

Book

Policy Manual

Section

Vol. 42, No. 1 - August 2023

Title

Vol. 42, No. 1 - August 2023 Revised CONFLICT OF INTEREST

Code

po0141.2

Status

From Neola

Adopted

March 25, 2004

Last Revised

November 29, 2018

Revised Bylaw - Vol. 42, No. 1

0141.2 - CONFLICT OF INTEREST

A Board member shall not have any direct or indirect pecuniary interest in a contract with the District; nor shall a Board members/he furnish directly any labor, equipment, or supplies to the District; nor shall a Board members/he be employed by the Board in any capacity for compensation.

In the event a Board member is employed by a corporation, business, political subdivision, or a public or private institution of higher education corporation or business which furnishes goods or services to the School District, the Board member shall declare theirhis/her association with the organization and refrain from debating or voting upon the question of the contract. It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position where a Board member'shis/her interest in the public schools and his/her interest in theirhis/her place of employment might conflict and to avoid appearances of conflict of interest even though such conflict may not exist.

Among the conflicts which law specifically forbids:

- A. the prosecuting attorney or city attorney from serving on the Board of Education;
- B. a Board member from serving as the school dentist, physician, or nurse;
- C. a Board member from being employed for compensation by the Board;
- D. a Board member from having, directly or indirectly, any pecuniary interest in any contract with the Board;
- E. a Board member from accepting a reward, gift, or reduction in price for favoring, recommending, or advocating the introduction, adoption, or use in the school of a textbook, map, chart, or any other school supply;
- F. a Board member, for a period of one (1) year after leaving office, from accepting employment with the Board where such employment was authorized by the Board while a Board members/he was a

member thereof;

- G. a Board member from soliciting or using the authority or influence of the his/her office to secure employment with the Board;
- H. a Board member from voting, deliberating, participating in discussions, or otherwise using the authority or influence of the his/her office to create a position with the School District or to set the compensation for such position where the Board members/he is considering, or is being considered for, employment in that position;
- I. a Board member from having an interest in a contract for the purchase of property, supplies, or fire insurance by any county, township, municipal corporation, board of education, or public institution anywhere in the State of Ohio, if such contract exceeds \$150 unless the contract is let by competitive bidding;
- J. a Board member from being involved in any aspect of the hiring process including, but not limited to, discussing, deliberating, interviewing, or voting on a contract with that person as a teacher or instructor if the Board members/he is related to that person as spouse, father, mother, step-parent, brother, sister, minor child, step-child, grandparent, grandchild, or any other person related by blood or marriage that resides in the same household as the Board member;
- K. a Board member from authorizing or using the authority or influence of office to secure authorization of a public contract in which the Board member, a member of their his/her family, or any of their his/her business associates has an interest;
- L. a Board member from authorizing or using the authority or influence of office to secure the investment of public funds in any share, bond, mortgage, or other security in which the Board member, any member of their his/her family, or any of their his/her business associates have an interest, or receives any brokerage, origination or servicing fees, or is an underwriter;
- M. a Board member from having an interest in the profits or benefits of a public contract entered into by the District with which a Board members/he is connected;
- N. a Board member from using the authority or influence of office to secure anything of value or the promise of anything of value to the Board member, from soliciting or accepting anything of value that is of such a character as to manifest an improper and substantial influence upon the Board member with respect to the Board member's his/her duties.

Board members shall not accept any form of compensation from a vendor or other improper source that is seeking to do business with the District, is doing business with the District, is regulated by or interested in matters before the District. In addition, Board members shall not enter into a contractual arrangement with a vendor seeking to do business with the District, or a vendor with whom the District is doing business, whereby an individual Board member receives compensation in any form for services rendered. Such compensation or things of value are not limited to, cash, check, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a Board member receives such compensation, the Board member shall immediately notify the Treasurer, in writing, that they/he received such compensation and shall thereafter promptly transmit such compensation to the Treasurer.

Nothing herein shall prevent a Board member who attends a conference held by an association of public officials and employees from accepting a meal, or attending a reception or open house, the cost of which is financed by a private party so long as the meal, reception, or open house is: 1) of an ordinary, routine character; 2) at an educational or informational event; and 3) open to all of the public officials and employees attending the event. A Board member is prohibited from improperly using their his/her position to secure the donation of the cost of a meal, reception, or open house at a conference of an association of public officials and employees to which the Board members/he or their his/her Board belongs, while the Board member is simultaneously engaged in governmental business or regulatory activity directly affecting the related interests of the person solicited.

A Board member whose spouse is an employee in the District may not vote, authorize, or use the influence of his/her office to secure approval of an employment contract with the Board member's his/her spouse.

Neither may the Board members/he vote, deliberate, discuss, or otherwise attempt to influence a collectively-bargained, negotiated agreement affecting theirhis/her spouse if the spouse is an officer, executive committee member, or member of the negotiating team or committee of the employee organization or if the agreement includes provisions for health insurance under which said Board member is covered as a benefit of the spouse's employment.

Board members are responsible for knowledge of the ethics law applicable to their public service as an elected official in the State of Ohio. Board members should seek guidance on the application of Ohio's ethics law prior to acting. This policy is an overview, not a complete statement of Ohio's ethics laws.

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Legal

R.C. 102.03(D)(E)(F), 2921.42(A)(3), 2921.44(D-F),

R.C. 2921.02, 3313.13, 3313.33, 3313.70, 3319.21

Ohio Ethics Commission Advisory Opinion No. 2002-02 (6/13/2002)

Last Modified by Robert Britton on September 19, 2023

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Policy Manual

Section

Vol. 42, No. 1 - August 2023

Title

Vol. 42, No. 1 - August 2023 Revised THIRD GRADE READING GUARANTEE

Code

po2623.02

Status

Adopted

December 20, 2012

Last Revised

November 21, 2013

Revised Policy - Vol. 42, No. 1

2623.02 - THIRD GRADE READING GUARANTEE

All students entering the third grade are expected to must demonstrate a certain level of competency in reading before advancing to the fourth grade.

In accordance with State law, the Superintendent shall develop a program for the annual assessment of the reading skills of each student at the end of first, second, and third grade and identify those students who are reading below their grade level. Each student's classroom teacher shall be involved in the assessment and identification of those students who are reading below grade level.

The District shall provide intervention services to students whose assessments show that they are failing to make satisfactory progress toward attaining the academic standards for their grade level.

Definitions

"On track" means any student who is reading at grade level based on previous end-of-year standards expectations by September 30th.

"Not on track" means any student who is not reading at grade level based on previous end-of-year standards expectations by September 30th.

Assessment of Reading Skills Program

- A. Diagnostic assessments in reading, as approved by the Ohio Department of Education and Workforce (DEW)(ODE), shall be given by September 30th of each year for students in kindergarten through Grade Three (3), with the exception of students with significant cognitive disabilities or other disabilities as authorized by the DEWODE on a case-by-case basis. For kindergarten students, prior to July 1, 2014, the kindergarten readiness assessment shall be administered not earlier than four (4) weeks prior to the start of school and not later than September 30th. For kindergarten students, beginning July 1, 2014, the kindergarten readiness assessment shall be administered not earlier than the first day of the school year and not later than November 1st, except the language and readiness skills portion of the assessment shall be administered by September 30th. For students enrolled in first, second, or third grade, the diagnostic assessments in reading shall be administered at least once annually.

The District shall administer each applicable diagnostic assessment to any student who transfers into the District or into a new school within the District who did not take a diagnostic assessment at the previous school during the current school year unless the student is excused from taking the assessment as provided for in the preceding paragraph. The diagnostic assessment(s) shall be administered within thirty (30) days of transfer.

After the administration of any diagnostic assessment, the District shall provide to each student's parent a copy of the student's completed diagnostic assessment, the results of such assessment, and any other accompanying documents used during the administration of the assessment. The preceding documents and information shall be included in any reading improvement and monitoring plan(s) developed with respect to the student. The District shall also submit to the DEWODE the results of the diagnostic assessments administered pursuant to this section.

- B. Diagnostic assessment results shall be translated to DEW'sODE's definitions of "on track" and "not on track". The District shall make the final determination regarding whether a student is "on track" or "not on track".
- C. If the diagnostic assessment shows that a student is "not on track" to be reading at grade level by the end of the year, the parent will be notified, in writing, of the following:
1. that the school has identified the student as having a substantial deficiency in reading
 2. a description of current services provided to the student
 3. a description of proposed supplemental instructional services and supports that will be provided to the student that are designed to remediate the identified areas of reading deficiency
 4. that the statutorily prescribed assessment is not the sole determinant of promotion and that additional evaluations and assessments are available to the student to assist parents and the District in knowing when a student is reading at or above grade level and ready for promotion, and
 5. that the student will be retained in the third grade if the students/he does not attain a score in the statutorily prescribed level on the third grade English Language Arts assessment unless the student is exempt as delineated below, and.

6. a statement that connects the child's proficiency level in reading to long-term outcomes of success related to proficiency in reading

D. For each student identified to be "not on track", the District shall:

1. provide intensive reading instruction intervention services and regular diagnostic assessments immediately following the identification of a reading deficiency until the development of a reading improvement and monitoring plan;

The intervention services shall be aligned with the science of reading as defined under State law and include research-based reading strategies that have been shown to be successful in improving reading among low-performing readers and instruction targeted to the student's identified reading deficiencies.

2. develop a reading improvement and monitoring plan (RIMP) within sixty (60) days of learning of the reading deficiency, which will be provided until the student achieves the required level of skill in reading for the child's current grade level; within sixty (60) days of learning of the reading deficiency;

The District shall involve the student's parent/guardian and classroom teacher in developing the plan.

3. assign a teacher who has at least one (1) year of teaching experience and satisfies one (1) or more of the following criteria:
 - a. holds a reading endorsement and has attained a passing score on the corresponding assessment, as applicable
 - b. has obtained a master's degree with a major in reading
 - c. was rated "most effective" for reading instruction consecutively for the most recent two (2) years based on assessments of student growth measures developed by a vendor and that is on the list of DEW-approved State Board-approved student assessments
 - d. was rated "above expected value added" in reading instruction, as determined by criteria established by the DEWODE, for the most recent consecutive two (2) years
 - e. has earned a passing score on a DEW-approved State Board-approved rigorous test of principles of scientifically research-based reading instruction
 - f. holds an educator license for teaching grades pre-kindergarten through three (3) or four (4) through nine (9) issued on or after July 1, 2017

For a student who enters third grade for the first time on or after July 1, 2013, the District may alternatively assign a teacher with less than one (1) year of teaching experience, provided the teacher meets at least one (1) of the criteria (a-f) set forth above and the teacher is assigned a qualified teacher mentor. The student may receive reading intervention or remediation services from a duly licensed speech-language pathologist.

Additionally, a student who enters third grade for the first time on or after July 1, 2013, but prior to July 1, 2016, may be assigned a teacher who holds an ODE-approved alternative credential or has successfully completed ODE-approved training that is based on principles of scientifically research-based reading instruction.

Finally, nothing in this Policy shall prevent a teacher, other than a student's classroom teacher (i.e., teacher of record), from providing the requisite reading intervention or remediation services to the student, so long as the assigned teacher has at least one (1) year of teaching experience, satisfies at least one (1) of the criteria (a-f) set forth above, and both the classroom teacher and the building Principal agree to the assignment. Such an assignment must be documented in the student's reading improvement and monitoring plan.

Reading Improvement and Monitoring Plan (RIMP)

A reading improvement and monitoring plan will be provided until the student achieves the required level of skill in reading for the student's current grade level. The RIMP reading improvement and monitoring plan developed for students identified as "not on track" shall include:

- A. identification of the student's specific reading deficiency;
- B. a description of proposed supplemental instructional services and support that will be provided to the student to remediate the identified reading deficiencies;
- C. opportunities for the student's parent/guardian to be involved in the instructional services;
- D. a process to monitor the implementation of the student's instructional services;
- E. a reading curriculum during regular school hours that assists students to read at grade level, provides scientifically based and reliable assessments, and provides initial and ongoing analysis of each student's reading progress; and
- F. a statement that if the student does not attain at least the equivalent level of achievement pursuant to R.C. 3301.0710(A), the student may be retained in third grade; and.
- G. high-dosage tutoring opportunities aligned with the student's classroom instruction through a State-approved vendor on the list of high-quality tutoring vendors, or a locally approved opportunity that aligns with high-dosage tutoring best practices. High-dosage tutoring shall include additional instruction time of at least three (3) days per week, or at least fifty (50) hours over thirty-six (36) weeks.

Beginning with the 2024-2025 school year, the District will utilize evidence-based reading intervention programs that focus on intensive, explicit, and systematic instruction in phonetic awareness, phonics, vocabulary, fluency, comprehension, and writing from a list developed by the DEW. The District will not use and will not seek a waiver to sue the three-cuing approach to teach students in grades pre-kindergarten to five (5) who have a RIMP except as permitted by law. Such intervention or remediation services shall include intensive, explicit, systematic instruction, and instruction in phonetics pursuant to rules adopted by the State Board of Education.

Reporting Requirements

All assessment results and determinations shall be compiled and maintained by the District. The District shall comply with all reporting requirements of Ohio's Third Grade Reading Guarantee.

Promotion/Retention

For any student who enters third grade prior to July 1, 2013, and does not attain at least the equivalent level of achievement designated by R.C. 3301.0170(A)(3) on the third-grade reading achievement test, unless the student is excused from taking the assessment pursuant to R.C. 3301.0711(C), the District shall do one of the following:

- A. promote the student to fourth grade if the student's Principal and reading teacher agree that other evaluations of the student's skill in reading demonstrate that the student is academically prepared to be promoted to the fourth grade
- B. promote the student to fourth grade, but provide the student with "intensive" intervention services in fourth grade
- C. retain the student in the third grade

For any student who does not attain by the end of the third grade at least a score in the range designated by statute in the reading test prescribed under R.C. 3301.0710(A)(2)(c), the District shall offer intensive remediation services during the summer following third grade.

NoBeginning with students who enter the third grade in the 2013-2014 school year, no student shall be promoted to the fourth grade who does not attain at least the equivalent level of achievement designated by R.C. 3310.0710(A)(3) on the assessment prescribed to measure skill in English language arts (ELA) expected at the end of third grade unless the student is excused from taking the assessment pursuant to R.C. 3301.0711(C), or one (1) of the following applies:

- A. the student is an English Learnerlimited English proficient student who has been enrolled in United States schools for less than three (3) full school years and has had less than three (3) years of instruction in English as a second language program; or
- B. the student is a child with a disability entitled to special education and related services under R. C. Chapter 3323 and the student's individualized education program (IEP) exempts the student from retention under State law; or
- C. the student demonstrates an acceptable level of performance on an alternative standardized reading assessment as determined by the Ohio Department of Education and Workforce (DEW)(ODE); or
- D. all of the following apply:
 - 1. The student is a child with a disability entitled to special education and related services under R.C. Chapter 3323.
 - 2. The student has taken the third grade English language arts achievement assessment, as prescribed.
 - 3. The student's IEP or Section 504 Plan shows that the student has received intensive remediation in reading for two (2) school years, but still demonstrates a deficiency in reading.
 - 4. The student previously was retained in any of grades kindergarten to three (3).

or
- E. the student received intensive remediation for reading for two (2) school years but still demonstrates a deficiency in reading and was previously retained in any of grades kindergarten to three (3). Any such student shall continue to receive intensive reading instruction in grade four (4). The instruction shall include an altered instructional day that includes specialized diagnostic information and specific research-based reading strategies that have been successful in improving reading among low-performing readers; or
- F. a student's parent or guardian, in consultation with the student's reading teacher and building principal, requests that the student, regardless of if the student is reading at grade level, be promoted to fourth grade. Any such student will continue to receive intensive reading instruction in the same manner as a student retained until the student is able to read at grade level.

A student retained under the provisions of the Third Grade Reading Guarantee and this policy shall be considered for mid-year promotion if that student demonstrates that the students/he is reading at or above grade level, in accordance with the provisions of Policy 5410 - Promotion, Academic Acceleration, Placement, and Retention. Such action shall be considered in consultation with the parent/guardian and the Student Intervention Team and with the concurrence of the building administrator.

Intensive Remediation Services

Remediation services for students on reading improvement and monitoring plans shall be aligned with the science of reading as defined by State law and include research-based reading strategies that have been shown to be successful in improving reading among low-performing readers.

If a student is retained by the Third Grade Reading Guarantee, the student must be provided intense remediation services until the students/he is able to read at grade level. The remediation services must include intense interventions and consist of at least ninety (90) minutes of reading instruction daily.

The District shall provide the option for students to receive reading intervention services from one (1) or more providers other than the District. Both the District and the DEWODE have the authority to screen and approve such providers.

Interventions for students who have been retained may include:

- A. small group instruction;
- B. reduced student-teacher ratios;
- C. more frequent progress monitoring;
- D. tutoring or mentoring;
- E. transition classes containing third and fourth grade students;
- F. summer reading camp; or
- G. extended school day, week, or year.

Intensive remediation services shall be targeted to the student's identified reading deficiency.

Nothing in this policy shall prevent the District from assigning a teacher to teach reading to any student who is an English Learnerlanguage learner and has been in the United States for three (3) years or less, or to a student who has an individualized education program ("IEP"), if that teacher holds a DEWan ODE-approved alternative credential or has successfully completed DEWODE-approved training that is based on principles of scientifically research-based reading instruction.

This policy shall be reviewed and updated periodically as necessary.

A.C. 3301-13, 3301-35

R.C. 3301.079, 0710, .0711, .0714, .0715, 3313.608, 3313.608(D), 3313.6012, 3313.6028

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Legal

A.C. 3301-13, 3301-35

R.C. 3301.079, 0710, .0711, .0714, .0715, 3313.608, 3313.608(D), 3313.6012, 3313.6028

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Section

Vol. 42, No. 1 - August 2023

Title

Vol. 42, No. 1 - August 2023 Revised EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES

Code

po3120.08

Status

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Adopted

March 25, 2004

Last Revised

November 17, 2022

Revised Policy - Vol. 42, No. 1

3120.08 - EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES

The Board of Education may employ professional staff for co-curricular/extra-curricular activities. However, the Board may find it necessary to employ, on a part-time basis, coaches or activity sponsors who are not members of the professional staff. Such part-time employees () may be members of the District's () classified staff () support staff () or individuals from the community or nearby areas [END OF OPTIONS].

The Board authorizes the Superintendent to () recommend candidates for employment by the Board () act for the Board in employing such part-time staff [END OF OPTION].

Pursuant to R.C. 3319.303 and accompanying regulations, an individual who does not hold a valid educator license is required to obtain a Pupil Activity Permit issued by the State Board of Education to serve as a coach or activity sponsor, regardless of whether the activity involves athletics, regular physical activity, or any special health and safety considerations.

To be employed by the Board, each coach or activity sponsor shall hold a valid Pupil Activity Program Permit as required by law, have any other necessary qualifications, have been properly interviewed, and shall sign an employment contract which includes the conditions of employment, compensation arrangements, and contract termination procedures. Such qualifications shall include completion of a sudden cardiac arrest training course approved by the Department of Health, in accordance with R.C. 3319.303. The qualifications shall also include completion of a student mental health training course approved by the Department of Mental Health and Addiction Services. The mental health training course may be combined with or part of another training course. Such training must be completed each time the individual applies for or renews a Pupil Activity Program Permit. An employee must submit a copy of an active Pupil Activity Program Permit to both the Treasurer/CFO and the Superintendent before the Board will pay any compensation.

In accordance with Policy 3120, no staff member, coach, or activity sponsor employed in a position for which licensure or permit is required may be paid until evidence of such appropriate licensure or permit valid for the effective dates of such services has been received by the Superintendent and transmitted to the Treasurer.

[] The Board will not allow any prospective coach or activity sponsor to engage in supervision and/or coaching activities until such time that a valid Pupil Activity Permit for that individual is filed with the District. [END OF OPTION]

Personnel must also pass a background check performed by the Bureau of Criminal Identification and Investigation and the Federal Bureau of Investigation (see Policy 3121).

The Board may renew the contract of any nonlicensed individual, currently employed by the Board for one (1) or more years, without first offering the position held by that individual to employees of the District who

are licensed individuals or advertising the position as available to any qualified licensed individuals who are not currently employed by the Board unless otherwise prohibited by a collective bargaining agreement.

No individual employed by the Board for any co-curricular or extra-curricular activity may accept compensation from any third party or source including, but not limited to, booster, parent, or other District support organizations for the performance of the individual's official duties or as a supplement to their compensation from the Board.

No individual serving as a volunteer for co-curricular/extra-curricular activities may accept compensation from any third party or source including, but not limited to, booster, parent, or other District support organizations for the performance of their official duties as a volunteer on behalf of the Board.

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Legal

A.C. 3301-27-01, Ohio Ethics Commission Advisory Opinion 2008-01

R.C. 3319.303, 3319.36, 3313.53, 3313.539, 3319.39

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Adopted

August 20, 2020

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4120.08 - EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES

The Board of Education may find it necessary to employ, on a part-time basis, coaches or activity sponsors who are not members of the professional staff. Such part-time employees () may be members of the District's () classified staff () support staff () or individuals from the community or nearby areas. **[END OF OPTIONS]**

The Board authorizes the Superintendent to () recommend candidates for employment by the Board () act for the Board in employing such part-time staff. **[END OF OPTION]**

Each coach or activity sponsor shall hold a valid Pupil Activity Program Permit issued by the State Board of Education under R.C. 3319.303(A), have any other necessary qualifications, have been properly interviewed, and shall sign an employment contract which includes the conditions of employment, compensation arrangements, and contract termination procedures. Such qualifications shall include completion of a sudden cardiac arrest training course approved by the Department of Health, in accordance with R.C. 3319.303. The qualifications shall also include completion of a student mental health training course approved by the Department of Mental Health and Addiction Services. The mental health training course may be combined with or part of another training course. Such training must be completed each time the individual applies for or renews a Pupil Activity Program Permit. An employee must submit a copy of an active Pupil Activity Program Permit to both the Treasurer/CFO and the Superintendent before the Board will pay any compensation.

No staff member employed in a position for which licensure or permit is required may be paid until evidence of such appropriate licensure or permit valid for the effective dates of such services has been received by the Superintendent and transmitted to the Treasurer.

[] The Board will not allow any prospective coach or activity sponsor to engage in supervision and/or coaching activities until such time that a valid Pupil Activity Permit for that individual is filed with the District.

Personnel must also pass a background check performed by the Bureau of Criminal Identification and Investigation and the Federal Bureau of Investigation (see Policy 4121).

The Board may renew the contract of any nonlicensed individual, currently employed by the Board for one (1) or more years, without first offering the position held by that individual to employees of the District who are licensed individuals or advertising the position as available to any qualified licensed individuals who are not currently employed by the Board unless otherwise prohibited by a collective bargaining agreement.

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A.C. 3301-27-01, Ohio Ethics Commission Advisory Opinion 2008-01

R.C. 3313.53, 3319.291, 3319.303, 3319.36, 3319.39

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Policy Manual

Section

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Title

Vol. 42, No. 1 - August 2023 Revised INTRA-DISTRICT OPEN ENROLLMENT

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po5113.01

Status

Revised Policy - Vol. 42, No. 1

5113.01 - INTRA-DISTRICT OPEN ENROLLMENT

[x] [OPTION #1]

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

[] [OPTION #2]

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

[END OF OPTIONS]

The following definitions shall apply:

Home School

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

Open Enrollment

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

Home-School Student

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

Nonhome-School Student

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

Program

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

Program Size

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

Racial Balance

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

Racially Isolated Building

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

Maintaining Appropriate Racial Balance

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

[] [OPTION #1]

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

[] [OPTION #2]

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

[END OF OPTIONS]

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

- A. Nondiscrimination on the basis of grade level, including preschool disabled; academic ability; English language proficiency; or any level of artistic, athletic, or extra-curricular skills. A student's application cannot be denied because of disciplinary action in the his/her home school, except for a suspension or expulsion for ten (10) days or more that occurs in the current semester or the semester immediately preceding the application.
- B. Application procedures including the criteria by which applications from non-home-school students shall be reviewed and prioritized. Home-school students shall be given priority over nonhome-school students. Further, a student shall submit an application only if the student/he wishes to attend an alternate school in the District.
- C. Maintenance of appropriate racial balance in District schools, classrooms, and programs.
- D. Communications with applicants and their parents concerning this policy and the District's guidelines, including the timelines for application and notification of acceptance or rejection.
- E. Athletic eligibility shall comply with State regulations and the provisions set forth by the Ohio High School Athletic Association.
- F. Any transportation provided by the District for a nonhome-school student takes place within established bus routes and bus stops within the District.
- G. Set District capacity limits by grade level, school building, and educational program.

The Superintendent shall annually review the level of diversity existing within the District's programs, grades, and/or schools to assess whether the application of this policy has resulted in an adverse effect on

racial balance. As a part of the his/her review, the Superintendent will be responsible for determining whether there is a legal basis for the Board to use the "maintenance of appropriate racial balance" language of R.C. 3313.97(C). Should this review indicate that the racial balance in one (1) or more of the District's programs, grades, and/or schools has been adversely affected, the Superintendent shall consult with legal counsel to determine what, if any, appropriate steps should be taken, including, but not limited to, policy revisions or other actions necessary to comply with State and Federal law.

The Superintendent shall report to the Department of Education and Workforce (DEW) the number of students attending a school in the District that is not the school to which the student would normally be assigned to attend.

[] If an enrollment lottery is utilized for intra-district enrollment, the lottery shall be conducted on the second Monday of June in the year prior to the school year in which students seek intra-district enrollment.

R.C. 3313.97(C)

R.C. 3313.984

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R.C. 3313.97(C)

R.C. 3313.984

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[From Neola](#)

[Adopted](#)

[March 25, 2004](#)

[Last Revised](#)

[April 28, 2016](#)

Revised Policy - Vol. 42, No. 1

5320 - IMMUNIZATION

In order to safeguard the school community from the spread of certain communicable diseases and in recognition that prevention is a means of combating the spread of disease, the Board of Education requires all students to be immunized (or in the process of being immunized) against poliomyelitis, measles (aka rubeola), diphtheria, rubella (German measles), pertussis, tetanus, mumps, and other diseases others legally designated in accordance with State statutes, unless specifically exempt for medical or other reasons (see below). The Board requires that students who start kindergarten during or after the school year beginning in 1999 be immunized against Hepatitis B or be in the process of being immunized. The Board also requires that students who start kindergarten during or after the school year beginning in 2006 be immunized against chicken pox. The Board further requires that students enrolled in grades seven (7) through twelve (12) during or after the school year beginning in 2016 be immunized against meningococcal disease in accordance with the administration procedures prescribed by the Ohio Department of Health (see AG 5320). This policy pertains to both students who currently attend school in the District and those eligible to attend.

"In the process of being immunized" means the student has received at least the first dose of the immunization sequence and presents written evidence to the Superintendent or Principal of each subsequent dosage required to obtain immunization at the intervals prescribed by the Director of Health. Any student previously admitted under the "in process of being immunized" provision who has not complied with the immunization intervals prescribed by the Director of Health shall be excluded from school on the fifteenth (15th) day of the following school year. Any student so excluded shall be readmitted upon showing evidence to the Superintendent or Principal of progress on the Director of Health's interval schedule.

A student does not have to be vaccinated against a disease if any of the following apply:

- A. The student presents a signed statement from a parent, guardian or physician indicating the student has had measles, mumps, or chicken pox and does not need to be immunized.
- B. A physician certifies in writing that immunization from a particular disease is medically contraindicated.
- C. The student presents a written statement signed by a parent or guardian in which the parent or guardian declines to have the student immunized for reasons of conscience, including religious convictions.

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

In the case of a chicken pox epidemic in the school's population, the Superintendent may deny admission to a student otherwise exempted from the chicken pox immunization requirement. The Superintendent shall prescribe methods whereby the academic standing of a student who is denied admission during a chicken pox epidemic is preserved. The denial of admission shall cease when the epidemic no longer exists.

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

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

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

The Board believes that immunization is the primary responsibility of the parent(s). For those students who do not have ready access to private or public health services, immunizations shall be provided at public

expense () and the Board shall apply to the Board of Health and _____ for funding thereof. **[END OF OPTION]**

Any immunization program conducted by this District requires prior approval of the Board and can only extend to those immunizations provided for by statute and the guidelines of this Board.

The Board shall keep an immunization record for each student, available in writing to the student's parent or guardian upon request.

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

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R.C. 3313.67, 3313.671

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Policy Manual

Section

Vol. 42, No. 1 - August 2023

Title

Vol. 42, No. 1 - August 2023 Revised USE OF MEDICATIONS

Code

po5330

Status

From Neola

Adopted

March 25, 2004

Last Revised

November 16, 2017

Revised Policy - Vol. 42, No. 1

5330 - USE OF MEDICATIONS

The Board of Education shall not be responsible for the diagnosis and treatment of student illness. With the exception of diabetes care covered under Policy 5336, the administration of prescribed medication and/or medically-prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, the student would not be able to attend school if the

medication or treatment were not made available during school hours, or if the child is disabled and requires medication to benefit from thehis/her educational program.

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

[] [OPTION #1 (Probably Current Policy)]

Before any medication (i.e., a drug) or treatment may be administered to any student during school hours, the Board shall require a written statement from a licensed health professional authorized to prescribe drugs ("prescriber") accompanied by the written authorization of the parent (see Form 5330 F1, Form 5330 F1a, and Form 5330 F1b). These documents shall be kept on file in the office of the _____ and made available to the persons designated by this policy as authorized to administer medication or treatment. A copy of the parent's written request and authorization and the prescriber's written statement must be given, by the next school day following the District's receipt of the documents, to the person authorized to administer drugs to the student for whom the authorization and statement have been received. No student is allowed to provide or sell any type of over-the-counter medication to another student. Violations of this rule will be considered violations of Policy 5530 - Drug Prevention and of the Student Code of Conduct/Discipline Code.

[END OF OPTION #1]

[] [OPTION #2]

Before any prescribed medication (i.e., a drug) or treatment may be administered to any student during school hours, the Board shall require a written statement from a licensed health professional authorized to prescribe drugs ("prescriber") accompanied by the written authorization of the parent (see Form 5330 F1). Before any nonprescribed medication or treatment may be administered, the Board shall require the prior written consent of the parent along with a waiver of any liability of the District for the administration of the medication (see Form 5330 F1a and Form 5330 F1b). These documents shall be kept in the office of the _____ and made available to the persons designated by this policy as authorized to administer medication or treatment. A copy of the parent's written request and authorization and the prescriber's written statement must be given, by the next school day following the District's receipt of the documents, to the person authorized to administer drugs to the student for whom the authorization and statement have been received. No student is allowed to provide or sell any type of over-the-counter medication to another student. Violations of this rule will be considered violations of Policy 5530 - Drug Prevention and of the Student Code of Conduct/Discipline Code.

[END OF OPTION #2]

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

[] Parents may administer medication or treatment, with the exception of diabetes care covered under Policy 5336 **()** but only in the presence of a designated school employee **[END OF OPTION]**.

[] Additionally, students may administer medication or treatment to themselves, if authorized in writing by their parents and a licensed health professional authorized to prescribe drugs **()** but only in the presence of a designated school employee with the exception of students authorized to attend to their diabetes care and management pursuant to Policy 5336 **[END OF OPTION]**.

However, students shall be permitted to carry and use, as necessary, an asthma inhaler, provided the student has prior written permission from the student'shis/her parent and physician, and has submitted Form 5330 F3 - Authorization for the Possession and Use of Asthma Inhalers/Other Emergency Medication(s) to the principal and any school nurse assigned to the building.

Additionally, students shall be permitted to carry and use, as necessary, an epinephrine autoinjector to treat anaphylaxis, provided the student has prior written approval from the prescriber of the medication and the student's/his/her parent/guardian if the student is a minor, and has submitted written approval (Form 5330 F4 - Authorization for the Possession and Use of Epinephrine Autoinjector (epi-pen)) to the principal and any school nurse assigned to the building. The parent/guardian or the student shall provide a backup dose of the medication to the principal or school nurse. This permission shall extend to any activity, event, or program sponsored by the school or in which the school participates. In the event epinephrine is administered by the student or a school employee at school or at any of the covered events, a school employee shall immediately request assistance from an emergency medical service provider (911). Students with diabetes authorized to attend to their diabetes care and management may do so in accordance with Policy 5336.

Students shall be permitted to possess and self-administer over-the-counter topical sunscreen products while on school property or at a school-sponsored event () provided the student has submitted prior written approval of their/his/her parent/guardian to the principal. (See Form 5330 F1a or Form 5330 F1b) **[END OF OPTION]**

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

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

- A. ☐ principal
- B. ☐ teacher
- C. ☐ school nurse
- D. ☐ building secretary
- E. ☐ aide
- F. ☐ others as designated by student's IEP and/or 504 plan
- G. ☐ _____

[END OF OPTIONS]

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

☐ With the exception of diabetes care covered under Policy 5336, the Board shall permit the administration by a licensed nurse or other authorized staff member of any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a licensed health professional authorized to prescribe drugs and the nurse/staff member has completed any and all necessary training.

☐ Students who may require administration of an emergency medication may have such medication in their possession upon written authorization of their parent(s) or such medication, upon being identified as aforementioned, may be stored in the _____ office and administered in accord with this policy and Policy 5336.

☐ Students who are experiencing an apparent opioid-related drug overdose may be administered Naloxone (Narcan) by the school nurse, or a trained school employee, volunteer, or contractor, to a student or other individual on school grounds in accordance with Board policy and AG 5330.05. Emergency services will be contacted as soon as is practicable. A designated staff member will also promptly notify the student's parent/guardian.

[] All dental disease prevention programs sponsored by the Ohio Department of Health and administered by school employees, parents, volunteers, employees of local health districts, or employees of the Ohio Department of Health which utilize prescription drugs for the prevention of dental disease and which are conducted in accordance with the rules and regulations of the Ohio Department of Health are exempt from all requirements of this policy.

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

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

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Policy Manual

Section

Vol. 42, No. 1 - August 2023

Title

Vol. 42, No. 1 - August 2023 Replacement PROCUREMENT AND USE OF NALOXONE (NARCAN) IN EMERGENCY SITUATIONS

Code

po5330.05

Status

Replacement Policy - Vol. 42, No. 1

5330.05 - PROCUREMENT AND USE OF NALOXONE (NARCAN) IN EMERGENCY SITUATIONS

[DRAFTING NOTE: The issue of opioid abuse is a serious concern for every community and school district in Ohio. With the passage of legislation in 2023 through HB (558), government agencies, including public school boards, are authorized to purchase, possess, distribute, dispense, personally furnish, sell, or otherwise obtain or provide the overdose reversal drug Naloxone, also known by the brand name Narcan. In addition to this authorization, the law also provides additional liability protection for agencies that elect to store and administer Narcan. The law states that if the agency or individual who stores or administers Naloxone does so in good faith, they are not subject to administrative action or criminal prosecution and are not liable in a civil action for injury, death, or loss to person or property for an act or omission that arises from doing the same. The law further declares that a person or government entity is not liable for or subject to damages in civil action, criminal prosecution, or professional disciplinary action for dispensing or personally furnishing Narcan. The liability provisions in the law declare that they are not intended to limit, eliminate, or reduce any other immunity which currently exists. This would include statutory immunity which already provides broad protection for public school districts under chapter 2744 of the revised code.

Neola has drafted policy language structured as a guide for districts that elect to store and train staff or volunteers to administer the drug. It remains NEOLA's recommendation that school districts actively engage in discussions with local law enforcement, emergency response personnel, local medical authorities, and District legal counsel before adopting the policy to fully understand the benefits and risks which might be involved in storing and administering the drug.]

In accordance with State law, the Board of Education shall procure Naloxone, also known by the brand name Narcan, for use in emergency situations. The Board has determined that it is in the best interests of its students and employees to have Naloxone available to be administered, if necessary, by appropriately trained employees, volunteers, or contractors who have been authorized by the Board to administer Naloxone to an individual who is apparently experiencing an opioid-related overdose. Therefore, the Board adopts this policy to govern the handling and administration of Naloxone consistent with the following processes, procedures, and limitations.

Each (x) school () designated building [END OF OPTION] in the District shall have at least two (2) authorized employees, volunteers, or contractors who have been trained in the appropriate use and administration of Naloxone. The training shall be done in a manner that has been approved by the school nurse or other designated medical professional. Only a nurse employed or contracted by the District or an appropriately trained school employee, volunteer, or contractor may possess and administer Naloxone.

Obtaining and Storing Naloxone

The Naloxone will be obtained from a pharmacist or other authorized distributor of the drug. Each (x) school () building [END OF OPTION] in the District shall possess at least one (1) package of Naloxone on site and shall store the drug in accordance with the manufacturer's or distributor's instructions. The drug must remain in its original manufacturer's packaging at all times, and the packaging must contain the manufacturer's instructions for proper use.

The Board will store a written copy of instructions regarding the emergency administration of the drug as well as the District's protocols for responding to a potential overdose in the same location as the drug is stored. The protocols will include a requirement that () emergency services be contacted as soon as practicable after each administration of Naloxone () emergency services be contacted prior to administration of Naloxone () and the police or school resource officer () and at least one (1) other staff member be present before the drug is administered [END OF OPTION].

A dose of Naloxone will be replaced at least (x) every six (6) months () annually or on the expiration date listed by the manufacturer, whichever occurs first [END OF OPTIONS]. It shall be the responsibility of the _____ [insert person or position] to be sure that the supply of Naloxone is maintained at the appropriate level and that the supply of Naloxone has not expired.

Administration of Naloxone

Naloxone is available in a single-dose nasal spray and is designed for nasal administration only. Naloxone may be administered by a school nurse or a trained school employee, volunteer, or contractor to a student or other individual on school grounds who is believed to be experiencing an opioid-related overdose. The _____ [insert person or position] shall be responsible for coordinating the training of District employees to administer the Naloxone and maintaining the list of employees authorized to administer Naloxone.

An opioid-related overdose is a condition including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death that results from the consumption or use of an opioid or another substance with which an opioid was combined. Signs of an overdose include loss of consciousness where a person cannot be woken up, breathing very slowly, making gurgling sounds, or not breathing at all, and lips appearing blue or gray in color. Individuals designated to administer Naloxone will receive training to identify when an individual may be experiencing an opioid-related overdose.

An individual who administers the drug will document the incident on the designated form in accordance with administrative guidelines.

Whenever a school employee, volunteer, or contractor administers Naloxone to a student, the _____ [insert title of employee] shall promptly notify the student's parent/guardian and will encourage the parent or guardian to seek treatment for the student from a substance use disorder services program.

In accordance with Ohio law, the Board, and its members, employees, volunteers, and contractors who act in good faith are not liable in a civil action for damages or subject to prosecution in any criminal proceeding or professional disciplinary action resulting from injuries arising from any acts or omissions associated with

procuring, maintaining, accessing, or using naloxone in emergency situations in accordance with this policy and AG 5330.05.

R.C. 3715.50, 3715.504, 4729.541

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R.C. 3715.50, 3715.504, 4729.541

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Section

Vol. 42, No. 1 - August 2023

Title

Vol. 42, No. 1 - August 2023 New CARE OF STUDENTS WITH ACTIVE SEIZURE DISORDERS

Code

po5337

Status

From Neola

New Policy - Vol. 42, No. 1

5337 - CARE OF STUDENTS WITH ACTIVE SEIZURE DISORDERS

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

The school nurse or another designated employee of the District will create an individualized seizure action plan for each student with an active seizure disorder diagnosis. The plan will be developed in collaboration with a student's parent or guardian and the student, when appropriate. The plan will include the following:

- A. a written request signed by the parent, guardian, or other person having the care or charge of the student to have one (1) or more drugs prescribed for a seizure disorder administered to the student;
- B. a written statement from the student's treating medical practitioner that provides the drug information required by State law and Board policy for each drug prescribed and administered to the student;
- C. any other component required by the State Board of Education.

The term *treating practitioner* means a properly licensed physician, advanced practice registered nurse, or physician's assistant who has primary responsibility for treating a student's seizure disorder and has been identified as such by the student's parent, legal guardian, or other person having care or charge of the student, or if the student is eighteen (18) years of age, by the student.

Individual seizure action plans are only valid for the school year in which they are written and shall be renewed at least annually at the beginning of each school year. A physical copy of the plan will be maintained in the office of the school nurse, or with a building administrator if the District does not employ a full-time nurse.

The school nurse, or the building administrator if the District does not have a school nurse, will provide written notice summarizing the existence and content of the plan to all school employees, contractors, and volunteers who regularly interact with the student, have a legitimate educational interest in the student, are responsible for the direct supervision of the student, or provide transportation to the student to and from school or a school-related activity. The notice and the seizure plan will be maintained confidentially in accordance with Board policy and State law.

The school nurse or a building administrator will coordinate the student's care while at school and school-related activities and will ensure that appropriate staff, contractors, and volunteers who receive notice of the plan are also trained in the care of students with seizures. The nurse or a building administrator will also identify each individual who has received training to administer drugs prescribed for the treatment of seizure disorders.

The Superintendent will designate at least one (1) employee who does not serve as the school nurse for each school building operated by the Board to be trained every two (2) years on the implementation of seizure action plans. The Board will make arrangements for the training, which will include and be consistent with guidelines and best practices established by a nonprofit organization selected by the Department of Education that supports the welfare of individuals with epilepsy and seizure disorders. The training will address all of the following topics:

- A. recognizing the signs and symptoms of a seizure;
- B. the appropriate treatment for a student who exhibits the symptoms of a seizure; and
- C. administering drugs prescribed for seizure disorders in accordance with State law.

The training will not exceed one (1) hour in length and will qualify as a professional development activity for the renewal of an educator license. If the training is provided to the District on portable media by a nonprofit entity, the training shall be provided free of charge.

Additionally, the Board shall require each person it employs as an administrator, guidance counselor, teacher, or bus driver to complete a minimum of one (1) hour of self-study or in-person training on seizure disorders. All employees who are employed as of October 3, 2023 will complete the training within twenty-four (24) months after that date. Thereafter, newly hired employees will complete the training within ninety (90) days. The training will qualify as a professional development activity for the renewal of an educator license.

R.C. 3313.7117

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#####R.C. 3313.7117

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Section

Vol. 42, No. 1 - August 2023

Title

Vol. 42, No. 1 - August 2023 New BOARD OF REVISION COMPLAINTS AND COUNTERCOMPLAINTS

Code

po6240

Status

New Policy - Vol. 42, No. 1

6240 - BOARD OF REVISION COMPLAINTS AND COUNTERCOMPLAINTS

The Board of Education has a responsibility to properly manage the tax revenue it receives from local property taxes. Under State law, the Board has the authority to challenge real estate tax valuations through the Board of Revision in certain circumstances.

Original Complaints

Upon adoption of a resolution by the Board, the Treasurer/CFO, through counsel, shall file original complaints regarding any arm's length sale (☐ commercial only, ☐ commercial or residential) in which the sale price exceeds both the filing threshold as determined by the Tax Commissioner and the Auditor's valuation by at least ten percent (10%), within the time period permitted for sales by law. Each resolution adopted by the Board will identify no more than one (1) parcel of land unless multiple parcels are owned by the same record owner(s).

At least seven (7) calendar days prior to the Board taking action on the resolution, the Treasurer will send a written notice by certified mail to at least one (1) of the parcel owners of record at their last known tax-mailing address, and if different to the street address of the parcel(s), which declares the intent of the Board to consider adoption of the resolution. The notice will also include the date of the meeting at which the Board will consider the resolution and the basis for filing the complaint. If the Treasurer has record of an internet identifier of record associated with at least one (1) owner, the notice may be sent by regular U.S. mail and by that internet identifier of record.

Countercomplaints

☐ [Option #1]

The Board authorizes the Treasurer/CFO, through counsel, to file counter-complaints in response to non-residential complaints that seek reductions in market value of at least \$_____ in true value. **[DRAFTING NOTE: Many board of education limit counterclaims to non-residential property only and do not file countercomplaints against residential properties. Select this option if the board would like to limit countercomplaints to non-residential properties only.]**

☐ [Option #2]

The Board authorizes the Treasurer/CFO, through counsel, to file counter-complaints in response to complaints that seek reductions in market value of at least \$_____ in true value. **[DRAFTING NOTE: A board of education may file a counter-complaint only if the original complaint states an amount of overvaluation, undervaluation, discriminatory valuation, illegal valuation, or incorrect determination of at least seventeen thousand**

five hundred dollars in taxable value. The amount a board of education lists in either option must be greater than this amount.]

[END OF OPTIONS]

Settlement Authority

The Treasurer/CFO shall have the discretion to settle a complaint or counter-complaint via stipulation of value or dismissal of a complaint or counter-complaint. The Treasurer shall provide notice of all settlements to the Board.

Appeals

When permitted by law, the Board may appeal any decision of the BOR, as determined by the Treasurer/CFO, in consultation with Board counsel and notification to the Board.

R.C. 5715.19

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R.C. 5715.19

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Section

Vol. 42, No. 1 - August 2023

Title

Vol. 42, No. 1 - August 2023 Revised FAIR LABOR STANDARDS ACT (FLSA)

Code

po6700

Status

From Neola

Adopted

June 30, 2005

Last Revised

November 17, 2022

Revised Policy - Vol. 42, No. 1

6700 - FAIR LABOR STANDARDS ACT (FLSA)

It is the Board of Education's policy to comply with the provisions of the Fair Labor Standards Act (FLSA) and its implementing regulations. The Board shall pay at least the minimum wage required by the FLSA and Ohio law () and local municipal law/ordinance/regulation [END OF OPTION] to all covered, non-exempt employees unless an employee's individual contract or the terms of an applicable collective bargaining agreement provide for greater benefits than mandated by Federal, State, or local law.

Non-exempt employees are hourly employees or salaried employees who do not qualify for a professional, administrative, executive, computer, or any other exemption under the FLSA.

Non-exempt employees who work (i.e., perform work on behalf of or for the benefit of the Board) more than forty (40) hours during a given work week will receive overtime pay in accordance with the FLSA for all hours worked in excess of forty (40). [CHOOSE ONE (1) OF THE FOLLOWING:] () Work week is defined as a fixed and regularly recurring period of 168 hours (i.e., seven (7) consecutive twenty-four (24) hour periods). () Work week is defined as the seven (7) day period of time beginning on () Sunday at 12:00 a.m. and continuing to the following Saturday at 11:59 p.m. () Monday at 12:00 a.m. and continuing to the following Sunday at 11:59 p.m. [END OF OPTIONS]

The Superintendent shall determine the necessity and availability of overtime work. () Overtime may be authorized only by a supervisor and will be used primarily to address circumstances of an emergency or temporary nature. [END OF OPTION] Non-exempt employees who work overtime without prior approval from the Superintendent or a supervisor may be subject to disciplinary action, up to and including termination.

Exempt employees are individuals who are exempt from the FLSA minimum wage and overtime provisions. These employees include, but are not limited to, persons employed in bona fide executive, administrative, and professional positions, and certain computer employees. To qualify for the exemption, employees generally must meet certain tests regarding their job duties and be paid a minimum per week salary as established by the Department of Labor. The salary requirement does not apply to teachers. Exempt computer employees must also meet a minimum per week or per hour salary established by the Department of Labor. Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. Additionally, the predetermined amount cannot be reduced because of variations in the quality or quantity of the employee's work. Subject to the exceptions listed below, an exempt employee must receive the full salary for any work week in which the employee performs any work, regardless of the number of days or hours worked.

Deductions may be made to an otherwise exempt employee's salary in certain circumstances without jeopardizing the employee's exempt status. Deductions may occur under the following circumstances:

- A. the employee is absent from work for one (1) or more full days for personal reasons other than sickness or disability
- B. the employee is absent from work for one (1) or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness
- C. to offset amounts employees receive as jury or witness fees, or for military pay
- D. for unpaid disciplinary suspensions of one (1) or more full days imposed in good faith for workplace conduct rule infractions
- E. for penalties imposed in good faith for infractions of safety rules of major significance

In addition to the foregoing, exempt employees who accrue personal leave and sick leave may have their pay reduced or may be placed on unpaid leave for absences due to personal reasons of less than one (1) full day when leave is not used by the employee because:

- A. permission to use leave has not been sought or permission has been sought and denied;

- B. the employee's accrued leave has been exhausted;
- C. the employee chooses to use leave without pay.

Deductions from an exempt employee's pay for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

The Board shall also not be required to pay the full salary in the initial or terminal week of employment if the employee does not work the entire week, or for weeks in which an exempt employee takes unpaid leave under the Family & Medical Leave Act.

The Board recognizes that with limited legally permissible exceptions as described, no deductions should be taken from the salaries of exempt employees. If an exempt employee believes that an improper deduction has been made to the exempt employee's salary, the employee should immediately report this information to the () Superintendent, () Business Manager, () _____, [END OF OPTIONS] or the employee's immediate supervisor. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made and the Board will make a good faith commitment to avoid any recurrence of the error.

This policy shall be distributed to employees upon initial hire, to all employees, and on an annual basis.

[DRAFTING NOTE: Job titles do not determine exempt status, nor does receipt of a particular salary. If an employee does not meet all of the applicable criteria for a specific exemption, the employee will be covered by the FLSA and entitled to overtime if the employees/he works more than forty (40) hours in a week, regardless of whether the individual is paid a salary. Under the standard duties test, an employee's primary duty (i.e., principal, main, major, or most important duty) - based on all of the facts in a particular case - must be that of an exempt executive, administrative or professional employee, or an exempt computer employee.]

Executive Exemption: 1) the employee's primary duty must be managing the enterprise in which the employee is employed, or managing a customarily recognized department or subdivision of the enterprise; 2) the employee must customarily and regularly direct the work of at least two (2) or more other full-time employees of their equivalent (for example, one (1) full-time and two half-time employees are equivalent to two full-time employees); 3) the employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion, or any other change of status of other employees must be given particular weight.

Administrative Exemptions: 1) the employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and 2) the employee's primary duty must include the exercise of discretion and independent judgment with respect to matters of significance.

Additionally, academic administrative personnel whose primary duty is performing administrative functions directly related to academic instruction or training in an educational institution, such as principals and vice-principals responsible for the operation of an elementary or secondary school, academic counselors who perform work such as administering school testing programs, assisting students with academic problems, and advising students concerning degree requirements, and others with similar responsibilities, are eligible for a special alternative salary level that does not apply to white collar employees outside of an educational institution. Specifically, these academic administrative personnel are exempt from the FLSA's minimum wage and overtime requirements if they are paid at least as much as the entrance salary for teachers in the District.

Computer employee exemption: 1) the employee must be employed as a computer systems analyst, computer programmer, software engineer, or other similarly skilled worker in the computer field; and 2) the employee's primary duty must consist of: (a) the application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software, or system functional specifications; (b) the design, development, documentation, analysis, creation, testing, or modification of computer systems or programs, including prototype, based on and related to user or system design specifications; (c) the design, documentation, testing, creation or modification of computer programs related to machine operating systems; or (d) a combination of the aforementioned duties, the performance of which requires the same level of skills.]

Reasonable Break Time for Nursing Mothers

As required by Federal law, the District shall take steps necessary to support staff members who decide to breastfeed their infants by providing additional unpaid reasonable break time, as necessary, for an employeea qualified employee to express breast milk for their nursing child, for one (1) year after the child's birth, on District premises.

Prior to returning to work from maternity leave, it shall be the employee's responsibility to notify their supervisor of their intent to continue breastfeeding their infant(s) and of their need to express milk during work hours. Further, it shall be the responsibility of the employee to keep their supervisor informed of their needs in this regard throughout the period of lactation.

The building administrator shall designate a private area, other than a restroom, where an employee can express breast milk. The designated area shall be a space where intrusion from coworkers, students, and the public shall be prevented, and one where an employee who is using this area can be shielded from view. Employees who telework must also be free from observation by any employer-provided video systems, including video or security cameras or web conferencing platforms.

The frequency and duration of breaks needed to express milk may vary. An employee will be responsible for informing the Principal or their supervisor of their needs as they change over time. The Principal or supervisor will work with the employee to adjust the employee's schedule and ensure that any required duties are covered. Employees shall be permitted to express milk during regularly scheduled break periods. The Principal or the employee's supervisor shall make adjustments in the employee's break schedule if the time of the regular breaks needs to be adjusted or if additional and/or longer breaks are needed. In the event that more breaks are needed or the break(s) need to be longer than the time available during a paid break, the additional time required shall be unpaid and the employee's work schedule or work day may be modified accordingly. An employee shall be enabled to express milk during regularly scheduled break periods. The Principal or employee's supervisor shall make an accommodation if the time of regular breaks needs to be adjusted or if additional and/or longer breaks are needed. In the event that more breaks are needed or the break(s) need to be longer than legally required, the additional time required shall be unpaid, and the employee's work schedule or work day shall, therefore, be modified accordingly. The Principal or the employee's supervisor shall work with the employee to make these necessary modifications.

[DRAFTING NOTE: An employer that employs less than fifty (50) employees shall not be subject to the requirements of this subsection if such requirements would impose an undue hardship by causing the employer significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business.]

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29 C.F.R. Part 541

29 U.S.C. 201 et seq.

R.C. Chapter 4111

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po7440

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7440 - FACILITY SECURITY

Buildings constitute the greatest financial investment of the District. It is in the best interest of the Board of Education to protect the District's investment adequately. The buildings and equipment owned by the Board shall be protected from theft and vandalism in order to maintain the optimum conditions for carrying out the educational programs.

The Superintendent shall develop and supervise a program for the security of the District's students, staff, visitors, school buildings, school grounds, and school equipment in compliance with State and Federal laws. Such a program may include the use of video surveillance and electronic monitoring equipment in appropriate public areas in and around the schools and other District facilities and on school buses. The program may also include, but not be limited to:

- A. ☒ identification badges for staff, students, and/or visitors;
- B. ☒ secured entries;
- C. ☐ checkpoint construction;
- D. ☒ lighting specifically designed for entry point security;
- E. ☒ automatic locks and locking devices;
- F. ☒ electronic security systems;
- G. ☐ electronic visitor registration and tracking systems;
- H. ☐ fencing designed to prevent intruder entry into a building;
- I. ☒ bullet-proof or break-resistant glass;
- J. ☒ monitoring devices, including smoke and vape/aerosol monitoring devices, in appropriate public areas in and around the schools and other District facilities.

Every effort shall be made to apprehend those who knowingly cause serious physical harm to students, staff, visitors, and Board property and to require prosecution of those who bring harm to persons and/or property. The Board will seek repair to rectify the damage or payment of a fee to cover repairs. A reward may be offered for apprehending such persons.

☐ Appropriate authorities may be contacted in the case of serious offenses. **[END OF OPTION]**

☐ The Superintendent is authorized to install metal detectors and video surveillance/electronic monitoring equipment on school property in order to protect the health, welfare, and safety of students, staff, visitors, and Board property, and other security devices that would assist in the detection of guns and dangerous weapons ☐ and/or other unauthorized objects (e.g., vape pens and other prohibited equipment/devices):

- A. ☐ in school buildings;
- B. ☐ on District property;
- C. ☐ at Board-sponsored/controlled events.

[END OF OPTIONS]

☐ The Superintendent shall report to the Board, no later than the next regular Board meeting, any significant incident involving vandalism, theft, personal safety, or other security risk and the measures being taken to address the situation.

Staff, students, and visitors who intentionally circumvent, interfere with, or disable security measures, systems, and/or devices may be subject to discipline, up to and including termination of employment for an employee, suspension or expulsion from work or school for a student, and may also face criminal charges.

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A.C. 3301-35-03

R.C. 2909.05, 3313.173, 3313.642

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8120 - VOLUNTEERS

The Board of Education recognizes that certain programs and activities can be enhanced through the use of volunteers who have particular knowledge or skills that will be helpful to members of the professional staff responsible for the conduct of those programs and activities.

The Superintendent shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. The District shall not be obligated to make use of volunteers whose abilities are not in accord with District needs.

Volunteers for Athletic Activities

Volunteers who direct, supervise, or coach a student activity program that involves athletics, routine or regular physical activity, or activities with health and safety considerations may be required to obtain a pupil activity permit issued by the Ohio Department of Education (ODE). As provided in ODE guidance, the District shall determine which staff members need to have a permit. However, in accordance with OHSA General Regulations, coaches, paid and/or volunteer, in grades seven (7) through twelve (12) who do not possess the Pupil Activity Program/Coaching Permit shall not be permitted to coach at any level at an OHSA member school. Such qualifications shall include completion of a sudden cardiac arrest training course approved by the Department of Health, in accordance with R.C. 3319.303. The qualifications shall also include completion of a student mental health training course approved by the Department of Mental Health and Addiction Services. The mental health training course may be combined with or part of another training course. Such training must be completed each time the individual applies for or renews a Pupil Activity Program Permit. Individuals who have applied for a Permit but who have not yet been issued a valid credential shall not be permitted to interact with athletes, even under the supervision of a credentialed coach, until the Pupil Activity Permit number is formally issued.

These volunteers will submit to a background check and take courses as may be required by the Ohio Department of Education.

The cost of obtaining the permit will be **[CHOOSE ONE (1) OF THE OPTIONS]** () at the Board's expense **[OR]** () at the volunteer's expense **[END OF OPTION]**.

General Requirements

The Superintendent is to inform each volunteer that they:

- A. are required to abide by all Board policies and District guidelines while on duty as a volunteer (including, but not limited to, the volunteer's obligation to keep confidential and not release or permit access to any and all student personally identifiable information to which they are exposed except as authorized by law);
- B. will be covered under the District's liability policy but the District can not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers' compensation;
- C. will be asked to sign a form releasing the District of any obligation should the volunteer become ill or receive an injury as a result of their volunteer services;
- D. may not accept compensation from any third party or source including, but not limited to, booster, parent, or other District support organizations for the performance of their official duties as a volunteer on behalf of the Board.

Furthermore, the Superintendent shall inform all volunteers who work or apply to work unsupervised with children on a regular basis of the need to display appropriate behavior at all times, and that

[CHOOSE OPTION #1 OR #2]

[] OPTION #1

they may be required to provide a set of fingerprints at any time so that a criminal records check can be conducted. If a criminal records check is then conducted, it will be done as a condition of continued service as a volunteer and will be at () the Board's **[OR]** () the volunteer's **[END OF OPTION]** expense.

[] [OPTION #2]

they will have to provide a set of fingerprints so that a criminal records check can be conducted () at the Board's expense () and that they will have to pay the costs associated with the criminal records check **[END OF OPTION]** either before they can begin their duties or as a condition of continued service as a volunteer at the discretion of the Board.

[END OF OPTIONS]

If a criminal records check indicates that a volunteer has been convicted of or pleaded guilty to any of the offenses listed below and/or described in R.C. 109.572 (A)(1), **[CHOOSE ONE (1) OF THE OPTIONS BELOW, SEE NOTE]**

() the volunteer will be informed either that the Board is no longer interested in maintaining their volunteer service or that the volunteer will be assigned to duties for which they will not work unsupervised with children.

() the volunteer will be informed that the Board will be notifying the parents of school children that they have been convicted of one (1) of the offenses listed below and/or described in R.C. 109.572 (A)(1). Said notification of parents will identify the volunteer by name and will indicate that the Board has decided to continue to let the volunteer work with school children unsupervised on a regular basis. This notification shall be given to the parents on the date that the Board decides to continue to use the individual as a volunteer or the date when service to school children by the individual commences, whichever is later. **[NOTE: THIS CHOICE IS NOT RECOMMENDED]**

[END OF OPTIONS]

The Superintendent shall inform each volunteer of the District's appreciation for their time and efforts in assisting in the operation of the schools and for their understanding with regard to the need for all volunteers to be subject to possible criminal records check.

Offenses

No person is to be accepted or maintained **[NOTE: THIS SHOULD BE MODIFIED IF SECOND OPTION IN PRECEDING SECTION IS ELECTED]** as a volunteer if they have been convicted of any of the following offenses:

- A. aggravated murder, murder, voluntary manslaughter, involuntary manslaughter
- B. felonious assault, aggravated assault, assault
- C. failing to provide for a functionally impaired person
- D. aggravated menacing
- E. patient abuse or neglect
- F. kidnapping, abduction, child stealing, criminal child enticement
- G. rape, sexual battery, corruption of a minor, gross sexual imposition, sexual imposition, importuning, voyeurism, public indecency, felonious sexual penetration, compelling prostitution, promoting prostitution, procuring prostitution, disseminating matter harmful to juveniles, pandering obscenity, pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, illegal use of a minor in nudity-oriented material or performance
- H. aggravated robbery, robbery
- I. aggravated burglary, burglary
- J. abortion without informed consent
- K. endangering children

- L. contributing to the delinquency of children
- M. domestic violence
- N. carrying concealed weapons, having weapons while under disability, improperly discharging firearm at or into a habitation or school
- O. corrupting another with drugs
- P. trafficking in drugs
- Q. illegal manufacture of drugs or cultivation of marijuana
- R. funding of drug or marijuana trafficking
- S. illegal administration or distribution of anabolic steroids
- T. drug possession offenses (that are not a minor drug possession offense)
- U. placing harmful objects in or adulterating food or confection
- V. ☐ a felony
- W. ☐ an offense of violence
- X. ☐ a theft offense (as defined in R.C. 2913.01)
- Y. ☐ a drug offense (as defined in R.C. 2925.01, that is not a minor misdemeanor)

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A.C. 3301-27-01

R.C. 109.572, 109.574-7, 121.401-2, 3313.203, 3319.321, 3327.16

20 U.S.C. 1232g

34 C.F.R. Part 99

OHSAA Bylaw 6-1-2; General Regulation 4

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Vol. 42, No. 1 - August 2023 Revised SCHOOL CALENDAR

Code

po8210

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8210 - SCHOOL CALENDAR

The Board of Education recognizes that the preparation of a calendar for the instructional program of the schools is necessary for orderly educational planning and for the efficient operation of the District.

The Board shall determine () annually () biannually [END OF OPTION] the total number of hours when the schools will be in session for instructional purposes with students in attendance - including scheduled classes, supervised activities, and approved education options for the upcoming school year(s). When recommending a school calendar to the Board for its consideration and approval, the Superintendent shall analyze and address the factors identified in AG 8210.

At least thirty (30) days prior to adopting a school calendar, the Board shall hold a public hearing on the school calendar addressing topics that include, but are not limited to, the total number of hours in a school year, length of the school day, and beginning and end dates of instruction. "School day" means the time during a calendar day that a school is open for instruction pursuant to the Board-adopted schedule.

When establishing the school calendar, the Board requires that an observance be scheduled each year on or about Veterans Day to convey the meaning and significance of that day to all students and staff. The observance shall be at least one (1) hour or, in schools that schedule class periods of less than one (1) hour, at least one (1) standard class period. The Board will determine the specific activities that constitute the observance in each school in the District after consultation with the school administrators.

While the Superintendent may close schools due to disease, epidemic, hazardous weather conditions, law enforcement emergencies, damage to a school building, utility failure rendering the school building unfit for school use, or inoperability of school buses or other equipment needed for school operations (collectively, "a calamity"), the schools nevertheless must be in session with students in attendance for at least the minimum number of hours required by Ohio law.

The Superintendent is authorized to develop and implement a plan for a virtual education delivery model in order to make up hours in that school year on which it is necessary to close school due to disease, epidemic, hazardous weather conditions, law enforcement emergencies, inoperability of school buses or other equipment necessary to the school's operation, damage to a school building, or other temporary circumstances due to utility failure rendering the school building unfit for use.

Each plan will be designed to ensure a continuity of learning for students during a school closure and will include the following:

- A. a statement that the qualifying school, to the extent possible, will provide for teacher-directed synchronous learning in which the teacher and students are interacting in real-time on a virtual learning platform during the closure;
- B. a description of the District's attendance requirements, including how participation of students be tracked and documented and how the school will reach out to students to ensure engagement during a closure;

- C. a description of how equitable access to quality instruction will be ensured, including for vulnerable populations such as students with disabilities and English Learners;
- D. the process that the District will use to notify staff, students, and parents that the school will be using online delivery of instruction;
- E. information on how teachers may be contacted during the closure, including via email, telephone, and/or the District's designated online platforms;
- F. a description of how the qualifying school will meet the technology-related needs of staff and students for online delivery of instruction.

The maximum number of hours that may be made up in this manner is the number of hours that are equivalent to three (3) school days.

[] The Superintendent is authorized to develop and implement a plan to require students to access and complete classroom lessons posted on the District's web portal or website in order to make up hours in that school year on which it is necessary to close school due to a calamity. The maximum number of hours that may be made up in this manner is the number of hours that are equivalent to three (3) school days.

The plan must include the written consent of the teachers' union and address all of the requirements set forth in R.C. 3313.482. The plan may also include distribution of "blizzard bags" which are paper copies of the lessons posted online. The plan must be approved by the Board by August 1st of each school year.

[] The school calendar and the number of hours of student instruction shall be consistent with the provisions of the collective bargaining agreements entered into between the Board of Education and its employees.

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R.C. 3313.602, 3313.48, 3313.62, 3313.63, 3317.01 (B), 3313.482

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Vol. 42, No. 1 - August 2023 Revised STUDENT RECORDS

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po8330

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8330 - STUDENT RECORDS

In order to provide appropriate educational services and programming, the Board of Education must collect, retain, and use information about individual students. Simultaneously, the Board recognizes the need to safeguard students' privacy and restrict access to students' personally identifiable information.

Student personally identifiable information (PII) includes, but is not limited to: the student's name; the name of the student's parent or other family members; the address of the student or student's family; a personal identifier, such as the student's social security number, student number, or biometric record; other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or information requested by a person who the District reasonably believes knows the identity of the student to whom the education record relates.

The Board is responsible for the records of all students who attend or have attended schools in this District. Only records mandated by the State or Federal government and/or necessary and relevant to the function of the School District or specifically permitted by this Board will be compiled by Board employees.

In all cases, permitted, narrative information in student records shall be objectively-based on the personal observation or knowledge of the originator.

Student records shall be available only to students and their parents, eligible students, designated school officials who have a legitimate educational interest in the information, or other individuals or organizations as permitted by law.

The term 'parents' includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term 'eligible student' refers to a student who is eighteen (18) years of age or older, or a student of any age who is enrolled in a postsecondary institution.

Both parents shall have equal access to student records unless stipulated otherwise by court order or law. In the case of eligible students, parents may be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code.

A school official is a person employed by the Board as an administrator, supervisor, teacher/instructor (including substitutes), or support staff member (including health or medical staff and law enforcement unit personnel); and a person serving on the Board. The Board further designates the following individuals and entities as school officials for the purpose of FERPA:

- A. persons or companies with whom the Board has contracted to perform a specific task (such as an attorney, auditor, insurance representative, or medical consultant); and
- B. contractors, consultants, volunteers, or other parties to whom the Board has outsourced a service or function otherwise performed by the Board employees (e.g. a therapist, authorized information technology (IT) staff, and approved online educational service providers).

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be subject to the requirements of 34 C.F.R. 99.33(a) governing the use and re-disclosure of PII from education records.

Finally, a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing the school official's tasks (including volunteers) is also considered a school official for purposes of FERPA provided the parent or student meets the above-referenced criteria applicable to other outside parties.

Legitimate educational interest is defined as a direct or delegated responsibility for helping the student achieve one (1) or more of the educational goals of the District or if the record is necessary in order for the school official to perform an administrative, supervisory, or instructional task or to perform a service or benefit for the student or the student's family. The Board directs that reasonable and appropriate methods (including, but not limited to, physical and/or technological access controls) are utilized to control access to student records and to make certain that school officials obtain access to only those education records in which they have legitimate educational interest.

The Board authorizes the administration to:

- A. forward student records, including academic records, student assessment data, and disciplinary records including records pertaining to suspensions and expulsions, disciplinary records with respect to suspensions and expulsions, upon request to a private or public school or school district in which a student of this District is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, or alternatively send written notice to the requesting school if there is no record of the student's attendance. Records will be released upon condition that:
 1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; there is no record of the student having attended school in the District or the Board's annual notification - Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
 2. within five (5) school days after receiving the request, either the student records shall be transmitted or a written notice will be provided if there is no record of the student's attendance;
 3. except as when expressly prohibited by law, the District is authorized to withhold grades and credits to enforce payment of outstanding fees and charges, and further, may withhold all of a student's school records if there is \$2,500 or more of outstanding debt attributed to the student, and will only release the records once the debt has been paid;
 4. the parent or eligible student, upon request, receives a copy of the record; and
 5. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;
 - B. forward student records, including disciplinary records including records pertaining with respect to suspensions and expulsions, upon request to a juvenile detention facility in which the student has been placed, or a juvenile court that has taken jurisdiction of the student;
 - C. forward student records, including disciplinary records including records pertaining with respect to suspensions and expulsions, upon request to a public school or school district in which a student in foster care is enrolled;
- Such records shall be transferred within one (1) school day of the enrolling school's request.
- D. provide personally-identifiable information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;

- E. report a crime committed by a child to appropriate authorities, and with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
- F. release de-identified records and information in accordance with Federal regulations;
- G. disclose personally identifiable information from education records, without consent, to organizations conducting studies for, or on behalf of, the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

Information disclosed under this exception must be protected so that students and parents cannot be personally identified by anyone other than a representative of the organization conducting the study, and must be destroyed when no longer needed for the study. In order to release information under this provision, the District will enter into a written agreement with the recipient organization that specifies the purpose of the study. (See Form 8330 F14) Further, the following personally identifiable information will not be disclosed to any entity: a student or the student's family member's social security number(s); religion; political party affiliation; voting history; or biometric information.

[Districts without AGs should include the following paragraph] This written agreement must include: (1) specification of the purpose, scope, duration of the study, and the information to be disclosed; (2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; (3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and (4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

While the disclosure of personally identifiable information (other than social security numbers, religion, political party affiliation, voting record, or biometric information) is allowed under this exception, it is recommended that de-identified information be used whenever possible. This reduces the risk of unauthorized disclosure.

- H. disclose personally identifiable information from education records without consent, to authorized representatives of the Comptroller General, the Attorney General, and the Secretary of Education, as well as State and local educational authorities;

The disclosed records must be used to audit or evaluate a Federal or State-supported education program or to enforce or comply with Federal requirements related to those education programs. A written agreement between the parties is required under this exception. (See Form 8330 F16)

[Option A - the following sentence should be selected by districts with AGs] The District will verify that the authorized representative complies with FERPA regulations.

[Option B - the following two (2) paragraphs should be selected by districts without AGs] This written agreement must include: (1) designation of the receiving entity as an authorized representative; (2) specification of the information to be disclosed; (3) specification that the purpose of the disclosure is to carry out an audit or evaluation of a government-supported educational program or to enforce or comply with the program's legal requirements; (4) a summary of the activity that includes a description of methodology and an explanation of why personally identifiable information is necessary to accomplish the activity; (5) a statement requiring the organization to destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed; and (6) a statement of policies and procedures that will protect personally identifiable information from further disclosure or unauthorized use.

Under the audit exception, the District will use reasonable methods to verify that the authorized representative complies with FERPA regulations. Specifically, the District will verify, to the greatest extent practical, that the personally identifiable information is used only for the audit, evaluation, or enforcement of a government-supported educational program. The District will also ascertain the legitimacy of the audit or evaluation and will only disclose the specific records that the authorized

representative needs. Further, the District will require the authorized representative to use the records only for the specified purpose and not to disclose the information any further, such as for another audit or evaluation. Finally, the District will verify that the information is destroyed when no longer needed for the audit, evaluation, or compliance activity.

- I. request each person or party requesting access to a student's record to abide by Federal regulations and State laws concerning the disclosure of information.

The Board will comply with a legitimate request for access to a student's records within a reasonable period of time but not more than forty-five (45) days after receiving the request or within such shorter period as may be applicable to students with disabilities. Upon the request of the viewer, a record shall be reproduced unless said record is copyrighted or otherwise restricted, and the viewer may be charged a fee equivalent to the cost of handling and reproduction. Based upon reasonable requests, viewers of education records will receive explanation and interpretation of the records.

The Board shall maintain a record of each request for access and each disclosure of personally identifiable information. Such disclosure records will indicate the student, person viewing the record, their legitimate interest in the information, information disclosed, date of disclosure, and date parental/eligible student consent was obtained (if required).

Only directory information regarding a student shall be released to any person or party, other than the student or the student's parent, without the written consent of the parent or, if the student is an eligible student, without the written consent of the student, except to those persons or parties stipulated by the Board's policy and administrative guidelines and/or those specified in the law.

DIRECTORY INFORMATION

Each year, the Superintendent shall provide public notice to students and their parents of the District's intent to make available, upon request, certain information known as directory information. The Board designates as student directory information: a student's name; address; telephone number; date and place of birth; major field of study; participation in officially-recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; date of graduation; and/or awards received.

[The following option should be selected if the Board assigns school email accounts to students per Policy 7540.03. *This option is provided to address potential confidentiality issues presented by Policy 7540.03 and is supported by Federal FERPA regulation 34 C.F.R. 99.37(d). R.C. 3319.321, however, does not identify student email addresses as directory information.]

[] The Board designates school-assigned e-mail accounts as directory information for the limited purpose of facilitating students' registration for access to various online educational services, including mobile applications/apps that will be utilized by the student for educational purposes () and for inclusion in internal e-mail address books.

School-assigned e-mail accounts shall not be released as directory information beyond this/these limited purpose(s) and to any person or entity but the specific online educational service provider () and internal users of the District's Education Technology **[END OF OPTION]**.

Directory information shall not be provided to any organization for profit-making purposes.

Parents and eligible students may refuse to allow the Board to disclose any or all of such directory information upon written notification to the Board within _____ () days after receipt of the Superintendent's annual public notice.

In accordance with Federal and State law, the Board shall release the names, addresses, District-assigned e-mail addresses (if available), and telephone listings of secondary students to a recruiting officer for any branch of the United States Armed Forces or an institution of higher education who requests such information. A secondary school student or parent of the student may request in writing that the student's name, address, District-assigned e-mail address (if available), and telephone listing not be released without prior consent of the parent(s)/eligible student. The recruiting officer is to sign a form indicating that any information received by the recruiting officer shall be used solely for the purpose of informing students about military service and shall not be released to any person other than individuals within the recruiting

services of the Armed Forces. The Superintendent is authorized to charge mailing fees for providing this information to a recruiting officer.

Whenever consent of the parent(s)/eligible student is required for the inspection and/or release of a student's health or education records or for the release of directory information, either parent may provide such consent unless agreed to otherwise in writing by both parents or specifically stated by court order. If the student is under the guardianship of an institution, the Superintendent shall appoint a person who has no conflicting interest to provide such written consent.

The Board may disclose directory information of former students, without student or parental consent, unless the parent or eligible student previously submitted a request that such information not be disclosed without their prior written consent.

The Board shall not permit the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing that information to others for that purpose).

INSPECTION OF INFORMATION COLLECTION INSTRUMENT

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student's or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible student must submit a written request to the building principal at least _____ (____) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within _____ (____) business days of the principal receiving the request.

The Superintendent shall directly notify the parent(s) of a student and eligible students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

This section does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:

- A. college or other postsecondary education recruitment, or military recruitment
- B. book clubs, magazines, and programs providing access to low-cost literary products
- C. curriculum and instructional materials used by elementary and secondary schools
- D. tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
- E. the sale by students of products or services to raise funds for school-related or education-related activities
- F. student recognition programs

The Superintendent is directed to prepare administrative guidelines so that students and parents are adequately informed each year regarding their rights to:

- A. inspect and review the student's education records;

- B. request amendments if the parent believes the record is inaccurate, misleading, or violates the student's privacy rights;
- C. consent to disclosures of personally identifiable information contained in the student's education records, except to those disclosures allowed by the law;
- D. challenge Board noncompliance with a parent's request to amend the records through a hearing;
- E. file a complaint with the United States Department of Education;
- F. obtain a copy of the Board's policy and administrative guidelines on student records.

The Superintendent shall also develop procedural guidelines for:

- A. the proper storage and retention of records including a list of the type and location of records;
- B. informing Board employees of the Federal and State laws concerning student records.

The Board authorizes the use of the microfilm process or electromagnetic processes of reproduction for the recording, filing, maintaining, and preserving of records.

No liability shall attach to any member, officer, or employee of this Board as a consequence of permitting access or furnishing student records in accordance with this policy and regulations.

Any entity receiving personally identifiable information pursuant to a study, audit, evaluation, or enforcement/compliance activity must comply with all FERPA regulations. Further, such an entity must enter into a written contract with the Board of Education delineating its responsibilities in safeguarding the disclosed information. Specifically, the entity must demonstrate the existence of a sound data security plan or data stewardship program, and must also provide assurances that the personally identifiable information will not be redisclosed without prior authorization from the Board. Further, the entity conducting the study, audit, evaluation, or enforcement/compliance activity is required to destroy the disclosed information once it is no longer needed or when the timeframe for the activity has ended, as specified in its written agreement with the Board of Education. See Form 8330 F14 and Form 8330 F16 for additional contract requirements.

SAFE AT HOME/ADDRESS CONFIDENTIALITY PROGRAM

If a parent (or adult student) presents to the District a valid program authorization card issued by the Secretary of State certifying that the parent (or adult student), the parent's child, or a member of the parent's household is a participant in the Safe at Home/Address Confidentiality Program, the Board shall refrain from including the student's actual/confidential residential address in any student records or files (including electronic records and files) or disclosing the student's actual/confidential residential address when releasing student records. Since student records are available to non-custodial parents, designated school officials who have a legitimate educational interest in the information, and other individuals or organizations as permitted by law (including the public in some situations), the Board shall only list the address designated by the Secretary of State to serve as the student's address in any student records or files, including electronic records and files. Further, the Board shall use the student's designated address for any and all communications and correspondence between the Board and the parent(s) of the student (or adult student). The student's actual/confidential residential address shall be maintained in a separate confidential file that is not accessible to the public or any employees without a legitimate purpose.

Although the student's actual/confidential address will not be available for release as directory information, the parent (or adult student) may also request that the student's name and telephone number be withheld from any release of directory information. Additionally, if applicable, the student's parent's school, institution of higher education, business, or place of employment (as specified on an application to be a program participant or on a notice of change of name or address) shall be maintained in a confidential manner.

If a non-custodial parent presents a subpoena or court order stating that the non-custodial parent should be provided with copies or access to a student's records, the District will redact the student's confidential

address and telephone number from the student's records before complying with the order or subpoena. The District will also notify the custodial/residential parent of the release of student records in accordance with the order or subpoena.

The intentional disclosure of a student's actual/confidential residential address is prohibited. Any violations could result in disciplinary action or criminal prosecution.

R.C. 9.01, 111.41, 111.42, 111.43, 111.46, 111.47, 111.99

R.C. 149.41, 149.43, 1347 et seq., 3313.33, 3313.642, 3313.672, 3319.321, 3319.324

34 C.F.R. Part 99

20 U.S.C., Section 1232f through 1232i (FERPA)

26 U.S.C. 152

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Improvement Act

20 U.S.C. 7165(b)

20 U.S.C. 7908

2021 Solomon Amendment: Subtitle C- General Service Authorities and Correction of Military Records SEC. 521

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Legal

R.C. 9.01, 111.41, 111.42, 111.43, 111.46, 111.47, 111.99

R.C. 149.41, 149.43, 1347 et seq., 3313.33, 3313.642, 3313.672, 3319.321, 3319.324

34 C.F.R. Part 99

20 U.S.C., Section 1232f through 1232i (FERPA)

26 U.S.C. 152

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Improvement Act

20 U.S.C. 7165(b)

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Section

Vol. 42, No. 1 - August 2023

Title

Vol. 42, No. 1 - August 2023 Revised TRANSPORTATION

Code

po8600

Status

From Neola

Adopted

March 25, 2004

Last Revised
November 17, 2022

Revised Policy - Vol. 42, No. 1

8600 - TRANSPORTATION

It is the policy of the Board of Education to provide transportation for those students whose distance from their school makes this service necessary within the limitations established by State law. Such laws and rules shall govern any question not covered by this policy.

School buses shall be purchased, housed, and maintained by the Board for the transportation of resident students between their home areas and the schools of the District to which they are assigned or to their nonpublic or community schools. The Superintendent may substitute smaller buses for reasons of economy or efficiency of operation.

Children living beyond the following walking limits shall be entitled to bus transportation:

- A. Kindergarten at Noon _____ mile
- B. Kindergarten in Morning, or afternoon _____ mile
- C. Grades one (1) through six (6) _____ mile
- D. Grades seven (7) through twelve (12) _____ mile

Exceptions to the foregoing limits may be made in the case of a temporarily or permanently-disabled child who has been so certified by a physician and in the case of adverse safety conditions. Transportation for students who are not entitled to transportation under State law will not be reduced after the start of the school year.

Transportation of eligible vocational or special education children between their home areas and schools outside the District shall be arranged through the use of Board-owned vehicles, through cooperation with other districts, through commercial carriers, and/or by other means in the most efficient and economical manner. The governing authority of a community school shall provide or arrange for transportation free of charge for any eligible special education student enrolled in the community school for whom the student's individualized education program specifies transportation.

Transportation to and from school shall be provided for each student residing in the District and attending a State-chartered nonpublic school on the same basis as established for resident students as set forth above, subject to the following limitation. Transportation will only be provided if it requires thirty (30) minutes or less of direct travel by a school bus during normal travel times as measured from the school building to which the student would be assigned in the District. Transportation shall be provided each day in which the nonpublic school is open with students in attendance (excluding Saturdays and Sundays except by agreement between the entities entered into by July 1st in any year). Chartered nonpublic school students who are transported by the Board may be assigned to ride on buses upon which resident students are also assigned. Notwithstanding the above, the District will provide transportation as a related service to students with disabilities who live in the District and attend a nonpublic school if the School District is provided with supporting documentation from the child's individualized education program ("IEP") or an individual service plan ("ISP") developed by the county board of developmental disabilities pursuant to RC 5126.41 for county residents who receive supported living services.

Furthermore, transportation to and from school shall be provided for each native student (i.e., student entitled to attend school in the District under R.C. 3313.64 or R.C. 3313.65) attending a chartered community school for each day in which the school is open and students are in attendance (excluding Saturdays and Sundays except by agreement between the entities entered into by

July 1st each year). However, if that community school is located outside the District, the Board will only provide transportation if it requires thirty (30) minutes or less of direct travel by a school bus during normal travel times as measured from the school building to which the student would be assigned in the District. Native students attending an approved community school located within the District will be provided transportation on the same basis as established for resident students set forth above. Students transported to an approved community school may be assigned to ride on buses upon which resident students are also assigned.

Transportation of eligible nonpublic or community school children between their home areas and schools shall be arranged through the use of District-owned vehicles, through cooperation with other districts, through commercial carriers, and/or by other means in the most efficient and economical manner. The Board will not provide or arrange for transportation of students enrolled in kindergarten through eighth grade using mass transit system vehicles unless the Board and the community/nonpublic school have entered into an agreement authorizing this mode of transportation which is approved by both entities in advance. Students enrolled in ninth grade or above may be transported on vehicles operated by a mass transit system provided that the route does not require more than one (1) transfer.

Upon receipt from the community/nonpublic school of the official start and end times of school for the upcoming year, the District will develop and provide a transportation plan which includes transportation routes and schedules for eligible students. The plan will be provided within sixty (60) days after receiving the start and end time, or when possible, by the first day of August in the event the Board is not notified of start and end times by the deadline of April 1st. For eligible students who enroll after July 1st but before the start of the school year, a transportation plan will be developed within fourteen (14) business days after receiving a request for transportation. The transportation plan provided to community/nonpublic schools pursuant to this policy and State law is tentative and subject to change.

The Superintendent may determine that it is impractical to transport a student to a community or nonpublic school after considering the factors enumerated under State law. The determination for payment-in-lieu of transportation will be made at least thirty (30) calendar days prior to the District's first day of student instruction, or no later than fourteen (14) calendar days if a student is enrolled less than thirty (30) days prior to the first day of instruction or after the start of the school year, and must be formalized through a resolution passed by the Board at its next scheduled meeting. If transportation is determined to be impracticable, the Board will issue a letter to the student's parent/guardian, the community or nonpublic school, and the **Department of EducationState Board of Education** detailing the reason(s) why the determination was made. Parent(s)/guardians shall be provided payment-in-lieu of transportation at the amount established by State law unless otherwise directed by action of the **Department of EducationState Board of Education**. Parents/guardians may authorize the community or nonpublic school where their student is enrolled to act on their behalf at any time after requesting transportation.

The Board will not be required to provide transportation for any native student enrolled in a community school if the Board has entered into an agreement with the governing authority of the community school that designates the community school as responsible for providing or arranging the transportation of the District's native students to and from the community school and is certified by the **Department of EducationState Board of Education** as having met certain requirements established by State law. The governing authority of a community school must provide or arrange for transportation in a manner that is comparable to the transportation that the District provides or arranges for its native students of the same grade level and distance from school who are enrolled in the District. Also, the governing authority must provide or arrange for the transportation under such agreement free of charge for each of its enrolled students who are eligible to be transported in accordance with R.C. 3327.01 or who would otherwise be transported by the District under the District's transportation policy. If the Board enters into an agreement with the governing authority regarding the transportation of the District's native students, the **Department of EducationState Board of Education** shall make payments to the community school in accordance with the terms of the agreement for each student actually transported.

Likewise, the Board is not required to provide will not be responsible for providing transportation for any native student enrolled in an approved community school if the governing authority of the community school submits a written notification to the Board, by a date prescribed by the **Department of EducationState Board of Education**, stating that the governing authority will accept responsibility for providing or arranging for the transportation of the District's native students to and from the community school. The governing authority's unilateral acceptance of the responsibility to provide transportation must cover the entire school year and shall remain in effect for subsequent school years unless the governing authority submits written notification to the Board relinquishing the transportation responsibility. However, the governing authority cannot

relinquish the transportation responsibility before the end of the school year and shall submit such notice by a date prescribed by the Department of Education State Board of Education in order to allow the District a reasonable period of time to prepare for the transportation of its native students enrolled in the community school. If the governing authority unilaterally accepts the transportation responsibility, the Department of Education State Board of Education shall make payments to the community school for each student actually transported calculated in accordance with existing State law governing the calculation of transportation payments to the District from the State and any rules implemented by the Department of Education State Board of Education and that otherwise would be paid to the District.

[] The Board is not required to provide transportation to students enrolled in a chartered nonpublic or community school that has offered to provide transportation in lieu of the District providing it.

[] The Board is not responsible for providing transportation to students who receive transportation from an educational service center participating in the Pupil Transportation Pilot Program.

Bus routes shall be established so that an authorized bus stop is available within reasonable walking distance of the home of every transported resident student, but not more than one-half (1/2) mile for students in grades PK through eight (8). The Board shall approve the bus routes and time schedule annually no more than ten (10) days after the start of the school year. The Board shall approve the bus routes annually. The Superintendent is authorized to make any necessary changes in the approved route and shall inform the Board at the next regular meeting. Students receiving transportation will be delivered to school no sooner than thirty (30) minutes before the start of school and will be picked up no later than thirty (30) minutes after dismissal.

The Board authorizes the installation and use of video recording devices in the school buses to assist the drivers in providing for the safety and well-being of the students while on a bus.

The Board authorizes the use of a van designed to carry nine (9) passengers or less plus a driver instead of a school bus to transport students to a chartered nonpublic or community school if all of the following apply:

- A. the number of students in the vehicle does not exceed nine (9);
- B. the District regularly transports students to that chartered nonpublic or community school;
- C. the driver has a valid driver's license, is accustomed to driving the vehicle, and meets statutory and administrative requirements for a bus or motor van driver (with the exception of having a commercial driver's license);
- D. the driver may not stop on the roadway to load or unload passengers;
- E. the driver and all passengers are expected to comply with State laws regarding child and occupant restraint devices and safety while in the motor vehicle.

Vans will be inspected not less than two (2) times each year by a qualified mechanic who will determine whether the van is safe to transport students.

Students meeting the Federal definition of homeless will be transported from their temporary place of residence to their school of assignment, at the request of the parent, guardian, or unaccompanied minor, to the same extent as all other students of the District and consistent with this Policy. If the homeless student's temporary residence is located outside the boundaries of the District, the Liaison for Homeless Children will coordinate with the Director of Transportation to contact the district in which the student temporarily resides to arrange for joint transportation of the student and to seek inter-district agreement on a method for apportioning the cost of such joint transportation. In no event will a homeless student be denied enrollment based on issues related to student transportation.

The Superintendent shall be responsible for developing and implementing appropriate administrative guidelines for this policy.

Legal

A.C. 3301-51-10, 3301-83-01 et seq., 3301-83-08

R.C. 3313.66, 3314.09, 3314.091, 3319.41, 3327.01 et seq., 4511.01 (F)

R.C. 4511.75 et seq.

42 U.S.C. 11431 et seq.

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Vol. 42, No. 1 - August 2023 Revised TRANSPORTATION BY SCHOOL VAN

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po8650

Status

From Neola

Adopted

December 14, 2006

Revised Policy - Vol. 42, No. 1

8650 - TRANSPORTATION BY SCHOOL VAN

It is the policy of the Board of Education to provide transportation to students via Board owned and operated school vans when the use of school buses is not reasonable. School vans shall only be used for the transportation of nine (9) or fewer passengers, not including the driver, in accordance with the original design and construction of the vehicle. Students shall not be transported in larger passenger vans (e.g., non-conforming extended van-type vehicles) carrying ten (10) passengers or more (particularly twelve (12) to fifteen (15) passenger vans).

Similar to school buses, school vans shall be purchased, housed, and maintained by the Board for the transportation of resident students between their home areas and the schools of the District to which the students are assigned or to their nonpublic or community schools. However, such use shall generally be limited to preschool children, special needs children, children inaccessible to school buses, and students placed in alternative schools, and children enrolled in nonpublic or community schools in certain circumstances. School vans may also be used to transport students to and from field trips and/or other Board-approved school-related activities.

The Board authorizes the use of a van designed to carry nine (9) passengers or less plus a driver instead of a school bus to transport students to a chartered nonpublic or community school if all of the following apply:

- A. the number of students in the vehicle does not exceed nine (9);
- B. the District regularly transports students to a chartered nonpublic or community school;
- C. the driver has a valid driver's license, is accustomed to driving the vehicle, and meets statutory and administrative requirements for a bus or motor van driver (with the exception of having a commercial driver's license);
- D. the driver may not stop on the roadway to load or unload passengers;
- E. the driver and all passengers are expected to comply with State laws regarding child and occupant restraint devices and safety while in the motor vehicle.

Vans will be inspected not less than two (2) times each year by a qualified mechanic who will determine whether the van is safe to transport students.

Students who are transported by school van are expected to conduct themselves in the same manner required of students transported by school bus and shall be subject to all applicable disciplinary rules.

All school van drivers employed by the Board shall complete the required Ohio School Van Driver training program prior to transporting students, meet all other qualification requirements, and comply with the Ohio Pupil Transportation and Safety Rules and applicable Board policies and guidelines relative to student transportation. No individual shall be employed as a school van driver if the individual/he has not received a certificate certifying that the driver is at least twenty-one (21) years of age with a minimum of two (2) years of driving experience, eighteen (18) years of age, of good moral character, and is qualified physically and otherwise (O.A.C. 3301-83-06(F)) for the position. () Only authorized Board employees () or contractors employed by an agency that provides services to the Board [END OF OPTION] may operate and transport students via school van. () Van drivers do not need a commercial driver's license.

The Superintendent is responsible for developing and implementing the appropriate administrative guidelines for this policy.

R.C. 3327.10, 4511.01, 4511.76
A.C. 3301-83-19, 3301-83-06(F)

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Legal

A.C. 3301-83-19, 3301-83-06(F)
R.C. 3327.10, 4511.01, 4511.76

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Vol. 42, No. 1 - August 2023 Revised PUBLIC ATTENDANCE AT SCHOOL EVENTS

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po9160

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Adopted

March 25, 2004

Last Revised

November 21, 2013

Revised Policy - Vol. 42, No. 1

9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Education welcomes and encourages members of the community to attend athletic and other public events held by the schools in the District. Due to the need to maintain order and preserve the facilities of the District during the conduct of such events, the Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at a school event. School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave school property when reasonably requested. In accordance with Board Policy 7440 and AG 7440B, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.

For all school-affiliated events where admission is charged, cash shall be accepted as a method of payment. If concessions are offered, there will be at least one (1) concession stand that will accept cash. If concessions are sold on multiple floors, then at least one (1) location on each floor will accept cash. Persons who receive cash at designated collection points will deposit the cash with the Treasurer/CFO on the next business day of receipt in accordance with Policy 6600.

[] No alcoholic beverage or other controlled substance may be possessed, consumed, or distributed () at any function sponsored by the District () at any function occurring on Board property. **[END OF OPTION]**

[] Raffles and similar forms of fund-raising by District-related organizations may be permitted by the Superintendent in accordance with Policy 9211 - District Support Organizations and Policy 9700 - Relations with Special Interest Groups. **[END OF OPTION]**

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

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

Individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board in accordance with the provisions of the Americans with Disabilities Act, as amended.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the District's facilities where members of the public, as participants in services, programs or activities, or as invitees, are allowed to go. (See Policy 8390)

Smoking and/or the use of tobacco and/or tobacco substitute products is prohibited at any time within any enclosed facility owned, leased, or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes, and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other smoking devices for burning tobacco or any other substances (see Policy 7434).

Such prohibition also applies to

☐ school grounds

☐ [and] any school-related event,

☐ except at designated times

☐ and in designated areas as defined in statute and by Ohio's Smoke-Free Workplace Program.

[END OF OPTIONS]

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of school events.

Such recordings can be made by parents or other members of the audience without restriction if the performance is not of copyrighted material. However, if the performance is of copyrighted material, a recording can be made if the appropriate license authorizing such a recording has been secured in advance by the District. If the performance is of copyrighted material and the necessary license has not been secured in advance by the District, the audience shall be advised before the performance begins that audio and/or video recordings that will be re-broadcast or distributed in any way, such as posting on the internet, are prohibited.

The Board authorizes the Superintendent to establish rules and procedures governing the use of nondistrict audio/visual recording equipment at any District-sponsored event or activity. Such rules are to be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Any person or organization seeking to film students or a school activity which is not a public event must obtain prior permission from the Superintendent.

All notices, signs, schedules, and other communications about school events must contain the following statement:

"In accordance with State and Federal law, the District will provide reasonable accommodations to persons with disabilities who wish to attend and/or participate in school events. Such individuals should notify the _____ if they require a reasonable accommodation."

R.C. 955.43, 1716.02, 1716.03

R.C. 3313.5319

28 C.F.R. Part 35

29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended

34 C.F.R. Part 104

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

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Legal

R.C. 955.43, 1716.02, 1716.03

R.C. 3313.5319

28 C.F.R. Part 35

29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended

34 C.F.R. Part 104

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

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[March 25, 2004](#)

[Last Revised](#)

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Revised Policy - Vol. 42, No. 1

9211 - DISTRICT SUPPORT ORGANIZATIONS

The Board of Education appreciates the efforts of all organizations whose objectives are to enhance the educational experiences of District students, help meet the educational needs of students, and/or provide extra educational benefits not provided for, at the time, by the Board.

District support organizations are defined as any non-profit entity, group, or other organization formed and operating for the purpose of supporting District programs.

Each support organization must maintain and provide proof of general liability insurance coverage. The Board shall offer the opportunity for any authorized school support entity to receive coverage under the District's liability insurance program to protect the entity against claims resulting from damage or injury resulting from any act or omission of any school-support entity. The entity shall pay for such coverage upon written notification from the Treasurer.

[] Because of the connection between support organizations and the School District programs and students, and because of the common use of the School District name in connection with the organization's activities, the public perception may be that the organizations and their activities are school-sponsored and approved by the Board, notwithstanding the fact that such organizations are independent entities, are not agents of

the Board, and are not under the control or authority of the Board. In order to prevent disruption to the District's educational programs and injury to the District's reputation by conduct and activities of a support organization which are inconsistent with the District's mission, only organizations formally recognized by the Board will be permitted to use the School District name, as well as any logos or other insignia or emblems associated with and used to identify the District and/or school-sponsored programs and activities.

The following rules and procedures shall govern the working relationships between the Board, administration, and any District support organization. The Board may revoke formal recognition of any support group that fails to comply with these rules:

- A. School employees and Board-approved school volunteers may not be directly compensated in any manner by District support organizations.

() Additionally, school employees and Board members will not manage or have access to District support organization funds or serve as a voting member or officer of the organization.

[DRAFTING NOTE: It is highly advisable that school employees and Board members not serve as voting members or officers, or have any access or role in managing the organization's funds because when misconduct occurs, it may negatively impact their jobs, licenses, or any official role with the Board of Education.]

[END OF OPTION]

- B. In addition to parents, membership should be made available to District staff and members of the community.
- C. Each District support organization shall work in cooperation with the Principal and other staff members and shall abide by the policies of the Board.
- D. It shall be the responsibility of each District support organization to monitor its activities to assure compliance with Board Policy.
- E. **()** The organization shall permit the Board to review all financial books and documentation upon request and shall conduct a financial audit upon request of the Board. In addition, organizations must produce the following documents to the Superintendent and/or Treasurer upon request:
 - 1. **()** A determination letter from the Internal Revenue Service that verifies the organization is a tax-exempt organization in good standing as described in Section 501(c)(3) of the Internal Revenue Code (if applicable).
 - 2. **()** A copy of the Articles of Incorporation or amended Articles of Incorporation on file with the Ohio Secretary of State (if applicable).
 - 3. **()** A copy of any filing with the Ohio Attorney General (if applicable).
 - 4. **()** A copy of the support organization's Bylaws and any amendments.
 - 5. **()** A current list of names, addresses, and titles of each officer of the organization. No administrative employee of the School District may be an officer of the booster organization in order for the organization to obtain Board recognition.
 - 6. **()** A description of the projects or activities the organization intends to undertake during the ensuing school year and the objective and goals of such projects or activities.
 - 7. **()** The organization's balance sheet, together with an accounting of the organization's income and expenses for the preceding calendar year.
 - 8. **()** Copies of State and Federal tax reports for the most recent year, as well as copies of any audit reports.

- F. **()** Each District support organization is encouraged to set goals that are consistent with those of the particular programs, activities, or sports being supported as articulated by the coach/advisor and/or athletic director of such program, activity, or sport to avoid duplication of effort and to maximize the benefit to the organization or group.
- G. **()** The activities of District support organizations shall not involve the use of public funds and the District shall not assume responsibility for any purchases made on behalf of any support organization governed by this policy. The School District tax identification number shall not be used for District support organization purchases.
- H. **()** The time, date, purpose, location, and conduct of all fund-raisers on District property shall have prior approval of the administration. District support organizations are encouraged to communicate their preferred activity dates to the administration as soon as possible as consideration for dates and facilities will be given on a first-come, first-served basis.
- I. **()** Each District support organization must abide by the policies and guidelines established for the use of District facilities and grounds. Projects that require any modification or alteration to District property must be pre-approved by the Superintendent.
- J. **()** All food items and beverages available for sale to students that will be consumed on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) during the school day (the period from midnight before to thirty (30) minutes after the end of the official school day) as fund-raisers, including items sold by student clubs and organizations, parent groups, or booster clubs, shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards. Fund-raisers also include giving away goods or services, but suggesting a monetary donation. All activities must be approved by the Principal, in advance. If approved, fund-raisers that involve the sale of food items or beverages to students on campus must be consistent with regulations established in Policy 8550 - Competitive Food SalesFoods.
- K. **()** Proceeds from District support organization fund-raisers shall not be commingled with a student activity or other Board accounts. Board employees who commingle such proceeds with a student activity or other Board account shall be subject to discipline.
- L. **()** The Superintendent shall implement administrative guidelines that require each District support organization's fund-raising activities to be in compliance with Board policies and that the funds generated by such fund-raising activities and donated to the District are used for school-related projects that have the approval of the Superintendent and Principal.
- M. **()** District support organizations are encouraged to obtain 501(c)(3) status so that community members may properly take tax deductions for donations to the organization.
- N. **()** Donations from District support organizations must be made in accordance with Board Policy 7230 - Gifts, Grants, and Bequests and any accompanying guidelines. Donations shall become the property of the Board and used in a manner determined by the Board, in accordance with its policies and administrative guidelines.

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7 C.F.R. Parts 210 and 220

R.C. 3313.203

Ohio Ethics Commission Advisory Opinion 2008-01

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Policy Manual

Section

Vol. 42, No. 1 - August 2023

Title

Vol. 42, No. 1 - August 2023 Revised EQUIVALENT EDUCATION OUTSIDE THE SCHOOLS & PARTICIPATION IN EXTRA-CURRICULAR FOR STUDENTS NOT ENROLLED IN THE DISTRICT

Code

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Status

From Neola

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9270 - EQUIVALENT EDUCATION OUTSIDE THE SCHOOLS & PARTICIPATION IN EXTRA-CURRICULAR FOR STUDENTS NOT ENROLLED IN THE DISTRICT

The Board of Education encourages the enrollment of all school-age children resident in this District in public schools or in approved parochial or private schools so that they may enjoy the benefits of a well-planned educational program and the socialization possible in a group environment.

The Board recognizes its responsibility for assuring that every resident school-age child is enrolled in an approved school or is offered an equivalent education elsewhere and designates the Superintendent to act on its behalf.

Home Education

A parent electing to home-educate a child between the ages of six (6) and eighteen (18) shall provide notice to the Superintendent within five (5) calendar days after commencing home education, moving into the District, or withdrawing from the District or a nonpublic school, and by the thirtieth (30th) day of August each year thereafter. The notice shall include the parent's name and address, the child's name, and an assurance that the child will receive education in the following subject areas:

- A. English language arts
- B. Mathematics
- C. Science
- D. History
- E. Government

F. Social Studies

The child's exemption from attending school shall be effective upon receipt of the notice. The Superintendent will send written acknowledgment of receipt of the notice within fourteen (14) calendar days. If there is evidence that a child exempt from school for home education is not receiving an education in the required subject areas, the child may be subject to truancy procedures in accordance with Policy 5200.

A child who is enrolled in the District following any period of home education shall be placed in the appropriate grade level, without discrimination or prejudice, in accordance with the policies of the Board.

A parent electing to home-educate a child shall provide the Superintendent with annual written notification. The notification must include certain specific information and assurances concerning the home education program as set forth in State law, the State Department of Education Regulations, and AG 9270.

The Superintendent will excuse the child from attendance for home education purposes upon satisfactory showing that the child is being home educated by a person qualified to teach the branches in which instruction is required as referenced in AG 9270, and such additional branches, as the advancement and needs of the child may, in the opinion of the Superintendent, require.

The Superintendent shall develop and implement administrative guidelines that verify, prior to a child being excused from attendance for home education purposes, all requirements specified in the State Department of Education regulations and the conditions established in Policy 5463 - Credits from State-Chartered, Special, and Nonchartered Schools have been met.

Extra-Curricular Activity Participation of Students Not Enrolled in District

A student who is educated at home is permitted to participate in any extra-curricular activity offered in the School District to which the student would otherwise be assigned during the school year. If the District operates more than one (1) school that serves the student's grade level (as determined by the student's age and academic performance), the student shall be permitted to participate in the extra-curricular activities at the school to which the student would be assigned by the Superintendent pursuant to R.C. 3319.01. If the student elects to participate in an extra-curricular activity offered by the District, the student is not allowed to participate in that activity at another school or school district to which the student is not entitled to attend.

Similarly, a student who is enrolled in a nonpublic school is entitled to participate in any extra-curricular activity not offered by the nonpublic school in the school district to which the student would otherwise be assigned during the school year. If the District operates more than one (1) school that serves the student's grade level (as determined by the student's age and academic performance), the student shall be permitted to participate in that extra-curricular activity at the school to which the student would be assigned by the Superintendent pursuant to R.C. 3319.01.

[] The Superintendent may allow a student, who is educated at home and not entitled to attend school in the District pursuant to R.C. 3313.64 or R.C. 3313.65, to participate in any extra-curricular activity offered by the District if the district to which the student is entitled to attend does not offer that extra-curricular activity. **[END OF OPTION]**

[] The Superintendent may allow a student, who is enrolled in a nonpublic school and not entitled to attend school in the District pursuant to R.C. 3313.64 or R.C. 3313.65, to participate in any extra-curricular activity offered by the District if the nonpublic school in which the student is enrolled does not offer the extra-curricular activity, and either of the following applies:

- A. ☐ the extra-curricular activity is not interscholastic athletics or interscholastic contests or competitions in music, drama, or forensics; or
- B. ☐ the extra-curricular activity is in an interscholastic athletic or interscholastic contest or competition in music, drama, or forensics.

In order to participate under this option, the nonpublic school must be located in the District. Prior

to participation, the Superintendent must enter into a written agreement with the Superintendent of the public school district in which the student is entitled by law to attend that permits the student's participation. The written agreement must include a certification that the student has not participated in an interscholastic athletic or interscholastic contest or competition in music, drama, or forensics during the current school year. If the student has participated in an interscholastic athletic or interscholastic contest or competition in music, drama, or forensics, the students/he shall be ineligible to participate for the remainder of the school year. **[END OF OPTION]**

Eligibility Requirements

In order to participate in any extra-curricular activity as detailed above, a student being educated at home or enrolled in a nonpublic school must be the appropriate age and grade level for the school that offers the extra-curricular activity and must fulfill the same academic, nonacademic, and financial requirements as any other participant as specified in Board policy, administrative guidelines, the student handbooks, and/or the Athletic Handbook. A student educated at home must meet the following academic requirements:

- A. If the student received home educationschooling in the preceding grade period, the student shall meet any academic requirements established by the State Board of Education for the continuation of home educationschooling.
- B. If the student did not receive home educationschooling in the preceding grading period, the student's academic performance during the preceding grading period shall have met any academic standards for eligibility to participate in the program established by the District.
- C. Eligibility for a student who leaves a school district mid-year for home educationschooling shall be determined based on an interim academic assessment issued by the district in which the student was enrolled based on the student's work while enrolled in the District.
- D. Any student who commences home educationschooling after the beginning of a school year and who is, at the time home educationschooling commences, ineligible to participate in an extra-curricular activity due to failure to meet academic standards or any other requirements of the District shall not participate in the extra-curricular activity until the student meets the academic requirements established by the State Board of Education for continuation of home educationschooling as verified by the Superintendent. No student shall be eligible to participate in the same semester in which the student isas determined ineligible.

No eligible home educatedschooler or nonpublic school student will be charged any fees in excess of those fees charged to other students for participation in the same extra-curricular activity. No student will be denied the opportunity to participate in interscholastic athletics offered by a school in the District because the student has or is participating in a college credit plus program as long as the student fulfills all academic, nonacademic, and financial requirements.

A.C. 3301-34

R.C. 3313.5311, 3313.5312, 3313.5341, 3313.6110, 3321.03, 3321.04, 3321.042

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A.C. 3301-34

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