

## SECTION J: STUDENT

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## EQUAL EDUCATIONAL OPPORTUNITIES

All students of the District have equal educational opportunities.

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

[Adoption date: June 9, 2008]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.  
Civil Rights Act, (Amended 1972), Title VII; 42 USC 2000e et seq.  
Executive Order 11246, 1965, amended by Executive Order 11375  
Education Amendments of 1972, Title IX, Pub. L. No. 92-318  
(1972)  
Individuals with Disabilities Education Act  
Vocational Rehabilitation Act of 1973, Section 504  
ORC 9.60 through 9.62  
Chapter 4112  
5903.01 (G)  
OAC 3301-35-02(a)(2)  
Americans with Disabilities Act; 42 USC 12112 et seq.

CROSS REFS.:AC, Nondiscrimination  
ACA, Nondiscrimination on the Basis of Sex  
ACB, Nondiscrimination on the Basis of Disability  
GBA, Equal Opportunity Employment  
IGBA, Programs for Disabled Students  
IGBB, Programs for Gifted and Talented Students  
IGBI, English as a Second Language (Limited English Proficiency)  
IGBJ, Title I Programs  
JECAA, Admission of Homeless Students  
JFA, Student Due Process Rights

## SCHOOL ATTENDANCE AREAS

The Board determines attendance areas for the various schools of the District. The Superintendent recommends boundary lines, taking into consideration the best use of school facilities, the equalization of enrollments in classrooms, natural barriers and traffic hazards and patterns. Except as the foregoing factors influence boundary lines, the area established should permit each student to attend the school nearest his/her place of residence.

Students are expected to attend the schools in the areas in which they live; individual exceptions may be made within Board policy or may be made in the best interests of the student and/or the schools.

[Adoption date: June 24, 2002]

LEGAL REFS.: ORC 3313.48; 3313.64; 3313.65; 3313.97  
3319.01

CROSS REFS.: JECBD, Intradistrict Open Enrollment  
JECC, Assignment of Students to Schools

## COMPULSORY ATTENDANCE AGES

Children between the ages of six and 18 are of compulsory school age. Every person of compulsory school age must attend a school, which conforms to the standards prescribed by the State Board of Education (SBOE) until one of the following occurs.

1. The person receives a diploma or certificate of high school equivalence granted by the Board or other governing authority indicating such student has successfully completed all state and local requirements.
2. The person receives an age and schooling certificate (work permit) and is enrolled in an educational program meeting the requirements of State law.
3. The person is excused from school under standards adopted by the SBOE pursuant to State law.

The parent(s) of any person who is of compulsory school age must send such person to school unless he/she is exempt as listed above.

Adoption Date: June 24, 2002  
Re-adoption date: August 8, 2016  
Re-adoption date: January 9, 2017

LEGAL REFS.: ORC 3301.80; 3301.81  
3313.61  
3321.01 et. seq.  
3331.02  
OAC 3301-35-04  
3301-41

CROSS REFS.: IGBG, Homebound Instruction  
JEB, Entrance Age (Mandatory Kindergarten)  
JEG, Exclusions and Exemptions from School Attendance  
JFE, Pregnant Students

ENTRANCE AGE  
(Mandatory Kindergarten)

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

Adoption date: February, 11, 2013

LEGAL REFS.: ORC 3321.01

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

## ENTRANCE AGE

Ohio Revised Code (RC) 3321.01 requires that the successful completion of kindergarten is a mandatory requirement for admission to the first grade. To enroll in kindergarten in Troy City Schools, a child must be five years old on or before August 1 of the year of admission. In the event that the child does not meet the age requirements set by TCS but has been enrolled in and has attended kindergarten in another district, the student automatically becomes eligible for enrollment in kindergarten.

### Early Entrance To Kindergarten Or Acceleration To First Grade

#### Program Objectives

1. To provide an opportunity for students who do not meet the age requirement established by the RC for compulsory school attendance to attend kindergarten, but possesses the social, emotional, and cognitive skills necessary for success.
2. To promote the educational growth of individual children for whom delaying entrance into the regular school program until such time as they meet chronological age requirements could jeopardize their educational, social and emotional growth.
3. To provide maximum educational opportunities for students who are performing above the level of their age peers.

#### Procedure

The parents/guardians will contact the Troy Board of Education's Department of Special Education to request an Early Entrance Application Packet. Completed applications must be postmarked by August 1 for placement by the start of the school year. Parents are asked to keep their reservation in day care or pre-school until a final outcome has been determined. The District cannot guarantee that a decision will be made by the first day of school for an application submitted after August 1.

The completed application will be returned to the Board office. This office will forward the application to the principal of the child's school building of attendance, which will then request testing through the school psychologist. The school psychologist will contact the parents to set up a testing time.

The psychologist shall administer and score educationally accepted tests including:

1. Assessment of cognitive abilities
2. Pre-academic skills assessment in mathematics, reading, and writing.
3. Other tests as deemed appropriate.

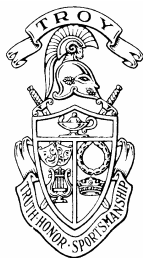


Since early entrance is a form of whole-grade acceleration, the following items are critical to successful whole-grade acceleration and are based on research from the Iowa Acceleration Scale:

1. The student's ability (measured by cognitive testing) is more than one standard deviation above the mean (Cognitive score of more than 115).
2. There is no indication the student has expressed not wanting to be whole-grade accelerated.
3. The student would not be accelerated into the same grade as a sibling.

The EEAT shall issue a written decision to the principal and parent/legal guardian based on the outcome of the evaluation process. If a consensus cannot be reached by the EET after its consideration of the evidence, a decision will be rendered by a majority vote of the team membership within 45 days of the date of the referral date. If it is determined that early entrance may be appropriate, a transition period will be built in until a permanent placement is determined and a Written Acceleration Plan (WAP) is completed.

(Approval date: June 24, 2002)  
(Re-approval date: June 9, 2008)  
(Re-approval date: February 11, 2013)



## Troy City Schools

Troy Board of Education  
Administrative Offices

Ph. 937-332-6700  
Fax 937-332-6771

500 N. Market St.  
Troy, OH 45373  
<http://www.troy.k12.oh.us>

### EARLY ENTRANCE PACKET

\_\_\_\_\_  
*Date sent*

\_\_\_\_\_  
*Parent /Guardian Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*City, State, Zip*

\_\_\_\_\_  
*Phone*

\_\_\_\_\_  
*Child*

\_\_\_\_\_  
*Date of Birth*

Dear Parent / Guardian:

In response to your inquiry regarding early admission to kindergarten for your child, please find the enclosed documents:

1. Early Entrance Policy
2. Application for Early Entrance including Permission to Test
3. Kindergarten Registration /Enrollment

If you wish to have your child considered for Early Entrance please complete the Application and Permission to test forms in the enclosed envelope to be postmarked by August 1<sup>st</sup>. Student assessments will begin after August 1.

Sincerely,

Kristi Shanesy  
*Case Manager*

Enclosures

# EARLY ENTRANCE ASSESSMENT RESULTS

*Troy City Schools*

500 North Market Street

Troy, OH 45373

(937) 332-6700 Fax (937) 332-6771

Student Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

School Building of Residency \_\_\_\_\_ Testing Date: \_\_\_\_\_

*Results*

<b>Cognitive Ability</b>	
<b>Reading</b>	
<b>Math</b>	
<b>Writing</b>	

Comments:

\_\_\_\_\_  
*School Psychologist Name*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Date*

**School Building of Residency.**  
*Contact this person for further consideration.*

*Building*

*Principal's Name*

*Phone*

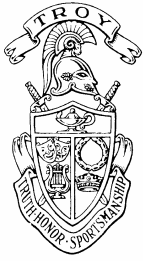
*These results mailed to:*

\_\_\_\_\_  
*Parent(s) Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_  
*Date*

*Results of this screening will be on file at the child's school and at the Office of Gifted Service - 332-3954.*



# Troy City Schools

Troy Board of Education  
Administrative Offices

Ph. 937-332-6700  
Fax 937-332-6771

500 N. Market St.  
Troy, OH 45373  
<http://www.troy.k12.oh.us>

## APPLICATION FOR EARLY ENTRANCE Including PERMISSION TO TEST

Child's Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Father /Guardian \_\_\_\_\_ Mother / Guardian \_\_\_\_\_

Address \_\_\_\_\_ City, State, Zip \_\_\_\_\_

Phone (w) \_\_\_\_\_ (h) \_\_\_\_\_

Elementary School Building of Residence \_\_\_\_\_

Physician \_\_\_\_\_ Phone \_\_\_\_\_

List names of child and siblings in order, starting with the eldest:

Last	First	Birth Date	Age	School attended	Grade

Please answer the following questions below and on the reverse side:

1. How does your child demonstrate high ability, accelerated performance and/or talent as compared to age mates in any of the following areas?  Reading  Math  Science  Social Studies  Language Arts

2. How has the child demonstrated high ability, accelerated performance, and/or talent as compared with age mates in any of the following areas? \_\_ Music \_\_Art \_\_Drama \_\_ Dance \_\_Sports \_\_Leadership

3. Please list any form of Disability in Learning, Social-Emotional, or a Physical Area.

4. Give examples of your child's motivation in initiating and completing tasks.

5. Give examples of how your child seeks challenge:

6. How do others describe your child's behavior and social maturity compared to others his age?

7. Please attach a comment sheet or a progress report from your child's current educational provider.

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**PERMISSION TO TEST:**

I am granting permission for my child, \_\_\_\_\_, to be assessed by designated school personnel and understand that the information may be shared with teachers, principals, and other appropriate school personnel.

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*Signature*

*Relationship to Child*

*Date*

*Please return to the Board of Education Administrative Offices.*

## EARLY ENTRANCE TO KINDERGARTEN

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

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

Adoption date: May 13, 2013  
Re-adoption date: November 18, 2013

LEGAL REFS.:           ORC   3314.06  
  3314.08  
  3321.01  
  3324.01 ET SEQ.  
                          OAC   3301-51-15

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

## SCHOOL ADMISSION

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

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

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

The following documentation must be made available when the child is enrolled:

1. a registration form
2. an emergency medical form
3. a photo identification of the enrolling party
4. birth documentation
5. proof of custody, if applicable (court order)
- \*6. Children Who Reside in a Home form (SF-14)
- \*7. court order showing the district responsible for educational expense
- \*8. all papers to complete the cumulative folder (school transcripts/report cards/ test data)

(\* refers to foster student enrollees)

While it is preferable that the information be provided at the time of enrollment, the person enrolling the student has up to fourteen days to provide the following:

1. immunization and medical records
2. proof of residence (any third-party document verifying the address)
3. all papers to complete the cumulative folder (school transcripts/report cards/ test data)
4. special education IEP's and team reports
5. LEP form
6. discipline records (when requested)
7. free and reduced lunch form
8. transportation information form

Admission of Foster Students

All students placed in foster care in the District must be enrolled by a caseworker employed by the Children's Service Bureau from the child's county of residence.

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

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

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

Adoption date: July 16, 2007  
Re-adoption date: July 13, 2015  
Re-adoption date: January 9, 2017

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

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



## **MEDICAL RECORDS FOR ADMISSION OF RESIDENT STUDENTS**

### Admission Requirements

Parents enrolling children in the Troy Schools for the first time shall:

1. Complete a School Health Examination Record describing past significant diseases.
2. Furnish evidence that the child has received immunization against poliomyelitis, diphtheria, pertussis, tetanus, meningitis and vaccination against rubeola, rubella or agree to have same completed by November 1 unless accompanied by explanatory letter from physician.
3. Present a physician's statement certifying the child has been examined and found to be physically fit for admittance to school. (The Troy School Health Questionnaire should be used as a guide for the physical examination.)
4. Present the child's birth certificate as proof of age.

If any of the above conditions are not met, the child is to be excluded from school by the building principal.

### Temporary Admission

Temporary admission, not to exceed 30 days, is permitted until:

1. Adequate medical records can be forwarded from past school or a complete Troy School Health questionnaire from a physician can be reached.
2. In case no record of past immunization or vaccination is available, the transferring student must take treatment for required immunization and vaccination.

Revision date: August 14, 2017

## ADMISSION OF HOMELESS STUDENTS

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

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

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

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

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

The Board ensures that:

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

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

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

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

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

Adoption date: June 11, 2018

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

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

## ADMISSION OF HOMELESS STUDENTS

The District is committed to facilitating the timely resolution of disputes regarding the educational placement of homeless children and youth. The process may address issues concerning: eligibility, enrollment, transfer of records, transportation, comparable services, guardianship, medical records, residency, school of origin/school of choice issues along with any related homeless education concerns.

Should a dispute arise over school selection or enrollment in a school, the parents, guardians and unaccompanied youth may initiate the resolution process directly at the school they choose or with the District homeless liaison. Written and/or oral communication may be provided to support their views. Students are provided with all services for which they are eligible while the dispute is being resolved.

Disputes should be resolved at the District level, rather than the school level. The District makes the resolution process as informal and accessible as possible, allowing for impartial and complete review.

Written documentation from the District is complete, as brief as possible, simply stated and provided in a language the parent, guardian or unaccompanied youth can understand.

The following steps are taken when a dispute arises over school selection or enrollment in a school:

1. The District provides the parent/guardian or unaccompanied youth with a written explanation of the school's decision regarding school selection or enrollment.
2. The District informs the parent/guardian or unaccompanied youth in writing of their right to appeal the decision.
3. Should the dispute continue, the District refers the parent/guardian or unaccompanied youth to the District homeless liaison who shall review the complaint and issue an opinion in writing to the parent/guardian or the unaccompanied youth.
4. Should the dispute continue, the local District homeless liaison assists the involved parties in presenting the situation to the Ohio Department of Education homeless education coordinator.
5. The state homeless education coordinator recommends a decision for distribution to the parent/guardian or unaccompanied youth, local Superintendent and District liaison.
6. Should the dispute continue, the final appeal is made to the State Superintendent of Public Instruction for review and disposition.

Revision date: August 2016

Revision date: January 2017

## ADMISSION OF NONRESIDENT STUDENTS

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

In compliance with State law, students are exempt from paying tuition when:

1. the student is at least 18 but not yet 22 years of age and resides in the District, lives apart from his/her parent(s), supports himself/herself by his/her own labor and does not possess a high school diploma;
2. the student is under 18 years of age, resides in the District and is married, regardless of the residence of the parent(s);
3. the student has a medical condition which may require emergency attention and his/her parent is employed in the District;  
(The parent(s) of such child must submit to the Board a statement from the child's physician certifying that the child's medical condition may require emergency medical attention.)
4. the student resides with a person other than his/her parent(s) and such student has a parent serving outside Ohio in the U.S. Armed Services;  
(The student's parent(s) must file an affidavit with the Superintendent stating (1) that the parent is serving outside the state in the U.S. Armed Services, (2) that the parent intends to reside in the District upon returning to the state, and (3) the name and address of the person with whom the student is living while the parent is outside the state. This tuition exemption may be granted for only a period of up to 12 months.)
5. the student resides with a parent who is planning to either have a home built or has purchased a home in the District and is waiting for the closing date of the mortgage loan;  
(The student's parent(s) must provide the Superintendent with a sworn statement revealing the location of the house and the parent(s)' intention to reside there. The parent(s) must also provide a statement from a home builder, real estate broker or bank officer confirming that the house construction is planned or is awaiting approval of the mortgage loan. The period for tuition-free attendance in these cases may extend up to 90 days.
6. the student resides with his/her parent(s) under the care of a shelter for victims of domestic violence;
7. the student is not a resident of the District, does not require special education and resides with his/her grandparent(s) provided that the Board and the board of education of the district in which the student's parent(s) reside enters into a written agreement showing good cause for the student to be admitted to the District; (The grandparent(s) are required to sign all consent forms required by the District, even if the student would remain in the legal custody of the parent(s).)
8. the student is under the age of 22 and his/her parent(s) moved from the District, but within the county, after the first full week of October, for the remainder of the school year, provided the Board has approved such a procedure;
9. the student is under the age of 22 and his/her parent(s) moved from the District following the commencement of classes during the student's senior year, for the remainder of the school year and for one additional semester, provided the Board has approved such a procedure;
10. the student is under the age of 22 and because of the death of a parent resides in a new school district; (The student is entitled to finish the current school year in the District upon approval of the Board.)

11. the student is under the age of 22 and the superintendent of the district in which the student is entitled to attend (the student's district of origin) enters into a contract with the Superintendent of this District (the district into which the student wishes to enroll) consenting to the attendance of the student in this District or  
(The Superintendent of this District specifies that the purpose of such attendance is to protect the student's physical or mental well-being or to deal with other extenuating circumstances deemed appropriate by the Superintendent.)

Although the Board does not normally allow the attendance of nonresident students, applications from nonresidents to attend the schools on a tuition basis may be considered if space is available. The amount of tuition is set annually by the state based on a per-student cost determined in compliance with State law.

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

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

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

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

Adoption date: June 9, 2008

LEGAL REFS.: ORC 3311.211  
3313.64; 3313.644; 3313.65; 3313.90  
3317.08  
3319.01  
3323.04  
3327.04; 3327.06  
OAC 3301-35-03; 3301-42-01

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

CROSS REF.: JECBA, Admission of Exchange Students  
JECBB, Interdistrict Open Enrollment

## ADMISSION OF EXCHANGE STUDENTS

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

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

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

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

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

Adoption date: June 24, 2002  
Re-adoption date: September 8, 2014

LEGAL REFS.: ORC 3313.20; 3313.535; 3313.615; 3313.64

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



## ADMISSION OF EXCHANGE STUDENTS

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

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

To receive a regular diploma, the exchange student must successfully complete a program of study developed by the principal/designee and fulfill all other requirements for graduation. Exchange students must complete the applicable state mandated testing requirements for graduation.

### Foreign Exchange for the End-of-Course Tests

All enrolled foreign exchange students must take the same state tests as any peer in their group would take. Any person to whom all of the following apply, shall be exempted from attaining the applicable score on the assessment in social studies designated under any American history end-of-course test and any American government end-of-course test required under division (B) of section 3301.0712 of the Revised Code if such an exemption is prescribed by rule of the state board under

division (D)(3) of section 3301.0712 of the Revised Code: \*The person is not a citizen of the United States; \* The person is not a permanent resident of the United States; and \*The person indicates no intention to reside in the United states after the completion of high school.

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

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

Revision date: August 14, 2017

## INTERDISTRICT OPEN ENROLLMENT (Adjacent District)

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

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

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

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

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

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

Adoption date: December 10, 2018

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

CROSS REF.:     IGDJ, Interscholastic Athletics

## INTERDISTRICT OPEN ENROLLMENT

### Eligibility

The Board permits students from contiguous districts to apply for open enrollment to the District free of any tuition obligations provided that all procedures as outlined in the administrative regulations are met. There will be no limitations on admitting disabled students unless services required in an IEP are not available in the District. Certain buildings in the District are designated for handicapped students with specific physical limitations, and those students may be required to attend an assigned building.

The Board will allow a student of a staff member to follow the parent to work if class size numbers permit the addition.

There will be no requirements of academic, athletic, artistic or extracurricular skills or that the student be proficient in the English language.

### Timeline

April 15- May 15	Applications may be picked up at the Board Office or their home building. The completed forms are due back to the Board Office no later than 4:30 p.m. May 15.
June 1	Date by which parents or guardians will be notified whether their application has been accepted or denied.
August 1 – 10	Second Review

### Applications

1. Parents interested in participating in the District Interdistrict open enrollment plan must use the official application of the District and must follow the District's open enrollment timelines and regulations. Parents/students who move after the May 15 deadline will be permitted to apply for open enrollment.
2. The submission of an application for open enrollment does not guarantee approval for transfer.
3. Only one application per student may be submitted for consideration in any school year.
4. There is no guarantee that all students within a family will be approved for transfer, since each application will be judged on its own merit.
5. An application is good for one year only. A new application must be completed each school year a transfer is being requested.
6. Once a student is accepted into the District, his/her parents are asked to contact the principal's office for information pertaining to enrollment procedures.
7. Application deadlines will be advertised through media sources and in school newsletters prior to the beginning of the open enrollment period.

Building Capacity

Legislation permits the Board to establish limits as they relate to grade level educational programs on the buildings involved in the plan. The following criteria will be used to establish building capacity:

1. in grades 1-6, open enrollment applications for specific grade levels will be denied when class size is 22 or more in May and when class size is 25 or more in August. Kindergarten class sizes will be restricted to 22 to allow for late enrollees. In grades 7-12, decisions will be made on a course-by-course basis.
2. an appropriate racial and class size balance will be maintained in the District's schools.
3. programs will not be moved to another building to accommodate open enrollment students.

Selection Criteria

Priority I	Students who are residents of the District.
Priority II	Students from contiguous Districts who were accepted for interdistrict open enrollment in the past school year and have a valid application submitted according to the District's regulations and previously enrolled joint vocational students.
Priority III	Children of a staff member to follow the parent to work if class size numbers permit the addition.
Priority IV	Students with a valid application submitted according to the District's regulations who are living in the same home or are siblings of a student who has been accepted into the open enrollment program during the past school year.
Priority V	Students who live in a contiguous district who are applying for open enrollment for the first time.
Priority VI	Students who are paying tuition to attend Troy City Schools.

(Applications will be dated when received in the Board Office, and students will be accepted on a first-come, first-serve basis within each Priority.)

Guaranteed Length of Stay

- \*1. .... The open enrollment program only guarantees placement for the current school year.
- \*2. .... Once accepted, no student will be displaced during the school year for which he/she is accepted.
3. Students who participate in the open enrollment program in one year must re-apply if they which to be considered for the following year.

Transportation

Transportation will be provided only within the District, following normal procedures, policies and routes. Transportation from outside the District is the responsibility of the applicant's parents or guardians, and District transportation changes will not occur as a result of open enrollment. Parents are expected to make sure their children arrive at school on time.

Choice of Teacher

Students accepted in the open enrollment plan will be assigned to staff members by the respective building principal.

During the School Year

1. Open enrollment students are expected to attend the school they have chosen for a full school year.
- \*2. Students who move may request permission to complete the year at their original school. Submitting the request does not guarantee approval.

Open Enrollment Records

Students who have applied for interdistrict open enrollment will have the completed application and evidence of notification of parents regarding approval or rejection of that application on file in the Board Office.

Discipline

1. Students suspended and/or expelled for 10 consecutive or more days during the semester of application shall not be eligible to participate in the interdistrict open enrollment program.
2. Students who are accepted into the interdistrict open enrollment plan will abide by the school and District discipline code.
3. Student records, including discipline, will be requested from the resident district.

Academic Requirements for Extracurricular Participation

The Ohio High School Athletic Association by-laws governing athletic eligibility and the District's extracurricular participation rules will be in effect.

The Superintendent or his/her designee may place students at his/her discretion if it is viewed in the best interest of the school, District and/or student. The District is not required to add staff, courses or special education units to accommodate open enrollment students.

Revised: August 14, 2017

## ADMISSION OF STUDENTS FROM NONCHARTERED OR HOME SCHOOLING

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

In making a placement decision, the Superintendent may consider:

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

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

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

Adoption date: June 24, 2002  
Re-adoption date: July 16, 2012  
Re-adoption date: November 18, 2013  
Re-adoption date: September 8, 2014

LEGAL REF.: ORC 3313.535; 3313.537; 3133.5311; 3313.5312; 3313.664; 3321.04  
OAC 3301-34

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





## INTRADISTRICT OPEN ENROLLMENT

### Eligibility

All students in the District who are in grades K-6 are eligible to apply for open enrollment. There will be no limitations on admitting disabled students unless services required in an IEP are not available in the school building to which open enrollment is requested. Certain buildings in the District are designated for handicapped students with specific physical limitations, and those students may need to attend an assigned building.

There will be no requirements of academic, athletic, artistic or extracurricular skills or that the student be proficient in the English language.

### Timeline

- |                      |  |
|----------------------|--|
| April 15 -<br>May 15 | Applications may be picked up at the Board Office or their home building. The completed forms are due back to the Board Office no later than 4:30 p.m. May 15. |
| June 1               | Date by which parents or guardians will be notified whether their May application has been accepted or denied.   |
| August 1-10          | Second review.   |

### Applications

1. Parents interested in participating in the intradistrict open enrollment plan must use the official application of the District and must follow the District's open enrollment timelines and regulations. Parents/Students who move after the May 15 deadline will be permitted to apply for open enrollment.
2. The submission of an application for open enrollment does not guarantee approval.
3. Only one application per student may be submitted for consideration in any school year.
4. There is no guarantee that all students within a family will be approved for open enrollment, since each application will be judged on its own merit.
5. An application is good for one year only. A new application must be completed each school year open enrollment is being requested.
6. Application deadlines will be advertised through media sources and in school newsletters prior to the beginning of the open enrollment period.

### Building Capacity

Legislation permits the Board to establish limits as they relate to grade level educational programs on the buildings involved in the plan. The following criteria will be used:

1. in grades 1-6, open enrollment applications for specific grade levels will be denied when class size is 22 or more in May and when class size is 25 or more in August. Kindergarten class sizes will be restricted to 22 to allow for late enrollees.

2. an appropriate racial and class size balance will be maintained in the District's schools.
3. programs will not be moved to another building to accommodate open enrollment students.

#### Selection Criteria

Priority I	Students who officially reside in their respective attendance area.
Priority II	Troy students who have completed applications on file by May 15 of the year in which open enrollment is requested and who have been accepted through the open enrollment program for the previous year. Siblings of these students will also receive preference over first time applicants.
Priority III	Troy students who have completed applications on file of the year in which open enrollment is requested in accordance with District regulations.
Priority IV	Students who live in contiguous districts and have submitted an application following the guidelines and timeline discussed above.
Priority V	Students who are paying tuition to attend Troy City Schools.

(Applications will be dated when received in the Board Office, and students will be accepted on a first-come, first-serve basis within each Priority.)

#### Guaranteed Length Of Stay

1. The open enrollment program guarantees placement for only the current school year.
2. Once accepted, no student will be displaced during the school year for which he/she is accepted.
3. Students who participate in the open enrollment program in one year must re-apply if they wish to be considered for the following year.

#### Transportation

Transportation for open enrollment students shall be the responsibility of the parent or guardian unless the student can be picked up or dropped off at a designated bus stop on the regular transportation routes when space is available on the bus. Parents are expected to make sure their children arrive at school on time.

#### Choice of Teacher

Students accepted in the open enrollment plan will be assigned to staff members by the respective building principal.

#### During The School Year

1. Open enrollment students are expected to attend the school they have chosen for a full school year.
2. Student who move from their district of residence may request permission to complete the year at their original school. Submitting the request does not guarantee approval.

Open Enrollment Records

Students who have applied for intradistrict open enrollment will have the completed application and evidence of notification of parents regarding approval or rejection of that application on file in the Board Office.

Discipline

1. Students with discipline problems may be rejected for intradistrict open enrollment only if they have been suspended or expelled for 10 consecutive days in the current semester or the immediate preceding semester. The final decision rests with the Superintendent.
2. Students who are accepted into the intradistrict open enrollment plan will abide by the school and District discipline code.
3. All of the student records will be forwarded to the school of attendance, including those related to violations of the discipline code.
4. Students participating in the intradistrict open enrollment plan will not be returned to the official school of residence because of disciplinary concerns. Any discipline matters will be enforced in accordance with the discipline code.

Academic Requirements for Extracurricular Participation

The Ohio High School Athletic Association by-laws governing athletic eligibility and the District's extracurricular participation rules will be in effect.

Revised: March 30, 2015

## ASSIGNMENT OF STUDENTS TO SCHOOLS

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

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

[Adoption date: June 24, 2002]

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

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

## STUDENT CONDUCT ON DISTRICT MANAGED TRANSPORTATION

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

Students will:

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

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

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

Discipline

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

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

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

Adoption date: August 8, 2016

## STUDENT WITHDRAWAL FROM SCHOOL (Loss of Driving Privileges)

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

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

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

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

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

[Adoption date: August 10, 2009]

LEGAL REFS.: Family Educational Rights and Privacy Act; 20 USC 1232g  
ORC 3319.321  
3321.13  
3331.01; 3331.02; 3331.04; 3331.06 through 3331.09  
4507.061

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

**NOTE: This policy is required if boards of education want these provisions of law to apply to their districts.**

**This policy and notices to the registrar of motor vehicles and the county juvenile judge are not required if boards of education do not want these provisions of law to apply to their districts.**



## STUDENT ABSENCES AND EXCUSES

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

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

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

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

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

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

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

Adoption date: April 8, 2019

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

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

## STUDENT ABSENCES AND EXCUSES

### Students Habitually Absent – Loss of Driving Privileges

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

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

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

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

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

## TRUANCY

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

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

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

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

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

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

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

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

1. providing a truancy intervention plan meeting State law requirements for any student who is excessively absent from school;
2. providing counseling for a habitual truant;
3. requesting or requiring a parent having control of a habitual truant to attend parental involvement programs;
4. requesting or requiring a parent of a habitual truant to attend truancy prevention mediation programs;
5. notification to the registrar of motor vehicles or
6. taking appropriate legal action.

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

### Absence Intervention Plan

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

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

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

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

### Filing a Complaint with Juvenile Court

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

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

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

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

Adoption date: December 11, 2017

LEGAL REFS.: ORC 3313.663; 3313.668  
3321.03 through 3321.04; 3321.07 through 3321.09; 3321.19; 3321.191;  
3321.22; 3321.38

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

## STUDENT DISMISSAL PRECAUTIONS

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

[Adoption date: June 24, 2002]

LEGAL REF.: ORC 3313.20

CROSS REF.: JEE, Student Attendance Accounting (Missing and Absent Children)

STUDENT ATTENDANCE ACCOUNTING  
(Missing and Absent Children)

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

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

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

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

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

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



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

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

Adoption date: April 8, 2019

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

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

## RELEASED TIME FOR RELIGIOUS INSTRUCTION

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

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

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

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

Adoption date: December 11, 2017

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

CROSS REFS.: IGAC, Teaching About Religion  
JED, Student Absences and Excuses

## EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

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

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

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

Adoption date: August 10, 2009

Re-adoption date: January 9, 2017

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

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

## PERMANENT EXCLUSION

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

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

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

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

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

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

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

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

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

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

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

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

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

#### Re-admission

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

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

#### Probationary Admission Following Permanent Exclusion

Under State law, a student permanently excluded from school may request probationary admission for 90 days in any public school district.

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

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

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

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

[Adoption date: June 24, 2002]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

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

## STUDENT RIGHTS AND RESPONSIBILITIES

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

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

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

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

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

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

[Adoption date: June 24, 2002]

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

CROSS REFS.: ABC, Student Involvement in Decision Making (Also JFB)  
JFC, Student Conduct  
Student Handbook

Troy City School District, Troy, Ohio

## STUDENT DUE PROCESS RIGHTS

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

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

Due process procedures are:

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

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

[Adoption date: June 24, 2002]

LEGAL REFS.: ORC Chapter 2506  
3313.66; 3313.661; 3313.662  
OAC 3301-35-03(G)(2)(c)

CROSS REFS.: JB, Equal Educational Opportunities  
JFC, all subcodes  
JGD, Student Suspension  
JGE, Student Expulsion



## STUDENT INVOLVEMENT IN DECISION MAKING

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

[Adoption date: December 12, 2005]

LEGAL REF.: OAC 3301-35-03

CROSS REFS.: JF, Student Rights and Responsibilities  
JFC, Student Conduct  
Student Handbook

## STUDENT CONDUCT

(Zero Tolerance)

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

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

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

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

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

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

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

The Student Code of Conduct is made available to students and parents and is posted in a central location within each building.

[Adoption date: July 19, 2010]

LEGAL REFS.: Gun-Free Schools Act; 20 USC 8921  
The Elementary and Secondary Education Act; 20 USC 1221 et. seq.  
Children's Internet Protection Act; (P.L. 106-554, HR 4577, 2000, 114  
Stat 2763)  
ORC 3313.20; 3313.534; 3313.66; 3313.661; 3313.662  
OAC 3301.35.03

CROSS REFS.: ABC Student Involvement in Decision Making (also JFB)  
AC, Nondiscrimination  
EBC, Emergency/Safety Plans  
ECAB, Vandalism  
EDE, Computer/Online Services (Acceptable Use and Internet Safety)  
JFCA, Student Dress Code  
JFCEA, Gangs  
JFCF, Hazing and Bullying (Harassment, Intimidating and Dating Violence)  
JFCJ, Weapons in the Schools  
JFCK, Use of Electronic Communication Equipment by Students  
JG, Student Discipline  
JGA, Corporal Punishment  
JGD, Student Suspension  
JGDA, Emergency Removal of Student  
JGE, Student Expulsion  
Student Handbooks

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

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

## STUDENT DRESS CODE

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

Requirements include the following.

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

[Adoption date: June 24, 2002]

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

CROSS REFS.: JFC, Student Conduct  
JFCEA, Gangs  
Student Handbook

## STUDENT DRESS CODE

Part of the total education of the students is learning to dress appropriately and behave responsibly in a variety of situations. Students are expected to dress in a manner that is appropriate to the school environment and which does not cause a disruption of the educational process. Research has shown a correlation between appearance and behavior, especially in a school setting.

The following guidelines will be used to determine the appropriate standards for dress at school or school-sponsored activities:

1. Parents should closely monitor what their child is wearing to school to ensure that appropriate attire is worn and body parts are adequately covered.
2. Clothing/accessories shall not detract from the learning environment, nor shall clothing provide a safety risk to students.
3. Shorts and skirts should not be inappropriately tight or short and midriffs must not be exposed.
4. Clothing that endorses the use of alcohol, tobacco, and other drugs, or portrays violence, gang membership, or has suggestive language on it, is not permitted.
5. Wearing pants that sit excessively low or are excessively wide is not permitted.
6. Hats and head coverings should be removed upon entering the school building unless they are worn for religious reasons.
7. Violation of this dress code will result in the student being asked to call home for appropriate clothing or the student will be given proper alternative clothing for the day.

(Revised: June 22, 2010)

## CARE OF SCHOOL PROPERTY BY STUDENTS

Consideration will be given to the replacement of stolen equipment and repair or replacement of equipment damaged by burglary, theft or vandalism, providing:

1. The equipment is owned by the Board of Education
2. The equipment is listed on an inventory on file in the proper departmental office:

Educational Technology Center - projectors, screens, record players, tape recorders, radios, PA equipment, computers, etc.

Music Office - musical instruments, etc.

Business Office - business machines, computers, duplicating equipment, etc.

Before purchase is made for replacement, a reasonable lapse of time will be observed after equipment has been reported stolen, so that law enforcement officers may determine the possibility of recovery.

If apparent negligence is associated with the loss of equipment, the Business Office may reject claims for replacement. Where feasible, the name of the school should appear on the equipment.

[Adoption date: June 24, 2002]

## STUDENT CONDUCT ON DISTRICT MANAGED TRANSPORTATION

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

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

The Board authorizes the Superintendent or other administrators to suspend a student from District managed transportation privileges only for a period of up to one school year. The only due process required is notice to the student of an intended suspension from District managed transportation and an opportunity to appear before the Superintendent or other administrator before the suspension is imposed.

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

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

Adoption date: August 10, 2009

Re-adoption date: August 8, 2016

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

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

## STUDENT CONDUCT ON DISTRICT MANAGED TRANSPORTATION

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

Students will:

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

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



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

Discipline

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

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

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

Adoption date: August 8, 2016

SECRET SOCIETIES

No student in the Troy Public Schools shall organize, join or belong to a fraternity, sorority or other like society composed of or made up of students of the public schools.

[Adoption date: June 24, 2002]

## GANGS

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

Incidents involving initiations, hazings, intimidations and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, personal degradation or disgrace resulting in physical or mental harm are prohibited.

The Board directs the administration to establish regulations to ensure that any student wearing, carrying or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership or causing and/or participating in activities which intimidate or affect the attendance of another student is subject to disciplinary action.

To provide increased awareness of the threat to the safety of students, staff and school property which gang-related activity poses, training is provided by security on an as-needed basis. Presentations provide training in current identification symbols used by those involved in gang-related activity and include things such as the identification of hand signals, apparel, jewelry and/or any other pertinent gang-related information.

[Adoption date: June 24, 2002]

LEGAL REFS.: ORC 3313.20; 3313.66; 3313.661

CROSS REFS.: JFC, Student Conduct  
JFCA, Student Dress Code  
JFCF, Hazing  
JGD, Student Suspension  
JGE, Student Expulsion

## HAZING AND BULLYING (Harassment, Intimidation and Dating Violence)

Hazing 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.

Throughout this policy the term bullying is used in place of harassment, intimidation and bullying.

Bullying, harassment and intimidation is an intentional written, verbal, electronic or physical act that a student has exhibited toward another particular student more than once. The intentional act also includes violence within a dating relationship. The behavior 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. This behavior is prohibited on school property, on a school bus or at a school-sponsored activity. Students found responsible for harassment, intimidation or bullying by an electronic act may be suspended.

Permission, consent or assumption of risk by an individual subjected to hazing, bullying and/or dating violence does not lessen the prohibition contained in this policy.

The District includes, within the health curriculum, age-appropriate instruction in dating violence prevention education in grades 7 to 12. This instruction includes recognizing warning signs of dating violence and the characteristics of healthy relationships.

Prohibited activities of any type, including those activities engaged in via computer and/or electronic communications devices or electronic means, are inconsistent with the educational process and are prohibited at all times. The District educates minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

No administrator, teacher or other employee of the District shall encourage, permit, condone or tolerate any hazing and/or bullying activities. No students, including leaders of student organizations, are permitted to plan, encourage or engage in any hazing and/or bullying.

Administrators, teachers and all other District employees are particularly alert to possible conditions, circumstances or events that might include hazing, bullying and/or dating violence. If any of the prohibited behaviors are planned or discovered, involved students are informed by the discovering District employee of the prohibition contained in this policy and are required to end all such activities immediately. All hazing, bullying and/or dating violence incidents are reported immediately to the principal/designee and appropriate discipline is administered.

The Superintendent/designee must provide the Board President with a semiannual written summary of all reported incidents and post the summary on the District's website, to the extent permitted by law.

The administration provides training on the District's hazing and bullying policy to District employees and volunteers who have direct contact with students and by November 30 annually reports to the Ohio Department of Education compliance with this requirement through the consolidated school mandate report. If the District reports noncompliance the Superintendent/designee must provide a written explanation to the Board within 30 days explaining this noncompliance and a written plan of action for accurately and efficiently addressing the problem.

Additional training is provided to elementary employees in violence and substance abuse prevention and positive youth development.

District employees, students and volunteers have qualified civil immunity for damages arising from reporting an incident of hazing and/or bullying. Administrators, teachers, other employees and students who fail to abide by this policy may be subject to disciplinary action and may be liable for civil and criminal penalties in compliance with State and Federal law.

No one is permitted to retaliate against an employee or student because he/she files a grievance or assists or participates in an investigation, proceeding or hearing regarding the charge of hazing and/or bullying of an individual.

Adoption date: December 10, 2018

LEGAL REFS.: Children's Internet Protection Act; 47 USC 254 (h)(5)(b)(iii);  
(P.L. 106-554, HR 4577, 2000, 114 Stat 2763)  
ORC 117.53  
2307.44  
2903.31  
3301.22  
3301.68  
3313.666; 3313.667  
3319.073; 3319.321

CROSS REFS.: AC, Nondiscrimination  
ACA, Nondiscrimination on the Basis of Sex  
ACAA, Sexual Harassment  
EDE, Computer/Online Services (Acceptable Use and Internet Safety)  
IGAE, Health Education  
IIBH, District Websites  
JFC, Student Conduct (Zero Tolerance)  
JFCEA, Gangs  
JFCK, Use of Electronic Communications Equipment by Students  
JG, Student Discipline  
JHG, Reporting Child Abuse  
JO, Student Records  
Student Handbooks

## HAZING AND BULLYING (Harassment, Intimidation and Dating Violence)

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

### School Personnel Responsibilities and Complaint Procedures

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

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

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

6. excluding others from an online group by falsely reporting them for inappropriate language to internet service providers.

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

#### Teachers and Other School Staff

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

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

#### Complaints

1. Formal Complaints

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

2. Informal Complaints

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

3. Anonymous Complaints

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

4. False Complaints

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

Intervention Strategies

1. Teachers and Other School Staff

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

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

2. Administrator Responsibilities

A. Investigation

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

Notwithstanding the foregoing, when a student making an informal complaint has requested anonymity, the investigation of such complaint is limited as is appropriate in view of the anonymity of the complaint. Such limitation of the investigation may



include restricting action to a simple review of the complaint (with or without discussing it with the alleged perpetrator), subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

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

B. Nondisciplinary Interventions

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

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

C. Disciplinary Interventions

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

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

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

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

#### Report to the Custodial Parent or Guardian of the Perpetrator

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

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

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

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

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

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

#### Police and Child Protective Services

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

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

Approval date: December 10, 2018

## TOBACCO USE BY STUDENTS

Health professionals have determined that the use of tobacco products can be detrimental to one's health. The Board wishes to encourage good health practices among the students of this District. Therefore, the Board prohibits the smoking, use or possession of tobacco in any form including, but not limited to, cigarettes, cigars, clove cigarettes, chewing tobacco, snuff, alternative nicotine products, electronic cigarettes and any other forms of tobacco by any student in any area or vehicle under the control of the District or at any activity supervised by any school within the District.

Students and parents are given copies of the standards of conduct and statement of disciplinary sanctions, and notified that compliance with the standards of conduct is mandatory. Disciplinary measures taken against students for violations of this policy comply with the requirements of State law and related District policies.

Adoption date: July 16, 2007  
Re-Adoption date: September 8, 2014

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

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

## ALCOHOL USE BY STUDENTS/STUDENT DRUG ABUSE

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

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

The Board wishes to emphasize the following.

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

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

[Adoption date: June 24, 2002]

LEGAL REFS.: ORC 2925.01; 2925.37  
3313.66; 3313.661  
3719.011; 3719.41

CROSS REFS.: IGAG, Drugs, Alcohol and Tobacco Education  
JHCD, Administering Medicines to Students  
Student Handbooks  
Student Code of Conduct  
Athletic Handbook

## ALCOHOL USE BY STUDENTS/STUDENT DRUG ABUSE

### Junior High School/High School Procedures: Violations of Drug and Alcohol Policy

When a school official has reason to believe that a student is in violation of the drug and alcohol policy, the following actions will be taken:

1. First Offense for a Violation of the Policy Including, But Not Limited To, Possession, Use, Evidence of Use, Storing, Concealing or Evidence Of Use
  - A. The student's parents (or guardian) will be notified by certified mail of this violation; an attempt will be made to contact them by phone.
  - B. A conference will be scheduled with the student and his/her parent(s)/guardian(s) to discuss the disciplinary consequences and rehabilitation option. Also at this conference, the student and his/her parent(s)/guardian(s) will:
    - 1) Be given a copy of the standards of conduct and the statement of disciplinary sanctions required:
    - 2) Be notified that compliance with the standards of conduct is mandatory and
    - 3) Be given information about specific drug and alcohol counseling and rehabilitation and re-entry programs that are available to students.
  - C. The student will be removed from school for the remainder of the day under terms of emergency removal.
  - D. The proper law enforcement agency will be notified.
  - E. The building principal will notify the student assistance coordinator or designee.
  - F. The student will receive 10 Saturday Schools or 10-day suspension.
  - G. If the student and parent(s)/guardian(s)
    - 1) provide documented proof of a subsequent chemical dependency assessment at a professional drug assessment agency
    - 2) agree to follow the specific recommendation outlined in the assessment and
    - 3) agree to have the student participate in a drug prevention program with the student assistance coordinator, the student will need to serve only four of the Saturday Schools or four days of suspension.

2. Second Offense for a Violation of the Policy including, But Not Limited To, Possession, Use, Evidence of Use, Storing, Concealing or Under the Influence (see definitions).
  - A. The student's parents (or guardian) will be notified by certified mail of this violation; an attempt will be made to contact them by phone.
  - B. A conference will be scheduled with the student and his/her parent(s)/guardian(s) to discuss the disciplinary consequences and rehabilitation option. Also at this conference, the student and his/her parent(s)/guardian(s) will:
    - 1) Be given a copy of the standards of conduct and the statement of disciplinary sanctions required;
    - 2) Be notified that compliance with the standards of conduct is mandatory and
    - 3) Be given information about specific drug and alcohol counseling and rehabilitation and re-entry programs that are available to students.
  - C. The student will be removed from school for the remainder of the day under terms of emergency removal.
  - D. The proper law enforcement agency will be notified.
  - E. The building principal will notify the student assistance coordinator or designee.
  - F. The student will be suspended for 10 days in compliance with the student due process procedures and will be recommended for expulsion.
  - G. If the student and parent(s)/guardian(s)
    - 1) Provide documents or proof of a subsequent chemical dependency assessment at a professional drug assessment agency,
    - 2) Agree to follow the specific recommendations outlined in the assessment and
    - 3) Agree to have the student participate in a drug prevention program with the student assistance coordinator, the request for expulsion will be waived and the student will have to serve only the 10-day suspension.
3. Third and Subsequent Offense for a Violation of the Policy Including, But Not Limited To, Possession, Use, Evidence of Use, Storing, Concealing, or Under the Influence (see definitions):
  - A. The student's parent(s) (or guardian) will be notified of the incident by certified mail.

- B. A conference will be scheduled with the student and parent(s) or guardian(s).
  - C. The student will be removed from school for the remainder of the day under terms of emergency removal.
  - D. The proper law enforcement agency will be notified.
  - E. The building principal will notify the student assistance coordinator, who will review treatment options with the student and his/her parents.
  - F. The student will be suspended for 10 days in compliance with the student due process procedures and will be recommended for expulsion.
4. For the Violation of this Policy Including, But Not Limited To, the Selling or Distributing of any Quantities or Possessing any Bulk Amount of Intoxicants, Illegal Drugs, Alcoholic Beverages, Controlled Substances or Counterfeit Controlled Substances.
- A. The student's parents (or guardian) will be notified by certified mail of this violation; an attempt will be made to contact them by phone.
  - B. A conference will be scheduled with the student and his/her parent(s)/guardian(s) to discuss the disciplinary consequences and rehabilitation option. Also at this conference, the student and his/her parent(s)/guardian(s) will:
    - 1) Be given a copy of the standards of conduct and the statement of disciplinary sanctions required:
    - 2) Be notified that compliance with the standards of conduct is mandatory and
    - 3) Be given information about specific drug and alcohol counseling and rehabilitation and re-entry programs that are available to students.
  - C. The student will be removed from school for the remainder of the day under terms of emergency removal.
  - D. The proper law enforcement agency will be notified.
  - E. The building principal will notify the student assistance coordinator or designee.
  - F. The student will be suspended for 10 days in compliance with the student due process procedures and will be recommended for expulsion.



Elementary Schools - Procedures: Violation of Drug and Alcohol Policy

1. First Offense for a Violation of the Policy Including, But Not Limited to, Possession, Use, Evidence of Use, Storing, Concealing, Or Under the Influence (see definitions):
  - A. The student's parents (or guardian) will be notified by certified mail of this violation and an attempt will be made to contact them by phone.
  - B. A conference will be scheduled with the student and his/her parent(s)/guardian(s) to discuss the disciplinary consequences and rehabilitation option. Also at this conference, the student and his/her parent(s)/guardian(s) will:
    - 1) Be given a copy of the standards of conduct and the statement of disciplinary sanctions required:
    - 2) Be notified that compliance with the standards of conduct is mandatory and
    - 3) Be given information about specific drug and alcohol counseling and rehabilitation and re-entry programs that are available to students.
  - C. The student will be removed from school for the remainder of the day under terms of emergency removal.
  - D. The proper law enforcement agency will be notified.
  - E. The building principal will notify the student assistance coordinator or designee.
  - F. The student will receive three days of out-of-school suspension.
  - G. If the student and parent(s) (or guardian) provide proof of a subsequent chemical dependency assessment at a professional drug assessment agency and agree to follow the specific recommendations outlined in the assessment, the student will serve only one day of his/her three-day suspension.
2. Second Offense for a Violation of the Policy Including, But Not Limited To, Possession, Use, Evidence of Use, Storing, Concealing, or Under the Influence (see definitions):
  - A. The student's parents (or guardian) will be notified by certified mail of this violation and an attempt will be made to contact them by phone.
  - B. A conference will be scheduled with the student and his/her parent(s)/guardian(s) to discuss the disciplinary consequences and rehabilitation option. Also at this conference, the student and his/her parent(s)/guardian(s) will:

- 1) Be given a copy of the standards of conduct and the statement of disciplinary sanctions required;
  - 2) Be notified that compliance with the standards of conduct is mandatory and
  - 3) Be given information about specific drug and alcohol counseling and rehabilitation and re-entry programs that are available to students.
- C. The student will be removed from school for the remainder of the day under terms of emergency removal.
- D. The proper law enforcement agency will be notified.
- E. The building principal will notify the student assistance coordinator or designee.
- F. The student will be suspended for 10 days in compliance with the student due process procedures and be recommended for expulsion.
- G. If the student and parent(s)/guardian(s) provide documented proof of a subsequent chemical dependency assessment at a professional drug assessment agency, and agree to follow the specific recommendation outlined in the assessment, the student will serve only five days of his/her ten-day suspension.
3. For the Violation of this Policy Regarding the Selling or Distributing of any Quantities, or Possessing any Bulk Amount of Intoxicants, Illegal Drugs, Alcoholic Beverages, Controlled Substances, or Counterfeit Controlled Substances:
- A. The student's parents (or guardian) will be notified by certified mail of this violation; an attempt will be made to contact them by phone.
  - B. A conference will be scheduled with the student and his/her parent(s)/guardian(s) to discuss consequences and rehabilitation option. Also at this conference, the student and his/her parent(s)/guardian(s) will:
    - 1) Be given a copy of the standards of conduct and the statement of disciplinary sanctions required:
    - 2) Be notified that compliance with the standards of conduct is mandatory and
    - 3) Be given information about specific drug and alcohol counseling and rehabilitation and re-entry programs that are available to students.
  - C. The student will be removed from school for the remainder of the day under terms of emergency removal.

- D. The proper law enforcement agency will be notified.
- E. The building principal will notify the student assistance coordinator or designee.
- F. The student will be suspended for 10 days in compliance with the student due process procedures and will be recommended for expulsion.

### Definitions

Counterfeit or Look-Alike Drugs: A substance which a person implies or states is actually a drug, alcohol, intoxicant, or a controlled substance when, in fact, the substance is a fake or not genuine.

Evidence of Use: This is defined as slurred speech, unstable walking, the smell of alcohol or drugs on one's breath, behaving in an extremely irrational way, extreme nervousness, memory loss, or any behavior which is not normal for that particular person.

Assessment: A drug alcohol assessment is a session conducted by a professional drug and alcohol counselor who is trained in determining whether or not a person has an abuse or dependency.

(Approval date: June 24, 2002)

## WEAPONS IN THE SCHOOLS

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

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

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

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

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

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

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

1. The object is indistinguishable from a firearm, whether or not the object is capable of being fired.
2. The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm.

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

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

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

Adoption date: December 10, 2018

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

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

## USE OF ELECTRONIC COMMUNICATIONS EQUIPMENT BY STUDENTS

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

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

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

Adoption date: April 8, 2019

LEGAL REFS.: ORC 3313.20; 3313.753

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

UNSAFE SCHOOLS  
(Persistently Dangerous Schools)

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

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

A “persistently dangerous” school is defined by State law as a school that has two or more violent criminal offenses in or on school grounds, per 100 students, in each of two consecutive school years. In schools with 300 or fewer students enrolled, six or more violent criminal offenses must occur. Likewise, if a school has 1350 or more students enrolled, 27 or more violent criminal offenses must occur in each of two consecutive school years.

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

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

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

(Adoption date: July 17, 2006)

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

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

## PREGNANT STUDENTS

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

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

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

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

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

Adoption date: June 24, 2002  
Re-adoption date: September 8, 2014

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

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



## **INTERROGATIONS AND SEARCHES**

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

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

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

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

Adoption date: October 9, 2017

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

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

## INTERROGATIONS AND SEARCHES

### Searches of School Property Assigned to a Student

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

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

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

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

1. There should be reasonable suspicion to believe that the search will result in obtaining evidence that indicates the student's violation of the law or school rules.
2. Searches of a student's person are conducted by a member of the same sex as the student.
3. Searches are conducted in the presence of another administrator or staff member.
4. Parents of a minor student who is the subject of a search are notified of the search and are given the reason(s) for the search as soon as feasible after completion of the search.
5. When evidence is uncovered indicating that a student may have violated the law, law enforcement officials shall be notified.
6. Strip searches should be discouraged. A substantially higher degree of certainty (more than a reasonable belief) is required prior to conducting such a search. In cases in which school officials believe a strip search is necessary, law enforcement officials should be called to conduct the search.

### Searches of Unattended Bags by School Personnel

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

### Searches of Student Property by Law Enforcement Officials

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

### Interrogations by Law Enforcement Officials

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

1. The questioning of students by law enforcement agencies is limited to situations where parental consent has been obtained or the school official has made an independent determination that reasonable grounds exist for conducting an interrogation during school hours.
2. Whenever possible, law enforcement officials should contact and/or question students out of school. When it is absolutely necessary for an officer to make a school contact with a student, the school authorities will bring the student to a private room and the contact is made out of the sight of others as much as possible.
3. The school principal must be notified before a student may be questioned in school or taken from a classroom.
4. The administration shall attempt to notify the parent(s) of the student to be interviewed by the law enforcement officials before questioning begins, unless extenuating circumstances dictate that this not be done.
5. To avoid possible criticism, a school official requests to be present when an interrogation takes place within the school.
6. When law enforcement officials remove a student from school, the administration will make an attempt to notify the parent(s).
7. Law enforcement officials should always be notified by the school principal whenever a student is involved in any type of criminal activity. When the principal learns of this involvement, he/she should notify the juvenile officer or detective bureau of the law enforcement agency. The school should not attempt to handle matters that are properly in the realm of a law enforcement agency.

## STUDENT DEMONSTRATIONS AND STRIKES

The Troy Board of Education is committed to uphold the dignity and rights of all students, staff member, parents, and all other members of the community. Toward this end, the Board believes that channels of communication and regulations must be established to insure due and orderly process in bringing about correction and change. The Board is also committed to utilization of normal channels of communication and regulations in response to problems which affect the welfare of the school community. All administrative offices must be open to students, staff, and parents who may wish to discuss policies or practices. The Board does, however, insist upon the maintenance of orderly functioning. The rights and privileges of all must be protected and peaceful ways and means must be sought to settle disagreement. Disruption of the normal school operation must be avoided. The Board of Education will not condone the use of force which endangers the physical welfare of individuals, which blocks traffic or prevents free access to school buildings and rooms, or destroys or damages school property.

The Board further believes that principals must be charged with responsibility of conducting the schools under their supervision as educational institutions. In discharging this assignment, the principals and other administrators shall be supported by the Board of Education. It is imperative that principals and other administrators, to the best of their abilities, be expected to support Board policies and be consistent with best educational practices. Therefore, the following regulation:

Malicious disruption of academic activities, public events, or school programs of any type, is classified as unacceptable behavior and individuals responsible for this unacceptable behavior will be subject to strong disciplinary measures which may include suspension and dismissal from school.

Along with guaranteeing citizens that right to freedom of speech, the First Amendment to the United States Constitution also guarantees the right to assemble peacefully. Along with all other rights guaranteed by the Constitution, the right of individual citizens to assemble peacefully is subject to careful restriction where the exercise of this right would substantially interfere with rights and freedom of other citizens.

An educational system in which a wide latitude of freedom is given to students to assemble peacefully whenever they wished obviously could not function well. On the other hand, an educational system which does not provide adequate time for peaceful assembly of students for the purpose of dealing with relevant ideas and topics is discouraging one of the most fundamental requisites and operations of good citizenship.

The key to distinguishing between use and abuse of the right of students to assemble peacefully, then, lies in balancing the fundamental nature, necessity and usefulness of the freedom itself, with the duty to carry on the educational process without undue disruption. Impromptu or spontaneous assembly of large groups of students called for the specific purpose of disrupting the educational process during regular school hours should be prohibited.

Should such an impromptu or spontaneous assembly occur, students should be dealt with firmly but reasonably. If the assembly is peaceful in nature, school staff members should be willing to invest a reasonable amount of time in peacefully dispersing the assembly, after which any necessary disciplinary action may be taken. If the assembly is riotous in nature, proper authorities should be notified at once and all necessary steps should be taken to quell the riot.

[Adoption date: June 24, 2002]

## STUDENT DISCIPLINE

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

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

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

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

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

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

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

Adoption date: December 10, 2018

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

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

## CORPORAL PUNISHMENT

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

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

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

[Adoption date: July 19, 2010]

LEGAL REFS.: ORC 3313.20  
3319.41

CROSS REFS.: ECAB, Vandalism  
JG, Student Discipline  
Student Code of Conduct  
Student Handbooks



## STUDENT SUSPENSION

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

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

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

The District permits students to complete any classroom assignments missed due to suspension. Students will receive full credit upon completion of any assignment missed due to suspension.

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

1. The student is informed in writing of the potential suspension and the reasons for the proposed action.
2. The student is provided an opportunity for an informal hearing to challenge the reason for the intended suspension and explain his/her actions.
3. An attempt is made to notify the parent(s) by telephone if a suspension is issued.
4. Within one school day, a letter is sent to the parent(s) stating the specific reasons for the suspension and including notice of the right to appeal such action.

5. Notice of this suspension is sent to the:
  - A. Superintendent and
  - B. student's school record (not for inclusion in the permanent record).
6. Permanent Exclusion — If the offense is one for which the District may seek permanent exclusion, the notice contains that information.

#### Appeal Procedure

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

#### Appeal to the Court

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

Adoption date: April 8, 2019

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

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

## EMERGENCY REMOVAL OF STUDENT

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

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

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

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

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

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

Adoption date: December 10, 2018

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

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

## POLICY OF THE TROY CITY SCHOOL DISTRICT GOVERNING THE SUSPENSION OF STUDENTS FROM BUS RIDING PRIVILEGES

The purpose of this policy is to establish the circumstances under which a student may be suspended from bus riding privileges and the procedure to be followed to impose this suspension. This policy does not affect the student discipline code and the same conduct which results in a suspension from bus riding privileges may also result in discipline under the student discipline code.

The principal of each building or other authorized district administrative personnel may suspend a student from bus riding privileges for any violation of the code of student conduct occurring on a school bus or reasonably connected to riding a school bus as well as any of the following conduct:

1. Failure to go directly to an assigned or available seat;
2. Failure to remain seated or keep aisles clear;
3. Disobedience of a direction of the driver or bus aide;
4. Use of profane or obscene language;
5. Eating or drinking on the bus, except for medical reasons;
6. Possession or use of tobacco;
7. Passing or throwing objects into, out of or on the bus;
8. Leaving or boarding a bus at other than an authorized location;
9. Putting head, hands or arms out of bus windows;
10. Making excessive noise;
11. Fighting or any assaultive conduct;
12. Making threatening, intimidating or disrespectful comments or gestures;
13. Failure to remain silent at a railroad crossing;
14. Causing a delay by failing to be at the designated bus stop prior to bus arrival.

Prior to suspension from the bus, the student shall be provided with a Notice of Intended Suspension stating the grounds for the suspension, and an opportunity to appear before the building principal or other authorized district administrative personnel to explain his/her actions.

The principal or other authorized direct administrative personnel may impose a suspension from bus riding privileges for a specific number of days depending upon the severity of the misconduct and the student's prior bus conduct record.

The student's parent or guardian may request in writing that any bus suspension be reviewed by the Superintendent. The Superintendent may meet with the parent, guardian, student, principal or other district employees as he deems appropriate to review the suspension. The Superintendent may reverse, modify or affirm the suspension and his decision shall be final.

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

Adoption date: March 14, 2005

LEGAL REFS.: R.C. 3327.014  
OAC 3301-83-08

## STUDENT EXPULSION

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

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

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

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

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

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

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

### Permanent Exclusion

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



## STUDENT INSURANCE PROGRAM

Students may purchase accident insurance at the beginning of each year through an insurance company that has been approved by the Board of Education. The school assumes no responsibility in the settlement of claims, except to make the blanks available to the insured.

[Adoption date: June 24, 2002]

## STUDENT HEALTH SERVICES AND REQUIREMENTS

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

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

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

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

[Adoption date: June 24, 2002]

[Re-adoption date: August 9, 2004]

[Re-adoption date: July 18, 2011]

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

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



## STUDENT HEALTH SERVICES AND REQUIREMENTS

### Emergency Care Of Common Emergencies

1. A planned, written program relating to common emergencies shall be in every school.
  - A. The “Emergency Care Flip Chart” shall be posted at the building First Aid Station.
  - B. Refer to Troy City Schools Clinic Guidelines located in each building clinic.
2. The teacher shall be responsible for temporary care and limit themselves to acceptable first aid and when necessary, inform the principal of health problems. The principal assumes responsibility when the teacher has notified the office. He/She will contact the nurse or clinic assistant if assistance is needed.
3. In case of accident requiring professional medical attention, an accident form shall be filled out immediately by the teacher in charge at time of accident. The principal is responsible for completion of the accident form; one copy shall be sent to the Board office, one copy shall remain in the student’s medical cumulative folder.
4. Parents should be notified tactfully and immediately of their child’s illness or serious accident.
5. Emergency notification information is on the Emergency Medical Authorization form.
6. For elementary students, a medication form signed by the doctor and parent/guardian is required for ALL medications, prescription and nonprescription. For secondary students (grades 7-12) a medication form signed by the doctor and parent/guardian is required for all prescription medications. For nonprescription medications, a signed note from the parent/guardian is required.
7. Students may carry and use an inhaler to self-administer asthma medication with the written approval of parent and physician.

### Admission and Attendance Regulation

1. Kindergarten Admission
  - A. There shall be a description of past significant diseases on the kindergarten enrollment card.

- B. A child must receive immunization against poliomyelitis (4), DPT (5) (diphtheria, pertussis, tetanus), measles, mumps, rubella and rubeola (2), hepatitis B series (unless exemption form is on file).
- C. A child must receive a physical examination by a physician by the time of admission into kindergarten, using as a guide the School Health Examination Record.
- D. If any of the above conditions are not met, the child is to be excluded from school by the building principal.

2. Transfers

Transfer students will be admitted for 15 days until:

- A. Adequate medical records can be forwarded from past school or a complete School Health Examination Record from a physician can be checked.
- B. In case no record of past immunization or vaccination is available, the transferring student must take treatment for required immunization and vaccination.

All religious groups that object to the attendance and admission policies must follow State Law.

Applicable Portions Of Compulsory Immunization Law

No pupil shall be admitted, at the time of his/her initial entry to each school, to an elementary or high school for which the State Board of Education prescribes minimum standards in accordance with the provisions of Division D of Section 3313.67 of the Revised Code, unless such pupil has presented written evidence, satisfactory to the person in charge of admission that he/she had received or is in the process of receiving immunization against poliomyelitis, diphtheria, pertussis, tetanus, rubella, rubeola and mumps by such means of immunization as may be granted by section 3701.03 of the Revised Code or unless such pupil has presented a written statement of his/her parent or guardian objecting to the immunization of such pupil against poliomyelitis, diphtheria, pertussis, tetanus, rubella, rubeola and mumps for good cause. A pupil who has had natural rubeola and/or natural mumps and presents a signed statement from the pupil's parent or physician is not required to be immunized against those diseases. The provisions of this section shall not limit or impair the right of a board of education of a city, exempted village or local school district to make and enforce rules or regulations to secure vaccination or immunization against poliomyelitis, diphtheria, pertussis, tetanus, rubella, rubeola and mumps of the pupils under its jurisdiction.

3. Attendance

- A. After 10 days per semester of personal illness, the school will request from the parents a physician's written statement in regard to the illness.

Cumulative Health Record

- 1. School health records #ODH 3613.13 will be started at the time of the first official contact between child and school personnel, including enrollment in a pre-kindergarten program or in preparation for entrance into kindergarten. School nurses will maintain these records.
- 2. The health record is a part of the student's permanent school record.

Vision and Hearing Screening Test

- 1. Screening - Vision and Hearing screening will be done by school nurses.
  - A. Nurses will notify parents if need for examination is indicated.
  - B. Physicians' recommendations for special classroom adjustment will be given to teacher.
  - C. The Ohio Department of Health approves screening procedures and referral recommendations.
  - D. The schedule for screening will be approved each year by the Superintendent.
  - E. Screening tests are evaluations. The students not passing the approved standards will be referred for complete examination by specialist.
  - F. If not scheduled for screening, any student will be screened for vision or hearing if requested by parent, teacher or physician. A report will be given to the person making referral.
- 2. Vision - Titmus Vision Machine
  - A. Early detection of vision defects may prevent permanent loss. All students in kindergarten and first grades are given priority on screening schedule.
  - B. The schedule for screening is: K,1,3,5,7,9, new students and referrals, hearing and vision.

3. Hearing - Audiometer

- A. An audiometer is used to check hearing. The schedule for hearing screening is: 1,2,3,5,9, new students and referrals.

Communicable Disease

1. A Communicable Disease Chart of the Ohio Department of Health will be posted at the School First Aid Station - Exclusion Notice.

Public Health Programs

1. All Public Health Programs to be conducted in schools must be approved by the Board and Miami County Medical Society.
2. The Superintendent must approve the nurses' responsibilities in assisting with the program.
3. The Miami County Health Commissioner is Medical Director for the Troy Schools.

School Nurses

1. The nurses will cooperate with parents, school personnel and community agencies for the physical, mental and social health of each student.

Screening Procedures

1. Definition: Screening means a testing procedure whereby a general population is divided into two groups based on the results of the testing procedure. The persons in one sub group meet the established screening criteria and the persons in the other sub group fail to meet the established screening criteria for screening procedures.
2. Population: All students enrolled in kindergarten
3. Materials and Methods:
  - A. The District speech pathologists, with the approval of the Special Education Administrator, will select the screening instrument to be used prior to kindergarten screening.
  - B. A criterion or norm referenced screening test for language and articulation will be administered to all kindergarten students.

- C. Students exhibiting a severe language and/or articulation disorder may be given additional language, phonological, or phonemic awareness screenings.
- D. During the screen the speech pathologist may note fluency, voice and/or pragmatic language problems.
- E. The screening results will be placed in the child's cumulative folder.

Determining Which Children Are Educationally Handicapped by Communication Problem(s)

The following procedures may be used:

1. Norm reference (standardized instruments (i.e., Phonological Awareness Test, Test for Auditory Comprehension of Language).
2. Criterion referenced instruments (i.e., teacher survey).
3. Interviewing techniques.
4. Observation techniques.
5. Norm reference (standardized) Prognostic Evaluation Instruments (i.e., McDonald Deep Screening Test Articulation).
6. Developmental Norms (i.e., Arizona Articulation Proficiency Scale).
7. Personal-Social behavior.
8. Analysis of written expression.

Placement Into Therapy Program: Federal Regulation 34 CFR Section 300.7(c)(11) Speech or language impairment.

Speech or language impairment means a communication disorder, such as stuttering, impaired articulation, a language impairment, or a voice impairment, that adversely affects a child's educational performance.

1. Those children whose speech/language problem adversely affects their educational performance.

Eligibility Procedures

1. The evaluation team chairperson shall ensure that all areas are assessed for students suspected of having a speech or language impairment.

2. A child who meets the definition of speech or language impairment as defined above and as determined through the following procedures shall be eligible for special education and related services:
  - A. Each child has a multifaceted evaluation for initial placement that includes, but is not necessarily limited to, evaluations in the following areas:
    - 1) communication status;
    - 2) hearing and
    - 3) educational functioning.
  - B. The child exhibits one or more of the following disorders, which has an adverse effect upon his/her educational performance:
    - 1) Language impairment - a child is considered to have a language impairment when a significant deviation exists between developmental norms and the child's performance in receptive and/or expressive oral language encompassing the areas of morphology, syntax, semantics, and pragmatics, with or without auditory processing difficulties.
    - 2) Articulation impairment - a child is considered to have an articulation impairment when his/her speech contains consistent misarticulations, additions, substitutions, distortions or omissions of one or more phonemes. The results of a norm-referenced standardized prognostic evaluation instrument must be considered for a child below eight years of age prior to determining eligibility for services.
    - 3) Fluency impairment - a child is considered to have a fluency impairment when the flow of speech is interrupted by repetitions or prolongations of sound, syllable, word or articulatory posture and the disruptions evoke negative reactions from the speaker and/or listener.
    - 4) Voice impairment - a child is considered to have a voice impairment when he/she exhibits difficulties in the area of pitch, quality, and/or loudness not appropriate to the child's age or sex.
  - C. Medical consultation shall be encouraged especially when school personnel believe that there has been a change in the child's behavior or educational functioning, or when new symptoms have been detected.

3. The required reevaluation shall be conducted in accordance with procedures detailed in Planning and Conducting the Reevaluation.

Criteria for Dismissal - Any one of the following or combination of the following:

Criteria is determined by performance as indicated on the IEP.

(Approval date: June 24, 2002)

(Re-approval date: July 18, 2011)

## PHYSICAL EXAMINATIONS OF STUDENTS

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

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

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

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

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

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

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

Adoption date: December 10, 2018

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

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



## IMMUNIZATIONS

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

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

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

Adoption date: July 19, 2010  
Re-adoption date: January 9, 2017

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

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

## COMMUNICABLE DISEASES

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

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

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

[Adoption date: July 17, 2006]

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

CROSS REF.: JEG, Exclusions and Exemptions from School Attendance

HIV/AIDS  
(Human Immunodeficiency Virus/  
Acquired Immune Deficiency Syndrome)

General Principles

The Board recognizes that the human immunodeficiency virus (HIV) and the condition of acquired immune deficiency syndrome (AIDS), which is caused by the HIV infection, are significant medical, legal, educational and social issues. The Board desires to protect the rights of all students and employees and does not discriminate against students and employees who are HIV infected. The Board works cooperatively with state and local health organizations in assessing the needs of HIV-infected students or staff and keeping up-to-date on current educational information to be included in the District's educational plan.

Current medical information available indicates that HIV cannot be transmitted from one individual to another by casual contact, i.e., the type of contact that occurs in the school setting, such as shaking hands, sharing an office or a classroom, coughing, sneezing or sharing drinking fountains. Students who are infected with HIV are entitled to all rights, privileges and services accorded to other students. Decisions about any changes in the educational program of an HIV-infected student shall be made on a case-by-case basis, relying on the best available scientific evidence and medical advice.

There shall be no discrimination against employees who are HIV infected. The District provides equal opportunities for employment, retention and advancement for all staff members. Employees who are unable to perform their duties due to an illness, such as those related to HIV, shall retain eligibility for all benefits that are provided for other employees with long-term diseases or disabling conditions, utilizing the information/rights in any negotiated agreements or Board policies as appropriate. Changes in employment status or location due to HIV complications are made on a case-by-case basis.

Evaluating Students and Staff Who Are Infected with HIV

The Superintendent is the designee regarding all HIV incidences. When an individual is found to be infected with HIV, the Superintendent shall attempt to ascertain, in consultation with the infected individual, whether he/she has a secondary infection such as tuberculosis that constitutes a recognized risk of transmission in the school setting. This is a medical question that can only be determined by the infected person's physician. The Superintendent shall also attempt to determine ways that the District may help anticipate and meet the needs of the student or staff member infected with HIV.

If there is no secondary infection that constitutes a medically recognized risk of transmission in the school setting, the Superintendent shall not alter the education program or job assignment of the infected person. The Superintendent shall periodically review the case with the infected person (and the parent(s) of the student) with the medical advisors described above.

If there is a secondary infection that constitutes a medically recognized risk of transmission in the school setting, the Superintendent shall consult with the physician, public health official and the infected person (and the parent(s) of the student). If necessary, they will develop an individually tailored plan for the student or staff member. Additional persons may be consulted, if this is essential for gaining additional information, with the consent of the infected staff member or the student's parent(s). The Superintendent should consult with the school attorney to make sure that any official action is consistent with Ohio and Federal laws. When the Superintendent makes a decision about the case, there shall be a fair and confidential process for appealing the decision.

If an individually tailored plan is necessary, it shall have a minimal impact on either education or employment. It must be medically, legally, educationally and ethically sound. The Superintendent periodically reviews individual cases and oversees implementation of the plan in accordance with local, Ohio and Federal laws.

### Confidentiality

Information regarding a student or staff member infected with HIV is classified, by law, as confidential. Those individuals who have access to the proceedings, discussions or documents must treat such information as confidential. Only with the written consent of the staff member or the student's parent(s) shall other school personnel, individuals and agencies be informed of the situation/condition. All information pertaining to the case shall be kept by the Superintendent in a locked file; access to this file is granted only to those people who have the written consent of the infected staff member or the infected student's parent(s).

### HIV Education Program

The Board directs the administration regarding HIV. The program should provide a plan for making information about HIV available to students as a part of the health curriculum. HIV education should be developmentally appropriate to the grade level.

The Board directs the administration to develop an educational plan to inform employees about HIV-related issues and safety. In developing such programs, it is expected that information from sources such as the National Centers for Disease Control, the Ohio Department of Health and the Ohio Department of Education is utilized.

The educational program should ensure that, at a minimum, students and staff are informed in a consistent manner about:

1. the nature of HIV infection, including how it is and is not transmitted according to current scientific evidence;
2. District guidelines related to students and employees with diseases such as HIV infection;

3. resources within the District and the surrounding community for obtaining additional information or assistance and
4. procedures to prevent the spread of all communicable diseases at school.

[Adoption date: June 24, 2002]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.  
ORC 3313.67; 3313.68; 3313.71  
3319.13; 3319.141; 3319.321  
3701.13; 3701.14  
3707.06; 3707.08; 3707.20; 3707.21; 3707.26  
3709.20; 3709.21  
OAC 3301-35-02

CROSS REFS.: AC, Nondiscrimination  
ACB, Nondiscrimination on the Basis of Disability  
EBBC, Bloodborne Pathogens  
GBA, Equal Opportunity Employment  
GBE, Staff Health and Safety  
GBL, Personnel Records  
JB, Equal Educational Opportunities  
JO, Student Records  
Staff and Student Handbooks

## ADMINISTERING MEDICINES TO STUDENTS (Version 1)

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

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

### Inhalers for Asthma

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

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

Ephinephrine Autoinjectors

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

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

Diabetes Medication

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

Adoption date: June 24, 2002  
Re-adoption date: July 16, 2007  
Re-adoption date: July 18, 2011  
Re-adoption date: July 13, 2015

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

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

ADMINISTERING MEDICINES TO STUDENTS  
General Regulations

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

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

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

Approval date: June 22, 2010

Re-adopted: July 16, 2012



## ADMINISTERING MEDICINES TO STUDENTS (General Regulations)

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

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

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

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

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

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

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

Revision date: July 13, 2015

ADMINISTERING MEDICINES TO STUDENTS  
(Use of Asthma Inhalers)

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

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

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

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

Adoption date: June 22, 2010  
Re-adoption date: July 16, 2012

**ADMINISTERING MEDICINES TO STUDENTS**  
(Use of Epinephrine Autoinjectors)

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

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

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

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

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

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

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

Adoption date: June 22, 2010

Re-adoption date: July 16, 2012

## STUDENT SAFETY

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

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

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

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

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

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

[Adoption date: July 19, 2010]

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

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

## STUDENT AUTOMOBILE USE

The transportation policies of the Board are aimed at providing a safe, efficient and economical method of getting students to and from school and school-sponsored activities. The Board provides transportation services to students that meet or exceed State law.

The Board recognizes that students might desire to drive their own vehicles to school. Therefore, the Board directs the Superintendent/designee to develop and maintain administrative guidelines to ensure the safety of student drivers, passengers and all other persons on District property.

In compliance with State law, student drivers under the age of 17 years old are not permitted to transport more than one person who is not a family member unless the driver is accompanied by is/her parent, guardian or custodian.

Students are discouraged from transporting other students to and from student activities, events, and programs.

[Adoption date: July 16, 2007]

LEGAL REFS.:       ORC   3327.01; 3327.09;  
                              4507.05; 4507.07

CROSS REFS.:       EFA, Student Transportation Services  
                              EEAE, Student Transportation in Private Vehicles



## REPORTING CHILD ABUSE AND MANDATORY TRAINING

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

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

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

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

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

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

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

Adoption date: April 8, 2019

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

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

## REPORTING CHILD ABUSE

Each school employee is obligated by law to immediately report cases of suspected child neglect and/or abuse.

The suspected abuse can be reported to the local police, the sheriff, both law enforcement agencies or preferably, the Children's Services Bureau (335-4103, fax 339-7533). When neglect or abuse is suspected, the teacher staff member needs:

- \*to obtain and complete the "Report of Suspected Abuse" form.
- \*to call Children's Services Board (CSB)
- \*to fax or to arrange for the fax of the completed form to CSB with the name of the caseworker and time of report on the form after the call is made
- \*to disperse copies of the form to the designated offices

"Immediately" is defined as by the end of the school day on the day that the suspicion arose. It is not permissible to wait until the next school day to report suspected cases of abuse or neglect.

It is better to make a referral about which you are unsure than to let it go unreported. The duty to report attaches to all children under 18 or mentally retarded, developmentally disabled or physically impaired children under the age of 21. Each person who has reason to suspect neglect/abuse of a student must report.

The "Principal's File" copy shall be kept by the building administrator, not become part of the cumulative educational file. The building administrator shall cooperate with CSB until the case is closed. The "Principal's File" copy shall not be forwarded to another person, building or school without the consent of the Director of Pupil Services.

If you feel comfortable talking with the student about what you suspect, please feel free to do that. Student denial that abuse or neglect has been committed, however, does not free you from your reporting obligation. If it is your judgment that there may have been the possibility of abuse or neglect, you must report it within that school day.

Do's and Don'ts when talking with students who you suspect have been abused/neglected:

1. Do not make any type of promise to keep information private. Do be very frank and honest about the limits of confidentiality.
2. Do talk with the student in a private area where no one else will overhear the conversation.

3. Do not tell the student what he/she should be feeling or thinking. Do listen to the student's description of how he/she feels and validate that. Do not ask leading questions which tend to suggest one "right" answer but ask what happened and give the student the opportunity to give you the "true answer" voluntarily.
4. Do remain calm as the student relates specific instances.
5. Do keep in mind that, occasionally, the reporting of abuse and neglect will make things worse for the student. It is more likely, however, that reporting will be beneficial either in terms of help the parents/child directly receive or in terms of the student's acknowledgement that there are adults who care. Do not assume responsibility for fixing the problem/making it worse.
6. Do seek support from others for yourself when dealing with this type of issue.
7. Do not offer the student more support than you can give. Statements such as "call me anytime, day or night" or "I'll be by your side throughout this whole process" are sometimes tempting to make. They are not realistic, however and may only result in the student feeling betrayed by you when you fail to follow through.

(Approval date: June 24, 2002)

(Re-approval date: July 18, 2011)

## NOTIFICATION ABOUT SEX OFFENDERS

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

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

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

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

Adoption date: December 10, 2018

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

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

## STUDENT AWARDS AND SCHOLARSHIPS

1. Establish the Heywood Fund as a grant program by ceasing all loan activity and converting any existing loans for students presently in school into grants
2. Establish the Heywood Fund as a nonexpendable trust fund
3. Establish \$110,000 as the fund principal
4. On an annual basis, disburse interest received in the following manner:

25% of all interest received (rounded to the nearest \$100) would become part of the principal

50% of the remaining interest (rounded to the nearest \$100) would be distributed in \$1,000 grants awarded to qualified students at Commencement.

50% of the remaining interest would be set aside for student requests to be granted in sums of \$500 - \$1,000.

Any received interest remaining and not distributed by the end of the calendar year automatically becomes part of the principal.

The day-to-day administration of the Heywood Fund is to continue as in the past. With respect to the specific provisions of the Will, students would be awarded grants using the high school administration and the established Scholarship Selection Committee as the vehicle for nominating worth candidates to the Superintendent, with final approval being by the Superintendent.

Applications and grants would be submitted to the Superintendent and approved by him/her after investigating and making sure the provisions of the Will are fulfilled.

An annual review of the activity of the Heywood Fund would be reported to the Board of Education by the Treasurer, which would include the principal, interest received and grants disbursed.

[Adoption date: June 24, 2002]

## EMPLOYMENT OF STUDENTS

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

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

### Age and Schooling Certificates (Work Permits)

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

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

### In-School Employment

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

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

[Adoption date: August 10, 2009]

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

CROSS REFS.: IGADA, Work-Experience Opportunities  
JECE, Student Withdrawal from School  
JEG, Exclusions and Exemptions from School Attendance

**NOTE: ORC 3331.04 has identified special conditions in which qualified students over 16 years of age may be issued age and schooling certificates (work permits) after withdrawing from full-time enrollment, yet attending school on a part-time basis in a program approved by the Superintendent or his/her designee.**

## STUDENT GIFTS AND SOLICITATIONS

From time to time, our students will solicit gifts from the community for fund-raising to support their activities. These fund-raising activities must be approved through the purpose and budget statements of the activity. These solicitations must be in a good taste as defined by community standards and meet legal requirements. This policy does not apply to fund-raising sponsored by support groups such as PTOs and booster organizations that function independently of the schools.

[Adoption date: June 24, 2002]

LEGAL REF.: ORC 3313.20

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



## STAFF-STUDENT RELATIONS

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

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

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

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

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

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

### Social Media

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

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

Adoption date: December 10, 2018

LEGAL REF.: ORC 3313.20

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

## **STUDENT FEES, FINES AND CHARGES**

### Materials Fees

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

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

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

### Fines

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

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

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

### Collection of Student Fees and Fines

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

Grades and credits are not made available to any student, graduate or to anyone requesting same on his/her behalf until all fees and fines for that student have been paid in full, except where required by State law. Participation in extracurricular field trips will not be permitted unless payment has been received. Students will be prohibited from participating in commencement exercises unless payment has been received.

### Collection Process

1. The principal will advise parents of fees due at the beginning of the school year.
2. The first week of November, the principal will send a letter from the Treasurer and an invoice to parents of students with outstanding fees and fines.
3. A payment schedule may be arranged at the building level with full payment to be received by June 15.

Adoption date: July 19, 2010  
Re-adoption date: November 18, 2013  
Re-adoption date: August 14, 2017

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

CROSS REFS.: EF/EFB, Food Services management/Free and Reduced-Price Food  
IGCB, Experimental Programs  
IGCD, Educational Options (also LEB)

## STUDENT FEES, FINES AND CHARGES

Students may be charged a classroom fee in compliance with the Ohio Revised Code (ORC). The district has a responsibility to collect unpaid student fees, fines, and/or charges in accordance with the following regulations. In the event a student is unable to pay the established charges, the principal may work out arrangements for payment with the student.

- Individual student fees will be waived in accordance with the ORC; however, only a Central Office administrator can waive fees.
- Students will be charged for the loss or damage of school materials and/or equipment. The district will also request reimbursement for tuition, fees, and the cost of books it has paid for students participating in the Post Secondary Option Program who drop out or do not complete the course for which they are registered. These fines/and or charges will not be waived.
- Lost textbooks and library books will be charged to the student's account at the replacement cost for the book that is lost. If a replacement value cannot be determined then the original cost will be used. If the original cost is not known, then the average book price will be used from the current year School Library Journal.
- If a lost book is found and returned but it has already been replaced by the school district using district funds, then a refund will not be paid to the person returning the lost book.
- Band camp fees will not be waived and must be collected in full prior to participating in the activity.
- Payment must be received for the purchase of Show Choir apparel prior to placing an order for the purchase of the apparel.
- Fees required for an individual or ensemble to participate in any adjudicated contest must be collected prior to the participation in the contest.
- If a benevolent donor makes a donation designated to pay student fees, the payments will be applied to the accounts of students who are on Reduced Lunch status or to the next tier of socioeconomic students above the Reduced Lunch students.

- When a student fee, fine, and/or charge is not paid, a series of four collection letters, the first two from the building principal and the last two from the district's treasurer, will be sent to the parent/guardian requesting payment for unpaid balances.
  - √ The collection letters will be sent immediately following the end of each of the first three grading periods.
  - √ For fees that have been outstanding for over one year and whose balance is greater than \$50.00, the fourth letter in the collection series will advise that the collection may be turned over to a collection agency.
  - √ The music department chair will be asked to work with central office administration to develop a scholarship fund for students who cannot pay the required fees to participate in band camp, show choir, adjudicated music contests, etc.
- Payment of unpaid fees, fines, and/or charges is expected before a student will be permitted to graduate. To assist in collecting these monies the Board authorizes the following privileges/services to be withheld:
  - √ Seniors will not be allowed to participate in graduation ceremonies nor will grades and credits be released.

November 2013

## STUDENT RECORDS

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

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

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

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

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

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

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

The following rights exist:

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

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

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

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

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

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

Other than requests as described above, school officials release information from, or permit access to, a student's education records only with the prior written consent of a parent or eligible student, except that the Superintendent or a person designated in writing by the Superintendent may permit disclosure in certain limited circumstances outlined under administrative regulations (e.g., transfers to another school district or to comply with judicial order or subpoena or where warranted, in a health or safety emergency, etc.).

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

Adoption date: August 9, 2004

Re-adoption date: January 9, 2017

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

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



## STUDENT RECORDS

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

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

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

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

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

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

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

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

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

#### ANNUAL NOTIFICATION

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

The notice includes the:

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

5. the procedure that a student’s parent(s) or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

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

LOCATIONS OF EDUCATION RECORDS  
(Required)

TYPES	LOCATION	CUSTODIAN
<u>Cumulative School Records</u>	Principals’ Offices	Principals
<u>Cumulative School Records</u> (Former Students)	High School Guidance Office	Guidance Counselors
<u>Health Records</u>	Building Nurse	Building Nurse
<u>Speech Therapy Records</u> <u>Psychological Records</u>	Principals’ Offices	Principals
<u>School Transportation</u> <u>Records</u>	School Bus Garage	Director of Pupil Transportation
<u>Special Test Records</u>	Principals’ Offices	Principals

PROCEDURE TO INSPECT EDUCATION RECORDS

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

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

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

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

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

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

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

#### FEEES FOR COPIES OF RECORDS

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

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

1. when the refusal to provide copies effectively denies access to a parent(s) or eligible student;
2. at the request of the parent(s) or eligible student when the District has provided the records to third parties by the prior consent of the parent(s) or eligible student or
3. at the request of the parent(s) or eligible student when the District has forwarded the records to another district in which the student seeks or intends to enroll.

This fee for copies provided under Federal law may not include the costs for search and retrieval. The fee is \$.10 per page (actual copying cost less hardship factor).

The fee for all other copies such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience is \$.10 per page (actual search, retrieval, copying cost and postage, if any).

#### DIRECTORY INFORMATION

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

1. the student's name
2. the student's address
3. telephone number(s)
4. the student's date and place of birth
5. participation in officially recognized activities and sports
6. the student's achievement awards or honors

7. the student's weight and height, if a member of an athletic team
8. major field of study
9. dates of attendance ("from" and "to" dates of enrollment)
10. date of graduation.

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

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

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

#### USE OF STUDENT EDUCATION RECORDS

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

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

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

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

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

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

1. when students seek or intend to enroll in another school district or a postsecondary school. The District makes reasonable attempts to notify the parent or eligible student at their last known address unless the disclosure is initiated by the parent or eligible student or unless the District's annual notification includes notice that the District forwards education records to other education entities that request records in connection with a student's transfer or enrollment. Upon request, the District provides copies of the records and an opportunity for a hearing. (upon the condition that the student's parents be notified of the transfer, receive a copy of the record and have an opportunity for a hearing to challenge the content of the record);
2. when certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the District;
3. when parties who provide, or may provide, financial aid for which a student has applied or received, need the information to:
  - A. establish the student's eligibility for the aid;
  - B. determine the amount of financial aid;
  - C. establish the conditions for the receipt of the financial aid; or
  - D. enforce the agreement between the provider and the receiver of financial aid;
4. if a State law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials;
5. when the District has entered into a written agreement or contract for an organization to conduct studies on the District's behalf to develop tests, administer student aid or improve instruction;
6. when accrediting organizations need those records to carry out their accrediting functions;
7. when parents of eligible students claim the student as a dependent;
8. when it is necessary to comply with a judicial order or lawfully issued subpoena; the District makes a reasonable effort to notify the student's parent(s) or the eligible student before making a disclosure under this provision;

9. if the disclosure is an item of directory information and the student's parent(s) or the eligible student has not refused to allow the District to designate that item as directory information for that student;
10. the disclosure is in connection with a health and safety emergency; and
11. the disclosure concerns sex offenders and other individuals required to register under section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the educational agency or institution under 42 U.S.C. 14071 and applicable federal guidelines; and
12. to an agency caseworker or other representative of a state or local child welfare agency when the agency is legally responsible for the care and protection of the child. Information obtained will not be disclosed by the agency to any other agency or individual, unless they are engaged in addressing the education needs of the child and authorized by the agency to have access and the disclosure is consistent with the State laws applicable to protecting the confidentiality of the student's education records.

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

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

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

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

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

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

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

1. a specification of the records to be released;
2. the reasons for the disclosure;

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

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

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

#### RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

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

The record includes:

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

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

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



## PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

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

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

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

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

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

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

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

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

The request is dated and signed by the requester.

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

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

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

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

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

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

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

1. the District's decision that the records are correct and the basis for the decision;
2. a notice to the requester that he/she has a right to ask for a hearing to present evidence that the records are incorrect and that the District grants such a hearing;
3. advice that the requester may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense and
4. instructions for the requester to contact the Superintendent or his/her designee to discuss acceptable hearing officers, convenient times and a satisfactory site for the hearing. (The District is not bound by the requester's positions on these items but may, as far as feasible, arrange the hearing as the requester wishes.)

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

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

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

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

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

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

Revision date: September 2009  
Revision date: January 2017

## STUDENT SURVEYS

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

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

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

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

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

1. postsecondary institutions or military recruiters;
2. book clubs, magazines and programs providing access to low-cost literary products;

3. curriculum and instructional materials used by K-12 schools;
4. tests and assessments used by grades K-12 to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students, or to generate other statistically useful data for the purpose of securing these tests and assessments, and the subsequent analysis and public release of the aggregate data from these tests and assessments;
5. the sale by students of products or services to raise funds for school or education-related activities or
6. student recognition program.

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

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

[Adopted: September 13, 2004]

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

## POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS (Restraint and Seclusion)

### Positive Behavioral Interventions and Supports (PBIS)

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

### Prohibited Practices

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

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

### Restraint

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

Restraint may be used only:

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

### Seclusion

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

Seclusion may be used only:

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

### Repeated Dangerous Behaviors

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

### Training and Professional Development

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

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

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

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

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

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

### Data and Reporting

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

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

### Monitoring and Complaint Processes

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

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

1. procedure for parents to present complaints to the Superintendent to initiate a complaint investigation by the District regarding incidents of restraint or seclusion and



2. requirement that the District respond to parents in writing within 30 days of the filing of a complaint regarding restraint and seclusion.

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

Adoption date: December 10, 2018

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

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