical files.

Only medication in its original prescription bottle labeled with the date of prescription, student's name, and exact dosage will be administered and only in the presence of another adult. Parents, or students authorized in writing by physician and parents, may administer medication or treatment but only in the presence of an adult staff member assigned for that purpose.

Only Staff Members who are licensed health professionals or who have completed a Board-approved drug administration program conducted by a licensed health professional may administer to a student a drug prescribed for the student. They may also assist a student with self-administration of medications by doing the following (1) remind the student when it is time to take a medication and observe to ensure that the student follows the directions on the container; (2) assist the student in the self-administration of medication by taking the medication in its container from the area where it is stored and handing the container with the medication in it to the student; (3) assist upon request by or with the consent of, a physically impaired but mentally alert student, in removing oral or topical medication from the container and in taking or applying the medication.

A licensed health professional, or a Staff Member who has completed a Board-approved drug administration program conducted by a licensed health professional, may administer any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a licensed health professional authorized to prescribe drugs, and the nurse/Staff Member has completed any and all necessary training.

Students who may require administration of an emergency medication may have such medication, identified as stated above, stored in or by the School's office and administered in accord with this policy. The Principal or his/her designee may prepare and distribute administrative guidelines to ensure the proper implementation of this policy.

As long as the School or any person administering medication (a) is authorized by the Board to administer medication; (b) has the prescriber's signed statement; (c) has the parents signed authorization, which includes a promise to submit any changes to the prescription; and (d) the person has not acted in a grossly negligent or wonton or reckless manner, then that person shall not be liable for civil damages for administering or failing to administer medication.

R.C. 3313.711; 3313.712; 3313.713.

See **Appendix 402-A** Physician's Request for Medication Form and **Appendix 402-B** Notice to Parents Regarding Medication Policy.

402.1 Care of Students with Diabetes

The School shall ensure that each Student with diabetes enrolled in the School receives appropriate care in accordance with orders signed by the Student's treating physician. Appropriate care may include any of the following:

1. Checking and recording, or assisting the Student with checking and recording, Student's blood glucose levels and ketone levels;
2. Responding to blood glucose levels that are outside of the Student's target range;
3. Administering glucagon and/or other emergency treatments, as prescribed, in the event that Student experiences severe hypoglycemia;
4. Administering, or assisting the Student in self-administering, insulin through whatever insulin delivery method the Student uses;
5. Providing oral diabetes medications as needed and prescribed;
6. Understanding recommended schedules and food intake for meals and snacks so that dosages may be calculated pursuant to physician's orders;
7. Following any instructions regarding meals, snacks and physical activity provided by the Student's treating physician; and
8. Administering diabetes medication by the School nurse or by a School employee trained in diabetes care.

Diabetes medication shall be kept in a location that is easily accessible.

No Student shall be restricted from attending the School on the basis that the Student has diabetes, that the School does not employ a full-time school nurse, or that the School does not have an employee trained in diabetes care. Parents of a Student with diabetes shall not be required or otherwise pressured to provide diabetes care at the School or during School-related activities.

Parental Notice of Rights under Section 504

The Principal or his/her designee shall inform the Student's Parent that the Student may be entitled to a Section 504 plan regarding the Student's diabetes no later than fourteen (14) days after receiving an order signed by a Student's treating physician indicating that a Student has diabetes. See **Appendix 402.1-A** Sample Letter to Parents About 504 Plans.

Once notice has been given to the Parent, the School shall comply with all other policies and procedures for the development of a Section 504 plan as if the Student was any other Student with a qualifying disability.

School Administration of Diabetes Medication

Diabetes medication prescribed for a Student may be administered so long as all of the following conditions are met:

1. The Principal or his/her designee has a signed, written request from the Parent that the diabetes medication is to be administered, which includes a promise to submit any changes to the prescription;
2. The Principal or his/her designee receives a statement, signed by the prescriber of the medication that includes:
 - a. the name and address of the Student,
 - b. identifies the School and class in which the Student is enrolled,
 - c. states the name and dosage of the diabetes medication and the times or intervals at which the medication is to be administered,
 - d. the date administration of the diabetes medication should begin and end,
 - e. any severe adverse reactions that should be reported to the prescriber and one or more phone numbers at which the prescriber can be reached in the event of an emergency, and
 - f. any other special instructions for administration of the diabetes medication, including sterile conditions and storage; and
3. The Parent provides the diabetes medication in the original container in which it was dispensed by the prescriber or a licensed pharmacist and the container indicates that the Student is the proper recipient of any dosage of the medication.

Student Self-Administration of Diabetes Medication

On the written request of the Student's Parent or treating physician, the School shall permit a Student to provide for his/her own diabetes care in accordance with the orders of the Student's treating physician during regular school-hours in his/her classroom, in any area of the School or school grounds, and at any school-related activity. At the request of the Student or his/her Parent, the School shall provide the Student with access to a private area for performing diabetes care tasks.

The Student shall be permitted to possess on his/her person all necessary supplies and equipment to perform such tasks at all times. If the Principal or his/her designee determines that the Student has performed any diabetes care tasks or used medical equipment for purposes other than the Student's own care, the Board or its designee may revoke the Student's permission to provide for his/her own care.

Training

The Board may approve training that complies with the nationally recognized guidelines adopted by the Ohio Department of Education in order to instruct employees of the School who wish to be able to attend to Students with diabetes. Participation in training is voluntary. Training shall be coordinated by the School's nurse, or if the School does not employ a nurse, by a licensed health care professional with expertise in diabetes. Upon completion of the training, the Principal or his/her designee shall have the discretion to determine which employees are competent to provide diabetes care to Students.

Training shall take place prior to the beginning of each school year or as needed but not later than fourteen (14) days after the School receives an order signed a treating physician indicating that a Student has diabetes.

The Principal or his/her designee may distribute written notice to each employee of the School in search of employees to be trained. The notice must contain a description of the tasks to be performed, that training will be provided by a licensed health care professional, and the method of indicating interest in participating in such training. Any notice must state that participation in training is voluntary, that the employee will not be adversely affected should he/she choose not to participate in training, and that a trained employee will be immune from liability for their actions in providing for the care of a Student with diabetes.

The Board may approve training in the recognition of hypoglycemia and hyperglycemia and emergency response procedures for any School employee who has the primary responsibility of supervising a Student with diabetes during some portion of the school day or to any bus driver that the School employs or contracts with who is responsible for providing transportation to a Student with diabetes.

The Board shall not discourage employees from agreeing to provide diabetes care nor will employee be subject to a penalty or discipline for refusing to volunteer to be trained in diabetes care or for providing care or performing duties required to provide care for a Student with diabetes.

Reporting

The Board shall report to the Department of Education by December 31 of each year: (1) the number of Students with diabetes enrolled in the School during the previous school year, and (2) the number of errors in the administration of diabetes medication to Students with diabetes during the previous school year.

Immunity

Neither the School nor any member of the Board or employee of the School shall be held liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing care or performing duties pursuant to R.C. 3313.7112, unless the act or omission constitutes willful or wanton conduct. Nothing in R.C. 3313.7112 serves to eliminate, limit, or reduce any other immunity or defense that a School, member of the Board, or employee of the School may be entitled to under Chapter 2744 or any other provision of the Ohio Revised Code or under common law of the State of Ohio.

A school nurse or other licensed health care professional shall be immune from disciplinary action by the Board of Nursing or any other regulatory board for providing care or performing duties under R.C. 3313.7112 if the care provided or duties performed are consistent with applicable professional standards.

R.C. 3313.7112; R.C. 3313.713

See **Policy 402** Use of Medications, Policy 228 Section 504 of the Rehabilitation Act of 1973, and **Appendix 402.1-A** Sample Section 504 Notice Letter.

Use of Inhaler/Epinephrine Autoinjector

A student may possess and use a metered dose inhaler or a dry powder inhaler to alleviate asthmatic symptoms, or before exercise to prevent the onset of asthmatic symptoms, and/or an epinephrine autoinjector to treat anaphylaxis at School, any School-related activity, event, or program sponsored by the School or in which the School participates, if both of the following conditions are satisfied:

- A. The student has the written approval of the student's physician and, if the student is a minor, the written approval of the parent, guardian, or other person having care or charge of the student. The physician's written approval shall include at least all of the following information:
 1. the student's name and address;
 2. the names and dose of the medication contained in the inhaler;
 3. the date the administration of the medication is to begin;
 4. the date, if known, that the administration of the medication is to cease;
 5. circumstances in which the inhaler and/or autoinjector should be used;
 6. acknowledgement that the prescriber has determined the student is capable of possession and using the inhaler and/or autoinjector appropriately and has provided the student with training in the proper use;
 7. written instructions that outline procedures School personnel should follow in the event that the asthma medication does not produce the expected relief from the student's asthma attack; and/or in the case of an epinephrine autoinjector, the Student is unable to administer the medication or the medication does not produce the expected relief from the student's anaphylaxis;
 8. any severe adverse reactions that may occur to the student using the inhaler and that should be reported to the physician;
 9. any severe adverse reactions that may occur to another student, for whom the inhaler is not prescribed, should such a student receive a dose of the medication;
 10. at least one (1) emergency telephone number for contacting the physician in an emergency;
 11. at least one (1) emergency telephone number for contacting the parent, guardian, or other person having care or charge of the student in an emergency;
 12. any other special instructions from the physician.
- B. The Principal or his/her designee has received copies of the written approvals required by Subparagraph 1 of this section.

If these conditions are satisfied, the student may possess and use the inhaler at School or at any activity, event, or program sponsored by or in which the student's School is a participant.

The School, a member of the Board or the Board's representatives, or any Staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a Staff Member's prohibiting a student from using an inhaler because of a Staff Member's good faith belief that the conditions of Subparagraphs 1 and 2 of this Section had not been satisfied.

The School, a member of the Board, the Board's representatives, or any Staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from a Staff Member's permitting a student to use an inhaler because of a Staff Member's good faith belief that the conditions of Subparagraphs 1 and 2 of this Section had been satisfied. Furthermore, when the School is required by this Section to permit a student to possess and use an inhaler because the conditions of Subparagraphs 1 and 2 of this Section have been satisfied, the School, any member of the Board, or the Board's representatives, or any Staff or employee is not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the use of the inhaler by a student for whom it was not prescribed.

This Section does not eliminate, limit, or reduce any other immunity or defense that a School, member of a Governing Authority, or Staff or employee may be entitled to under Chapter 2744, or any other provision of the Revised Code or under the common law of this state.

R.C. 3314.14; R.C. 3314.141; R.C. 3313.716, R.C. 3313.718

See **Appendix 403-A** Inhaler Permission Form and **Appendix 403-B** Epinephrine Autoinjector Permission Form.

403.1 Procurement of Inhaler/Epinephrine Autoinjector for Emergency Use

In accordance with state law, the School, as authorized by the Board, shall procure or attempt to procure Inhalers and/or Epinephrine Autoinjectors (“Epi-Pens”) to be readily available on the premises of the School for use in emergency situations.

Inhalers are devices that deliver medication to alleviate asthmatic symptoms, and may include a spacer, holding chamber, or other attachment to the inhaler that is used to improve the delivery and administration of the medication. Epi-Pens are devices used to administer epinephrine to treat life-threatening allergic reactions.

Prior to the purchase or acquisition of any Inhalers and/or Epi-Pens, the Principal, or his/her authorized representative, shall develop a Prescriber-Issued Protocol directing the administration, proper dosage, frequency of use, and method of disposal of Inhalers and/or Epi-Pens. Prescriber-Issued Protocol available at **Appendix 403.1-A**. The Principal, or his/her designee, shall consult with a licensed health professional authorized to prescribe drugs in developing the Prescriber-Issued Protocol.

Inhalers and/or Epi-Pens will be located in the School office and shall be stored in a secure location that is accessible only to those authorized to administer the medication. Storage shall be consistent with any manufacturer recommendations, written directions provided by a prescribing physician, or the directions of the licensed health professional consulted in the creation and approval of this policy and the corresponding Prescriber-Issued Protocol.

The School shall follow the written orders of the drug manufacturer, any prescribing physician, or the licensed health professional consulted in the creation and approval of this policy and the corresponding Prescriber-Issued Protocol to determine when and how each Inhaler and/or Epi-Pen must be disposed of and replaced.

The School’s licensed nurse and/or licensed athletic trainer are authorized to access and administer an Inhaler and/or Epi-Pen consistent with the Prescriber-Issued Protocol in the event of an emergency. Any other person employed by or in contract with the School may be authorized to access and administer an Inhaler and/or Epinephrine, so long as the individual has completed training as required by the Prescriber-Issued Protocol. Inhalers and/or Epi-Pens shall only be used for the emergency treatment of students and staff.

Emergency situations necessitating the use of an Inhaler include, but are not limited to, circumstances in which an individual who suffers from asthma experiences wheezing, coughing, and/or shortness of breath consistent with the symptoms of an asthma attack. Emergency situations necessitating the use of an Epi-Pen include, but are not limited to, circumstances in which an individual who suffers from severe allergies comes into contact with a known allergen and experiences itching skin, swelling mouth or throat, shortness of breath, and/or difficulty breathing.

The Principal, or his/her designee, shall immediately seek emergency assistance by calling 911 after the administration or use of an Inhaler or Epi-Pen. If an Inhaler and/or Epi-Pen is used for the treatment of a student, the Principal, or his/her designee, shall notify the Student’s parent within 24 hours of administration.

In procuring Inhalers and/or Epi-Pens, the School will accept donations of Inhalers and/or Epi-Pens from wholesale distributors of dangerous drugs or manufacturers of dangerous drugs, as well as donations of money from any person to purchase Inhalers and/or Epi-Pens. The Principal shall report to the Ohio Department of Education ("ODE"), in the form and manner determined by ODE, each procurement of Inhalers and/or Epi-Pens and each occurrence in which an Inhaler and/or Epi-Pen is used from the School's supply.

The School, a member of the Board or the Board's representatives, or any employee or contractor of the School shall not be liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from the acts or omissions associated with procuring, maintaining, accessing, or using of Inhalers and/or Epi-Pens pursuant to this policy, unless the act or omission constitutes willful or wanton misconduct. This Section does not eliminate, limit, or reduce any other immunity or defense that a School, member of a Governing Authority, or any employee or contractor of the School may be entitled to under Chapter 2744, or any other provision of the Revised Code or under the common law of this state.

R.C. 3314.143; R.C. 3314.144; R.C. 3313.7110; R.C. 3313.7113.

See **Appendix 403.1-A** Prescriber-Issued Protocol.

Students enrolled in the School are required to have, at the time of initial entry into School and at the beginning of each School year thereafter, written evidence on file that they have been immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles, mumps, chicken pox and rubella, as required by Ohio law and applicable Ohio Department of Health regulations and guidelines (collectively “Laws”). Adequate written evidence of such required immunizations shall consist of: (1) a signed physician’s statement indicating that the Student has received the required immunizations, including the immunizations received and the date of receipt; or (2) a signed statement by the Parent indicating that the Student has received the required immunizations, including the immunizations received and the date of receipt. In the case of a Parent’s statement, the Principal, in his/her sole discretion, may require any other evidence as s/he believes is needed to determine compliance with this policy including, but not limited to, a physician’s statement.

No student may remain in School for more than fourteen (14) days after initial admission or, for a student not being initially admitted, more than fourteen (14) days after the beginning of the school year unless: (1) the student has received the required immunizations or the student is “in the process” of receiving the required immunizations, as defined in Laws and (2) the Student’s Parent has submitted adequate written evidence of the required immunizations as set forth in this policy. Students who do not comply with this policy and any other immunization requirements of Laws, shall be excluded from School no later than the fifteenth day after admission or, for students not being initially admitted, no later than the fifteenth day after the beginning of the school year.

Any Student who is admitted or commences a school year who is “in the process” of receiving the required immunizations, pursuant to Laws, and who does not complete the required immunizations, shall be excluded from School no later than the fifteenth day of the following school year.

Any Student who is excluded for failure to comply with this policy shall be readmitted upon submission, to the Principal, of adequate written evidence, as set forth above, of compliance with this policy and the Laws.

Students may be exempted from required immunizations, subject to any requirements of Laws under the following circumstances:

1. A Parent may present a written statement to the Principal of objection to immunization for good cause, including religious convictions.
2. A Parent may present a written statement signed by a physician certifying that certain or all required immunizations are medically contraindicated.
3. A Parent may present a written statement from the Parent or physician that the student has a history of measles (rubeola), mumps, and/or chicken pox and need not be immunized against the disease(s) for which the history so exists.
4. Pursuant to Ohio Department of Health regulations and guidelines, a parent may present laboratory testing results signed by a physician demonstrating that detectable rubella antibody is present in the Student and the Student need not be immunized against German measles (rubella).
5. Any other circumstances required by the Laws.

The Principal may require any other evidence s/he believes is needed to consider a request for exemption, and in his/her sole discretion may determine whether to grant an exemption to required immunizations.

The School may deny admission to a Student otherwise exempted from the chicken pox immunization requirement, if the Principal of the State Department of Health (“DH”) notifies the School’s Principal that a chicken pox epidemic exists in the School’s population. The denial of admission shall cease when the DH notifies the Principal that the epidemic no longer exists. The academic standing of a Student who is denied admission during a chicken pox epidemic may be preserved in accordance with the admission, testing and other policies of the School and subject to Principal and Board approval.

The Board and School shall follow the requirements and recommendations of Ohio law and the Ohio Department of Health, if any, with regard to tuberculosis testing of students.

405 **Emergency Medical Procedures**

Serious Illness Requiring Medical Attention

If a Staff member or Student is seriously ill or injured, and needs medical attention, that Staff or Student, or any Staff or Student who believes another person is seriously ill or injured, and needs medical attention, shall notify the Principal or his/her designee or another Staff member immediately.

If a Staff member is unsure about the severity of a person's condition or unable to evaluate the situation, he/she shall call the Principal's Office and:

1. Provide the name of person who is ill or injured.
2. Indicate where the injured or ill person is located.
3. Describe the main symptoms observed.
4. Request medical assistance.
5. Indicate whether it will be necessary to call the Rescue Squad.
6. Stay with the person and do not attempt to move him or her.
7. Be sure there is a person posted to route the Rescue Squad to the ill or injured.
8. Be sure the area is clear of unnecessary traffic and on-lookers.
9. Call 911.

406 Emergency Medical Authorization

The School will annually distribute to parents or guardians of all students the “Health & Fitness Parental Consent Form” and the “Emergency Medical Authorization Form.” In the event emergency medical treatment for a student is necessary, the School will adhere to the instructions on the authorization form.

Emergency Medical Authorizations will be kept in a separate, easily accessible file in the care of the Principal or his/her designee during the school year. At the end of the school year, the authorizations will be stored until being replaced the following school year.

Any time a student or a group of students are taken away from the School's facilities as participants in a school event, the staff in charge of the event must take the Emergency Medical Authorizations for those students. This includes, and is not limited to, music trips, athletic trips, field trips, and academic contest participants. This does not include student spectators at events.

Whenever it is necessary for staff members to use emergency procedures in order to care properly for a student, they are to take standard safety precautions, follow the procedures described in the Emergency Medical Procedures policy (policy no. 405), and are not to abide by any “Do Not Resuscitate” (DNR) agreement that may exist for a student, unless ordered to do so by a court of law.

See **Appendix 406-A** Health and Fitness Parental Consent Form and **Appendix 406-B** Emergency Medical Authorization Form.

407 Control of Communicable Diseases The School recognizes that control of the spread of communicable disease is essential to the well-being of the school community and to the efficient operation of the School.

For purposes of this policy, “communicable diseases” shall include Amebiasis, Campylobacteriosis, Chickenpox, Cholera, Conjunctivitis, Cryptosporidiosis, Cyclosporiasis, Diarrhea (infectious or of unknown cause), Diphtheria, Ebola Virus, Escherichia coli (E. coli) O157:H7 or hemolytic uremic syndrome (HUS), Giardiasis, Hepatitis A, Measles, Meningitis (aseptic, and viral meningoencephalitis, but not including arthropod-borne disease), Meningococcal disease, Mumps, Pediculosis, Pertussis (whooping cough), Plague, Rubella, Salmonellosis, Scabies, Shigellosis, Smallpox, Streptococcal infection, Tuberculosis (TB), Typhoid fever, Typhus, Viral hemorrhagic fever (VHF), Yellow fever, Yersiniosis. This list is not exhaustive and may be modified in accordance with State and Federal law.

In order to protect the health and safety of the students, school personnel, and the community at large, the School shall follow all State and Federal laws and Board of Health regulations which pertain to communicable disease.

On the recommendation of a physician or a nurse, a teacher may exclude from the classroom and the Principal or his/her designee may exclude from the building or isolate in the School, any student who appears to be ill or has been exposed to a communicable disease.

The School shall:

1. instruct teaching staff members in the detection of disease and measures for its prevention and control;
2. remove from School property to the care of a responsible adult any student identified and excluded in accordance with this policy;
3. prepare standards for or follow the health department of Center for Disease Control guidelines for the readmission of a student who has recovered from communicable disease; and
4. file reports as required by law and the State Department of Health.

Specific procedures outlined in the Appendices should be adhered to where applicable.

See **Appendix 407-A** Communicable Disease Procedure and **Appendix 407-B** Ebola Virus Disease Specific Procedures.

See also, Policy Nos. 405, 408, 409, 411, and 412.

The Board seeks to provide a safe educational environment for Students. This can best be accomplished by assuring that all persons in the school community understand the method of transmission and prevention of diseases that are not contracted through air-borne pathogens, but rather, through direct contact with body fluids and excretions, especially blood, vomit, feces, or urine. The Board is also committed to assuring the confidential status of individuals who may have been diagnosed with a blood-borne communicable disease.

For purposes of this policy, these diseases shall include:

1. HIV (human immunodeficiency virus);
2. AIDS (acquired immune deficiency syndrome);
3. AIDS related complex (condition);
4. HAV, HBV, HCV (Hepatitis A, B, C);
5. other diseases that may be specified by the State Department of Health as contact communicable diseases.

The Board recognizes that Students who have contracted these diseases may not exhibit symptoms for many years after exposure and may, in fact, not be aware that they have contracted the disease. They are, however, able to transmit the disease to other individuals.

The Board directs the Principal to assure that Students who reveal the fact they have contracted one of these diseases will have their status safeguarded in accordance with Federal and State statutes dealing with confidentiality and that their civil rights will be respected. Should a Student be unable to attend school as a result of illness, an alternative education program shall be provided in accordance with the Board's policy, Ohio law and administrative guidelines.

Control of Blood-Borne Pathogens

The School seeks to protect those Staff Members who may be exposed to blood-borne pathogens and other potentially-infectious materials in their performance of assigned duties at the School.

If the School identifies a category of employee whose duties create a reasonable anticipation of exposure to blood and other infectious materials, then it shall contact its legal counsel to devise an appropriate procedure.

410 **Head Lice Infestations**

When a suspected case of head lice is brought to the Principal or his/her designee's attention, the student will be examined to determine whether the child is indeed infected. When the examination positively notes the presence of head lice and/or nits (lice eggs) in the scalp and hair, the following procedures will be observed.

1. Parents will be informed of the infestation and of immediate exclusion from classes. The parents will be advised to immediately remove their child from school for proper pediculicide treatment.
2. A copy of the first letter and the informational sheet will be shared with the parent upon arrival to pick up their child(ren). They should be encouraged consult with their medical advisor regarding proper treatment(s) of the problem.
3. Inform the parent that the child(ren) may return to school only after the treatment has been completed and all evidences of head lice and/or live or dead nits have been eliminated.
4. When the child has been treated and is ready to return to school, the Principal or his/her designee or school nurse shall again examine the child to see that the child is free of lice or nits. If the child is nit free, he/she may attend classes. If the child is not nit free, the child will be sent back home with the parents.
5. A second letter will be given to the parents if their child(ren) are not nit free. They will be advised that another treatment and combing must be performed. When the child is free of nits, he/she may again be admitted to class.
6. Parents shall be advised to:
 - a. examine the head and scalp behind each ear and at the nape of the neck daily for the next ten (10) days;
 - b. administer a second shampooing after six (6) days to eliminate nits which may have incubated since the first shampooing; and
 - c. follow the prescribed shampooing directions precisely.
7. If brothers or sisters attend School, the Principal or his/her designee or school nurse shall also check their scalps and hair to look for possible infestation.
8. When positive infestation is found in a classroom, the rest of the class will be examined by the Principal or his/her designee or school nurse to note possible presence of lice or nits.
9. When three or more of any classroom have been observed to be infested, the Principal or his/her designee shall send the informative materials home with each class member.

See **Appendix 410-A** Head Lice Infestation Form.

Viral infections may be present in human blood or other bodily fluids. Therefore, the following routine procedures should be used when providing care that will expose the care giver to human blood, bodily fluids and excrement unless directed by emergency medical or other healthcare provider, law enforcement or fire department, or local, State, or Federal official. These procedures are necessary to safeguard against caretaker infection and the spread of infection within the classroom environment.

1. The caretaker should observe good hand washing, including before and after all contact with a child suspected of being ill, after any exposure to blood, bodily fluids (urine, saliva, sweat, feces, vomit, semen, etc.) and other potentially infectious materials and/or surfaces, before caring for another child. If hands are visibly soiled, hands should be washed using soap and water and not alcohol-based hand rubs.
2. Waterproof disposable gloves must be worn to protect against possible open lesions on the caretaker's hands.
3. If available, personal protective equipment should be worn by the caretaker to protect against possible exposure of mucous membranes where there is a threat of possible exposure to certain highly communicable diseases, such as Ebola virus disease. Additional personal protective equipment, such as waterproof disposable gloves, fluid resistant or impermeable gowns, eye protection, surgical facemasks, disposable shoe covers, and leg coverings should be worn when entering areas where a caretaker could be exposed to a potentially infectious materials and/or surfaces or a child suspected of being ill with a highly communicable disease. Caretakers should carefully remove all personal protective equipment to avoid contaminating one's eyes, mucous membranes, clothing or other surfaces with potentially infectious materials and good hand washing should be performed immediately after removal of personally protective equipment.
4. Any open lesions on the child's body must be covered.
5. Any pregnant caretaker should wear a surgical mask when providing care involving exposure to a child's excrement.
6. Surfaces soiled with blood, urine, feces, vomits, etc., must be thoroughly washed with soap and water and then be disinfected with the disinfectant agent provided (MATAR or its equivalent), used per manufacturer's recommendation.
7. Personnel cleaning the spill must wear disposable gloves and wash hands thoroughly after removal of contaminated gloves. Personnel cleaning the spill of blood, bodily fluids, or surfaces that may have come into contact with materials or a child suspected of infection with a highly communicable disease should wear all appropriate personal protective equipment (see #3 above). Hands should be washed thoroughly after removal of contaminated personal protective equipment. Personnel should follow closely the instructions of any emergency medical or other healthcare provider, law enforcement or fire department, or local, State, and Federal public health official in cleaning a spill.

8. Mops and towels must be thoroughly rinsed in the disinfecting agent and properly stored if they are to be reused. If further use will not occur, they must be properly double bagged and disposed with other waste materials. If mops, towels, or any other materials were used in the cleaning of blood, bodily fluids, materials or surfaces that may have come into contact with materials or a child suspected of infection with a highly communicable disease then the materials should be soaked in an appropriate disinfectant with a 10% solution of household bleach and water (1 part bleach 9 parts water), double-bagged in a leak proof bag, and placed in a leak proof HAZMAT container.

Specific procedures for certain highly communicable diseases outlined in these guidelines should be followed.

49 C.F.R., Parts 171-180.

See **Appendix 407-A** Communicable Disease Procedure and **Appendix 407-B** Ebola Virus Disease Specific Procedure. See also, Policy Nos. 405, 407, 408, 409, 411, 412.

The School will not discriminate with respect to compensation, terms, conditions, benefits, or privileges of employment against applicants and employees because they have Acquired Immune Deficiency Syndrome (AIDS), Human Immunodeficiency Virus (HIV) or related conditions, as long as the applicant or employee is able to meet work performance standards and perform essential job functions (with or without reasonable accommodation).

Recognizing the ongoing research on AIDS and such diseases as Hepatitis B, the Board maintains an ongoing commitment to educating staff, while reviewing policies to reflect the most current research. The Principal is to institute procedure to deal with infectious diseases of students which are passed through direct contact of body fluids.

Educational Commitment

The most effective way to handle the issue of venereal diseases such as AIDS and other infectious diseases is through the educational process. The first line of defense is prevention. Therefore, teachers may include material appropriate to the age and grade of the children with whom they are working, regarding the transmission of AIDS and other diseases such as Hepatitis B. If the parent or guardian of a student provides a written request to be excused from taking venereal disease instruction, then the student shall not receive the instruction.

The School will take steps needed to maintain confidentiality and to address student and employee safety issues, and will comply with all applicable laws regarding persons with AIDS, HIV or related conditions.

See **Appendix 412-A** for School Procedures concerning Control of AIDS.

413 Peanut or Other Food Allergies

The School recognizes that food allergies, in some instances, may be severe and even life threatening. The School has adopted this policy to create a framework for accommodating students with peanut and other food allergies and to reduce the likelihood of severe allergic reactions of students with known food allergies while at School.

Parent/Student Responsibility

1. Parents of students, or students age eighteen (18) or older, with food allergies must provide written notification to the Principal of such allergies at the beginning of each School year.
2. Parents of students with life threatening food allergies must provide the School with emergency medications, execute an Emergency Medical Authorization Form, found in **Appendix 406-B**, and cooperate with the School to formulate a Food Allergy Action Plan as described below.
3. Parents are responsible for educating their child on managing his/her food allergy at School, including, but not limited to, identifying “safe foods,” by reviewing the weekly lunch menu together, and discussing the vigilance required to self-monitor food products sold at athletic events or special student sales, foods brought for potlucks or classroom celebrations, or foods served on School-sponsored trips.

School Responsibility

1. The School must cooperate in the development of a Food Allergy Action Plan for students with life threatening allergies. The Food Allergy Action Plan must address what actions will be taken to avoid exposure at School and what actions will be taken in the event of exposure. The Plan shall be developed through consultation between the School nurse (if any) (or other School Staff or person if none), the student’s parents, and the student’s physician or allergist. Once created, this Plan should be reviewed and updated annually by the School, the student’s parents, and the student’s physician or allergist.
2. The School will share the Food Allergy Action Plan developed with appropriate School staff.
3. With the consent of the student’s parents, a Food Allergy Action Plan may provide a mechanism for the School to notify the student’s classmates and/or a student’s classmates’ parents of a life threatening food allergy in the classroom.

R.C. 3313.719

See **Appendix 413-A** Food Allergy Notification Form. See also Policy 403 Use of Inhaler/Epinephrine Autoinjector; Policy 406 Emergency Medical Authorization; Policy 453 Wellness Policy.

414 **Bed Bug Infestations**

When a suspected bed bug is found on a Student or their belongings, the Principal or his/her designee shall follow these guidelines:

1. Discreetly remove the child from the classroom so the School nurse (if any) or a qualified individual can perform an inspection of the child's clothing and other belongings (including but not limited to: shoes, jackets, hats, books, backpacks, School supplies, etc.). (See **Appendix 414-A** for Parental Consent to Search Child for Bed Bugs form) Place any of the child's unneeded items, such as book bags, into a large plastic bag and tightly seal the bag. If the School has a washer or dryer available, the School may wish to wash and dry the clothing on the high heat setting. If a bed bug is found on a student or his/her belongings, send home the Bed Bug Inspection Report letter contained in **Appendix 414-B**.
2. Check areas where the Student sits or affected belongings may be placed for extended periods of time. Bed bugs are excellent hitchhikers, and though they only feed on humans and rapidly retreat, they can be found in many locations.
3. Try to collect the specimen(s) using a tissue or a piece of gauze. Try not to crush the bugs. Multiple specimens can be very helpful in identification of the insect. If submitted insects are missing antennae, legs, or body segments, a precise identification often cannot be made. Do not call undue attention to any child. You may destroy other bugs found after submission by placing them in a sealed bag and disposing the bag in the trash. **VERY IMPORTANT:** If a specimen is found on a Student or the Student's belongings, remove the specimen as instructed above. The parents are to be notified by the Principal or his/her designee, if the specimen is a confirmed bed bug. Students should not be excluded from school due to bed bugs.
4. Listed below are two services available to identify insects. Please do not send live specimens via any postal or shipping service as insects can escape during shipment. Keep in mind, the post office will not deliver packages that leak. Be sure to check the websites for proper submission protocols.
 - The Ohio Department of Health (ODH) offers free service to Ohio residents: http://www.odh.ohio.gov/odhPrograms/dis/zoonoses/vbdp/vb_dref.aspx
 - The Ohio State University offers services for a small fee: <http://www.ppdc.osu.edu>
5. Once received by the pest diagnostic agency, an entomologist will examine the specimen and then notify the School of the bug's identification with two days of receipt.
6. After positive identification, the "Principal title MC» or his/her designee should provide the School community with the following information:
 - Parent or Guardian notification letter (See **Appendix 414-C**)
 - Resources and additional information are available on Central Ohio Bed Bug Task Force web site at <http://www.centralohiobedbugs.org>

7. Contact the parents or guardian to inform them of the bed bug presence on their child.
 - Suggest clean, freshly laundered (on high heat setting) and sealed change of clothing be sent to School (as long as needed).
 - Send only essential items to School with the Student and inspect items upon arrival at School. If possible, the School could offer to keep non-essential items overnight to help ensure the items are bed bug free.
 - Suggest keeping School items sealed in a plastic bag or tote at home and limit items going back and forth from home to School until infestation is treated.
8. Ongoing pest management should be overseen by the School principal or designee.
9. When the decision is made that pesticides are going to be applied at the School for the control or prevention of bed bugs, the School should verify that their employee, or the pest control company hired, is properly licensed to apply pesticides. A list of licensed pest control companies and applicators can be found at www.agri.ohio.gov/apps/odaprs/pestfert-PRS-searchindex.aspx. Ask the company, “What is your experience with bed bugs?” (Bug bombs are not effective.)
10. Vacuuming procedures to follow where bed bugs are found:
 - Vacuum affected areas where bed bugs are found during normal after-School cleaning schedule, including floor and baseboards.
 - Sprinkle about ¼ to ½ cup of talcum powder on the last section of floor to be vacuumed.
 - Remove the bag and place in a tightly sealed plastic garbage bag for disposal.
 - Do not use the same vacuum bag if moving to an uninfested area.

Information taken from Central Ohio Bed Bug Task Force www.centralohiobedbugs.org

The use of animals in classrooms and on the School premises is permitted in order to support the educational mission of the School.

Animals may provide a variety of productive learning experiences for students at almost every level. The following guidelines be observed when instituting an activity or program involving the use of animals.

- A. Students who will be in the classroom during activities with animals have submitted a completed an Animals in the Classroom and on School Premises Parent/Guardian Information and Consent Form which can be found in **Appendix 415-A**.
- B. Students are to be instructed not to bring personal pets to School at any time without approval of the Principal. Pets must be accompanied by the student's parents.
- C. It is permissible for the class to have one (1) or more animals as classroom pets with the permission of the Principal under the following conditions:
 1. the animal is not venomous or vicious;
 2. arrangements have been made for housing the animal safely, comfortably, cleanly, and in a manner that does not disrupt the classroom environment;
 3. arrangements have been made for the proper care of the animal when School is not in session;
 4. rules have been established and understood regarding when and how the animal is to be treated by the students.
- D. When animals are to be brought into the School or classroom as part of a lesson or series of lessons, all of the conditions stated above apply, and in addition, the teacher is to ensure the proper pick-up and return of the animal.
- E. If a dog or cat is brought into the school, it must have all of its vaccinations/shots up to date and proof shall be submitted to the school office.

SECTION 420

PERSONAL SAFETY

421 **Dangerous Weapons**

Any visitor found possessing a weapon or other device designed to inflict serious bodily harm on School premises or on property being used by the School for School purposes may be charged with a felony. This restriction applies to visitors licensed to possess firearms unless serving as an authorized security officer or unless the Governing Authority has provided them with written authorization to convey or possess deadly weapons or dangerous ordnance in(to) the school safety zone. This policy does not apply to law enforcement personnel or state or federal officers, agents, or employees who are authorized to carry a deadly weapon or dangerous ordnance and are acting within the official duties of such position.

The Principal or his/her designee shall ensure that any visitor possessing a weapon or other device designed to inflict serious bodily harm is reported immediately to the appropriate law enforcement agency.

A weapon may be brought on School property for educational purposes under controlled circumstances when authorized by the Principal or his/her designee.

See also Policy No. 333 Weapons in the Workplace and **Appendix 333-A** Notice Regarding Weapons in the Workplace.

20 USC 7151; R.C. 2923.122.

No person shall assault, strike, threaten, or menace a teacher, instructor, or person in charge of a class of students, or any employee while in the performance of their duties, or disrupt, disturb, or interfere with any activity conducted in or on the School premises, or unlawfully assault, strike, threaten, menace, follow, pursue, or lay hands upon a student or other person in or on the School premises, or on the way to or from School or School-sponsored activity.

School officials have the authority to call a law enforcement officer if any individual violates this policy or other posted regulations, or does not leave School property when requested to do so.

423 Facility Security

It is in the best interest of the School to protect the School's facility adequately. The areas, buildings and equipment owned or leased by the School may be protected from theft and vandalism in order to maintain the optimum conditions for carrying out the educational programs.

The Principal or his/her designee shall develop and supervise a program for the security of the School facility and equipment. Such a program may include video surveillance equipment in appropriate public areas in and around the School.

Every effort shall be made to hold accountable those who knowingly cause serious physical harm to the School facility and to require such persons to rectify the damage or pay a fee to cover repairs. A reward may be offered for apprehending such persons.

Appropriate authorities may be contacted in the case of serious offenses.

The Principal or his/her designee shall report to the Board each major case of vandalism at the School and the extent of the damage

See also Policy No. 428 Bomb Threat Policy, Policy No. 424 Emergency Preparedness and Evacuation and Policy No. 447 School Safety Plan.

424 **Emergency Preparedness and Evacuation**

The safety of Staff and Students includes preparedness and planning for possible natural and manmade disasters.

The Board authorizes a system of emergency preparedness which shall safeguard the health and safety of Students and Staff.

All threats to safety shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness.

All bomb threats shall require the immediate evacuation of the school building or location threatened. (See Policy No. 428 Bomb Threat Policy).

The Principal or his/her designee shall develop procedures for the handling of school emergencies which include:

1. A schedule that allows for the routine practice of school safety procedures that will occur at least monthly through a combination of safety drills and fire drills;
2. An annual training session for employees of the School regarding the procedures for conducting safety drills and fire drills;
3. A plan for the prompt and safe evacuation of any School building that shall be practiced at least 6 times in fire drills conducted in accordance with law, if the School has smoke detectors or a sprinkler system in all classrooms of the School. If the School does not have smoke detectors or a sprinkler system in all classrooms, then fire drills must be conducted at least nine (9) times per year in accordance with the law. (See **Appendix 424-A**);
4. A plan for the safe dispersal of students from School property and for the sequestration of students in the School, in response to a threat involving an act of terrorism, a person in possession of a dangerous ordinance, or other violent situation, which shall be practiced at least three (3) times in safety drills, with at least one (1) drill requiring pupils to practice securing in the School rather than evacuating. All safety drills shall be conducted in a manner consistent with the School's Emergency Management Plan and shall be made in conjunction with the police chief or other similar chief law enforcement officer in the jurisdiction in which the School resides;
5. A plan to conduct one (1) theoretical safety drill to provide instruction to faculty and staff regarding procedures. The theoretical drill does not require student participation and may be conducted during annual training sessions on safety procedures;
6. The designation of appropriate locations to shelter students in case of a tornado;
7. Instructions in safety precautions to be taken in case of a tornado alert or warning and a plan for the prompt and safe procedure to shelter students in case of a tornado which shall be practiced at least one (1) time per month during the "tornado season" of April 1 to July 31 conducted in accordance with law;
8. Procedures for the safe dispersal of students from School property and, if necessary, a plan for the sequestration of students in a safe place other than the School;
9. Design of a communications system;

10. Procedures to follow whenever any employee becomes aware of an emergency or impending emergency;
11. Cooperation with such local officials and agencies such as the fire marshal and law enforcement, including a procedure for providing at least 72 hours written notice to local law enforcement prior to conducting each school safety drill; and
12. Procedures for the Principal or his/her designee to provide a written record to the police chief or similar law enforcement officer of the jurisdiction in which the School is located certifying the date and time each safety drill was conducted in the prior year, no later than December 5 of each school year.

R.C. 3737.73; R.C. 3313.536; OAC 3301-5-01; OAC 1301: 7-7-04.

See **Appendix 424-A** Safety and Health Plan Emergency Drills, **Appendix 424-B** Emergency Drill Log, **Appendix 424-C** Sample Emergency Drill Calendar, and Policy No. 428 Bomb Threat Policy.

424.1 Student Suicide

The School recognizes that a Student with self-destructive and suicidal thoughts poses a danger both to himself/herself and to other students and School faculty and staff. The School shall incorporate training in youth suicide awareness and prevention into in-service training required under Ohio law.

All School personnel, including teachers and School staff, should be watchful of a Student who exhibits signs of unusual depression or threatens or attempts suicide. Any such signs or the report of such signs from another student or persons familiar with the Student outside of the School should be taken seriously.

Where any teacher or School staff member reasonably suspects that a Student may be self-destructive or exhibiting signs of unusual depression, the teacher or staff member should report all concerns to the Principal or his/her designee and/or School counseling services, including a School Guidance Counselor. The School should also take all reasonable steps to alert a Student's parent or legal guardian of any concerns related to threats or attempts to commit suicide.

The School shall immediately notify the public Children's Services Agency or local law enforcement agency if, in the course of contact, the parent or guardian refuses to acknowledge the Student's suicidal intent and indicates no plan to act for the safety of the Student, or if the parent is unavailable to be consulted.

If it is believed that a Student poses immediate risk to himself/herself or others, the Principal or his/her designee or a School counselor should immediately contact necessary local emergency medical and law enforcement agencies and the Student's parent or legal guardian. The School shall insure that all emergency protocols are followed when the Principal or his/her designee determines that it is necessary to initiate such procedures.

The School should require the written approval of a psychological, mental health or other medical professional prior to the Student returning to School.

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

The School should take all reasonable steps to provide a Student with information related to suicide prevention including **twenty-four hour suicide prevention hotlines available via telephone at 1-800-273-8255**.

R.C. 3319.073; O.A.C. 3301-57-01.

See **Appendix 424.1-A** Student Suicide Questionnaire and **Appendix 294-B** Request and Consent for Release of Records.

See also, Policy 229 Child Abuse and Neglect, Policy 325.2 Student Records, Policy 325.3 Confidentiality of Records, Policy 346 Student Abuse and Neglect, and Policy 424 Emergency Preparedness and Evacuation.

425 Use of Equipment

Portable electric equipment must be handled carefully to avoid damage. Flexible electric cords connected to equipment should not be used for raising or lowering the equipment. Flexible cords must not be stapled or hung in a fashion that could damage the outer jacket or insulation.

Portable cord- and plug-connected equipment as well as extension cords must be visually inspected for external defects and internal defects before use.

A flexible cord used with grounding-type equipment must contain an equipment grounding conductor.

In highly conductive work areas, such as those inundated with water or other conductive liquids or job locations where employees or students are likely to come in contact with water or conductive liquids, the location must be approved if portable electrical equipment and flexible cords will be used.

If energized equipment is being used, employees or student's hands must not be wet when plugging and unplugging flexible cords and cord- and plug-connected equipment.

Insulating protective equipment must be used to handle energized plug and receptacle connections if there is any chance that the connection could provide a conducting path to the employee's hand.

See **Appendix 425-A** General Safety Procedures.

426 Accidents to Students

Every accident in a School facility, on School grounds, at practice sessions, or at any event sponsored by the School must be reported immediately to the person in charge and to the Principal or his/her designee. An accident report must be completed for each accident. Accident forms are available in the School.

See **Appendix 426-A** Form for Reporting Accidents to Students.

The Board welcomes and encourages visits to School programs by parents, other adults, and interested educators. But in order for the educational program to continue undisturbed when visitors are present and to prevent the intrusion of disruptive persons, it is necessary to invoke visitor controls. All visitors, including parents and volunteers, must report to the School office upon entering the School building and sign the guest register. This procedure has been adopted for the safety of our students and staff. Children from other schools may not visit during the school day. Exceptions may be made at the Principal or his/her designee's discretion for families who are considering enrollment.

The Principal or his/her designee has the authority to prohibit the entry of any person, including but not limited to parents, other adults and/ or educators, to a program of the School or to expel any person when there is reason to believe the presence of such person would be detrimental to the good order of the program. If such an individual refuses to leave the School grounds or creates a disturbance, the Principal or his/her designee is authorized to request from the local law enforcement agency whatever assistance is required to remove the individual.

The Principal or his/her designee may promulgate such administrative guidelines as are necessary for the protection of students and staff from disruption to the educational program or the efficient conduct of their assigned tasks.

All volunteers (both new and current) having unsupervised access to students on a regular basis are hereby notified that the School may at any time require a set of fingerprints for purposes of making a criminal records check. If a criminal records check is conducted on a volunteer, and the records check reveals one of the prohibited violations, the School may no longer utilize the volunteer in a position involving unsupervised access to children on a regular basis, unless a notice is sent out to the parent or guardian of each child served by the School. The notice must be in writing, name the volunteer and indicate that the volunteer has been convicted of or entered a guilty plea to one or more of the prohibited violations. The notice must be sent to the parent or guardian on the date the School commences providing services to the child or on the date the School decides to accept the person as a volunteer after receiving the report of the result of the criminal records check, whichever is later.

R.C. 109.575

428 Bomb Threat Policy

A bomb threat may be received by phone, mail or a personal message.

Any Staff receiving a bomb threat by phone should ask the caller to give the message to the Principal or his/her designee. If the caller refuses, then the Staff person who received the call should attempt to engage the caller in conversation on the phone. The Staff member should obtain as much information as possible as suggested on the Bomb Threat Form and obtain the nearest person's attention so that the Principal can be notified. Staff should make an effort to contact the Police on another outside line and have a tracer place on the caller if time permits.

If the building is to be evacuated and Staff should notify all building occupants of the decision to evacuate.

Staff should account for all building occupants at the determined evacuation point, and report any missing individuals to Principal and the emergency responders.

Staff should note unusual or unfamiliar objects as they evacuate and report such objects to the Principal. **NO STAFF SHOULD TOUCH OR MOVE SUCH OBJECTS.**

To the extent practicable without causing delay, all interior doors should remain open to minimize possible structural and compression damage. This instruction does not apply to a lock-down situation.

See **Appendix 428-A** Bomb Threat Form and Call Checklist. See also Policy 424 Emergency Preparedness and Evacuation, Policy 447 School Safety Plan, and Policy 429 Crisis Media Situations.

Any School crisis such as injury, school bus accident or suicide should be reported to the Principal or his/her designee immediately along with as many details, names, etc. as possible.

In a crisis situation, it is important to have one person providing facts to the media, and ideally only after parents have been notified. No one is to report the nature or extent of injury at any time.

Depending on the situation, the Principal or his/her designee will go immediately to the site. A building employee should be present also for parental contact and incoming inquiries.

No reporter should be allowed to roam freely in a crisis situation. He/she should be personally escorted to a designated area, and not allowed to video and interview students who are injured or in an otherwise crisis situation.

See also Policy No. 145 Media Policy, Policy 424 Emergency Preparedness and Evacuation, Policy 447 School Safety Plan and Policy 428 Bomb Threat Policy.

SECTION 440

ENVIRONMENTAL HEALTH AND SAFETY

Public Employment Risk Reduction Program Compliance***

The School believes that the employees and students of the School, as well as visitors, are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with law, the School will provide reasonable and adequate protection to the lives, safety, and health of its employees and students, in compliance with all applicable Federal and State laws and regulations.

The Principal or his/her designee shall be responsible for the maintenance of standards in the facilities to prevent accidents and to modernize their consequences. She/he shall designate an employee who shall conduct periodic audits of health and safety conditions within the facilities of the School and take appropriate action on any violations thereof to the Principal or his/her designee.

The Principal or his/her designee shall ascertain that the employees and students of the School are aware of their rights to an environment free of recognized hazards, that they are properly trained in safety methods, that protective devices and equipment are available to meet safety standards, and that proper rules and records are maintained to meet the requirements of the law and the regulations of the Public Employment Risk Reduction Program (“PERRP”).

The Principal or his/her designee shall post and keep posted a notice informing employees of the protections and obligations provided under PERRP. The Principal or his/her designee shall annually post on February 1 and keep posted until April 30 a copy of the summary of all work-related incidents from the following year. Postings shall be in a conspicuous place where notices to employees are customarily posted.

The Principal or his/her designee shall comply with any mandatory record keeping requirements. Such records shall include the following:

1. An incident report for all work-related injuries and illnesses, which shall be completed no later than six working days after receiving information that a recordable incident has occurred (**Appendix 441-A**);
2. An incident report for any employee death or the in-patient hospitalization of three (3) or more employees due to a work-related incident, which shall be completed within ten (10) days of orally reporting the death or in-patient hospitalization to PERRP (**Appendix 441-A**);
3. A log and summary of all work-related injuries and illnesses, which shall be updated as early as practicable following the injury or illness, but no later than six (6) working days after receiving information that a recordable injury or illness has occurred (Log available at **Appendix 441-B**, Summary available at **Appendix 441-C**);
4. A record of public employee exposure to potentially toxic and/or carcinogenic materials and/or harmful physical agents that are required to be monitored under any Ohio Public Employment Risk Reduction Standard (**Appendix 441-D**); and
5. A record of all incidents where a public health care worker employed by the School is

exposed to blood or other material potentially containing bloodborne pathogens through a needlestick or other sharp (**Appendix 441-E**).

Records shall be maintained on a calendar year basis and shall be retained for at least five years following the end of the year to which the records relate. All records required to be maintained shall be made available for inspection by the Ohio Bureau of Workers Compensation and any employee, former employee, or employee representative for examination and copying at reasonable times.

The following mandatory reporting requirements shall be complied with by the Principal or his/her designee:

1. The School shall submit the annual summary of all work-related injuries and illnesses no later than February 1 of the following year to which the records relate;
2. The School shall orally report the incident within eight (8) hours after the death of any employee or the in-patient hospitalization of three or more employees as a result from a work-related incident, or within eight (8) hours of learning of the death or in-patient hospitalization; and
3. The School shall submit the sharps injury form within ten (10) business days of any incident where a public health care worker employed by the School is exposed to blood or other material potentially containing bloodborne pathogens through a needlestick or other sharp.

All reports shall be made to:

Public Employment Risk Reduction Program
Division of Safety and Hygiene
13430 Yarmouth Drive
Pickerington, OH 43147
Fax: 614-621-5754

Phone: 614-644-2246 or 800-671-6858

Website: <https://www.bwc.ohio.gov/employer/programs/safety/sandhperrp.asp>

In the event an inspection is made by a representative of the State, the Principal or his/her designee shall report the results thereof to the Board at the meeting following the receipt of the State report.

OSHA Compliance

The School believes that the employees and students of the School, as well as visitors, are entitled to function in an environment as free from hazards as can reasonably be provided. In this regard and in accordance with law, the School will provide reasonable and adequate protection to the lives, safety, and health of its employees and students, in compliance with Federal and State laws and regulations.

The Principal or his/her designee shall be responsible for the maintenance of standards in the facilities to prevent accidents and to modernize their consequences. She/he shall designate an employee who shall conduct periodic audits of health and safety conditions within the facilities of the School and take appropriate action on any violations thereof to the Principal or his/her designee.

The Principal or his/her designee shall comply with any mandatory reporting requirements. Such reporting shall include reporting to OSHA (a) within eight hours, the death of an employee as a result of a work-related accident, and (b) within 24 hours, the in-patient hospitalization, amputation, or loss of an eye of an employee as a result of a work-related accident.

The Principal or his/her designee shall post and keep posted a notice informing employees of the protections and obligations provided under OSHA as required by law. Postings shall be in a conspicuous place where notices to employees are customarily posted.

The Principal or his/her designee shall ascertain that the employees and students of the School are aware of their rights to an environment free of recognized hazards, that they are properly trained in safety methods, that protective devices and equipment are available to meet safety standards, and that proper rules and records are maintained to meet the requirements of the law and the regulations of OSHA. In the event an inspection is made by a representative of OSHA, the Principal or his/her designee shall report the results thereof to the Board at the meeting following the receipt of the State report.

***Note regarding this policy: the Board shall comply with the Ohio Employment Risk Reduction Program and OSHA for all Board employees. However, with regard to School staff members employed by a management company, those employees are only subject to OSHA requirements and are not subject to the Ohio Employment Risk Reduction Program requirements provided above.

R.C. 4167 et seq.; OAC Chapter 4167; 29 CFR § 1903.2; 29 CFR §1904.2; 29 CFR §1904.39.

It is necessary for everyone to utilize property, supplies, and equipment in the course of doing their jobs. Staff should take care of these items and should know how to use them properly. Damaged equipment should be reported to the Principal or his/her designee immediately so that it can be repaired.

The Board requires Staff and Students to be economical, in part, by turning off unnecessary lighting, turning off appliances and other equipment not in use, closing doors and windows that allow cool or warm air to escape, not running water needlessly and reporting to Principal or his/her designee, any unnecessary use of water, gas, or electrical power. A small amount of waste by each employee or student equals a large amount of waste overall. The ability to save time and materials can contribute to the overall success of the School.

443 Hazard Communication Program

The Principal or his/her designee will provide information about chemical hazards and other hazardous substances and how to control those hazards in the Hazard Communication Program.

The Program includes the following objectives:

1. Container labeling;
2. Material Safety Data Sheets; and
3. Employee Information and Training.

The following program outlines how the School will accomplish these objectives.

Container Labeling

It is the policy of the School that no container of hazardous substances will be released for use until the following label information is verified:

1. Containers are clearly labeled as to the contents;
2. Appropriate hazard warnings are noted; and
3. The name and address of the manufacturer is listed.

The responsibility for label verification has been assigned to the Principal or his/her designee. To further ensure that employees are aware of the hazards of material used, it is the School's policy to label all secondary containers. The School shall not remove or deface existing labels on incoming containers of hazardous chemicals, unless the container is immediately marked with the required information.

The responsible staff shall ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with generic labels which have a block for identity and blocks for the hazard warning.

Material Safety Data Sheets (MSDS)

Copies of MSDS for all hazardous substances to which employees and students may be exposed are kept in each area where the substances are used as well as in a book in the School office. The Principal or his/her designee will be responsible for obtaining and maintaining the data sheet system.

The Principal or his/her designee will review incoming MSDS for new and significant health/safety information. She/he will see that any new information is passed on to the employees.

MSDS will be reviewed for completeness by the Principal or his/her designee. If an MSDS is missing or obviously incomplete, a new MSDS will be requested from the manufacturer. MSDS will be available to all employees in their work area for review. If MSDS are not available or new hazardous substance(s) in use do not have MSDS, please contact the Principal or his/her designee immediately.

Staff Information and Training

Staff will attend a health and safety orientation set up by the Principal or his/her designee, for information and training on the following:

1. An overview of the requirements contained in the Hazard Communication Regulation, including their rights under the Regulation;
2. The details of the written Hazard Communication Program, including the location and availability of the Program, list of hazardous substances, and MSDS;
3. Information on the hazardous substances within the School;
4. Measures staff may take to lessen or prevent exposure to these hazardous substances through usage of control plans, work practices, emergency procedures, and personal protection equipment;
5. Methods and observations that the School may use to detect the presence of, and to lessen or prevent exposure to, these substances;
6. How to read labels and review MSDS to obtain appropriate hazard information.

When new hazardous substances are introduced, the Principal or his/her designee will call a meeting and distribute information related to the new material.

Hazardous Substances

Information on all hazardous substances within the School can be found in the MSDS book located in the School office.

Hazardous Non-Routine Tasks

Periodically, staff are required to perform hazardous non-routine tasks. Prior to starting work on such projects, each affected employee will be given information by the Principal or his/her designee, or the affected employee shall request such information, about hazards to which they may be exposed during such an activity.

This information will include:

1. Specific hazards;
2. Protective/safety measures which must be utilized;
3. Measures the School has taken to lessen the hazards including ventilation, respirators, presence of another employee and emergency procedures.

42 U.S.C. 9601 et seq.; 29 CFR §1910.1200; OAC 3701-54; R.C. 4167 et seq.

The School is concerned for the safety of the students and staff members and will comply with applicable Federal and State statutes and regulations to protect them from hazards that may result from industrial accidents beyond the control of School officials or from the presence of asbestos materials used in previous construction.

Toxic Hazards. These hazards exist in chemicals and other substances used in the school setting such as in laboratories, science classrooms, kitchens, and in the cleaning of rooms and equipment.

The Board appoints the Principal or his/her designee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will conduct a training program for all School employees to include such topics as detection of hazards, explanation of the health hazards to which they could be exposed in their work environment, and the School's written Hazard Communication Plan.

In fulfilling these responsibilities, the THP Officer may enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard.

Asbestos Hazards. In its efforts to comply with Asbestos Hazard Emergency Response Act (AHERA), the School recognizes its responsibility to:

1. inspect School buildings owned by the School for the existence of asbestos or asbestos-containing materials;
2. take appropriate actions based on the inspections;
3. establish a program for dealing with friable asbestos, if found;
4. maintain a program of periodic surveillance and inspection of facilities or equipment containing asbestos; and
5. comply with EPA and State regulations governing the transportation and disposal of asbestos and asbestos-containing materials.

The Principal or his/her designee shall appoint a person to develop and implement the School's Asbestos Management Plan which will ensure proper compliance with Federal and State laws and the appropriate instruction of staff and students. At least once each school year, the School will notify parent, teacher, and employee organizations of the availability of the School's Asbestos Management Plan and any asbestos-related actions taken or planned in the school.

The School shall also ensure that, when conducting asbestos abatement projects, each contractor employed by the School agrees to comply with all applicable laws and regulations.

Nothing in this policy should be construed in any way as an assumption of liability by the School or by the Board for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the School, the Board or its officers and staff or employees.

20 U.S.C. 4011 et seq.; 15 U.S.C. 2641 et seq.; 42 U.S.C. 9601 et seq.; 40 CFR 763.93; R.C. 4167.01 et seq.

Exposure Control Plan

The Principal or his/her designee shall develop and implement an Exposure Control Plan to minimize or eliminate occupational exposure to bloodborne pathogens in accordance with the OSHA Bloodborne Pathogens Standard, 29 C.F.R. 1910.1030, and the Ohio Employment Risk Reduction Standards as amended. Universal precautions shall be observed to prevent contact with blood, bloody body fluids, or other potentially infectious materials. If differentiation between types of body fluids is difficult or impossible, the body fluids shall be considered potentially infectious materials.

The Exposure Control Plan must be readily available to all employees and their representatives. Personnel within each job category listed in the Exposure Control Plan shall be trained annually in and will be responsible for practicing the procedures outlined in the Exposure Control Plan in the event of exposure to bloody body fluids. Training for staff provided at no cost and during work hours. The Principal or his/her designee shall document the date, attendance and contents of each training session which shall be retained for three (3) years.

Annual Review and Update

The Principal or his/her designee shall review and update the Exposure Control Plan at least annually and whenever necessary to reflect new or modified tasks and procedures that affect occupational exposure and to reflect new or revised employee positions with occupational exposure. Such review must take into account technological developments that reduce the risk of exposure to bloodborne pathogens.

The Principal or his/her designee must annually document consideration and implementation of appropriate commercially available and effective safer medical devices designed to eliminate or minimize occupational exposure. The Principal or his/her designee must also solicit input from non-managerial employees responsible for student care who are potentially exposed to injuries from contaminated sharps in the identification, evaluation, and selection of effective work practice controls, and such solicitation must be documented in the Exposure Control Plan.

29 CFR 1910.1030

See **Appendix 445-A** OSHA Model Exposure Control Plan

446 Prevention of Lead Poisoning

Exposures to lead in doses much smaller than previously thought represent a definable risk to children's health and their ability to learn.

The School will attempt to control the use and maintenance of lead-bearing building products and avoid the use of any educational or maintenance procedures or products which may create lead exposures.

The School assures that a parent or guardian outreach program will be implemented to properly communicate information regarding risks from lead and other heavy metals in an attempt to help prevent exposures, by including a informational packet similar to that in **Appendix 446-A**.

R.C. Chapter 3742.

See **Appendix 446-A**.

The School's Principal or his/her designee with supervisory authority will develop and adopt a comprehensive School emergency management plan for each School building under his or her supervision. In accordance with Ohio law, the Principal or designee with supervisory authority will examine the environmental conditions and operations of the building(s) to determine potential hazards to student and staff safety and propose operating changes to prevent dangerous circumstances. Community law enforcement and safety officials, parents, and School employees will be involved in developing the plan. The plan shall contain the name, title (if applicable), contact information, and signature of all parties participating in the development of the plan. Remediation strategies shall also be incorporated into the plan where documented safety problems have occurred in the past.

The Board shall incorporate into the plan both of the following: (1) a protocol for addressing serious threats to the safety of School property, students, employees, or administrators; and (2) a protocol responding to any emergency events that occur and compromise the safety of School property, students, employees, or administrators. Protocol (2), above, must include (i) a floor plan that is unique to each floor of the building, (ii) a site plan that includes all building property and surrounding property, and (iii) an emergency contact information sheet. Each protocol shall include procedures deemed appropriate by the Principal or his/her designee with supervisory authority for responding to threats and emergency events, respectively, including procedures for the notification of appropriate law enforcement personnel, calling upon specified emergency response personnel for assistance, and informing parents of affected students.

At minimum, the Plan shall include protocols to address and respond to the following events: an active shooter event; a hostage situation; a bomb threat; an act of terrorism; and any other natural or manmade hazards that the Principal or his/her designee knows of or should reasonably anticipate occurring that could compromise the health or safety of students, employees, administrators or property.

Protocols shall be organized around five mission areas. These include:

1. Prevention: meaning the capabilities needed to deter, stop or avoid an imminent crime, threat or actual mass casualty event;
2. Protection: defined as the capabilities to secure the School against manmade and natural disasters, acts of violence, or other ongoing hazards;
3. Mitigation: meaning the capabilities needed to eliminate or reduce property damage, injury or loss of life by minimizing the impact of an emergency event and decreasing the likelihood of hazardous events;
4. Response: means the capabilities necessary to stabilize an emergency once it has already happened or is certain to occur in an unpreventable way by establishing a safe and secure environment in order to save lives and property; and

5. Recovery: meaning the capabilities necessary to restore a learning environment after an emergency situation.

Prior to the opening day of each School year, the Principal or his/her designee with supervisory authority shall inform each student enrolled in the School and the student's parent of the parental notification procedures included in the protocol.

The Principal or his/her designee with supervisory authority shall prepare and conduct at least one annual emergency management test, defined as a regularly scheduled drill, exercise, or activity that is designed to assess and evaluate an emergency management plan. An emergency management test may be performed simultaneously with a safety drill, so long as the emergency management test drill tests a single procedural operation and involves the coordination of efforts. **See Appendix 424-A.** The Principal or his/her designee shall provide at least 72 hours advanced written notice, including the date, time and address of the school where the test will occur, to the Department of Education and to each entity in receipt of the School's emergency management plan.

The emergency management plan shall be submitted electronically using the standardized forms developed by the Department of Education. The Principal or his/her designee with supervisory authority shall review the plan annually by July 1 and certify to the Department of Education that the plan is current and accurate. The Principal or his/her designee with supervisory authority must submit an electronic copy of the plan to the Department of Education whenever a major modification to the School building necessitates changes in the plan's procedures or whenever the emergency contact information changes. Updated copies are due to the Department within ten (10) days of the adoption of any changes to the plan. A copy of the plan along with a copy of the School building floor plan will be filed with each law enforcement agency having jurisdiction over the School building(s). Upon request, the plan will be filed with the fire department and emergency medical service organization serving the political subdivision or county, respectively, in which the building is located.

The Principal or his/her designee with supervisory authority shall keep copies of this plan in a secure place. Copies of the emergency management plan and information pertaining to the School's safety protocols are not public records and shall be exempt from public disclosure or release in accordance with the Ohio Public Records Act.

The School will grant access to School buildings so that law enforcement personnel, the fire department for the political subdivision, emergency medical service organizations for the political subdivision, and emergency management agencies for the county in which the building is situated may hold emergency response training sessions. The training sessions must occur outside of student instructional hours, and the Principal or a designee of the School must be present during the sessions.

R.C. 3737.73(D); 3313.536; 3314.03(A)(11)(d); OAC 3301-5-01.

See also Policy 429 Crisis Media Situations; Policy 428 Bomb Threat Policy; Policy 423 Facility Security; Policy 424 Emergency Preparedness and Evacuation; and **Appendix 424-A** Emergency Management and Health Plan Emergency Drills.

School inspections, designed to identify conditions within the School and School building that may be injurious to the safety or health of building occupants, will be conducted at least semiannually by the local board of health, according to standards set by the local board of health.

If the local board of health serves an order upon the School to abate nuisances or correct conditions detrimental to health or well-being which are found upon School property, the person responsible for upkeep of the property shall abate the nuisance or condition within such reasonable fixed time as is set by the local board of health.

The School shall periodically review its policies and procedures to ensure the safety of students, employees, and other persons using the School building from any known hazards in the building or on building grounds that, in the judgment of the School, pose an immediate risk to health or safety. The School shall further ensure that its policies comply with all federal laws and regulations regarding health and safety applicable to school buildings.

The School shall at all times have in place a Chemical Hygiene Plan and an Asbestos Management Plan in accordance with federal law.

R.C. §§ 3313.86, 3707.03, 3707.26, 29 CFR 1910.1450, 15 USC § 2651 et seq.

See Appendix 448-A Chemical Hygiene Plan; Policy 444 Toxic Hazards and Asbestos Hazards; Appendix 444-A Asbestos Management Plan; Appendix 269-A No Smoking Sign; Policy 429 Crisis Media Situation; Policy 409 Control of Blood Borne Pathogens; Policy 402 Use of Medication; Policy 447 Comprehensive Safety Plan.

449 Prior Notification of Pesticide Application

Faculty, staff, and parents of students may request and receive prior notifications of scheduled pesticide applications that occur on or in the classroom buildings of the School when School is in session that involve one or more of the following products:

- Manufactured paste or gel baits;
- Paraffin-based rodent control products placed in industry-identified tamper-resistant bait stations;
- Termite-baiting stations;
- Rodenticides which are placed in wall voids or other areas that are inaccessible to humans and domestic animals; or
- Dusts used in unoccupied areas of the structure.

The method of notification may include regular mail, email, or listserv, as determined by the Principal.

If special circumstances arise that prevent prior notification from being provided as required, such as emergency application of pesticides to control organisms that pose an immediate health threat, the School shall provide notice as soon as possible. The notice shall explain the reasons why advance notice was not provided.

The Principal shall serve as contact person for pesticide applications made at the School. The School shall maintain the following records for inspection during normal school hours by parents or guardians of minor children, adult students, faculty and staff who are enrolled or employed at the School, or the Department of Agriculture:

1. For a pesticide application described in this policy or any other application for either the longer of four hours or the minimum time specified by the label of the pesticide applied prior to the beginning of the school day; at a time after the school day has concluded; or when school is not in session under the calendar established by the local school board:
 - Date and time that the pesticide was applied;
 - Treatment area;
 - Target pests;
 - Brand name and EPA registration number of the pesticide applied; and
 - The time or conditions for re-entering the treatment area as specified by the label of the pesticide applied, if any is specified.

The School will retain such records for a period of one year following the date of application.

2. Documentation that the School provided notifications requested by faculty, staff, and parents of students under this policy.

SECTION 450

FOOD SAFETY

451 Food Services

All students will remain at school for lunch and will not be allowed to leave the School or any recreation areas or common areas without permission, or, if the School authorizes leaving the School for lunch, all students shall follow the School's procedures and rules. Supervision of student activity in the lunchroom, recreation or common areas shall be the responsibility of the teacher or staff member in charge who may delegate this authority to others.

Any food service program provided or contracted for by the Board shall comply with Federal and State regulations pertaining to the counting, menus, selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program. The contracted food service program shall be responsible for the planning as well as for the dietary and nutritional requirements of the meals served.

No person shall be excluded from participation in, be denied the benefits of, or otherwise be subject to physical segregation or other discrimination under any program or activity for which the School receives federal financial assistance for food and nutrition services on the bases of race, color, national origin, age, disability, sex, gender identity, or income. No student shall be denied access to meals or milk as a disciplinary action, either directly or indirectly.

Students eligible for free or reduced-price meals shall not be identified by the School through the use of separate cafeteria entrances, separate meal service lines, or use of any other method likely to result in the identification of such students. The names of students eligible to receive free or reduced-price meals or free milk shall not be published, posted, or announced under any circumstances. Meals served to students eligible to receive free or reduced-price meals shall be the same meals as those served to students paying full price. Under no circumstance shall an eligible student be required to work for his or her meal.

Governmental regulations do not permit serving meals at the student price to staff or other adults.

If the School is a food service operator, then it is required to post a sign at all hand washing sinks used by food employees notifying them to wash their hands. See Appendix 451-A.

The Principal or his/her designee shall submit a public release each school year informing the general public that the School participates in federal food service programs and providing information about free and reduced price meals. The School is not obligated to pay to publish the release, but the Principal or his/her designee must submit the release for publication to the media and to organizations in the School's geographic area that reach minority or under-represented groups, such as libraries, food pantries, and community action program agencies. The School must document the dates and locations of all media release submissions, including unsuccessful publication attempts. See Appendix 451-B.

Any school publication, including the School's website, that refers to any federal food service program or to the United States Department of Agriculture (USDA) must include the following statement:

“In accordance with Federal civil rights law and the U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are

prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.) should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

- (1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, S.W.
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7742; or
- (3) email: program.intake@usda.gov.

This institution is an equal opportunity provider.”

If the publication material is too small to permit the full statement to be included, the material will, at a minimum, include the following condensed statement, in print size no smaller than the text: “USDA is an equal opportunity provider and employer.”

The School shall prominently display the USDA “And Justice for All” poster in a location accessible to food service program participants. The poster must be 11” by 17.” The Principal or his/her designee may obtain copies of the poster by contacting the USDA Midwest Regional Office at 77 West Jackson Boulevard, 20th Floor, Chicago, Illinois 60604-3057, or by calling (312) 353-6557.

R.C. 3717.42; OAC 3717-1-06.2(E)

See Appendix 451-A Hand Washing Poster and Appendix 451-B Sample Public Release

The School recognizes the importance of good nutrition to each student's educational performance.

The School shall provide eligible needy students with breakfast and/or lunch at a reduced rate or no charge to the student. Children eligible for free or reduced-price meals shall be determined by the criteria established by the Child Nutrition Program and National School Lunch Act. These criteria are issued annually by the Federal government through the State Department of Education.

The Board designates the Principal or his/her designee as the responsible party to determine the eligibility of students for free and reduced rate meals.

The School shall annually notify all interested persons of the availability, eligibility requirements, and application procedure for free and reduced rate meals by distributing an application to the family of each student enrolled in the School.

The Principal or his/her designee shall prepare and implement the necessary arrangements and guidelines to ensure proper operation of this program. S/He shall ensure that the appropriate policy attachments for Free and Reduced-Price Meals or Free Milk are properly completed and submitted for approval to the School Food Service Division of the State Department of Education by the beginning of each School year.

42 USC §1751.

The School believes that healthy students are more likely to successfully complete their formal education. The School recognizes that it plays an important role in the development of students' health and nutrition habits by providing nutritious meals and snacks, supporting the development of good eating habits, and promoting increased physical activity.

The Board sets forth the following goals in an effort to enable students to establish good health and nutrition habits:

Nutrition Promotion and Education Goals

- The School shall provide for interdisciplinary, sequential skill-based health education that that supports hands-on classroom activities that promote health and reduce obesity.
- Nutrition and healthy living skills shall be integrated into classroom curriculum when appropriate.
- Students in grades pre-K – 12 shall receive nutrition education that is interactive and teaches the skills they need to adopt healthy eating behaviors.
- Nutrition education shall be offered and promoted in the School cafeteria as well as in the classroom with coordination between the foodservice staff and teachers.
- Nutrition education and promotion information will be shared with parents and the community.

Physical Education and Activity Goals

- Students shall be provided opportunities for physical activity during the School day through physical education classes, daily recess periods for elementary students, and the integration of physical activity in the classroom.
- Physical education classes shall stress physical fitness, encourage healthy, active lifestyles and consist of physical activities as part of the curriculum.
- Physical activity will not be used as a form of discipline or punishment.
- Physical activity and promotion information will be shared with parents and the community.
- The School shall encourage parents and the community to support physical activity, to be physically active role models, and to include physical activity at events.

Other School Based Activities

- School based activities shall promote student wellness and, if appropriate, shall encourage nutrition and physical education.
- Nutrition shall be considered when planning school-based activities such as classroom snacks, fundraisers, etc.
- The School will provide students with a clean and safe environment and adequate time for eating meals.

Nutrition Guidelines

- In accordance with the School's Food Sale Standards Policy, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages.
- The food service program will provide all students affordable access to a variety of nutritious foods.

Implementation and Evaluation

- The Principal shall ensure that the School implements, complies with, and annually evaluates this Policy.
- The School will consult with administrators, board members, teachers, parents, school health professionals, or community members. The committee will participate in the annual review of the Policy and will make recommendations of changes.
- The School will periodically measure the implementation of this Policy, focusing specifically on the extent to which the School has complied with the Policy, the extent to which the Policy compares to model local wellness policies, and the extent to which the School has progressed toward achieving its stated goals in the Policy. The School will create a written assessment for each periodic measurement that it will disseminate to students, their families, and other members of the community or post on its website.
- At the start of each school year, the School will disseminate this Policy to families of school children and other members of the community or post it on its website and will notify such individuals of changes to the Policy in the same manner.

It is expected that the Food and Nutrition Service will publish its proposed rule on local wellness policies in early 2014. An appendix for procedure will be added at that time, which will become **Appendix 453-A**.

42 U.S.C. 1758b; 42 U.S.C. 1771.

See also: Policy 445; **Appendix 455-A**, Nutritional Standards for Beverages; R.C. 3313.814; R.C. 3313.816; R.C. 3313.817.

Hand washing and personal hygiene are important measures for use to prevent illness and communicable disease. Hand washing with soap and warm water for a minimum of ten (10) seconds, paying close attention to the surfaces between the fingers and on the back of the hands, is best for removing dirt and germs. The proper use of hand sanitizers is also useful in controlling the spread of germs.

School Food Authorities

1. Train any individual who prepares or serves food on proper hand washing. Training may include viewing a hand washing video and demonstrating proper hand washing procedure.
2. Post hand washing signs or posters in a language understood by all school food authorities near all hand washing sinks, in food preparation areas, and restrooms. See the Appendix to the Food Services Policy which contains a sample Hand Washing Poster.
3. Use designated hand washing sinks for hand washing only. Do not use food preparation, utility, and dishwashing sinks for hand washing.
4. Provide warm running water, soap, and a means to dry hands. Provide a waste container at each hand washing sink or near the door in restrooms.
5. Keep hand washing sinks accessible anytime employees are present.
6. Wash hands:
 - Before starting work
 - During food preparation
 - When moving from one food preparation area to another
 - Before putting on or changing gloves
 - After using the toilet
 - After sneezing, coughing, or using a handkerchief or tissue
 - After touching hair, face, or body
 - After smoking, eating, drinking, or chewing gum or tobacco
 - After handling raw meats, poultry, or fish
 - After any clean up activity such as sweeping, mopping, or wiping counters
 - After touching dirty dishes, equipment, or utensils
 - After handling trash
 - After handling money
 - After any time the hands may become contaminated
7. Follow proper hand washing procedures as indicated below:
 - Wet hands and forearms with warm, running water (at least 100°F) and apply soap.

- Scrub lathered hands and forearms, under fingernails and between fingers for at least 10-15 seconds. Rinse thoroughly under warm running water for 5-20 seconds.
 - Dry hands and forearms thoroughly with single-use paper towels.
 - Dry hands for at least 30 seconds if using a warm air hand dryer.
 - Turn off water using paper towels.
 - Use paper towel to open door when exiting the restroom.
8. Follow FDA recommendations when using hand sanitizers. These recommendations are as follows:
- Use hand sanitizers only after hands have been properly washed and dried.
 - Use only hand sanitizers that are permitted for such use by an effective Food Contact Substance Notification.
 - Use hand sanitizers in the manner specified by the manufacturer.

Monitoring:

The School's Principal may designate an employee or an independent contractor/food service provider to visually observe the hand washing practices of the food school authorities at any random time during hours of operation. In addition, the designated person will visually observe that hand washing sinks are properly supplied during hours of operation.

Corrective Action:

Employees or food service contractors who are observed not washing their hands at the appropriate times or using the proper procedure will be asked to wash their hands immediately.

When soap and water are not available and hands are not visibly soiled, waterless disposable hand wipes or gel sanitizers may be used in place of hand washing.

A food service employee or contractor may be disciplined, up to and including termination for failure to adhere to this Policy.

See **Appendix 451-A** Hand Washing Poster.

The Board shall create standards for the types of food and beverages sold in the School and the time and place each type of food and beverage is sold in accordance with state law and based on the following guidelines:

- A. Types of food and beverages sold in the School that will significantly benefit the daily nutritional needs of students (per U.S. Department of Agriculture guidelines), align with School Wellness Program (Policy 453) requirements, and follow requirements provided under state law.
- B. The Board or its designee shall consult with a licensed dietician, a registered dietetic technician or a certified/credentialed school nutrition specialist to assist in drafting a plan:
 1. for complying with and enforcing the nutritional standards governing the types of food and beverages that may be sold on the School premises in compliance with State law; and
 2. specifying the time and place each type of food or beverage may be sold.
See Appendix 455-A Nutrition Standards for Beverages.
- C. The times and locations of food and beverage sales to students on school grounds will be assigned based on nutrient intake needs and eating patterns of students and align with class schedules. With regard to non-breakfast/lunch food and beverage sales:
 1. The School will not operate vending machines offering foods or beverages that do not meet the nutritional standards established by the School during the school lunch period. The Board reserves the right to totally restrict the sale of non-nutritional foods and beverages in vending machines.
 2. Bake sales and other school fundraising activities involving food and beverage items may not be held during the school lunch period. The School will limit the frequency of bake sales and other food based fundraisers where non-nutritional foods and beverages will be sold based on the standard established by the Department of Education.
- D. Annually, the food services supervisor shall review and recommend to the Board the types of foods and beverages for sale as part of the school breakfast and lunch programs. The Board may establish separate standards regulating the types of food and beverages to be sold to Staff Members and for special or extracurricular events.

This policy applies to the sale of foods from the midnight before the school day until 30 minutes after the end of the regular school day on school premises. School premises, for the purpose of this policy, include any areas of property under the School's jurisdiction that is accessible to students during the regular school day.

R.C. 3313.814; R.C. 3313.816; R.C. 3313.817; OAC 3301-91-09; USDA Smart Snacks in School nutrition guidelines.