Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised PRESCHOOL STAFF
Code	ag2280
Status	First Board Review: Up for Discussion / Exhibit
Adopted	March 23, 2006
Last Revised	November 16, 2017
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

2280 - **PRESCHOOL STAFF**

The preschool program shall be directed and supervised by a director, a head teacher, an elementary principal, or a site administrator (hereafter referred to as "director") who is on-site and responsible for supervision of the program. This person shall hold a valid educator license designated as appropriate for teaching or being an administrator in a preschool setting issued pursuant to Ohio law and have completed at least four (4) courses in child development or early childhood education from an accredited college, university, or technical college.

A. The director and staff shall be recruited, employed, assigned, evaluated, and provided in-service education in accordance with adopted Board policies and without discrimination on the basis of age, color, national origin, race, sex, or disability.

B. The preschool staff member assigned in each preschool class shall be of good character, possess adequate physical and emotional health, be equipped by education, training, and/or experience for the work they are to perform, and meet the requirements of State law.

C. Staff members, non-teaching employees, and volunteers shall annually sign a non-guilty/non-conviction statement on a prescribed form.

D. Each director and preschool staff member shall be examined by a licensed physician, physicians assistant, advanced practice nurse, or certified nurse practitioner within twelve (12) months prior to the first day of employment.

E. Each preschool staff member shall be at least eighteen (18) years of age and have a high school diploma or a certification of high school equivalency issued by the State Board of Education or a comparable agency. A staff member may be less than eighteen (18) years of age if:

1. the staff member is a graduate of a two (2) year career-technical center child care training program approved by the State Board of Education;

2. the staff member is a student enrolled in the second year of such a program that leads to high school graduation, provided that the student performs duties in the preschool program under the continuous supervision of an experienced preschool staff member and receives periodic supervision from the career-technical center child care training program teacher/coordinator in the student's high school.

F. The director and staff shall be assigned responsibilities in accordance with written job descriptions commensurate with their certification and/or licensure pursuant to Ohio law, and qualifications, respectively. The director and/or **lead**~~**head**~~ teacher acting as the director shall be onsite at the preschool program at least half of the program's operating hours.

G. The director of each preschool program shall be responsible for the following:

1. providing that the health and safety of the children are safeguarded by an organized program of school health services designed to identify child health problems and to coordinate school community health resources for children as evidenced by, but not limited to, the following:

a. requiring immunizations and compliance with emergency medical authorization requirements under R.C. 3313.712

b. providing procedures for emergency situations, including fire drills, rapid dismissals, tornado drills, and school safety drills in accordance with R.C. 3737.73, and keeping records of such drills or dismissals

c. posting emergency procedures in preschool rooms and making them available to school personnel, children, and parents

d. posting emergency numbers by each telephone

e. supervising grounds, play areas, and other facilities when scheduled for use by children, and

f. providing first-aid facilities and materials

2. maintaining cumulative records for each child

3. supervising each child's admission, placement, **transition,** and withdrawal according to established procedures

4. preparing a roster of children enrolled annually

5. providing that clerical and custodial services are assigned for the program

6. supervising the instructional program and daily operation of the program

7. supervising and evaluating preschool staff members according to a planned sequence of observations and evaluation conferences, and supervising nonteaching employees

H. The director of the preschool program shall meet one (1) of the following:

1. A director in a preschool program operated by a public school shall hold either:

   a. a valid pre-kindergarten teaching certificate, pre-kindergarten endorsement, or pre-kindergarten associate license issued pursuant to O.R.C.

   b. a valid educator license (teacher, administrator, or pupil services) issued pursuant to O.R.C. and have completed at least four (4) courses in child development or early childhood education from an accredited college, university, or technical college

   c. a valid principal's license for grades pre-kindergarten through grade six (6) issued pursuant of Ohio law

   d. an early childhood license pursuant to paragraph (C) of A.C. 3301-24-05

2. The director of a preschool special education program shall hold one of the following:

   a. a valid intervention specialist license or education of the handicapped certificate with an endorsement in pre-kindergarten special needs or early education of the handicapped

   b. a valid pre-kindergarten certificate or endorsement or an early childhood license with an endorsement in pre-kindergarten special needs or early education of the handicapped

   c. a valid early childhood intervention specialist license or

   d. meet the requirements of paragraph (H)(1)(b) or (H)(1)(c) above

3. A director employed prior to July 1, 1988, to direct a program shall be considered to meet the requirements of this paragraph if **the director**~~s/he~~ holds a valid kindergarten-primary certificate issued under Ohio law.

4. A **lead**~~head~~ teacher who meets the educator licensure requirements as a director as described in paragraphs (H)(1), (H)(2), or (H)(3) above may be designated by the director.

I. Each class/group in a preschool program shall have assigned a **lead**~~head~~ teacher in accordance with the following:

Preschool programs operated by a public school shall have a **lead**~~head~~ teacher for each class/group of children enrolled that meets one (1) of the following:

1. valid prekindergarten teaching certificate issued under Ohio law

2. valid prekindergarten associate certificate issued under Ohio law

3. valid kindergarten-primary certificate issued under Ohio law and have completed at least four (4) courses in child development in early childhood education from an accredited college, university, or technical college

4. a bachelor's degree in child development or early childhood education earned from an accredited college or university with a minimum of thirty (30) quarter or twenty (20) semester hours in child development/preschool program planning and methods including a supervised practicum with preschool children

5. an early childhood license pursuant to Ohio law

6. preschool special education programs shall have **an intervention specialist**~~a head~~ teacher that meets one (1) of the following requirements:

   a. a valid ~~intervention specialist~~ license or education of the handicapped certificate with an endorsement in prekindergarten special needs or early education of the handicapped

   b. ~~a valid prekindergarten certificate or endorsement or an early childhood license with an endorsement in prekindergarten special needs or early education of the handicapped~~

c. a valid early childhood intervention **or primary intervention** specialist license

d. a valid **supplemental or intervention specialist license in the area of prekindergarten special needs, early childhood intervention specialist, or intervention specialist in the areas of**~~intervention specialist license that is valid for teaching~~ visually or hearing impaired children if the children are visually or hearing impaired

e. a valid **K-12 intervention specialist license and meets one (1) of the qualifications of a general education preschool lead teacher**~~supplemental teaching license in the areas of prekindergarten, special needs, early childhood intervention specialist, or intervention specialist in the areas of visually impaired or hearing impaired, if the children are visually or hearing impaired.~~

J. Extended day child care provided to preschool children before or after the preschool program shall have staff members assigned that, at a minimum, are at least eighteen (18) years of age and have at least a high school diploma or certification of high school equivalency issued by the State Board of Education or comparable agency. The extended child care staff member must also meet requirements related to a medical examination, in-service, and background **check**~~investigation~~ as cited in this rule. Child care staff/child ratios in accordance with this rule must be maintained at all times.

K. Infant and toddler care programs shall have staff members assigned that, at a minimum, are at least eighteen (18) years of age and have at least a high school diploma or certification of high school equivalency issued by the State Board of Education or comparable agency. The extended child care staff member must also meet requirements related to a medical examination, in-service, and background **check**~~investigation~~ as cited in this rule. Child care staff/child ratios in accordance with this rule must be maintained at all times.

L. Unless the preschool staff member or director holds an associate or higher degree in child development or early childhood education from an accredited college, university, or technical college, a prekindergarten associate certificate or license issued by the State Board of Education, or a prekindergarten teaching certificate or endorsement, the preschool staff member and director shall annually complete in-service training of fifteen (15) hours until a total of forty-five (45) hours has been completed.

1. In-service training will be in one (1) or more of the following areas:

   a. child development or early childhood education

   b. child abuse recognition and prevention

   c. first aid

   d. prevention, recognition, and management of communicable diseases

2. Annual completion refers to the school year, from July 1st to June 30th or every twelve (12) months from the date of hire for staff employed after the school year begins.

3. Substitutes for preschool staff members shall meet the following requirements:

   a. **be at least eighteen (18) years of age,**~~requirements related to a medical examination, in-service and criminal background investigation pursuant to R.C. 3301.541 after fifteen (15) school days, and~~

   b. **meet requirements related to a medical examination, annual in-service/orientation training, criminal background check pursuant to R.C. 3301.541, and current non-guilty non-conviction statement,**~~minimum requirements for the position for which they are substituting after sixty (60) consecutive school days.~~

   c. **provide evidence of an appropriate substitute license under R.C. 3319.226,**

   d. **provide evidence they are qualified to provide services to children with disabilities if applicable, and**

   e. **meet all other requirements for the position in which they are substituting in accordance with R.C. 3319.226.**

M. Preschool staff members who have met the requirements identified in paragraph (L) above shall complete ten (10) annual clock hours or in-service. This may be part of the professional development plan in accordance with A.C. 3301-24 (Ohio law licensure requirements). Annual completion refers to the school year, from July 1st to June 30th or every twelve (12) months from the date of hire for staff employed after the school year begins.

Preschool staff employed part-time shall complete the in-service requirement based upon the percentage of time or full-time equivalency of their preschool assignment.

N. The training specified in paragraph (L) above shall be provided by an approved trainer who shall have at least two (2) years of experience specific to the subject area and possess one (1) of the following:

1. an associate or higher degree in child development or early childhood education, education, special education, speech-language pathology, home economics, nursing, nutrition, psychology, dental hygiene, or social work

   Evidence of an associate or higher degree shall be a copy of a diploma, a transcript, or other written evidence accepted by the director as evidence of completion of at least ninety (90) quarter credit hours or sixty (60) semester credit hours from an accredited college, university, or technical college. The coursework shall include at least thirty-six (36) quarter credit hours or twenty-four (24) semester

credit hours in courses in any of the subject areas listed in paragraph (L) above.

2. a prekindergarten certificate or endorsement or early childhood license issued by the State Board of Education

3. a license as a physician or registered nurse

O. A director and preschool staff member shall provide evidence of a BCII investigation and FBI criminal background check as required by R.C. 3319.391. Documentation that reports and five (5) year updates are sent to the District or to ODE's Office of Educator Licensure as required by law shall be kept on file.

Each staff member and volunteer shall annually complete a non-guilty/non-conviction statement.

P. The preschool staff member/child ratio must be maintained at all times.

1. Sufficient preschool staff members must be physically present with the children at all times to meet staff member/child ratio requirements.

2. Each class/group shall have at least one (1) **lead**~~**head**~~ teacher as defined in paragraph (I) above.

3. No child shall ever be left alone or unsupervised.

4. In each program, the maximum number of children per preschool staff member and the maximum group size by age category of children **are governed by State law and regulations and shall be as follows**~~**shall be as follows**~~:

General Education classrooms are taught by a general education teacher or dual-licensed teacher who meets lead teacher qualifications and will be made of fifty percent (50%) or fewer children with disabilities with a maximum of eight (8) children with disabilities.

Lead teachers of general education classrooms will not serve as the intervention specialist or IEP case manager for children with disabilities.

Co-taught classrooms are considered general education classrooms that are taught by two (2) licensed teachers, one (1) licensed general education teacher and one (1) licensed intervention specialist.

All children in the class are included on the general education teacher's roster and children with disabilities are also counted on the intervention specialist's caseload.

The maximum number of children per program and maximum number of children per staff member are based on the age category of children served. Waivers are required when a group of more than eight (8) preschool children with IEPs are served in accordance with A.C. 3301-51-11.

Age Group & Staff Member/Child Ratio	Maximum Group Size
Birth to less than twelve (12) months/1:5 (or 2:12 if two (2) preschool staff members are in the room)	12
Twelve (12) months to less than eighteen (18) months/1:6	12
Eighteen (18) months to less than thirty (30) months/1:7	14
Thirty (30) months to less than three (3) years/1:8	14
Three (3) years/1:12	24
Four (4) year olds and five (5) year olds not in kindergarten or school/1:14	28

Preschool integrated classrooms in which fifty percent (50%) or fewer students in the class are children with disabilities shall meet the following:

a. **A full-time staff member shall be provided when there are eight (8) full-day or sixteen (16) half-day preschool children eligible for special education enrolled in a center-based preschool special education program.**

b. **Staff ratios of one (1) teacher for every eight (8) children at all times in center-based programs, and a second staff member shall be present when nine (9) or more children are enrolled (including nondisabled children enrolled in a class session).**

c. **The maximum group size shall not exceed fifteen (15) children, with a maximum of eight (8) children with disabilities. The lead teacher is responsible for specially designed instruction for one (1) or more children with**

IEPs enrolled in the classroom. Waivers are required when a group of more than eight (8) preschool children with IEPs are served in accordance with A.C. 3301-51-11.

5. An intervention specialist classroom teacher will have a caseload of no more than eight (8) preschool children with disabilities in one (1) class session. A teacher who is responsible for two (2) half-day sessions may serve no more than sixteen (16) students with disabilities.

6. [X] Volunteers may be counted in the staff/child ratio if a current BCII investigation report is kept on file; however, a program shall provide that such practice does not become routine.

7. ~~Preschool special education program shall meet the child/staff ratio requirements of one (1) teacher for eight (8) full day or sixteen (16) half-day children with IEPs and a second staff member when nine (9) or more children are enrolled; maximum group size shall not exceed sixteen (16) children including eight (8) children with IEPs. Waivers are required when a group of more than eight (8) preschool children with IEPs are served in accordance with A.C. 3301-51-11.~~

Q. At least two (2) responsible adults shall be readily available at all times when seven (7) or more children are present in the program. One (1) adult shall be a preschool staff member. The second adult shall:

1. be available within the building used for the preschool program or in an adjacent outdoor area;

2. be able to be summoned by the preschool staff member without leaving the group alone or unsupervised; and

3. be able to react in response to such summons so as to reduce risk to children during an emergency circumstance.

R. ~~[NOTE: When age groups are combined for programming purposes the following requirements must be met:]~~

When age groups are combined, the maximum number of children per preschool staff member shall be determined by the age of the youngest child in the group, except that when no more than one (1) child, thirty (30) months of age or older, receives care in a group in which all the other children are in the next older age group, the maximum number of children per preschool staff member and maximum group size requirements of the older age group established in paragraph (P) above shall apply.

~~( ) Any accredited program that uses the Montessori method endorsed by the American Montessori Society (www.amshq.org) or the association Montessori International (www.montessori-am.org) as its primary method of instruction may combine preschool children of ages three (3) to five (5) years of age with children enrolled in kindergarten. Notwithstanding anything to the contrary in R.C. 3301.56 (B)(2), when such age groups are combined, the maximum number of children per preschool staff member shall be twelve (12) and the maximum group size shall be twenty-four (24) children.~~

Preschool and school-age groups may be combined at the beginning or end of the day when there are twelve (12) or fewer children.

S. In a room where children are napping or resting, if all children are at least eighteen (18) months of age, the maximum number of children per preschool staff member shall, for a period not to exceed one and one-half (1 1/2) hours in any twenty-four (24) hour day, be twice the maximum number of children per preschool staff member established in paragraph (P) above if all the following criteria are met:

1. at least one (1) preschool staff member shall be physically present in the room at all times during nap/rest time

2. the preschool staff member(s) assigned to a room where children are napping shall be responsible for the care and supervision of the children in the room and shall be able to summon other child-care staff members without leaving the room

3. there shall be enough preschool staff members readily accessible within the building in which the program is located to provide that the maximum number of children per preschool staff member as required by paragraph (P) above is met at all times

4. nap/rest time preparation shall have been completed and all napping children shall be resting or sleeping on cots or mats

Staff are not required to be present in a nap room for the purpose of supervising children if fifty percent (50%) of the wall space is open, staff can see all children at all times, and staff are routinely checking children every five (5) minutes.

T. Staff members shall be made aware of each child's cumulative and health records.

A.C. 3301-37-04, 3301-37-07, 3301-51-11
R.C. 3301.53, 3301.56, 3301.541, 3313.712, 3319.226, 3319.391, 3323.022, 3737.73

© Neola 2022~~17~~

Legal

A.C. 3301-37-04, 3301-37-07, 3301-51-11

R.C. 3301.53, 3301.56, 3301.541, 3313.712, 3319.226, 3319.391, 3323.022, 3737.73

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised PRESCHOOL ADMISSION AND ATTENDANCE
Code	ag2280.04
Status	First Board Review: Up for Discussion / Exhibit
Adopted	March 23, 2006
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

2280.04 - **PRESCHOOL ADMISSION AND ATTENDANCE**

The child's admission, placement, **transition,** and withdrawal shall be supervised according to established procedures by the **administrator of the program.**

At least once annually for each group of children in the program, a roster of the name and telephone number of the child and of the child's parent shall be prepared. Upon request, the roster shall be furnished to each parent.

A similar roster of all children in the program shall be prepared and, upon request, made available to each parent with a child in the program.

Prior to including an individual in a roster, a signed statement indicating whether such individual desires to be included in rosters shall be secured from each parent.

The roster may not be furnished to any person other than a parent, except as authorized or required by law (see Policy 8330).

A.C. 3301-37-07**, 3301-51-11**
R.C. 3301.53

© Neola 2022~~2010~~

Legal	A.C. 3301-37-07, 3301-51-11
	R.C. 3301.53

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised ADMISSION TO THE DISTRICT
Code	ag5111
Status	First Board Review: Up for Discussion / Exhibit
Adopted	September 1, 2004
Last Revised	March 17, 2022
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

5111 - **ADMISSION TO THE DISTRICT**

Qualifying for Admission

Students who qualify for admission to District schools, in accordance with Board of Education Policy 5111, shall be accepted when the following documents have been submitted:

A. a birth certificate or other appropriate documentary evidence

   Acceptable forms of documentation include: foreign birth certificate; religious, hospital, or physician's certificate showing date of birth; entry in a family bible; baptismal record; adoption record; affidavit from a parent; previously verified school records; or other documents permitted by law.

B. court orders allocating parental rights and responsibilities or other documents allocating custody or guardianship, if applicable

C. proof of residency consisting of a deed, building permit, rental agreement, tax statement, voter registration card, or completion of Form 5111 F2a or Form 5111 F2b

   Acceptable forms of documentation include: telephone bills, utility bills, mortgage or lease agreements, parent affidavits, rent payment receipts, a copy of a money order made for payment of rent, or letter from a parent's employer that is written on company letterhead to establish residency.

   Children of active-duty uniformed services members who are subject to a transfer or relocation order and will be relocating to but do not yet reside in the District shall be permitted to apply for enrollment in the same manner and at the same time as resident students. Parents/Guardians must provide proof of residence within ten (10) days after establishing residence in the District. A temporary on-base billeting facility, a purchased or leased home or apartment, or Federal government or public-private venture off-base military housing are all acceptable forms of residency.

D. proof of immunization and/or statutory exception

E. a power of attorney designating the student's grandparent(s) as attorney-in-fact (Form 5111 F7) or a caretaker authorization affidavit (Form **5111**~~511~~ F8) executed by the student's grandparent(s) that provides the grandparent(s) with whom a student resides authority over the care, physical custody, and control of the child, including the ability to enroll the child in school, consent in all school-related matters, and discuss with the District the student's educational progress (also see Form 5111 F9)

Except in the case of a homeless child (see Policy 5111.01), a child residing in a domestic violence shelter, or a child of an active-duty uniformed services member subject to a transfer or relocation order who plans to reside in the District, no child shall be admitted to school in the District until proof of residency has been provided and proof of immunization is addressed in accordance with Policy 5320 and AG 5320. If a birth certificate is not available, the parent is to complete Form 5111 F3 and submit the documentary evidence called for therein. If the principal does not receive the child's birth certificate or one (1) of the acceptable alternatives to a birth certificate within fourteen (14) calendar days of the date of the child's enrollment, or the document appears to be inaccurate or suspicious, the principal shall notify the law enforcement agency where the student resided and the

~~[~~**local law enforcement agency**~~]~~ that the child may be a missing child. If there is a court order or decree allocating parental rights and responsibilities and designating who will be the resident parent and legal custodian, such order or decree must be submitted within fourteen (14) days of admission. If there is a court order or decree for custody or guardianship to other than a parent, a copy of the order or decree must be submitted within fourteen (14) days of admission. If all of these required documents are not received within that time, the student should be presumed to be a missing child (see AG 5215).

Students presented for enrollment without a birth certificate or appropriate substitute, court orders allocating parental rights and responsibilities, or a grandparent power of attorney or caretaker authorization ~~( )~~ will **(X)** may ~~[END OF OPTION]~~ be admitted under temporary enrollment for a period of fourteen (14) days unless extended by the principal. Parents are to be so informed at the time of admission. (See Policy 5111.03 and AG 5111.03 - Children and Youth in Foster Care)

A child who is placed in a foster home or residential facility (i.e., a group home for children, children's crisis care facility, children's residential center, residential parenting facility that provides twenty-four (24) hour child care, county children's home, or District children's home) will not be denied admission solely because the child does not present a birth certificate, comparable certification, or other comparable document upon registration. Such protected child will be admitted under temporary enrollment for a period of up to ninety (90) days to present the required documentation. The protected child and/or the child's parent, guardian, or custodian will be so informed at the time of the child's initial admission.

The sending school shall be contacted within twenty-four (24) hours of the student's entry into the school and requested to send all appropriate records.

If the sending school indicates no record of the student's attendance, or the records are not received within fourteen (14) calendar days of the date of request, or if the student does not present a certification of birth or other documentary evidence, the principal shall immediately notify the law enforcement agency where the student resided and the ~~[~~**local law enforcement agency**~~]~~ that **the student~~s/he~~** may be a missing child.

A student who is living in the District under the care of a shelter for victims of domestic violence will not be denied admission because of delay in the forwarding of school records.

Immunization requirements are to be in accordance with AG 5320.

A student who has recently been either discharged or released from the custody of the Department of Youth Services (DYS) and is seeking admittance or re-admittance into the District will not be admitted until the following records required to be released by DYS have been received by the Superintendent:

A. an updated copy of the student's school transcript;

B. a report of the student's behavior while in DYS custody;

C. the student's current Individualized Education Program (IEP), if an IEP has been developed for the child; and

D. a summary of the institutional record of the child's behavior.

The Superintendent shall keep such records confidential and may release them only as provided in State law regarding the privacy of a student's records and the Family Educational Rights and Privacy Act (FERPA) since the records are not considered public records for the purposes of required disclosure under Ohio public records law. The Superintendent will consider the records in determining the appropriate educational assignment of the student including, but not limited to, whether the student will be assigned to an alternative school in the District.

Children of Military Families

School-aged children of active-duty uniformed services members who will be relocating to but do not yet reside in the District shall be permitted to apply for enrollment in the same manner and at the same time as resident students. The District shall make necessary provisions to enable students to participate in technology-based opportunities when those students' families receive permanent change of station orders to another military base either in or out of the state until the students are enrolled in the schools of a new local education agency.

Enrollment applications shall be accepted by electronic means, including those for specific schools or programs within the District. These students' parents/guardians must provide proof of residence within ten (10) days after establishing residence in the school district in accordance with this policy.

Homeless Students

Homeless students shall have equal access to the same free and appropriate education provided to all other students of the School District and will be enrolled in accordance with the requirements of Federal law. Students meeting the Federal definition of homeless

will be immediately enrolled in the School District and assigned to a school building in accordance with the procedure set forth below, even if the homeless student cannot produce all of the documentation otherwise required for enrollment (including proof of residency and/or immunization, a birth certificate, and copies of previous school records). Parent(s) or guardian(s) of homeless students must provide contact information in case of an emergency. (See Policy 5111.01 and AG 5111.01 - Homeless Students)

Transferring Grades/Credit

Students in grades K-8 transferring from another district must submit an official transcript in order for the grades earned by the student to be recorded on the student's official transcript in this District. High school students transferring from another school district must submit an official transcript from the sending school in order for the student to receive credit for course work and to have the grades earned for completed coursework recorded on the student's official transcript in this District. Report cards will not be considered sufficient evidence for granting credit toward graduation.

Verifying Medical Conditions Qualifying a Student for Tuition-Free Admission in the District

Prior to admission and annually thereafter, parent(s) seeking admission for a school-aged child under R.C. 3313.64(F)(3) because of a medical condition that may require emergency medical treatment shall:

A. submit Form 5111 F5 as Verification of regular employment at a location within the District during school hours;

B. submit Form 5111 F6, or a written statement on the physician's letterhead, describing the child's medical condition and certifying that the condition is such that there is a substantial likelihood that it may require emergency medical attention;

C. submit Form 5341 F1 Emergency Medical Authorization;

D. submit a current copy of the child's I.E.P. or 504 Accommodation Plan, if applicable.

If the student is admitted under this section, then the normal admission procedures shall apply.

Admission to the District Pursuant to a Power of Attorney or Caretaker Authorization Affidavit

If an individual indicates that they are~~s/he is~~ attempting to enroll the child pursuant to a power of attorney or caretaker authorization affidavit, the School District official should:

A. verify that the individual attempting to enroll the child is the grandparent of the child;

B. verify that the child currently resides with the individual;

C. request that a copy of the power of attorney or caretaker authorization be produced;

This document should be provided in addition to those documents that are required to be produced by any and all other individuals who are seeking to enroll a child in the School District.[1]

D. review the power of attorney to verify that the document:

1. is identical in form and content to the form set forth in R.C. 3109.53 (see sample Power of Attorney Form 5111 F7);

2. is properly completed and executed by the child's:

   a. parent(s), guardian, or custodian granting the power of attorney (i.e., both parents or the parent who is the residential parent and legal custodian of the child); and

   b. grandparent who is designated as attorney in fact;

3. is duly notarized by an Ohio Notary Public;

4. has been filed with the juvenile court of the county in which the grandparent resides and/or any other court having jurisdiction over the child;

   a. If possible, have the individual provide a time-stamped copy of the power of attorney in order to demonstrate that it has been duly filed within five (5) days of the creation of the document.

   b. In addition, have the individual produce a copy of the receipt showing that notice of the creation of the document has been sent to the parent of the child who is not the residential parent and legal custodian. This receipt should be produced unless the power of attorney was created by both parents, or the non-residential

parent's parental rights have been terminated, **the non-residential parent~~s/he~~** cannot be located by reasonable efforts, or **the non-residential parent~~s/he~~** is prohibited from receiving a notice of relocation.

E. review the caretaker authorization affidavit to verify that the document:

1. is identical in form and content to the form set forth in R.C. 3109.66 (see sample Caretaker Authorization Form 5111 F8);

2. is properly completed and executed by the child's grandparent;

3. is duly notarized by an Ohio Notary Public;

4. has been filed with the juvenile court for the county in which the grandparent resides and/or any other court having jurisdiction over the child;

   If possible, have the individual provide a time-stamped copy of the caretaker authorization affidavit in order to demonstrate that it has been duly filed within five (5) days of the creation of the document.

5. request that the individual provides additional proof of residency in the School District, if necessary;

F. verify whether the child is currently serving a suspension or expulsion from a previous school district;[2]

G. verify that the power of attorney or caretaker authorization affidavit was not executed for the purpose of enrolling the child in the School District so that the child may participate in the academic programs or interscholastic athletic programs of the School District (language should be included in document).

Safe at Home/Address Confidentiality

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~~information to the District certifying that the parent (or adult student), his/her~~** child, or a member of the parent's household is a participant in the Safe at Home/Address Confidentiality Program~~ administered by the Secretary of State~~, the District shall use the address designated by the Secretary of State to serve as the student's address for enrollment purposes. The District shall place a copy of any certification provided by the parent in the enrollment files.

Provision of District and Building Report Card

The school official responsible for admitting students shall give the Parent of each student who qualifies for admission to school in the District, or to the student if the student is at least eighteen (18) years old, a copy of the District's most recent report card showing the performance rating of the District and the building the student will attend, or alternatively provide a link to the report card.

Parent means either of the biological or adoptive parents of the student, except:

A. Parent means the residential parent as designated by a court when the parents are divorced, their marriage has been dissolved or annulled, or the parents are living separate and apart pursuant to a legal separation, except that:

   When the parents are no longer married and have a shared parenting plan, Parent still means either parent.

B. When a court has granted legal custody of the student to an individual other than the biological or adoptive parent, or to an agency, Parent means the individual or agency with legal custody.

C. When a court has appointed a guardian for the student, Parent means the court-appointed guardian. A guardian *ad litem,* however, is not the Parent.

D. Parent means the student's grandparent when the District enrolls the student pursuant to a grandparent power of attorney or a grandparent caretaker authorization affidavit.

If the District is unable to identify the parent of a homeless student at the time of admission, or the parent does not accompany the student, the District shall provide a copy of the report card to the student and to the person who accompanies the student.

---

[1] Request that the individual provides additional proof of residency in the School District, if necessary. This additional proof of residency may consist of reasonable evidence such as a deed, building permit, rental agreement, tax statement, voter registration card, etc.

[2]Similar to other children seeking enrollment in the School District, the School District, after offering an opportunity for a hearing, may temporarily deny admittance to a child if **the child~~s/he~~** has been suspended or expelled under Ohio law and the period of suspension or expulsion has not expired.

© Neola 2022~~1~~

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised EPINEPHRINE AUTO-INJECTORS: MAINTENANCE AND USE
Code	ag5330.02
Status	First Board Review: Up for Discussion / Exhibit
Adopted	November 17, 2016
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

5330.02 - **EPINEPHRINE AUTO-INJECTORS: MAINTENANCE AND USE**

In consultation with a licensed health professional who is authorized to prescribe drugs, and in accordance with State law, the Superintendent hereby approves this policy and procedure, alternatively termed "Administrative Guidelines," governing the maintenance and use of epinephrine auto-injectors ("Epi-Pens").

A. **Locations:** At least two (2) Epi-Pens of both dose sizes (i.e., 0.3 mg of epinephrine and 0.15 mg of epinephrine) shall be securely stored in the following location in each school building:

(X) Office of School Nurse

(X) **[Other:]** Cafeteria

B. **Storage, Replacement, and Disposal:** Epi-Pens shall be stored, replaced, and disposed of in accordance with the following guidelines:

1. Storage: Epi-Pens shall be stored in the carrier tube provided at a temperature between 60^0F - 80^0F. ~~Further,~~

2. Replacement: **As needed.**

3. Disposal: **Return to Mylan to be replaced as needed.**

The ~~( ) Building Principal~~ (X) school nurse ~~( )~~ is responsible for verifying that an appropriate number of Epi-Pens are maintained in the school building and they have not expired.

C. **Individuals Authorized to Administer Epi-Pens in Emergency Situations:** The following individuals are authorized to access and use Epi-Pens in emergency situations:

1. ( ) licensed school nurse

2. ~~( ) licensed athletic trainer~~

3. ~~( ) building Principal~~

4. ~~( ) building secretary~~

5. ~~( ) teacher~~

6. ~~( ) aide~~

7. (X) other, as designated by student's IEP, 504 Plan, or IHP
~~( )~~

Each school shall have at least two (2) persons trained in the appropriate use of an epinephrine auto-injector. Building Principals shall maintain a list of the specific individuals authorized to use, in emergency situations, the District-maintained Epi-Pens. The list shall also be available on an electronically accessible site for employees' reference.

D. **Training:** Before using an Epi-Pen in an emergency situation, an individual other than a licensed school nurse or licensed athletic trainer, must complete an Epi-Pen administration program conducted by a licensed health professional. The training shall be done in accordance with any guidance provided by the Ohio Department of Education.

The training shall include how to recognize anaphylaxis and administer an epinephrine auto-injector.

(X) The training shall also include an evaluation by the licensed health professional of the employees' understanding of the protocols for administration of an Epi-Pen.

The **School Nurse** is responsible for coordinating the training of Board employees to administer Epi-Pens.

E. **Emergency Situations:** The authorized individuals may access and use an Epi-Pen in emergency situations, including but not limited to:

1. **(X)** when an individual demonstrates signs or symptoms of anaphylaxis;
2. ~~**( ) upon the first signs of a severe allergic reaction for which Epi-Pen treatment is indicated;**~~
3. ~~**( ) [other:]** _____~~

F. **Emergency Medical Provider Assistance:** Immediately following deployment of an Epi-Pen, the individual administering it shall request assistance from an emergency medical service provider (911). If the Epi-Pen was self-administered by the student, pursuant to AG 5330, the

(X) school nurse

~~**( ) [other:]** _____~~

shall be responsible for requesting assistance from an emergency medical service provider (911) immediately following the incident.

G. **Additional Recipients of Epi-Pen Assistance:** In addition to students, school employees, contractors, and visitors, an Epi-Pen may be administered to the following individuals in an emergency situation: any individual on school grounds who is believed to be having an anaphylactic reaction.

H. **Reporting of Injections:** Any person who administers an Epi-Pen to a student shall promptly notify

(X) the student's parent/guardian.

~~**[OR]**~~

~~**( ) _____, who shall be responsible for promptly notifying the student's parent/guardian that an injection has been administered.**~~

Additionally, all Epi-Pen injections by Board employees/contractors to students shall be reported in writing to the Superintendent ~~**( ) and** _____~~. The report shall include whether the school's or student's Epi-Pen was used, and whether the student was previously known to be subject to severe allergic reaction (anaphylaxis).

[X] Protocol for Use:

The definitive protocol for Epi-Pens, as issued by **Crawford County Health Department Medical Director** ~~_____ **[insert name of licensed health professional authorized to prescribe drugs],**~~ are as follows:

A. administration: **As needed**

B. dosage: **dependent upon student's size**

[END OF OPTION]

Nothing herein shall affect a student's ability to self-administer Epi-Pens in accordance with Policy 5330 and AG 5330.

© Neola 2022~~16~~

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised ASTHMA INHALERS: MAINTENANCE AND USE
Code	ag5330.03
Status	First Board Review: Up for Discussion / Exhibit
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

5330.03 - **ASTHMA INHALERS: MAINTENANCE AND USE**

In consultation with a licensed health professional who is authorized to prescribe drugs, and in accordance with State law, the Superintendent hereby approves this policy and procedure, alternatively termed "Administrative Guidelines," governing the maintenance and use of Asthma Inhalers.

A. **Protocol for Use:** The definitive orders for Asthma Inhalers, as issued by **a licensed healthcare professional / provider**, are as follows:

1. Administration: **As needed**
2. Dosage: **Dependent on student's size**
3. ~~**Number of Times Used:** _____~~
4. ~~**Method of Disposal:** _____~~

B. **Locations:** At least two (2) Asthma Inhalers shall be securely stored in the following location in each school building:

(X) Office of School Nurse

(X) **Cafeteria**

C. **Storage, Replacement, and Disposal:** Asthma Inhalers shall be stored, replaced, and disposed of in accordance with the following guidelines:

1. Storage: **Carrier tube provided at a temperature between 60 degrees and 80 degrees F.**
2. Replacement: **As needed**
3. Disposal: **Return to Mylan as needed**

The ~~**( ) Building Principal**~~ **(X)** school nurse ~~**( ) _____ [END OF OPTION]**~~ is responsible for verifying that an appropriate number of Asthma Inhalers are maintained in the school building and they have not expired.

D. **Individuals Authorized to Use Inhalers to Administer Asthma Medication in Emergency Situations:** The following individuals are authorized to access and use Asthma Inhalers in emergency situations:

1. **(X)** licensed school nurse
2. ~~**( ) licensed athletic trainer**~~
3. ~~**( ) licensed health professional**~~
4. ~~**( ) building Principal**~~

5. ~~( ) building secretary~~

6. ~~( ) teacher~~

7. ~~( ) aide~~

8. (X) other, as designated by student's IEP, 504 Plan, or IHP

9. ~~( ) _____ [OTHER]~~

Each school shall have at least two (2) persons trained in the appropriate use of an Asthma Inhaler. Building Principals shall maintain a list of the specific individuals authorized to use, in emergency situations, the District-maintained Asthma Inhalers. The list shall also be available on an electronically accessible site for employees' reference.

E. **Training:** Before using an Asthma Inhaler in an emergency situation, an individual other than a licensed school nurse or licensed athletic trainer must complete an Asthma Inhaler administration program conducted by a licensed health professional. The training shall be done in accordance with any guidance provided by the Ohio Department of Education.

(X) The training may be completed in person or through an online system.

(X) The training shall include how to recognize **common signs and symptoms of** asthma**; standards and procedures for using an Asthma Inhaler to deliver a dosage of medication to an individual and storage of the medication; and emergency follow-up procedures.**~~**symptoms and use an Asthma Inhaler to provide a dosage of medication to an individual.**~~

(X) The training shall also include an evaluation by the licensed health professional of the employees' understanding of the protocols for the use of an Inhaler to administer a dosage of asthma medication to an individual.

The **School Nurse** is responsible for coordinating the training of Board employees to use an Inhaler to administer asthma medication.

F. **Emergency Situations:** The authorized individuals may access and use an Asthma Inhaler in emergency situations including, but not limited to:

1. (X) when an individual **displays**~~**demonstrates**~~ signs or symptoms of asthma.

2. ~~( ) _____ [OTHER].~~

G. **Emergency Medical Provider Assistance:** Immediately following use of an Asthma Inhaler, the individual administering it shall request assistance from an emergency medical service provider (911). This requirement does not apply if the Asthma Inhaler was administered by a school nurse, athletic trainer, or licensed health professional. In the event the Asthma Inhaler does not produce the expected relief from the asthma attack, the (X) school nurse ~~( ) _____ [OTHER] [END OF OPTIONS]~~ shall **promptly request**~~**be responsible for requesting**~~ assistance from an emergency medical service provider (911)~~ **immediately following the use of the Asthma Inhaler**~~.

H. **Additional Recipients of Asthma Inhaler Assistance:** In addition to students, school employees, contractors, and visitors, an Asthma Inhaler may be administered to the following individuals in an emergency situation: any individual on school grounds who is believed to be having an asthma attack.

I. **Reporting of Use of Asthma Inhalers:** Any person who administers an Asthma Inhaler to a student shall promptly notify the

(X) student's parent/guardian.

~~**[OR]( ) _____, who shall promptly notifybe responsible for promptly notifying the student's parent/guardian that an Inhaler has been used to administer a dosage of asthma medication.**~~

Additionally, all uses of Asthma Inhalers to administer a dose of medication by Board employees/contractors to students shall be reported in writing to the Superintendent ~~( ) and _____ [END OF OPTION]~~. The report shall include whether the school's or student's Asthma Inhaler was used and whether the student was previously known to exhibit signs and symptoms of asthma.

Nothing herein shall affect a student's ability to self-administer Asthma Inhalers in accordance with Policy 5330 and AG 5330.

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised PROCUREMENT, MAINTENANCE, AND USE OF INJECTABLE AND NASALLY ADMINISTERED GLUCAGON
Code	ag5330.04
Status	First Board Review: Up for Discussion / Exhibit
Adopted	June 17, 2021
Last Revised	March 17, 2022
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

5330.04 - **PROCUREMENT, MAINTENANCE, AND USE OF INJECTABLE AND NASALLY ADMINISTERED GLUCAGON**

The Board of Education has authorized procurement of Glucagon for use in emergency situations to treat very low blood sugar. In accordance with State law, the Superintendent hereby approves this policy and procedure, alternatively termed Administrative Guidelines, governing the procurement, maintenance, and use of Glucagon in injectable and nasally administered doses. This guideline was promulgated following consultation with a licensed health professional authorized to prescribe drugs.

A. **Procurement:** The District may obtain injectable or nasally administered Glucagon from the following sources:

1. A licensed health professional authorized to prescribe drugs under State law who personally furnishes Glucagon or alternatively issues a prescription for the drug in the name of the school building or District; and

2. The Superintendent/designee may obtain a prescriber-issued protocol that includes definitive orders for the drug, as well as the dosages to be administered.

B. **Locations:** At least two (2) doses of Glucagon shall be securely stored in the following location(s) in each school building:

(X) Office of School Nurse

~~( ) _____ [OTHER]~~

C. **Storage, Replacement, and Disposal:** Glucagon doses shall be stored, replaced, and disposed of in accordance with the following guidelines:

1. Storage: Glucagon injectors and nasally administered doses shall be stored in the original carrier provided at a temperature between 60^0F - 80^0F. ~~Further, _____~~

2. ~~Replacement: _____~~

3. ~~Disposal: _____~~

The (X) Building Principal (X) school nurse ~~( ) _____ [END OF OPTIONS]~~ is responsible for verifying that an appropriate number of Glucagon doses are maintained in the school building and is also responsible for monitoring the expiration dates of the procured drugs.

D. **Individuals Authorized to Administer Glucagon in Emergency Situations:** The following individuals are authorized, by position and/or after completing specific training, to access and administer Glucagon in emergency situations:

1. (X) licensed school nurse

2. (X) licensed athletic trainer

3. (X) building Principal (trained)

4. (X) building secretary (trained)

5. (X) teacher (trained)

6. (X-) aide (trained)

7. (X) other trained personnel, as designated by student's IEP, 504 Plan, or IHP

8. ~~( ) _____~~

In addition to a school nurse, each school building shall have at least two (2) persons trained in the appropriate use of Glucagon, whether injected or nasally administered. Building Principals shall maintain a list of the specific individuals authorized to administer the District-maintained Glucagon during emergency situations. The list shall also be available on an electronically accessible site for employees' reference.

E. **Training:** Before administering Glucagon in an emergency situation, an individual other than a licensed school nurse or licensed athletic trainer must complete a Glucagon administration program conducted by a licensed health professional. The training shall be done in accordance with any guidance provided by the Ohio Department of Education.

The training shall include how to recognize the emergency circumstances which would necessitate the administration of Glucagon.

(X) The training shall also include an evaluation by the licensed health professional of the employees' understanding of the protocols for administration of Glucagon.

The School Nurse is responsible for coordinating the training of Board employees to administer Glucagon.

F. **Emergency Situations:** The authorized individuals may access and use Glucagon, either as an injectable or nasally administered in emergency situations when an individual demonstrates signs or symptoms of severe hypoglycemia. Staff authorized to use Glucagon will be trained to recognize the common signs and symptoms of severe hypoglycemia.

G. **Emergency Medical Provider Assistance:** Immediately following deployment of Glucagon, whether by injection or nasally administered, the individual administering it shall request assistance from an emergency medical service provider (911). If the Glucagon was self-administered by the student during an emergency situation, the (X) school nurse ~~( ) _____ [OTHER] [END OF OPTION]~~ shall be responsible for requesting assistance from an emergency medical service provider (911) immediately following the incident.

H. **Additional Recipients of Glucagon Assistance:** In addition to students, Glucagon may be administered to the following individuals in an emergency situation:

1. ~~( ) school employees~~

2. ~~( ) contractors~~

3. (X) any individual on school grounds who is believed to be having symptoms of severe hypoglycemia

I. **Reporting of Injections:** Any person who administers Glucagon to a student shall promptly notify the

~~( ) student's parent/guardian.[OR]~~
(X) Building Principal or School Nurse, who shall be responsible for promptly notifying the student's parent/guardian that Glucagon has been injected or nasally administered.

Additionally, all administrations of Glucagon by Board employees/contractors to students shall be reported in writing to the Superintendent ~~( ) and _____ [END OF OPTION]~~. The report shall include whether the school's or student's medicine was used, and whether the student was previously known to be subject to severe hypoglycemia.

Under State law, a school board, individual school board members, school district employees, and contracted service providers are not liable for damages in a civil action for injury, death, or loss that allegedly arose from an act or omission associated with procuring, maintaining, or using injectable or nasally administered glucagon in accordance with Board policies and procedures absent willful or wanton misconduct.

© Neola 2022
~~1~~

Legal

R.C. 3313.7115

RC. 4723.484

R.C. 4729.01

R.C. 4730.434

R.C. 4731.92

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - REJECT - Vol. 41, No. 1 - August 2022 Rescind OHIO CORE OPT-OUT REQUIREMENTS
Code	ag5460C - REJECT
Status	First Board Review: Up for Discussion / Exhibit
Last Reviewed	October 20, 2022

RESCINDED GUIDELINE - VOL. 41, NO. 1

~~**5460C – OHIO CORE OPT-OUT REQUIREMENTS**~~
~~**A student who enters ninth grade on or after July 1, 2010, and before July 1, 2014, may qualify for graduation even though the student has not completed the Ohio core curriculum prescribed by law and in Policy 5460, if all of the following conditions are satisfied:**~~

A. ~~**After the student has attended high school for two years, as determined by the school, the student and the student's parent, guardian, or custodian sign and file with the school a written statement asserting the parent's, guardian's, or custodian's consent to the student's graduating without completing the Ohio core curriculum and acknowledging that one consequence of not completing the Ohio core curriculum is ineligibility to enroll in most state universities in Ohio without further coursework.**~~

B. ~~**The student and parent, guardian, or custodian fulfill any procedural requirements the school stipulates to ensure the student's and parent's, guardian's, or custodian's informed consent and to facilitate orderly filing of statements as required.**~~

C. ~~**The student and the student's parent, guardian, or custodian and a representative of the student's high school jointly develop an individual career plan for the student that specifies the student matriculating to a two-year degree program, acquiring a business and industry credential, or entering an apprenticeship.**~~

D. ~~**The student's high school provides counseling and support for the student related to the plan developed during the remainder of the student's high school experience.**~~

E. ~~**The student successfully completes, at a minimum, the curriculum prescribed in this guideline.**~~

~~**In order for a student to qualify for a diploma in this District, s/he must have satisfactorily completed the following courses and earned at least twenty (20) credits.**~~
~~**Graduation must be earned by passing all mandated subjects, a major sequence, and earning total units required for the specific diploma sought. Credit toward graduation shall be granted for any course that a student successfully completes outside of school hours at an accredited postsecondary institution whether or not the course was paid for by the District or by the parents or student. In addition, the student must have attained the applicable score on the tests required by the State Board of Education for graduation in reading, writing, mathematics, science and social studies. Each student must demonstrate, unless exempted, the required level of skill in reading, writing, mathematics, science, and social studies at the end of the tenth grade.**~~
~~**As an alternative to the requirement that a student attain the applicable scores on the Ohio Graduation Tests ("OGT") in order to be eligible to graduate, a student may meet the OGT testing requirements if s/he satisfies all of the following conditions:**~~

A. ~~**passes four (4) out of five (5) OGT tests and has missed passing the fifth test by ten (10) points or less**~~

B. ~~**has a ninety-seven percent (97%) school attendance rate in each of the last four (4) school years, excluding any excused absences**~~

C. ~~**has not been expelled from school in any of the last four (4) school years**~~

D. ~~**has a grade point average of at least 2.5 out of 4.0 in the subject area of the test not yet passed**~~

E. ~~**has completed the high school curriculum requirement in the subject area of the test not yet passed**~~

F. ~~**has participated in any intervention programs provided by the District in the subject area and has a ninety-seven percent (97%) attendance rate, excluding any excused absences, in any of those programs provided at times beyond the normal school day, school week, or school year or has received comparable intervention services from another source, and**~~

G. ~~**holds a letter recommending graduation from each of the student's high school teachers in the subject area not yet passed and from the high school principal**~~

~~**Diploma – The requirements for graduation are based on grades nine (9) through twelve (12) and are listed below. However, no student shall be required to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early.**~~
~~**Each student must earn at least twenty (20) credits in order to graduate and receive a diploma. The distribution of such credits is to be as follows:**~~

~~**English Language Arts**~~	~~**4**~~
~~**Health**~~	~~**1/2**~~

~~Physical Education~~	~~1/2~~
~~Mathematics~~	~~3~~
~~Science~~	~~3 (1 in Biological science and 1 in Physical science)~~
~~Social Studies~~	~~3 (1/2 in Am. History, 1/2 in Am. Government)~~
~~Six (6) electives~~	~~(including 1 whole unit, or 2 half units, in business/technology, fine arts, and/or foreign language)~~

~~© Neola 2012~~

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised TRAVEL PAYMENT AND REIMBURSEMENT/RELOCATION COSTS
Code	ag6550
Status	First Board Review: Up for Discussion / Exhibit
Adopted	November 29, 2011
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

6550 - **TRAVEL PAYMENT AND REIMBURSEMENT/RELOCATION COSTS**

Reimbursement for approved professional travel will be based on business-related expenses incurred solely by the employee upon submission of a properly completed and approved professional travel reimbursement form.

The Superintendent approves all professional travel reimbursement forms.

If approved in advance, the following are reimbursable upon submission of receipts and documentation:

A. conference registration fees

B. transportation - plane, train, or automobile including buses, taxis, and limousines

C. mileage at the Board-approved rate

D. toll charges and parking

E. lodging (In most instances, reimbursement will be limited to the Conference rate, however, exceptions may be made in extenuating circumstances as determined by the Treasurer.)

F. meals

1. The maximum per-day/per-meal allowance/stipend (includes a twenty percent (20%) gratuity) for all travel (except for travel to the major cities listed below) is:

Brunch/Breakfast	$ **12.00**
Lunch	$ **17.00**
Dinner	$ **31.00**

The maximum per-day/per-meal allowance/stipend for travel to Atlanta, Boston, Chicago, Los Angeles, Miami, New Orleans, New York, Orlando, Philadelphia, San Diego, or San Francisco (includes a twenty percent (20%) gratuity) is:

Brunch/Breakfast	$ **14.00**
Lunch	$ **20.00**
Dinner	$ **44.00**

2. Official Conference banquets will be reimbursed at actual cost.

G. phone calls for District business and ~~( ) reasonable ( ) limited [END OF OPTIONS]~~ calls home

Emergency and/or unanticipated trips involving Board expense(s) may be approved by the Superintendent and/or the Treasurer.

The Board will not pay personal expenses beyond the cost of the convention.

The expenses will be reimbursed within the budgetary appropriation.

Advance payment may be paid only for the following: conference registration fees~~;~~ plane and train fares; car rental; meal stipend (receipts not required); and lodging. Cancellation fees will be covered if beyond the employee's control. ~~When advance payments are made, the employee must adequately account for (i.e., substantiate) the employee'shis/her actual expenses within a reasonable period (i.e., within ____ (__) days [Note: not to exceed sixty (60)]) of the expenses being paid or incurred. If the advance payments exceed the employee's actual expenses, the employee s/he must return the excess payment within a reasonable period (i.e., within _____ (__) days [Note: not to exceed 120]) after the expenses are paid or incurred. Failure to return any excess payment within a reasonable period ( ) shall ( ) may [END OF OPTION] result in disciplinary action, and the excess amount shall be reflected as compensation to the employee on the employee'shis/her annual W-2 form.~~
~~In order to substantiate an expense, the employee must provide the Superintendent with a completed professional travel reimbursement form in which the employees/he describes each expense at or near the time the employees/he had it, along with documentary evidence (such as receipts, canceled checks, and/or bills) of the employee's travel or other business-related expense. Documentary evidence must show the amount, date, place, and essential character of the expense. For example, a hotel receipt must contain the following information: name and location of the hotel; dates the employee stayed there; and separate amounts for charges such as lodging, meals, and telephone calls. Similarly, a restaurant receipt must contain: name and location of the restaurant; number of people served; and date and amount of the expense. If an employee has any questions concerning what constitutes appropriate documentary evidence, the employees/he should ask the Superintendent.~~

Actual expenses are approved by the **Business Manager / Director of Business Services** ~~Superintendent~~ for professional and classified staff. The **Treasurer** approves expenses incurred by the Superintendent. The **Superintendent** approves expenses incurred by the Treasurer.

Business-related mileage for the District is reimbursable under the following conditions:

A. Requests for reimbursement are to be submitted on the Monthly Mileage Report. The report must be approved by the Department Head or Principal. Parking receipts are required for reimbursement. Incomplete reports will be returned.

B. Mileage will be reimbursed at the Board approved rate **according to the published Internal Revenue Service rate per mile.**

C. Mileage will be reimbursed during the fiscal year it was incurred. Forms must be submitted to the **Business Manager's Office** within sixty (60) days of travel. All travel during the months of May and June must be submitted by June 30th to be reimbursed within the current fiscal year.

D. Monthly Mileage Reports submitted after the deadlines stated above will not be reimbursed.

~~[ ] Relocation Cost Reimbursement [ ] [OPTION #1]~~
~~Relocation costs are costs incident to the permanent change of duty assignment (for an indefinite period or for a stated period of not less than twelve (12) months) of an existing employee or upon recruitment of a new employee. Relocation costs are allowable, subject to the limitations described below, provided that:~~

A. ~~the move is for the Board's benefit;~~

B. ~~reimbursement to the employee is in accordance with Policy 6550 and 2 C.F.R. 200.464; and~~

C. ~~the reimbursement does not exceed the employee's actual (or reasonably estimated) expenses.~~

~~On a case-by-case basis, the Board may approve the following relocation costs for current employees:~~

A. ~~The costs of transportation of the employee, members of the employee's immediate family and household, and personal effects to the new location.~~

B. ~~The costs of finding a new home, such as advance trips by employees and spouses to locate living quarters and temporary lodging during the transition period, up to maximum period of thirty (30) calendar days.~~

C. ~~( ) Closing costs, such as brokerage, legal, and appraisal fees, incident to the disposition of the employee's former home. These costs, together with those described in D. below, are limited to eight percent (8%) of the sales price of the employee's former home.~~

D. ~~( ) The continuing costs of ownership (for up to six (6) months) of the vacant former home after the settlement or lease date of the employee's new permanent home, such as maintenance of buildings and grounds (exclusive of fixing-up expenses), utilities, taxes, and property insurance.~~

E. ~~( ) Other necessary and reasonable expenses normally incident to relocation, such as the costs of canceling an unexpired lease, transportation of personal property, and purchasing insurance against loss of or damages to~~

~~**personal property. The cost of canceling an unexpired lease is limited to three (3) times the monthly rental. Similarly, on a case-by-case basis, the Board may approve the following relocation costs for new employees:**~~

A. ~~**The costs of transportation of the employee, members of the employee's immediate family and household, and personal effects to the new location.**~~

B. ~~**The costs of finding a new home, such as advance trips by employees and spouses to locate living quarters and temporary lodging during the transition period, up to maximum period of thirty (30) calendar days.**~~

~~**When relocation costs incurred incident to the recruitment of new employees are charged to a Federal award and the employee resigns for reasons within the employee's control within twelve (12) months after hire, the Board will refund or credit the Federal Government for its share of the cost.**~~

~~**The following costs related to relocation are never allowable:**~~

A. ~~**Fees and other costs associated with acquiring a new home.**~~

B. ~~**A loss on the sale of a former home.**~~

C. ~~**Continuing mortgage principal and interest payments on a home being sold.**~~

D. ~~**Income taxes paid by an employee related to reimbursed relocation costs.**~~

~~**[END OF OPTION 1]**~~

~~**[OR]**~~

[X] [OPTION #2]

The Board does not reimburse relocation costs.

[END OF OPTIONS]

© Neola 2022~~13~~

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised FAIR LABOR STANDARDS ACT (FLSA)
Code	ag6700
Status	First Board Review: Up for Discussion / Exhibit
Adopted	April 1, 2005
Last Revised	April 24, 2014
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

6700 - **FAIR LABOR STANDARDS ACT (FLSA)**

The Fair Labor Standards Act (FLSA) requires the Board of Education to pay covered, non-exempt employees no less than the minimum wage required by the FLSA. This rate will be automatically adjusted annually based on the U.S. Consumer Price Index. In addition, covered, non-exempt employees are entitled to premium pay of not less than one and one-half (1 1/2) times the employee's regular rate of pay for all hours the employee works in excess of forty (40) hours in a work week. The regular rate of pay includes all remuneration for employment paid to an employee, including base pay, longevity pay, bonuses, and shift differentials. Hours worked shall include all time that the employee is required to be on duty or at the prescribed workplace, and all time during which the employee is allowed/permitted to work. This includes any bona fide work that the employee performs on or away from the premises if **the employee's**~~his/her~~ immediate supervisor knows or has reason to believe the work is being performed. The District recognizes that the FLSA does not permit averaging of hours over two (2) or more work weeks. ~~( ) The FLSA applies to the following positions/classifications in the District [Identify those positions/classifications that are covered by the FLSA. Information on exempt positions can be found at the Department of Labor's website – www.dol.gov]:~~

A. _____

B. _____

C. _____

~~[END OF OPTION]~~

For covered, non-exempt employees who are currently paid on an annual salary basis, their salaries must be divided by the hours the employees actually work in a given work week to verify the employees are receiving at least the minimum wage required by the FLSA.

Where a covered, non-exempt employee, in a single work week, works at two (2) or more different types of work for which different straight-time rates have been established, the regular rate for that week is the weighted average of such rates, i.e. the earnings from all such rates are added together and this total is then divided by the total number of hours worked at all jobs. **(**~~( ) In the alternative, the _____ [designated administrator] and the employee may agree in writing and in advance that the overtime pay will be paid at the rate of the work being performed during the overtime period. [IF THE EMPLOYEE IS A MEMBER OF A LOCAL BARGAINING UNIT, THE BOARD WILL ALSO NEED TO AGREE WITH THE BARGAINING UNIT REPRESENTATIVE TO TAKE ADVANT~~**AGE** ~~OF THIS ALTERNATIVE.]~~

A. **(X)** Classified employees who are represented by ~~( )~~ _____ **(X)** a bargaining unit ~~[END OF OPTION]~~ should consult their negotiated agreement with regard to the nature of their salary and how overtime will be calculated when necessary, and whether they can receive compensatory time in lieu of premium pay for overtime hours.

B. **(X)** A classified staff member must complete and submit for approval the specified form each time that compensatory time in lieu of premium pay for overtime hours is given.

C. ~~( ) Classified staff members who receive compensatory time in lieu of premium pay for overtime hours, however, cannot accumulate more than 240 hours of compensatory time (i.e., the equivalent to 160 hours of actual overtime worked.~~

D. ~~( ) The Board ( ) will ( ) may enter into an agreement with ( ) classified employees whose positions have ( ) each individual classified employee whose position has been excluded from ( ) the bargaining unit ( ) a bargaining unit clarifying the nature of their salary and how overtime compensation will be calculated. The agreement or understanding to use compensatory time for employees who do not have representatives must be arrived at before the performance of work. Such agreement should be in writing so that a record of its existence is maintained. Where compensatory time arrangements are made with individual employees, said agreements need not be the same for all employees, and compensatory time arrangements need not be made available to all employees.~~

~~( ) This agreement will also specify that compensatory time may be given in lieu of premium pay for overtime hours. A classified employee must complete and submit for approval the specified form each time that compensatory time in lieu of premium pay for overtime hours is given. A classified employee who receives compensatory time in lieu of premium pay for overtime hours, however, cannot accumulate more than 240 hours of compensatory time (i.e., the equivalent to 160 hours of actual overtime worked).~~

~~( ) [THIS OPTION SHOULD BE SELECTED IF EITHER OF THE TWO (2) PRIOR OPTIONS WAS SELECTED – i.e., if compensatory time is permitted.]~~

~~An employee who has accrued compensatory time will be permitted to take the time off within a reasonable period after making the request, provided the time does not unduly disrupt the District's operations. Additionally, even where compensatory time has been agreed upon, the Board of Education may still substitute cash for compensatory time. Finally, if an employee is terminated or resigns, and the employee/he has accrued compensatory time available, the employee will be paid at: (1) the average regular rate received by such employee during the last three (3) years of employment; or (2) the final regular rate received by such employee, whichever is higher.~~

Meal Periods

A bona fide meal period of thirty (30) minutes or more that occurs during the scheduled workday is not hours worked if the employee is completely relieved from duty for the purpose of eating a meal unless otherwise specified in an applicable collective bargaining agreement.

Leave Status

Time spent in paid leave status is not considered hours worked unless otherwise specified in an applicable collective bargaining agreement.

FLSA Posting

Administrators and supervisors are directed to verify that the official FLSA poster is displayed in all work locations (i.e., in locations where covered, non-exempt employees can view it on a regular basis).

Recordkeeping Requirements

It shall be the responsibility of all covered, non-exempt employees to record and submit an accurate account of their time worked each week on approved forms or via electronic or machine timecards. An employee's misrepresentation or failure to submit an accurate account of **the employee's**~~his/her~~ time worked may subject the employee to discipline up to and including termination.

Non-exempt employee time records shall be verified by a supervisor who has personal knowledge of the hours worked by the employee. It shall be a violation of this guideline for a supervisor to ask a non-exempt employee to record fewer hours than were actually worked by the employee.

The District will maintain the following records for all covered, non-exempt employees:

A. employee's full name, Social Security Number, home address (including zip code), occupation, sex, DOB (if under nineteen (19) years of age)

B. time and day of week when employee's work week begins

C. total hours worked each work day and each work week

D. basis on which employee's wages are paid (e.g., $8.00 an hour, $320.00 a week)

E. regular hourly pay rate

F. total daily and weekly straight-time earnings

G. total overtime earnings for the work week

H. all additions to and/or deductions from the employee's wages

I. total wages paid each pay period

J. date of payment and the pay period covered by the payment

Payroll records will be maintained for at least three (3) years, and time cards and wage computation records (including work and time schedules) will be maintained for at least two (2) years.

Volunteers

The FLSA requires that non-exempt employees must be compensated for all hours they are required or permitted to work. Consequently, even if an employee volunteers to work beyond **the employee's**~~his/her~~ normally scheduled hours, the Board will still compensate the employee for those hours worked. An individual is considered to be a volunteer only if the following conditions are met:

A. Services are performed for which no compensation is received beyond expenses or a nominal fee.

B. Services rendered are not the same type of services that the individual is employed to perform for the Board.

Example:

A custodial employee who wishes to volunteer as an athletic coach would not be considered an employee while volunteering and therefore not entitled to compensation for **the**~~his/her~~ efforts as a coach. If, however, the employee is compensated (i.e., pursuant to a supplemental contract), the employee's hours as a coach would need to be included in the calculation of all hours worked in a given work week, and the employee would be entitled to at least minimum wage for the supplemental duties, as well as overtime for any hours ~~s/he~~ worked beyond forty (40) in a given work week for the Board.

Reasonable Break Time for Nursing Mothers

The Board supports the decision of staff members to breastfeed their infants. Employees who are eligible for overtime under the FLSA will be provided with additional unpaid break time, as necessary, for lactating employees to express breast milk for their infants on District premises in accordance with Federal law as summarized in Board Policy 6700.

[X] Employees who are exempt from FLSA overtime will also be given reasonable break time to express breast milk as long as they are able to complete critical work duties or the Board is able to provide sufficient substitute coverage. Proper supervision of students will be maintained at all times. The same procedures outlined in Policy 6700 will serve as guidelines for exempt employees. [END OF OPTION]

Additional Information Concerning the FLSA

Additional information concerning the FLSA can be found at the Department of Labor's website (www.dol.gov).

© Neola 2022~~14~~

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised METAL DETECTOR SEARCH PROCEDURES **REJECT**
Code	ag7440B REJECT THIS GUIDELINE
Status	First Board Review: Up for Discussion / Exhibit
Adopted	October 20, 2022
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

~~**7440B - METAL DETECTOR SEARCH PROCEDURES**~~
~~**The _____ shall be responsible for the monitoring and enforcement of guidelines relative to metal detector search procedures. The _____ shall have the authority to request metal detector searches, and searches shall not be conducted in the absence of such request.**~~

~~**The purpose of the metal detector search is to discourage students from bringing weapons ( ) and/or other unauthorized objects (e.g., vape pens and other prohibited equipment/devices) [END OF OPTION] into the schools. Accordingly, metal detectors may be used at District _____, _____, and _____ schools and school-related functions of such schools, on a random and periodic basis.**~~

~~**All ( ) students ( ) staff members ( ) visitors [END OF OPTIONS] entering _____, _____, and _____ schools and school-related functions of such schools are subject to search.**~~

~~**Metal detector searches will be conducted by _____ using magnetometers (also known as walk-through metal detectors) and hand-held scanning devices, and monitored by the _____.**~~

A. ~~**( ) Students ( ) Staff members ( ) Visitors [END OF OPTIONS] shall not be informed in advance regarding the specific dates on which, or the locations where, metal detector searches will occur.**~~

B. ~~**Prior to a metal detector search being conducted, a sign or signs announcing a search for weapons ( ) and/or other unauthorized objects (e.g., vape pens and other prohibited equipment/devices) [END OF OPTION] shall be posted, on the day of the metal detector search, outside the school or school-related function, at a main entrance or entrances.**~~

C. ~~**When a metal detector is being used, ( ) students ( ) staff members ( ) visitors [END OF OPTIONS] will be permitted to use only designated entrances to the school or school-related function. District staff may be stationed at other entrances, as necessary, to prevent ( ) students ( ) staff members ( ) visitors [END OF OPTIONS] from opening those entrances to admit others into the building or school-related function.**~~

D. ~~**All ( ) students ( ) staff members ( ) visitors [END OF OPTIONS] entering the school or school-related function are subject to search although those conducting the search and/or the _____ monitoring the search may choose to limit the search by any lawful random formula. For example, if the lines become too long, the search may be limited to every second or third person. Once a random formula is utilized, it shall be applied without deviation until it is ended by order of the _____. A random formula shall not be ended in order to search a particular student or person.**~~

E. ~~**The _____ and _____ are prohibited from selecting a particular ( ) student ( ) person [END OF OPTIONS] to search unless there is a reasonable suspicion to believe that the ( ) student ( ) person [END OF OPTIONS] is in possession of a weapon ( ) and/or other unauthorized objects (e.g., vape pens and other prohibited equipment/devices) [END OF OPTION].**~~

F. ~~**Prior to use in conducting a metal detector search pursuant to these guidelines, each search device to be used shall be examined by a person familiar with its operation to determine if it is in proper working order. A metal detector search device shall not be used if there is any question as to whether it is in proper working order.**~~

G. ~~Each person operating a metal detector search device shall be trained in the proper use of the device and the detection of any malfunction in the operation of the instrument. Adjustments in the settings of the device shall only be made by the _____.~~

H. ~~As to each individual search, the _____ will ask the ( ) student ( ) person [END OF OPTIONS] to remove all metal objects from theirhis/her person (e.g., belt buckles, jewelry) and to place the metal objects and any bags, backpacks, briefcases, knapsacks, purses, or parcels on a table. With the exception of contraband in plain view, police officers may not inspect items in which a weapon ( ) and/or other unauthorized objects (e.g., vape pens and other prohibited equipment/devices) [END OF OPTION] could not be concealed, and may not examine written materials. The _____ shall monitor each metal detector search for compliance with these guidelines.~~

I. ~~The ( ) student ( ) person [END OF OPTIONS] will then be asked to walk through the magnetometer (i.e., walk-through metal detector). If the metal detector activates, the individuals/he [END OF OPTIONS] will be asked a second time to remove metal objects from theirhis/her person and to walk through the magnetometer a second time.~~

J. ~~If the walk-through metal detector activates a second time, the _____ is to approach the ( ) student ( ) person [END OF OPTIONS] and explain the hand-held scanning device process, and then conduct a scanscanning beginning at the toes and continuing up to the head without intentionally touching the body. The bags and parcels will also be scanned. The _____ shall monitor each search for compliance with these guidelines.~~

K. ~~When a ( ) student's ( ) staff member's ( ) visitor's [END OF OPTIONS] bag or parcel activates the scanning device, the _____ is to request the individualhim/her [END OF OPTIONS] to open the container in question so that the officer can look for weapons ( ) and/or other unauthorized objects (e.g., vape pens and other prohibited equipment/devices) [END OF OPTION].~~

L. ~~If a ( ) student's ( ) staff member's ( ) visitor's [END OF OPTIONS] body activates the device, the _____ will repeat the request to remove metal objects. A second hand-held scanning device scan will then be conducted and if the device is activated again, the _____ will escort the ( ) student ( ) person [END OF OPTIONS] to a private area ( ) where a more thorough search will be conducted in accord with AG 5771 on searches of a student's body ( ) where the person will be asked to wait until law enforcement arrives to conduct a more thorough search [END OF OPTIONS].~~

M. ~~Prior to the private search, the _____ must ask the ( ) student ( ) staff member ( ) visitor [END OF OPTIONS] again to remove all objects from the individual'shis/her person, then the search will begin near the place where the device was activated. This is a pat-down search of outer clothing only, conducted by a person of the same gender, geared to locate the item that triggered the scanning device. The _____ shall monitor this search for compliance with these guidelines.~~

N. ~~If the _____ feels an object during the pat-down, the ( ) student ( ) staff member ( ) visitor [END OF OPTIONS] will be given a chance to remove it before the _____ does. If such an object, once removed, appears to be the one that activated the device, the search ceases.~~

O. ~~The search can be continued only if a subsequent scan activates the device.~~

P. ~~The search is directed to a search for weapons ( ) and/or other unauthorized objects (e.g., vape pens and other prohibited equipment/devices) [END OF OPTION];, however, other contraband discovered in the course of a metal detector search or pat-down may also be removed from any student.~~

Q. ~~All property removed from the ( ) student ( ) person [END OF OPTIONS] as a result of the above procedures that may be legitimately brought on school premises or to school functions will be returned to the ( ) student ( ) person [END OF OPTIONS]. All other property will not be returned to the ( ) student ( ) person [END OF OPTIONS].~~

R. ~~Property removed from the student or the student's bags or parcels, possession of which is a violation of the ( ) Code of Conduct ( ) Discipline Code, [END OF OPTIONS] school rules, Board policy and administrative guidelines, and/or the law, shall cause a student to be disciplined in accordance with the ( ) Code of Conduct ( ) Discipline Code [END OF OPTIONS] and may subject the student to criminal prosecution and/or juvenile proceedings for violations of law.~~

S. ~~If a student refuses to cooperate with the pat-down search, the _____ is to notify the director, administrator, or Board employee who is stationed nearby to monitor the search. Such studentstudents shall be subject to the ( ) Code of Conduct ( ) Discipline Code [END OF OPTIONS]. Refusal shall also be grounds for~~

~~immediate removal from school, facilities, and/or grounds and further discipline.~~

T. ~~Nothing in the procedures set forth above shall limit the authority of the Board and Board employees to remove other contraband from a student, and to otherwise search a student when there is reasonable suspicion to believe that a particular student is in possession of an article or thing, the possession of which constitutes inappropriate behavior under the ( ) Code of Conduct ( ) Discipline Code [END OF OPTIONS].~~

U. ~~A copy of the Metal Detector Search Procedures shall be available to each person and _____ who will in any way be involved with the conducting and/or monitoring of searches.~~

~~© Neola 202209~~

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised VIDEO SURVEILLANCE AND ELECTRONIC MONITORING
Code	ag7440.01
Status	First Board Review: Up for Discussion / Exhibit
Adopted	September 1, 2004
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

7440.01 - **VIDEO SURVEILLANCE AND ELECTRONIC MONITORING**

Purpose and Scope

This guideline governs the implementation of video surveillance and electronic monitoring systems on school property. ~~, and in school buildings and school buses.~~ **(X)** This guideline also addresses staff members' use of portable video cameras on school property for security purposes **[~~END OF OPTION].~~**

Board Policy 7440.01 and this guideline do not apply to District and parentally-created video recordings of school events (e.g., plays, music performances, athletic contests, graduation, Board meetings), video recordings used for instructional purposes and made with the consent of all parties recorded, video recordings made of individual teachers for the purpose of improving classroom instruction, or surveillance (covert or otherwise) undertaken by law enforcement officers.

Definitions:

A. **Covert Surveillance** - surveillance conducted by means of hidden devices, without notice to the individuals being monitored.

B. **Personally Identifiable Information** - all information about a student other than directory information, which is defined in R.C. 3319.321(B)(1).

C. **Video Recording** - a videotape, CD, DVD, disk, hard drive, or other device **(including a cloud storage device located off school property)** used to store information (whether in printed format, on film, by digital/electronic means, or otherwise) from a video surveillance/electronic monitoring system.

D. **Video Surveillance/Electronic Monitoring System** - a video, physical, or other mechanical, electronic, or digital surveillance/electronic monitoring system or device that is permanently installed and enables continuous or periodic video recording, observing, or monitoring of individuals on school premises, and in school buildings and school buses. **(X)** This includes an **(X)** audio device, ~~**[END OF OPTION]**~~ thermal imaging technology or any other component associated with recording the image of an individual ~~**[END OF OPTION].**~~

E. **Portable Video Cameras** - portable video cameras that may be carried by an individual and/or body-worn video cameras.

[X] Approval

Before a video surveillance/electronic monitoring system is installed in a school building or on school premises, the **Principal**~~**building director**~~ must provide to the Superintendent a report describing the circumstances that indicate the necessity of having surveillance at the site (e.g., the safety and property concerns). The report should outline the less intrusive/invasive means that have been considered and the reason why they are not effective. The report should also identify proposed locations of the video surveillance/electronic monitoring equipment and whether portable video cameras will be used.

[END OF OPTION]

Placement of Video Surveillance/Electronic Monitoring Equipment

The **Principal**~~building director~~, subject to review by the Superintendent, is responsible for authorizing the locations where video surveillance/electronic monitoring equipment is installed and operated. The **Principal**~~building director~~ must approve any changes in the locations of the equipment.

Video surveillance/electronic monitoring equipment may not ordinarily be used inside a classroom, laboratory, or other area utilized as a classroom or study space. Absent extraordinary circumstances, video surveillance/electronic monitoring equipment may not be operated in areas where there is a reasonable expectation of privacy by staff or students and where appropriate confidential or private activities/functions are routinely carried out (e.g., restrooms, locker rooms, private offices, conference/meeting rooms, and/or staff lounges). Any exception to this rule must first be authorized by the **(X)** Superintendent ~~( ) Board [END OF OPTION]~~ on grounds that no other supervision option is feasible and that the need is pressing and outweighs the privacy interest of the students or other persons likely to be observed. Surveillance of such locations may not be authorized on an ongoing basis.

Video surveillance/electronic monitoring equipment must be installed in a way that it only monitors those spaces that have been identified as requiring video surveillance - i.e., video cameras should not be directed to look through the windows of adjacent buildings or onto adjacent property. Viewing areas off-campus, into neighboring property, into vehicles, or into any other areas where there is a reasonable expectation of privacy, is prohibited. Absent express written authorization from the Superintendent, no sound is to be monitored or recorded in connection with the video surveillance/electronic monitoring system.

[X] Security staff and administrators are authorized to carry and use portable video cameras ~~( ) when responding to incidents [END OF OPTION].~~

~~[ ] Security staff are authorized to use body-worn video cameras while on duty but are prohibited from operating them while routinely patrolling restrooms and locker rooms unless the staff member is responding to a specific incident.~~

Notice of Surveillance

Parents will be informed whenever a school decides to install video surveillance/electronic monitoring systems.

Students, faculty, and staff must be informed at the beginning of each year that the school is using video surveillance/electronic monitoring equipment to observe, monitor, and/or record the behavior and activity of all persons on school property or grounds, or participating in school functions.

Each building or area in which a video surveillance/electronic monitoring system is **being used**~~occurring~~ shall have clearly written signs posted at conspicuous locations informing persons that the buildings and grounds may be under video surveillance. Signs shall be conspicuous enough in size so that a reasonable person would be able to view the contents of the sign and have reasonable and adequate warning that surveillance is, or may be, in operation. The signs must provide contact information of the **Principal**~~building director or a designated staff person~~ who is responsible for answering questions about the video surveillance/electronic monitoring system. Any exception to the Notice requirement, such as for a time-limited specific investigation into criminal conduct, must be authorized by the Superintendent on the grounds that covert surveillance is essential to the success of the investigation and the need outweighs the privacy interests of the persons likely to be observed. Covert surveillance may not be authorized on an ongoing basis.

Operation of Video Surveillance/Electronic Monitoring Equipment

Video surveillance/electronic monitoring equipment may be used to monitor and/or record behavior and activity of all persons on school property or grounds.

Although constant, real-time monitoring may not always be possible, it is expected that video images will be monitored on a scheduled basis.

Real-time viewing shall be limited to the **Principal or specified**~~building director or his/her designees (e.g.,~~ security personnel, other administrators, and ~~secretarial~~ staff responsible for providing visitors with access to the building~~)~~. **(X)** Under certain circumstances, the **Principal**~~building director~~ or Superintendent may contact local law enforcement to view the District's real-time video surveillance/electronic monitoring feeds ~~[END OF OPTION].~~ Circumstances warranting a review should be limited to instances where an incident is reported/observed or to investigate a potential crime or violation of Board Policy or the Student Code of Conduct.

If information is not viewed for law enforcement, school, or public safety purpose - it should be routinely erased ~~according to a standard schedule (i.e., they will be maintained for a period of _____ (__) [seven (7) to thirty (30)] calendar days).~~ If information is viewed for law enforcement, school, or public safety purposes, it must be retained for a minimum of one (1) year. Prior to destruction of it, the **Principal**~~building director~~ should contact the Superintendent and/or Board Counsel.

Each **Principal**~~building director~~ is responsible for the proper implementation and control of a video surveillance/electronic monitoring system installed and operating in **the building(s) and premises the Principal oversees**~~his/her building and premises~~. A periodic audit by the **Principal**~~building director~~ of random images from the video surveillance/electronic monitoring system shall be conducted to verify that the equipment is operating properly and has not been blocked, moved, or altered and that the images captured by the system are not inclusive of areas prohibited by this guideline or Board policy.

Only a designated employee or agent of the Board can install and operate video surveillance/electronic monitoring equipment. **Principals**~~Building directors~~ who have video surveillance/electronic monitoring equipment installed and operated on their campuses are responsible for adhering to a strict maintenance program - including image refocusing and lens cleaning.

Use of Video Recordings

Information obtained through video surveillance/electronic monitoring shall be used exclusively for the purpose set out in policy - i.e., to enhance security for students, staff, and visitors, and to assist in the detection and deterrence of criminal activity (theft/vandalism) and/or violations of Board policy or the Student Code of Conduct. Video recordings may be used by the Board/administration as evidence in any legal or disciplinary actions, and for inquiries and proceedings related to law enforcement. **(X)** The video surveillance system/electronic monitoring will not ordinarily be used to monitor staff performance, but any evidence unintentionally obtained through its general use may be used in internal employment or labor-related investigations **[**~~END OF OPTION]~~. Information shall not be retained or used for purposes other than those sanctioned by Board policy.

Any remote monitoring system must protect the integrity of the video surveillance system and include a system utilizing passwords or other identifiers to gain access. Monitoring shall only be conducted by authorized school or District administrators and designees (e.g., police officials). Likewise, network-connected systems must not be openly accessible on the Internet; rather, they must be **password protected, operated behind appropriate firewalls, and use multi-factored authentication**~~operated behind the District's firewall and password protected~~.

Misuse or abuse of the video surveillance/electronic monitoring system shall not be tolerated and will be addressed on a case-by-case basis by the Board and Superintendent.

Viewing of Recordings

The Superintendent or Principal shall designate the authorized users of the video surveillance/electronic monitoring system~~Authorized users of a video surveillance/electronic monitoring system shall be approved by the Superintendent or building director~~. Only individuals with a legitimate educational interest in the video recording shall be designated as authorized users. As such, video recordings may only be viewed by the **Principal**~~building director/designee~~ or individual authorizing the video surveillance/electronic monitoring systems installation, by parents and students (see below), or School District staff with a direct involvement with the recorded content of the specific video recording, or employees or agents responsible for the technical operation of the system (for technical purposes only).

Authorized users shall receive training regarding proper use of the video surveillance/electronic monitoring system equipment, rules regarding privacy, and Board policy. Authorized users shall restrict system use to that for which it is intended (i.e., maintenance of individual safety and property conservation).

[X] Video recordings will be viewed by authorized users on a random basis and/or when problems are brought to the attention of the **Principal**~~building director~~ or another administrator.

Video monitors used to view video recordings should not be located in a position that enables public viewing.

~~[ ] Any student (or parent of a minor student), employee, or member of the public that is recorded by a video surveillance/electronic monitoring system has a general right of access to review the video if it will not result in or constitute an unauthorized release of another student's personally identifiable information. Access to an individual's own personal information may depend upon whether any other confidential or privileged information can be reasonably severed. Confidential or private information can be reasonably severed from the recording for viewing purposes if the District is able, without undue hardship or expense, to utilize a copy of the recording and digitally blackout or blur the images of the other individuals who appear on the video. The original recording may not be altered in any manner. If an employee or student is facing any disciplinary action, the employee or students/he may authorize theirhis/her (union) representative or other advocate to also view the video recording.~~

An individual may be refused permission to review a video recording where to allow it would:

A. be an unreasonable invasion of a third party's personal privacy;

B. give rise to a concern for the safety of a third party;

C. constitute an unauthorized disclosure of student personally identifiable information under State and/or Federal law; or

D. interfere with or compromise a law enforcement investigation/matter.

If an individual is prohibited from reviewing a video recording, the **Principal**~~building director~~ will view it and report to the person what is contained on the recording.

Retention, Secure Storage, Access to and Disposal of Video Recordings

Analog video~~Video~~ recordings, when not in use, shall be stored in a locked, fire-resistant cabinet or room, in an area to which students and the public do not normally have access. The recordings must be clearly and properly labeled and entered into a storage log. **Digital video recordings shall be (X) encrypted and [END OF OPTION] stored in a password-secured device that uses multi-factored authentication.**

Access to and viewing of video recordings is limited to authorized personnel. The **Principal**~~building director~~ is responsible for maintaining a proper audit trail for all video recordings (i.e., logs must be maintained of all instances of access to, and use of, recorded material - the log must document the person accessing the recording, the date and time of access, and the purpose). The **Principal**~~building director~~ shall approve requests for access to recorded and stored video images. The **Principal**~~building director~~ may authorize the viewing of recorded images in the event of an ongoing law enforcement investigation, an incident involving property damage or loss, or for other reasons deemed appropriate.

All **analog** video recordings to be taken off-site must be signed out by the requestor and the **Principal**~~building director~~. When returned, the requestor who originally signed the recording out and the **Principal**~~building director~~ shall sign the **analog** recording back in. All video surveillance/electronic monitoring recording media shall be considered legal evidence and treated as confidential or as directed by Board Counsel. Release of original video recordings to individuals or outside agencies may only occur pursuant to subpoena or court order after the same has been reviewed by Board Counsel.

Original video recordings shall never be edited or manipulated in any manner. When video recordings are requested by any law enforcement agency as part of an ongoing investigation, a duplicate may be provided for that purpose. The original media shall be protected from accidental overwrite or erasure during the duplicating process. Nothing in this paragraph prohibits the redaction of personally identifiable information from duplicated media when mandated by FERPA **and Ohio Revised Code § 3319.321**.

Video recordings may never be sold publicly, viewed, or distributed in any other fashion except as provided for by Board policy and this guideline, and consistent with State and Federal law.

Video surveillance/electronic monitoring recordings shall be retained, stored, and destroyed, including storage logbooks, pursuant to the District's Records Retention Schedule.

Video recordings scheduled to be destroyed must be securely disposed of in such a way that the **personally identifiable**~~personal~~ information cannot be reconstructed or retrieved (e.g., shredding, burning, magnetically erasing the personal information).

Covert Surveillance

Because covert surveillance is highly privacy-invasive, it may only be used as a last resort in limited case-specific circumstances, and in a time-limited manner (i.e., it must be the only available option under the circumstances and the benefits derived from the personal information obtained far outweigh the violation of privacy of the individuals observed).

© Neola 2022~~09~~

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised SMALL UNMANNED AIRCRAFT SYSTEMS
Code	ag7440.03
Status	First Board Review: Up for Discussion / Exhibit
Adopted	October 24, 2019
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

7440.03 - **SMALL UNMANNED AIRCRAFT SYSTEMS**

A staff member or administrator authorized by the Superintendent to operate a small Unmanned Aircraft System ("sUAS") on property owned or leased or contracted for by the Board of Education must maintain a Remote Pilot Certificate issued by the Federal Aviation Administration (FAA) and must familiarize themselves with and comply with all rules set forth in 14 C.F.R. Part 107 **and 86 FR 4314**.

Failure to adhere by all rules set forth in 14 C.F.R. Part 107 **and 86 FR 4314**, which are summarized, in part, in this Administrative Guideline, may result in loss of authorization to operate a sUAS on property owned or leased or contracted for by the Board, referral to local law enforcement, and/or further disciplinary action, up to and including termination for an employee and expulsion for a student.

Definitions

Control station is an interface used by the remote pilot to control the flight path of the drone.

Small Unmanned Aircraft ("drone") is an unmanned aircraft weighing less than fifty-five (55) pounds on takeoff, including everything that is on board or otherwise attached to the aircraft.

Small Unmanned Aircraft System ("sUAS") is a drone and its associated elements (including communication links and the components that control the drone) that are required for the safe and efficient operation of the drone in the national airspace system.

Unmanned Aircraft is an aircraft operated without the possibility of direct human intervention from within or on the aircraft.

Visual Observer is a person who is designated by the remote pilot in command to assist the remote pilot in command and the person manipulating the flight controls of the sUAS to see and avoid other air traffic or objects aloft or on the ground.

Eligibility Criteria

In order to be eligible to obtain a Remote Pilot Certificate for a sUAS, a person must:

A. be at least sixteen (16) years of age;

B. be able to read, speak, write, and understand the English language (if a person is unable to meet one of these requirements due to medical reasons, the FAA may place operating limitations on the applicant's certificate);

C. not know or have reason to know that s/he has a physical or mental condition that would interfere with the safe operation of a sUAS; and

D. demonstrate specified aeronautical knowledge.

Operator Requirements

An operator (i.e., remote pilot) shall possess proper certification and shall maintain any document, record, or report required to be kept by Federal regulations. The operator must also comply with FAA registration requirements. The operator must, upon request, allow the FAA Administrator to make any test or inspection of the drone, the remote pilot in command, the person manipulating the flight controls of a sUAS, and, if applicable, the visual observer to determine compliance with Federal regulations. ~~( ) Other than the remote pilot in command, no person shall manipulate the flight controls of a sUAS unless that person is under the direct supervision of a remote pilot in command and the remote pilot in command has the ability to immediately take direct control of the drone's flight. [DRAFTING NOTE: Only select this option if the District allows the remote pilot in command, at their discretion, to sanction another person to manipulate the flight controls of the sUAS.]~~

An operator shall report immediately any incident or accident involving injury or damage to any property to the Superintendent. Additionally, an operator must report to the FAA, within ten (10) calendar days, any incident or accident involving serious injury to any person, any loss of consciousness, or damage to any property, other than the drone, unless the cost of repair (including materials and labor) does not exceed $500 or the fair market value of the property does not exceed $500 in the event of total loss.

Condition for Safe Operation

No person may operate a sUAS unless it is in a condition for safe operation. Prior to each flight, the operator must check the sUAS to verify it is in a condition for safe operation. The operator must discontinue use of sUAS if it is no longer in a condition for safe operation.

Medical Condition

No person may operate a sUAS or otherwise participate in the operation of the drone if **the person**~~s/he~~ has a physical or mental condition that would interfere with the safe operation of the sUAS.

Remote Pilot in Command

A remote pilot in command must:

A. be designated before or during the flight and is responsible for the operation of the drone;

B. ensure that the drone will pose no undue hazard to other people, aircraft, or property in the event of a loss of control of the drone;

C. have the ability to direct the sUAS to ensure compliance with Federal regulations; and

D. ensure that the operation of the sUAS complies with all applicable Federal regulations.

Hazardous Operation

The operator shall not operate a sUAS in a careless or reckless manner.

The operator shall be responsible for the drone at all times and must ensure that it poses no undue hazard to other people, aircraft, or property during its operation.

The operator shall not cause anything to be dropped from the drone that creates an undue hazard to persons or property.

In-Flight Emergency

If an in-flight emergency occurs that requires immediate action, the remote pilot in command may deviate from any operating rule in order to meet the emergency. If the remote pilot in command deviates from an operating rule, **the remote pilot in command**~~s/he~~ must, upon request from the FAA Administrator, send a written report of the deviation to the FAA Administrator. Unrelated to whether the FAA Administrator requires a report, the remote pilot in command must also submit a written report to the Superintendent concerning the incident, including what occurred, what actions **the remote pilot in command**~~s/he~~ took during the incident (including any rules that **the remote pilot in command**~~s/he/~~ deviated from), and why **the remote pilot in command**~~s/he~~ took those actions.

Operation from a Moving Vehicle or Aircraft

Except as expressly permitted by Federal regulations, no person may operate a sUAS from a moving vehicle or aircraft.

No Alcohol or Drugs

No person may operate or assist in the operation of a sUAS while under the influence of alcohol or drugs.

Night~~Daylight~~ Operation

No person may operate a sUAS during night**unless:**~~,~~

A. **The remote pilot in command has completed FAA approved training for night operations and maintains recurrent training requirements.**

B. **The small unmanned aircraft is equipped with lighted anti-collision lighting visible for at least three (3) statute miles that has a flash rate sufficient to avoid a collision.**

Visual Line of Sight

The remote pilot in command, **[and]** the visual observer (if one is used), ~~**( ) and the person manipulating the flight control of the sUAS [DRAFTING NOTE: Only select this option if the District has selected the option above that allows a remote pilot in charge to sanction another person to manipulate the flight controls of the sUAS]**~~ must be able to see the drone throughout the entire flight in order to:

A. know its location;

B. determine its attitude, altitude, and direction of flight;

C. observe the airspace for other air traffic or hazards; and

D. determine that the unmanned aircraft does not endanger the life or property of another.

Use of a Visual Observer

If a visual observer is used during the operation of a drone, all of the following requirements must be met:

A. remote pilot in command, ~~**( ) the person manipulating the flight controls of the sUAS,**~~ and the visual observer must maintain effective communication with each other at all times;

B. remote pilot in command must ensure the visual observer is able to see the drone; and

C. remote pilot in command, ~~**( ) the person manipulating the flight controls of the sUAS,**~~ and the visual observer must coordinate their efforts to scan the airspace where the drone is operating for any potential collision hazard and maintain awareness of the drone's position through direct visual observation.

Operation of Multiple Aircraft

No person may operate or participate in the operation of more than one (1) drone at a time.

Hazardous Materials

No drone may carry hazardous materials.

Location of Operation

No person may operate a drone so close to another aircraft so as to create a collision hazard. The person operating the drone must comply with all applicable right-of-way rules.

No person may operate a drone over a human being unless that human being is directly participating in the operation of the drone or located under a covered structure or inside a stationary vehicle that can provide reasonable protection from a falling drone~~,~~ **or the drone complies with one (1) of the following category requirements:**

A. **Category 1 small unmanned aircraft are permitted to operate over people, provided the small unmanned aircraft:**

1. **weighs 0.55 pounds or less, including everything that is on board or otherwise attached to the aircraft at the time of takeoff and throughout the duration of each operation;**

2. **contains no exposed rotating parts that would cause lacerations;**

3. **is compliant with Remote ID capability to broadcast identification and location information about the drone and its control station.**

B. **Category 2 small unmanned aircraft are permitted to operate over people, provided the small unmanned aircraft:**

1. **weighs more than 0.55 pounds, does not have an airworthiness certificate under part 21, and meets maximum force impact requirements;**

2. **contains no exposed rotating parts that would cause lacerations;**

3. **is compliant with remote ID capability to broadcast identification and location information about the drone and its control station.**

C. **Category 3 small UAS have greater maximum force impact potential and have further operating restrictions. A remote pilot in command may not operate a small unmanned aircraft over open-air assemblies of human beings. Additionally, a remote pilot in command may only operate a small unmanned aircraft over people if:**

1. **the operation is within or over a closed or restricted access site and all people on site are on notice that a small UAS may fly over them; or**

2. **the small unmanned aircraft does not maintain sustained flight over any person unless that person is participating directly in the operation or located under a covered structure or inside a stationary vehicle that can provide reasonable protection from a falling small unmanned aircraft.**

D. **Category 4 operation allows small unmanned aircraft issued an airworthiness certificate under part 21 to operate over people, so long as the operating limitations specified in the approved Flight Manual or as otherwise specified by the Administrator do not prohibit operations over people. Additionally, no remote pilot in command may operate a small unmanned aircraft in sustained flight over open-air assemblies unless the operation is compliant with Remote ID. To preserve the continued airworthiness of the small unmanned aircraft and continue to meet a level of reliability that the FAA finds acceptable for operating over people in accordance with Category 4, additional requirements apply.**

Note: Sustained flight over an open-air assembly includes hovering above the heads of persons gathered in an open-air assembly, flying back and forth over an open-air assembly, or circling above the assembly in such a way that the small unmanned aircraft remains above some part of the assembly. 'Sustained flight' over an open-air assembly of people in a Category 1, 2, or 4 operation does not include a brief, one-time transiting over a portion of the assembled gathering, where the transit is merely incidental to a point-to-point operation unrelated to the assembly.

No person may operate a drone in any manner that interferes with operations and traffic patterns of an airport, heliport, or seaplane base. Further, no person may operate a drone in certain designated airspaces without authorization from Air Traffic Control. Similarly, no person may operate a drone in prohibited or restricted areas unless that person has permission from the using or controlling agency.

Preflight Familiarization, Inspection

An operator must conduct a preflight inspection that includes an assessment of the operating environment and any risk to persons and property in the immediate vicinity both on the surface and in the air including:

A. local weather conditions;

B. local airspace and any flight restrictions;

C. the location of persons and property on the surface; and

D. other ground hazards.

The operator must also ensure that all persons participating in the drone operation are informed about the operating conditions, emergency procedures, contingency procedures, roles and responsibilities, and potential hazards.

Additionally, the operator must verify that all controls (i.e., the control links between the ground control station and the drone) are working properly, that there is sufficient power to operate the drone for the intended period of operation, and that any object attached to or carried by the drone is properly secured and does not adversely affect the flight characteristics or controllability of the aircraft.

Operating Limitations

The drone shall not exceed eighty-seven (87) knots (100 miles per hour).

The drone's altitude cannot be higher than 400 feet above ground level unless the drone is:

A. flown within a 400-foot radius of a structure; and

B. does not fly higher than 400 feet above the structure's immediate uppermost limit.

The minimum flight visibility, as observed from the location of the control station, must be no less than three (3) statute miles. (Flight visibility means the average slant distance from the control station at which prominent unlighted objects may be seen and identified by day and prominent lighted objects may be seen and identified by night.)

The minimum distance of the drone from clouds must be no less than 500 feet below the cloud and 2,000 feet horizontally from the cloud.

86 FR 4314
14 C.F.R. 107

© Neola 2022~~19~~

Legal 86 FR 4314

14 C.F.R. 107

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised SCHOOL CALENDAR
Code	ag8210
Status	First Board Review: Up for Discussion / Exhibit
Adopted	November 21, 2013
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

8210 - **SCHOOL CALENDAR**

The Superintendent shall annually recommend to the Board of Education a school calendar that complies with the following statutory minimum number of hours in which the District's schools are open for instruction with students in attendance (including regularly scheduled classes, supervised activities such as assemblies, approved education options, and co-curricular activities during the scheduled school day, but excluding lunch and breakfast periods and extracurricular activities):

A. ~~( ) students in half-day kindergarten - 455 hours;~~

B. students in grades one (1) through six (6) **(X)** and all-day kindergarten - 910 hours;

C. students in grades seven (7) through twelve (12) - 1,001 hours.

When developing school calendar options for the Board's review and approval, the Superintendent may include:

A. up to the equivalent of two (2) school days per year during which students are not required to attend due to individualized parent-teacher conferences and reporting periods;

B. up to the equivalent of two (2) school days per year during which students are not required to attend due to professional meetings of teachers;~~ and~~

C. fifteen (15) minutes for morning and afternoon recess periods for students in grades kindergarten through six (6)**;**~~.~~

D. **up to the equivalent of three (3) days for twelfth-grade students excused from attendance; and**

E. **up to the equivalent of three (3) school days when only a portion of the kindergarten students are in attendance to allow for gradual orientation to school.**

Additionally, in developing school calendar options, the Superintendent is reminded that hours scheduled above the minimum number will be considered "excess" and need not be made up if a school closes due to a calamity, so long as the actual hours the school is open for instruction remains above the statutory minimum number of hours. However, if a school closes enough that it falls below the minimum number of hours**,** the school will be required to extend its scheduled school year in order to be open for the minimum number of hours. The Superintendent shall identify in **the**~~his/her~~ proposed school calendar the dates and times the District will be open for instructional purposes if **any building must**~~it has to~~ make up time in order to meet the statutory minimum number of hours.

The school calendar that the Superintendent recommends to the Board must include five (5) days for each regular week.

If the Superintendent intends to recommend a reduction in the number of hours in each school year that the school is scheduled to be open for instruction from the number of hours per year the school was open for instruction during the previous school year, the Superintendent must expressly notify the Board of the proposed reduction, which the Board **authorizes by resolution.**~~must vote to approve.~~

Prior to recommending to the Board any change in the hours or days in which a District high school is open for instruction, the Superintendent must consider the compatibility of the proposed change with the scheduling needs of any joint vocational school

district in which any of the District's high school~~'s~~ students are also enrolled. The Superintendent shall further consider the impact of the proposed change on a) student access to the instructional programs offered by the joint vocational school district, b) incentives for students to participate in career-technical education, c) transportation, and d) the timing of graduation. The Superintendent shall address the preceding issues when presenting school calendar options to the Board for its review and adoption. If the Board intends to change the hours or days in which the District high school is open for instruction, it must provide the joint vocational school district board with advance notice of the proposed change. The two (2) boards must then enter into a written agreement that prescribes reasonable accommodations to meet the scheduling needs of the joint vocational school district prior to implementation of the change.

Additionally, prior to recommending to the Board any change in the hours or days in which a District school is open for instruction, the Superintendent must consider the compatibility of the proposed change with the scheduling needs of any community school to which the District is required to transport students. The Superintendent shall further consider the impact of the proposed change on a) student access to the instructional programs offered by the community school, b) transportation, and c) the timing of graduation. The Superintendent shall address the preceding issues when presenting school calendar options to the Board for its review and adoption. If the Board intends to change the hours or days in which a District school is open for instruction, the Board shall provide the sponsor, governing authority, and operator of the community school(s) with advance notice of the proposed change, and the Board and the governing authority, or operator if such authority is delegated to the operator, shall enter into a written agreement prescribing reasonable accommodations to meet the scheduling needs of the community school prior to implementation of the change.

Finally, prior to recommending to the Board any change in the hours or days in which the District schools are open for instruction, the Superintendent must consult with the chartered nonpublic schools to which the District transports students and consider the effect of the proposed change on the schedule for transportation of those students to their nonpublic schools. Similarly, the governing authority of a chartered nonpublic school must consult with the Superintendent if the District transports students to the chartered nonpublic school prior to making any change in the hours or days in which the nonpublic school is open for instruction.

© Neola 2022~~14~~

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised PERSONNEL RECORDS
Code	ag8320
Status	First Board Review: Up for Discussion / Exhibit
Adopted	September 1, 2004
Last Revised	May 25, 2017
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

8320 - **PERSONNEL RECORDS**

Certain information concerning District employees is confidential, to be reviewed on a need-to-know basis, and only under conditions which guarantee protection of both management's right to access information and the employee's right to unnecessary invasion of privacy. Most information in the personnel files, however, is not confidential and is available for inspection in accordance with State law.

Safe at Home/Address Confidentiality

The District shall refrain from disclosing an employee's social security number when releasing personnel records. If an employee presents to the District a valid program authorization card issued by the Secretary of State certifying that the employee is a participant in the Safe at Home/Address Confidentiality Program, the Board shall use the address designated by the Secretary of State to serve as the employee's address for employment purposes. The District shall place a copy of any certification provided by the employee in the personnel files.~~**The District shall, however, refrain from disclosing an employee's social security number when releasing personnel records. Further, if an employee presents information to the District certifying that s/he is a participant in the Safe at Home/Address Confidentiality Program administered by the Secretary of State,**~~ **The**~~**the**~~ Board shall refrain from including the employee's actual/confidential residential address in any personnel records, personnel files, or staff directories (including electronic records and files) or disclosing the employee's actual/confidential residential address when releasing personnel records. The Board shall only list the address designated by the Secretary of State to serve as the employee's address in any personnel records, personnel files, or staff directories. Further, the Board shall use the employee's designated address for any and all communications and correspondence between the Board and the employee. The employee'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. Additionally, if applicable, the employee's school, institution of higher education, business, or other 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. The intentional disclosure of an employee's actual/confidential residential address is prohibited. Any violations could result in disciplinary action or criminal prosecution.

INITIAL EMPLOYMENT

Upon employment, each employee is to submit for the:

A. **Personnel File**

1. **(X)** a completed employment application form
2. **(X)** a copy of a current, valid license, if applicable
3. **(X)** transcripts, if applicable
4. **(X)** completed "right to know" forms
5.

6. (X) background checks for BCI and FBI

   (X) years of experience and any sick leave accumulated from previous employer(s)

   (X) associates degree or passes parapro test for aides

   (X) aide permit for aides

   (X) hire form completed, signed, and dated

   (X) emergency authorization

   (X) fraud report acceptance

   (X) employee voluntary self-identification

   (X) Ohio ethics law form

   (X) acceptable use policy

   (X) health insurance marketplace
7.

8. ~~( ) _____ [other]~~

B. **Payroll File**

1. (X) W-4 forms
2. (X) State Tax Form IT 4
3. (-X) Social Security Protection Act Form

4. ~~( ) retirement registration~~

5. (X) completed forms for life and disability insurance without medical examination portion

6. (X) completed annuity forms

7. (X) payroll deduction authorization

8. (X) accumulated sick leave, if applicable

9. (X) I-9 forms with copies of two (2) documents attached

10. (X) –Direct Deposit Paperwork with Voided Check

C. **Confidential File**

1. (X) applications for health insurance

2. (X) record of a recent physical examination

3. (X) history of any medical treatment

4. (X) criminal history record check

5. (X) results of drug tests
6. (X) TB test results

Professional staff members shall also be responsible upon employment for providing a complete transcript of their education and records of all prior teaching experience.

All information concerning employees' health status, including mental or physical examinations and treatments, is to be kept in a confidential file. Access is limited to the employee, the employee's supervisor, the Superintendent and other central office administrators who have a supervisory relationship to the employee, and others authorized by law.

CONTENTS

During the period of employment, the following data shall be maintained in personnel files:

A. X~~( )~~ current correct name, address, and telephone number

B. (X) current data on education completed, including transcripts of all academic work

C. (X) an accurate record of work experience

D. (X) proof of fulfillment of requirements for change in salary classification

E. (X) current data pertaining to certificates required by the State

F. ~~( ) record of assignments~~

G. (X) proof of discharge from military service

H. (X) rate of compensation

I. (X) completed evaluations

J. (X) disciplinary incidents

K. (X) special awards or distinctions

L. (X) letters and other correspondence received concerning a staff member, providing the correspondence is relevant to the staff member's~~his/her~~ employment

M. ~~( ) _____ [other]~~

Employees who wish to review their own personnel file shall:

A. ~~( ) request access in writing;~~

B. (X) review the record in the presence of the administrator designated to maintain said records or designee;

C. (X) make no alterations or additions to the record nor remove any material therefrom;

D. (X) sign and date a log attached to the file. (See Form 8320 F1)

Employees who wish copies of material in their personnel file shall:

A. ~~( ) request copies in writing;~~

B. ~~( ) pay a copying fee as determined annually by the _____;~~

C. (X) receive such copies free of charge.

Employees wishing to appeal material in their record shall make a request in writing to the Superintendent and specify therein (see Form 8320 F3):

A. (X) name and date;

B. (X) materials to be appealed;

C. (X) reason for appeal.

The Superintendent shall hear the appeal and make a determination within ninety (90) days of the appeal in accordance with law. (See Form 8320 F4)

The Treasurer shall maintain a written record of any persons, other than the employee, who have had access to each employee's file.

Although most information in personnel files is a matter of public record, only verification of employment should be provided by telephone request. Any other information about an employee should be requested in writing or in person and addressed to the District Records Officer (DRO).

In accordance with State law, disciplinary action will be taken against any member of the staff who initiates or otherwise contributes to any disciplinary or other punitive action taken against any individual who brings to the attention of appropriate authorities, the press, or any member of the public, evidence of unauthorized use of information contained in the District's personal information system.

© Neola 2022~~17~~

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - Vol. 41, No. 1 - August 2022 Revised STUDENT RECORDS
Code	ag8330
Status	First Board Review: Up for Discussion / Exhibit
Adopted	September 1, 2004
Last Revised	March 17, 2022
Last Reviewed	October 20, 2022

REVISED GUIDELINE - VOL. 41, NO. 1

8330 - **STUDENT RECORDS**

Student records shall be maintained in accordance with Board of Education Policy 8330 and State/Federal laws and regulations.

The student record is the legal record for each student who is or has attended schools within the District. All information contained in the student record must be factual, verifiable, and of a constructive nature. The Board shall collect, maintain and use only information necessary for legally mandated District functions.

Education Records, as defined in 34 C.F.R. 99.3 (Family Educational Rights and Privacy Act), means those records, files, documents, and other materials that are: 1) directly related to a student; and 2) maintained by the Board or by a party acting for the Board. Record means any information recorded in any way including, but not limited to: handwriting; print; computer media; tape; film; microfilm and microfiche.

Student personally identifiable information includes, but is not limited to: the student's name; the name of the student's parent(s) 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 term, Education Records, does not include:

A. records of instructional, supervisory, and administrative personnel and educational personnel ancillary thereto that are:

1. kept in the sole possession of the maker thereof; and

2. used only as a personal memory aid; and

3. not accessible or revealed to any other person except a temporary substitute for the maker of the record;

For the purpose of this definition, a substitute means an individual who performs, on a temporary basis, the duties of the individual who made the record and does not refer to an individual who permanently succeeds the maker of the record in **the individual's**~~his/her~~ position.

B. records maintained by a law enforcement unit (e.g., School Resource Officer) of the School District that were created by that law enforcement unit for the purpose of law enforcement;

C. records relating to an individual who is employed by the Board that:

1. are made and maintained in the normal course of business;

2. relate exclusively to the individual in that individual's capacity as an employee; and

3. are not available for use for any other purpose;

Records, however, relating to an individual at the District who is employed as a result of **the individual's**~~his/her~~ status as a student are education records.

D. records on a student who is eighteen (18) years of age or older, or is attending an institution of postsecondary education, that are:

1. made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in **their**~~his/her~~ professional capacity or assisting in a paraprofessional capacity; and

2. made, maintained, or used only in connection with treatment of the student; and

3. disclosed only to individuals providing the treatment (except, that the records can be personally reviewed by a physician or other appropriate professional of the student's choice);

For the purpose of this definition, treatment does not include remedial educational activities or activities that are part of the program of instruction at the educational agency or institution.

E. records created or received by the Board after an individual is no longer a student in attendance and that are not directly related to the individual's attendance as a student (e.g. information pertaining to the accomplishments of alumni);

F. grades on peer-graded papers before they are collected and recorded by a teacher.

The student's school record shall contain the following information that shall be retained permanently or for one hundred years:

A. name, address, and telephone listing of parent (see Form 8330 F1);

B. enrollment data to include validated birth record, proof of residency, immunization records, and social security number or computer number;

C. attendance records;

D. grades and/or transcripts;

E. standardized and/or mandated achievement test data, including proficiency/diagnostic assessment/achievement test records that include the date each student meets the proficient level for the test administered; and

F. date of graduation and/or transfer or withdrawal.

The student's education records shall contain, if applicable to the individual, the following information, to be retained for the period of time designated in the schedule of records retention, AG 8310A:

A. health and medical information;

B. court order on parental rights and responsibilities and/or custodial or guardianship arrangements, including any court orders regulating access of a parent to school records;

C. awards and recognitions;

D. reports and such other confidential information generated by professionals or agencies outside the District relevant to the student's educational program; and

E. such other verifiable, factual and relevant information to be used in making decisions regarding the student's educational program, including disciplinary records.

Whenever the District is notified by a law enforcement agency that a missing child report has been filed regarding a student who is currently, or was previously, enrolled in the District, the staff member in charge of admission shall mark that student's records in such a manner that whenever a copy of or information regarding the records is requested, any school official responding to the request is alerted to the fact that the records are those of a missing child. Thereafter, if the District receives a request for a copy of or information regarding the missing student's records, the staff member in charge of admission immediately shall report the request to the law enforcement agency that notified the school that the student is a missing child. When responding to the request for a copy of or information from the missing student's records, the staff member in charge of admission shall do so in such a way

that the receiving district or school is unable to discern that the student's records are marked as identifying the student as a missing child.

The District shall retain the mark in the student's records until notified that the student is no longer a missing child. Upon notification by a law enforcement agency that a student is no longer a missing child, the staff member in charge of admission shall remove the mark from the student's records in such a way that if the records are forwarded in the future to another district or school, the receiving district or school will be unable to discern that the records were ever marked.

Whenever the District is notified by the Ohio Department of Job and Family Services (ODJFS) and/or applicable custodial agency that a student has been placed into foster care or has a change in **the student's**~~his/her~~ foster care status or living arrangements, the staff member in charge of admission shall update that student's records to reflect the foster care placement or change in foster care status or living arrangements. The student's records shall be updated within twenty-four (24) hours of receiving notification from ODJFS or the applicable custodial agency.

The District will dispose of student education records in groups based on the student's date of birth. Prior to disposing of student educational records, the District shall make reasonable attempts to contact students by:

A. posting a notice regarding the intent to dispose of student education records on the District's website for a period of thirty (30) days; or

B. posting a notice regarding the intent to dispose of student education records in the Legal Notices section of a newspaper of general circulation in the District.

~~**The notice will be posted in the newspaper of general circulation at least twice over a period of thirty (30) days.**~~

~~**( ) including notice regarding the intent to dispose of student education records, in the District's:**~~

1. ~~**( ) community mailings;**~~

2. ~~**( ) annual calendar; or**~~

3. ~~**( ) _____ [other District publications].**~~

The District shall not destroy any student education record if there is an outstanding request to inspect and review the record.

~~**[NOTE: Since the disposal of records is based on the students' date of birth the notice could provide that The District hereby provides notice that the student education records of any students who attended the District, regardless of whether they graduated from the District or not, and were born in_____ [year], will be disposed of in accordance with Board Policy.]**~~
~~**[NOTE: While it may prove to be burdensome, if the Board wants to list the names of each student in either of the above-referenced notices, then it may do so since the student's name would merely be considered directory information under Federal and State law. However, if the last form indicated a prohibition on the release of the student's name as directory information, then the District should honor the form and refrain from listing the student's name. Since looking through the District's files to determine whether such consent was provided to the District may be burdensome, it is not necessary or recommended that the District list each student's name in the notice.]**~~

Once the student either consents in writing to the disposal of the school record or fails to respond to the District's notices, an application for one (1) time records disposal will be made to the local records commission in accordance with AG 8310A. Upon approval of the disposal, the application will be sent to the Ohio History Connection and the Auditor of State, respectively, for review and approval. It is understood, however, that the Ohio History Connection may not view or select for its custody records that contain a student's personally identifiable information, without the written consent of the student (if **the student**~~s/he~~ is eighteen (18) years of age) or **the student's**~~his/her~~ parents.

Disposal of Records of Students with Disabilities (or Disabled Students)

If a student is identified as a student with a disability under the Individuals with Disabilities Education Improvement Act (IDEIA) or Section 504 of the Rehabilitation Act of 1973 (Section 504), the Custodian of Records (COR) shall:

A. maintain the student's education records, which includes those records identified in this guideline and information and/or data relevant to the identification, evaluation, and/or placement of students in accordance with the IDEIA, Section 504, or other applicable State law and regulations, for five (5) years after termination of special education programs, services, and/or graduation; and

B. only destroy such education records after notifying the parents/eligible students that the information is no longer needed to provide educational services and will be destroyed.

The COR should remind them that the records may be needed by the student or the parents for Social Security benefits or other purposes (see Form 8330 F8).

The applicable school record on a disabled student shall be retained permanently in the same manner as the school record for a non-disabled student.

Responsibility

The COR shall be the building director who may delegate certain responsibilities to the school secretary. The COR is responsible for maintaining the confidentiality of directory information, if the parents or eligible student have so requested, and other personally identifiable information in the education records. The COR is responsible for the implementation of this Board's policies and procedures regarding confidentiality, including informing all personnel in this District who collect, maintain, use or otherwise have access to student records of this Board's policies and procedures on confidentiality.

The District's Records Officer (DRO) shall prepare an annual notice to parents/eligible students that informs them of their rights to (see Form 8330 F9):

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

B. request amendment to the records if the parent or eligible student believes the information to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;

C. limit the disclosure of personally identifiable information defined as directory information within Policy 8330 or to such other disclosures not required by law;

D. request a hearing if the Board refuses to amend records believed by the parent or eligible student to be misleading or inaccurate and to file a complaint with the United States Department of Education if the parent/eligible student is dissatisfied with the results of the hearing;

E. obtain a copy of the Board's policy on student records.

The notice may be in the form of a section of the District's newsletter and/or the student handbooks (see Form 8330 F9).

Ongoing Maintenance of Records

A. **Public Listing of Authorized Employees** (see Form 8330 F2)

1. Each COR shall maintain a current listing of those employees and other persons, approved by the DRO, authorized to access personally-identifiable information housed at the location specified.

2. Each COR shall post and maintain the listing for public inspection at **each COR's**~~**his/her**~~ respective location.

B. **Types and Location of Records**

1. The DRO shall prepare a listing of the types and locations of records collected, maintained, or used by the District, and the name of the COR at each location.

   The list shall be provided to parents/eligible students upon request.

2. Education records shall be stored in secured facilities and/or equipment, and shall be available only to those specified in policy or these guidelines. Reasonable and appropriate methods (including, but not limited to, physical and/or technological access controls) shall be 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 COR is directed to utilize reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other parties to whom the District discloses personally identifiable information from education records.

C. **Consent to Disclose Information** (see Form 8330 F4 and Form 8330 F8)

1. Whenever there is a request for a copy of information from a student's record, the COR shall obtain written and dated consent, prior to disclosure of records, from parents/eligible students that includes:

   a. the records that may be disclosed;

b. the purpose for which the disclosure may be made;

c. the party or class of parties to whom the disclosure may be made;

d. whether or not the parents/eligible students wish to have a copy of the records disclosed and/or, if the student is not an eligible student, whether the Board should provide that student with a copy of the disclosed record.

Signed permission should be obtained from eligible students prior to allowing their parents access to the records, provided the student is not considered a dependent under Section 152 of the Internal Revenue Code.

2. Prior consent will not be needed if:

a. the disclosure is to school officials, including teachers, who have a legitimate educational interest (as defined by Board policy) in the information;

In order for a contractor, consultant, volunteer, or other party to whom the Board has outsourced institutional services or functions to be considered a school official, the outside party must:

1. perform an institutional service or function for which the Board would otherwise use employees;

2. be under the direct control of the Board with respect to the use and maintenance of education records; and

3. be subject to applicable provisions governing the use and re-disclosure of personally identifiable information from education records.

b. the disclosure is to another school, school district, or postsecondary institution, as stated in Board policy;

c. the disclosure is, subject to the conditions set forth in applicable Federal and/or State statutes and/or regulations, to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the United States Secretary of Education, or State and local educational authorities;

d. the disclosure is in connection with a student's application for or receipt of financial aid; (See section below entitled: Disclosure for Student Financial Aid)

e. the disclosure is to organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction;

Disclosures pursuant to this paragraph are limited to circumstances when the study is conducted in a manner that does not permit personal identification of parents and students by individuals other than representatives of the organization that have legitimate interests in the information; the information is destroyed when no longer needed for the purposes for which the study was conducted; and the Board enters into a written agreement with the organization that contains all the content required by applicable Federal regulations.

This written agreement will 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.

f. the disclosure is to authorized representatives of the Comptroller General, the Attorney General, the Secretary of Education, or State and local authorities, and is made for the purpose of conducting an audit or evaluation of a Federal or State supported education program, or to enforce or comply with Federal requirements relating to those programs;

A written agreement between the parties is also required under this exception. Mandatory elements of this written agreement 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.

Pursuant to 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.

g. the disclosure is to accrediting organizations to carry out their accrediting functions;

h. the disclosure is to parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;

i. the disclosure is to comply with a judicial order or lawfully issued subpoenas;

Disclosures permitted by this paragraph may only occur after the Board makes a reasonable effort to notify the parent or eligible student of the order or subpoena, so the parent or eligible student may seek protective action unless the disclosure is authorized by applicable Federal regulations. The Board need not notify the parent when the parent is a party to a court proceeding involving child abuse and neglect (as defined in Section 3 of the Child Abuse Prevention and Treatment Act) or dependency matters, and the order is issued in the context of that proceeding. Additionally, if the Board initiates legal action against a parent or student, the Board may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the Board to proceed with the legal action as plaintiff. Likewise, if a parent or student initiates legal action against the Board, the Board may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the Board to defend itself.

j. the disclosure is in connection with a health or safety emergency (see section below entitled: Emergency Release);

k. the disclosure is information the Board has designated as directory information;

l. the disclosure is to the parent of a student who is not an eligible student, or to the student;

m. the disclosure concerns sex offenders and other individuals required to register under Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, and the information was provided to the Board pursuant to that law and its implementing regulations;

n. the disclosure concerns the juvenile justice system and its ability to serve, prior to adjudication, the student whose records are released, provided the officials to whom the records are released certify, in writing, to the District that the information will not be released to a third party, except as provided by State law, without the prior written consent of the parents;

o. the disclosure is to an agency caseworker or other representative of a state or local child welfare agency, or tribal organization as defined in Federal law, who has the right to access a student's case plan as determined by the agency or organization, when such agency or organization is legally responsible for the care and protection of the student provided the education records and personally identifiable information will not be unlawfully released to third parties;

The agency or organization may release the education records and personally identifiable information to an individual or entity engaged in addressing the student's education needs and authorized by the agency or organization to receive such disclosure and such disclosure is consistent with state or tribal laws applicable to protecting the confidentiality of a student's education records.

p. the disclosure is authorized by other sections of State or Federal laws and regulations.

3. De-identified Records and Information - The District may release education records without prior consent if all personally identifiable information has been removed provided the administration (i.e., the DRO and COR) have made a reasonable determination that a student's identity is not personally identifiable, whether through single or multiple

releases, and taking into account other reasonably available information.

4. No person shall release to a parent of a student who is not the residential parent or any other person any information about the school to which the student has transferred or that would enable the parent who is not the residential parent to locate the student if the school to which the student has transferred informs this District that the student is under the care of a shelter for victims of domestic violence as defined in R.C. 3113.33.

Parents: Disclosure, Inspection, Review of Records

The COR shall permit parents/eligible students, upon request, to retrieve information from and to inspect and review, records that are maintained by the District that relate to the student's education. The following conditions shall apply:

A. At times, agencies or individuals outside the District provide the District with information necessary and relevant to the student's education. Confidential information that is in a student's record from an outside professional or agency may be released to or accessed by the parent through the originator. Such information may be provided to the District only with the written consent of the parent. Upon parental request, the Board will notify the parent with the date and source of any record generated outside the District so that parents may access these records through the originator.

B. If any education record includes information on more than one (1) student, the parents/eligible student shall have the right to review and inspect only the part of the record that relates to the student, or to be informed of that specific information.

C. The request for access to records must be honored within a reasonable period, but in no case later than forty-five (45) days from receipt of the request. Requests to inspect and review education records that are collected, maintained, or used by the District with respect to students with disabilities must be honored without unnecessary delay, and before any meeting regarding an individualized educational program (IEP), hearing relating to the identification, evaluation, or placement of the student, or resolution session, and in no case more than forty-five (45) days after the request was made.

D. The parents/eligible students have a right to have their representative inspect and review the records upon submission of a signed and dated written consent that:

    1. specifies the records that may be disclosed;

    2. states the purpose of disclosure;

    3. identifies the party or class of parties to whom the disclosure may be made.

E. The Board shall presume that either parent has the authority to disclose, inspect, and review the student's records unless a court order indicates otherwise or unless otherwise prohibited by law.

    If the parents/eligible students request an opportunity to inspect and review records, a written request is necessary.

F. The parents/eligible students are to complete the Board's Request for Information Form 8330 F5 prior to receiving copies of any record.

    The COR shall arrange a mutually-agreeable time for the review with the parents/eligible students.

G. Subject to the limitations within the law, policy, and/or guidelines, the COR shall provide parents/eligible students with copies of any information in the student's education records and shall respond to reasonable requests for explanation and interpretation of the records. Copies of the records shall be provided for the current cost of duplication unless that fee effectively prevents the parents/eligible students from exercising the right to inspect and review the records.

H. If the parents/eligible students request disclosure of specific information by telephone, the COR shall not disclose requested information.

I. The District shall not destroy any education record if there is an outstanding request to inspect and review the record.

Third Party: Disclosure, Inspection/Review, and/or Copies of Records

When authorized, the COR shall permit inspection and review of a student's education records, disclose specified information, or provide copies of education records only after the requesting party has agreed not to share the information with a third party unless the parents/eligible students have so consented or the particular circumstances meet the requirements of Federal law on third party disclosure.

Amendments of Records (see Form 8330 F6a, Form 8330 F6b, and Form 8330 F6c)

The COR shall provide parents/eligible students with the opportunity to amend records when they believe that any of the information regarding their student is inaccurate, misleading, or violates the student's privacy.

A. Upon receipt of a written request to amend records, the COR shall ascertain the specific information that is requested to be amended and the reason for the change.

   The COR shall decide whether or not to amend the record.

   If the COR decides not to amend, the parents/eligible students shall be so informed of the decision as well as of their rights to a hearing.

B. If the parents/eligible students request a Records Hearing, the Superintendent shall:

   1. select the Records Hearing Officer (RHO) (who may be an official of the District who does not have a direct interest in the outcome of the hearing);

   2. direct the person selected as the RHO to arrange a hearing with the parents/eligible students within ten (10) business days from the date of the hearing request or at a mutually agreed time and place.

   The RHO shall inform the parents/eligible students that they shall be afforded a full and fair opportunity to present evidence relevant to the issues and may be assisted or represented by individuals of their choice, including an attorney, at their own expense.

   The RHO is responsible for maintaining the student's record during the appeal process so that no information is lost or destroyed during the appeal process.

C. The RHO shall conduct the hearing by:

   1. introducing the participants;

   2. reviewing the agenda for the hearing;

   3. identifying the records in question;

   4. reviewing the items for which amendment is being requested;

   5. allowing the parents/eligible students and/or their representative to present evidence related to the issues;

   6. allowing the Board's representative to present evidence related to the issues;

   7. recording the evidence presented by both parties;

   8. allowing each party a reasonable period of time to question the evidence of the other party;

   9. adjourning the hearing.

D. No later than ten (10) business days from the conclusion of the records hearing, the RHO shall summarize and send a copy of the findings to the Superintendent (see Form 8330 F7).

E. The Superintendent, within ten (10) business days after receiving the findings of the RHO, shall make a decision, based solely upon the evidence presented at the hearing, and send to the parents/eligible students:

   1. a letter stating the decision and the justification for the decision;

   2. a copy of the RHO Report;

   3. copies of the amended records, if any;

   4. a notification of the right to place a statement in the record commenting on the contested information or stating why **the parent/eligible student~~s/he~~** disagrees with the decision.

F. If the Board and parents/eligible students agree to the necessary amendments, the COR shall make necessary changes in the student record and send the parents/eligible students written confirmation that the changes have been made.

G. If as a result of the hearing, the Board decides not to amend the record, the parents/eligible students have the right to place a statement in the record commenting on the contested information in the records and/or stating they disagree with the decision of the RHO. Such a statement shall be maintained with the contested part of the records as long as the records exist and shall be disclosed as part of any record disclosure.

H. Unless specified otherwise in law, third parties seeking to access confidential information in a student's record that has been generated by a professional or agency outside the District may access these records only through the originator and in compliance with the laws governing disclosure.

Emergency Release

The COR may release any personally-identifiable information (without parent's/eligible student's consent) to appropriate parties, including parents of eligible students, in connection with a health/safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

Upon receipt of a request for emergency information, the COR shall consider the totality of the circumstances pertaining to a threat to the health or safety of others. If the COR determines that an articulable and significant threat exists, **the COR**~~s/he~~ may release information from education records to any necessary individuals. If the COR or another school official releases personally identifiable information pursuant to this Section, **the COR/school official**~~s/he~~ must record in the student's education records the basis for the decision that a health or safety emergency existed.

TRANSFER OF RECORDS TO PRIVATE SCHOOLS, OTHER SCHOOL DISTRICTS, JUVENILE DETENTION FACILITIES, AND JUVENILE COURTS

Transfer of student records, including disciplinary records regarding suspensions and expulsions, must be within fourteen (14) days of request and shall not be withheld from the school for a student's failure to pay any fees, fines, or charges imposed by this District.

The COR shall transfer a student's records to another school when requested by the private or public school or school district in which the student is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, provided that:

A. 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 students; or 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);

B. the parent or eligible student, upon request, receives a copy of the record; and

C. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record.

The COR shall transfer a student's records when requested by a juvenile detention facility in which the student has been placed or a juvenile court that has taken jurisdiction of the student.

The COR shall transfer a student's records 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.

A copy of the cover letter sent to the requesting private school, public school district, juvenile detention facility, or juvenile court shall be retained in the student's file.

If parents/eligible students request a copy of the records being transferred, they shall be provided

~~( ) free of charge.~~

(**X**) at the District's standard fee.

If a student is under the care of a shelter for victims of domestic violence, release of information is limited by law.

If the District receives a request for a copy of or information regarding a missing student's records, the staff member in charge of admission immediately shall report the request to the law enforcement agency that notified the school that the student is a missing child. When forwarding a copy of or information from the student's records in response to a request, the staff member in charge of admission shall do so in such a way that the receiving district or school is unable to discern that the student's records are marked as identifying the student as a missing child.

Destruction of Records Compelled by Statute

Notwithstanding other provisions of this Administrative Guideline, records shall be destroyed as required by law.

Upon written request by a person whose juvenile court records have been ordered sealed and presentation of a copy of the order, the District shall expunge records subject to the order, pursuant to R.C. 2151.357.

It is a fourth-degree misdemeanor for anyone to knowingly release, disseminate, or make available for any purpose any information or other data concerning any arrest, taking into custody, complaint, indictment, information, trial, hearing, adjudication, or correctional supervision, the records of which have been sealed pursuant R.C. 2151.356.

The District may retain records in its possession regarding an adjudication that a student is a delinquent child that were used as the basis for the student's permanent exclusion, regardless of a court order to seal the record. Disclosure of such records to any person may result in criminal prosecution.

Pursuant to R.C. 3313.662, a student who has reached the age of twenty-two (22) or whose permanent exclusion has been revoked may send a written notice to the Superintendent requesting destruction of records of the student's permanent exclusion. Upon receipt of the request and a determination that the student is twenty-two (22) years of age or older or that the student's permanent exclusion has been revoked, the Superintendent shall ensure that the records are removed from the student's file and destroyed.

Disclosure for Student Financial Aid

The COR may release, without parents' consent, student information regarding financial aid for which a student has applied or which a student has received, provided that personally-identifiable information from the education records of the student may be used only:

A. to determine the eligibility of the student for financial aid;

B. to determine the amount of financial aid;

C. to determine the conditions which will be imposed regarding the financial aid;

D. to enforce the terms or conditions of the financial aid.

Financial aid means a payment of funds provided to an individual (or a payment in kind of tangible or intangible property to the individual) that is conditioned on the individual's attendance at an educational agency or institution.

Disclosure for Purposes of Marketing or Selling Information

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). For purposes of this section, personal information means individually identifiable information including: (1) a student or parent's first and last name; (2) a home or other physical address (including street name and the name of the city or town); (3) a telephone number; or (4) a Social Security identification number.

Inspection of Information Collection Instrument

The parent of a 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. The parent must submit a written request to the building director at least **five (5)** business days before the scheduled date of the activity. The instrument will be provided within **five (5)** business days of the director receiving the request. Parents will be notified at least annually at the beginning of the school year of the specific or approximate date(s) 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

~~**Directory Information**~~
~~**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 the 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.**~~
~~**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. The Board may disclose directory information, on 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.**~~

Safeguarding Education Records and Responding to Data Breaches

Significant challenges exist with respect to the safeguarding of education records from unauthorized access and disclosure. These challenges include inadvertent posting of students' grades or financial information on publicly available Web servers; theft or loss of laptops and other portable devices that contain education records; computer hacking; and failure to retrieve education records at termination of employment or service as a contractor, consultant or volunteer. In light of these challenges, the DRO and COR are directed to work with the District's IT Department/Staff to identify, implement and administer appropriate methods and security controls to protect education records, especially those in electronic information/data systems.

The District's IT Department/Staff is encouraged to review the National Institute of Standards and Technology (NIST) Special Publication (SP) 800-100, Information Security Handbook: A Guide for Managers, and NIST SP 800-53, Recommended Security Controls for Federal Information Systems for guidance and to use any methods or technologies they determine are reasonable to mitigate the risk of unauthorized access and disclosure taking into account the likely harm that would result. The IT Department/Staff is charged with the development of appropriate responses to data breaches and other unauthorized disclosures, and said steps should include, at a minimum, the following:

A. reporting the incident to law enforcement authorities;

B. determining exactly what information was compromised (e.g. names, addresses, SSNs, ID numbers, grades, etc.);

C. taking steps to immediately retrieve data and prevent further disclosures;

D. identifying all affected records and students;

E. determining how the incident occurred, including which school officials had control of and responsibility for the information that was compromised;

F. determining whether the incident occurred because of a lack of monitoring or oversight;

G. determining whether any Board policies and/or District procedures were violated;

H. conducting a risk assessment and identifying appropriate physical, technological and administrative measures to prevent similar incidents in the future; and

I. notify students and parents that the United States Department of Education's Office of Inspector General maintains a website describing steps students may take if they suspect they are a victim of identity theft.

While notification of students is not required in all circumstances, it shall be the DRO's responsibility to determine, in conjunction with the Superintendent, whether students and/or parents will be notified of any breaches. If the decision is made not to issue a direct notice to a parent or student upon an unauthorized disclosure of education records, the DRO or COR shall nevertheless record the disclosure so the parent or student will become aware of it during an inspection of the student's education record.

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**~~information to the District certifying that the parent (or adult student), his/her~~ child, or a member of the parent's household is a participant in the Safe at Home/Address Confidentiality Program~~ administered by the Secretary of State~~, 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**~~s/he~~ 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.

It is important that the address used in Form 8330 F9 be checked annually to verify the accuracy of the address for complaints regarding the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA).

© Neola 2022~~1~~

Legal

R.C. 2151.357

R.C. 3313.662

20 U.S.C. 1232g

34 C.F.R. Part 99

Book	Administrative Guideline Manual
Section	Revisions Vol. 41, No. 1 - August 2022
Title	Placeholder - REJECT - Vol. 41, No. 1 - August 2022 Rescind RELIGIOUS ACTIVITIES/CEREMONIES
Code	ag8800A REJECT
Status	First Board Review: Up for Discussion / Exhibit
Adopted	September 1, 2004
Last Reviewed	October 20, 2022

RESCINDED GUIDELINE - VOL. 41, NO. 1

~~8800A – RELIGIOUS ACTIVITIES/CEREMONIES~~
~~A great deal of professional judgment is needed to ensure that District policy complies with constitutional and legal safeguards for the practice of religion. A major guideline to follow is a four-part test. Each activity which may appear to be of a religious nature or use materials, rituals, or symbols which may be otherwise associated with a religion must meet all four (4) of the following conditions:~~

A. **~~( ) Does it serve the educational purpose and goals of the District?~~**

B. **~~( ) Is the purpose of the activity secular?~~**

C. **~~( ) Will its effect neither advance nor inhibit a religion?~~**

D. **~~( ) Will it avoid excessive entanglements between the school and a religion?~~**

~~This guideline applies to any and all activities and programs at all levels, particularly those that take place at traditional holiday seasons such as Christmas and Easter.~~
~~Prior to planning or conducting an activity, it would be well to review the District's two (2) policies dealing with religious matters – Policy 2270 and Policy 8800. If a teacher has any question about the propriety of the activity, s/he should consult with the principal prior to making a decision.~~
~~© Neola 2009~~