

BUCYRUS CITY SCHOOL DISTRICT

Draft - Policy Manual

Vol. 45 September 2026

31 policies

September 23, 2026

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01 - OVERVIEW

Vol. 45, No. 1 - August 2026 OVERVIEW

OHIO LOCAL UPDATE OVERVIEW AND COMMENTS

VOLUME 45 NUMBER 1

AUGUST 2026

The proposed new, revised, and replacement policies, administrative guidelines, and forms included in this update have been thoroughly prepared and reviewed by Neola's legal counsel for statutory compliance. If you make revisions or substitute in their entirety policies or other materials of your own drafting, those materials should be reviewed by your legal counsel to verify compliance. Neola does not review District specific edits to update materials or District-specific policies for statutory compliance.

If a District chooses not to adopt a policy or administrative guideline, the District is still obligated to comply with applicable Federal and State laws on that topic.

If a policy or guideline is marked as a revision, the revisions have been marked in bold (to add material) and crossed out (to delete material). As you review a revised policy or guideline, you may accept one, many, or all of the revisions provided. If a policy or guideline is marked as a replacement, enough revisions have been made to justify a complete, clean replacement copy. As you review a replacement policy or guideline, you should also check the materials in your current policy or guideline to see if there is any specific wording you want included in the replacement policy. If so, any wording to be added and where it should be inserted should be forwarded with the replacement policy or guideline when it is returned to the Coshocton office for processing.

If the District authors language and adds it to a policy template or deletes content that is not marked as a choice in the policy template, then these actions will constitute District-specific edits.

Policies to be deleted from the policy manual require Board action to rescind the policy.

Your Neola Associate will contact you soon to schedule an appointment to review this update and ensure you are current on it and previous updates.

If you are not an administrative guidelines client, you did not receive those materials in this packet. Contact your Associate for more information about becoming an administrative guidelines client.

Questions?

- All Neola Production-related materials and questions should be directed to the Coshocton Office at 632 Main Street, Coshocton, Ohio 43812 (phone 740-622-5341, email: production@neola.com). Billing questions should be directed to the Stow Office at 3914 Clock Pointe Trail, Suite 103, Stow, Ohio 44224 (phone 330-926-0514, fax 330-926-0525).
- Please direct content-related questions to your Neola Associate.
- Please make any revisions on the new Neola Policy Publishing Tool using the instructions provided to you. If you encounter anything unfamiliar in the Neola Policy Publishing Tool or have questions regarding the submission process, our support team is ready to help.

Call us: 330-926-0514

Email us: support@neola.com

Processing Update Materials

Revisions to your policies and administrative guidelines should be made using the new Neola Policy Publishing Tool, following the instructions provided.

UPDATE WORKFLOW GUIDE

Downloading and Importing the Update Package

- From your Client Workspace, open your **Draft Book** using the book picker.
- Select the **"Book" menu** at the top of the screen and click **"Import"** from the drop-down list.
- Select the desired Update collection from your subscriptions by checking the box.
- **Crucial Step:** Make sure to select the option to **match the update package against your Published Policy Manual**. This prompts the system to compare the incoming templates with your currently active policies so you can review them side-by-side.
- Click **Import**. A dialog box will appear at the top of the page with a link to take you directly back to your draft book to view the imported update package.

Editing and Comparing Policies

- Once imported, look for icons beneath the policy descriptions: a **Brown Icon** with two arrows indicates that the system found a matching existing policy to compare against, while a **Blue Icon** indicates that "Track Changes" is already active in the document.
- Click on the policy you wish to edit, then select the **Edit Icon** in the upper right-hand corner.
- The editor will open in a **split-screen comparison view**, showing the Neola update template on one side and a copy of your current published policy on the other.
- **You can only edit on the right side of the split screen.** Use the on-screen buttons to choose whether you want to edit your current policy or the update template in that right-hand position.
- Using the CK Editor, ensure **Track Changes** is toggled on.
- *Best Practice for Pasting:* When copying new language from the template into your policy, use **Control+Shift+V (or Command+Shift+V on a Mac) to paste as plain text**. This drops the text in cleanly as a new addition (highlighted in green) and prevents you from carrying over conflicting track changes formatting from the source template.
- Click **Save** in the upper right corner when finished.

Setting the Policy Status

- After saving your edits, use the **Status drop-down menu** to assign a workflow label to the policy.
- As the policy progresses through your district's process, update this status using labels like *Revised*, *For the Board*, or *Adopted*.
- These statuses help you stay organized; you can quickly filter your workspace to see exactly which policies are at which stage of the process.

Organizing and Creating PDF Board Packets

- To organize materials for a board meeting, click the "Book" menu and select **"New Section"**. Name this section something identifiable, such as "June Board Meeting".
- Select the policies you want to present to the board and **drag and drop** them into this new section. To move multiple items at once, hold the Shift key to select a continuous group, or the Control/Command key to select random policies, and drag them together.
- To generate your board packet, click the three-dot menu next to your new section and select **Export PDF**.
- The system instantly generates a clean PDF packet containing a **custom cover page, a clickable table of contents, continuous line numbers, and visible track changes** so board members can easily reference specific modifications during their review.

Submitting Adopted Policies to Production

- Once your board officially adopts the policies, update their status to **Adopted**.

- Open the Update Package Disposition sheet in your Draft book, add **adoption dates** for approved policies. If any policy updates have been **rejected** or **tabled**, enter dates into the appropriate column.
- Submit the finalized policies and disposition sheet(s) directly to Neola Production by clicking the three-dot menu (or the multi-action toolbar) and selecting **"Send to Neola"**.
- You will receive an email notification confirming that your policies are in the queue for processing.
- You can track Neola's progress by looking in the **Neola Production book**, where you will see your submitted materials marked with statuses like *Incoming* or *In Progress*.

NEOLA SELECT - UPDATE WORKFLOW GUIDE

As a Neola Select customer, the manual procedures required within the new Neola Policy Publishing Tool are fully streamlined for your convenience.

Neola Associates handle all document editing, update importing, and file management on behalf of Neola Select districts. Your primary role is to review policy content and make decisions for your district, while your Associate handles the technical operations within the editor site.

Here is a breakdown of the services your Neola Associate will manage for you:

Importing Updates When new policy update packages or administrative guidelines are released, you do not need to manually download or import them into the drafting system.

- **Your Neola Associate will manage the entire importing process**, selecting the appropriate update subscriptions and downloading them into the active drafting workspace.
- During this process, the Associate will automatically **match the incoming update packages against your district's currently published policy manual**. This prompts the system to directly compare the new Neola templates with your existing active policies to easily identify necessary changes.

Document Editing and Formatting Neola Associates manage all technical aspects of document editing and formatting.

- When reviewing an update, your Associate will utilize the system's split-screen comparison mode, which displays your district's current policy on one side and the newly updated template on the other.
- Using the platform's built-in CK Editor, **your Associate will handle all text modifications and activate "Track Changes"** so that any additions or deletions are clearly highlighted for your review.
- They will utilize specific pasting commands (pasting as plain text) to carefully integrate new language, ensuring your documents remain clean and free from confusing formatting errors.

Moving Files and Organizing Your Workflow You will not need to manually organize your files, create folders, or transfer documents between system books.

- **Your Associate will handle creating custom sections**—such as specific folders designated for upcoming board meetings or superintendent review—and use drag-and-drop tools to efficiently move your policies into these categorized spaces.
- To help you easily track the progress of your updates, the Associate will actively assign a "Status" to each document. By applying labels like *Revised*, *For the Board*, or *Adopted*, the Associate ensures your project workflow remains organized and transparent.

Generating Packets and Submitting to Production

- When you are ready to review the drafted policies or present them to your board, your Associate will export the organized sections to **generate complete PDF board packets**. These packets are automatically formatted with a cover page, a clickable table of contents, and line numbers to help board members easily reference specific changes.
- Once your board officially adopts the policies, **your Associate will move the finalized files, with completed disposition sheet(s), into the Neola Production book**. This officially submits

the adopted materials to Neola's staff for final processing and publication to your district's live public site.

District-Specific Materials

If the District chooses, during any step of the Update process, to incorporate District specific material into a new policy or guideline that has been proposed or to insert District-specific material into a current policy or guideline for which revisions have been proposed in an update issued by Neola, then the District agrees to hold Neola harmless for those District-specific edits and acknowledges that Neola's warranty for legal challenges to that District-specific language in that policy or guideline will not be in effect. In addition, Neola retains ownership of the text from the original policy template that remains in a policy to which District-specific material has been added. District-specific materials include the following:

1. Materials from the District's existing materials that the District requests be incorporated during the drafting process;
2. New materials that the District develops in their entirety and exclusive of Neola;
3. Revisions or deletions that substantively depart from Neola's templates; and
4. Outdated material that a District did not keep current with Neola updates.

Further, Neola does not recommend the use or incorporation of District-specific materials. Neola will, at the request of the District, incorporate District-specific materials into the licensed materials, with the implicit understanding that the District bears all risks associated with the District's decision to request that such District specific materials be incorporated. Neola reserves the right to, but is not obligated to, advise the District to seek its own legal review of District-specific materials.

Notice Regarding Legal Accuracy

Neola is vigilant in providing policy language to clients that has been vetted for legal accuracy by outside legal counsel. Should questions arise as to the legal compliance or accuracy of Neola materials, it is our expectation that Neola's counsel would have the opportunity to assist in the resolution of such a claim. Please notify the Neola corporate office if an issue arises that requires such a review or assistance.

Policies in this update have been reviewed by either Ennis Britton Co., L.P.A. or Peters Kalail & Markakis Co., L.P.A. for consistency with Federal and State law.

Legal Alerts

Included with this update are five (5) legal alerts and two (2) memorandums. These include:

03 - Medical Marijuana Reclassified to Schedule III

04 - DOJ Extends Web Accessibility Compliance by One Year

05 - Memorandum: EDGAR Collection - UGG

06 - Trio of "Christman Tree" Bills Prompt a Host of Changes in Education Law

07 - Memorandum: Federal Reorganization Proposal

08 - Recording and AI Processing of Communications on School Property and at School Events

09 - The SAM Act Opens New Horizons for Ohio High School Athletes

BYLAWS AND POLICIES

Bylaw 0145 - Filling a Board Vacancy (Revised)

Bylaw 0146 - Resignation or Removal (Revised)

These bylaws have been revised to reflect the requirements of H.B. 455 (effective October 9, 2026), modifying the criteria and timeline for filling a Board vacancy. School Boards now have forty-five (45) days to appoint a new member after a vacancy occurs.

Policy 1231/3231/4231 - Outside Activities of Staff (Revised)

Policy 2265 - Protections of Individual Beliefs, Affiliations, Ideals, or Principles of Political Movements and Ideology (Revised)

These policies have been revised to reflect the guidance provided in the FAQ document issued by the Auditor of State in 2023 regarding electioneering and political activities of school employees using district resources.

Policy 6100 - Proper Use of Public Funds (New)

Following the FAQ document issued by the Auditor of State in 2023, districts and other public entities were encouraged to adopt a policy that addresses proper and improper use of public funds, especially as expenditures relate to levies and bonds. The new policy declares that the board of education recognizes that all expenditures must be for a proper and allowable public purpose in accordance with state law. The policy also details permissible and impermissible publicly funded newsletters and other forms of communications, as well as compensation of staff who communicate information about the district, engagement of third parties related to levies and bonds, and use of board-owned property for ballot issues. Although not required, this policy helps guide employees and board members, and may also help support public expenditures that are scrutinized in audits.

Policy 9700 - Relations with Special Interest Groups (Revised)

The policy has been amended to clarify access to school property by outside organizations. The language specifies that the board will grant groups equal access that is viewpoint and content neutral. Additional language has been added to clarify that school facilities and equipment may not be used to produce or disseminate materials that advertise or promote ballot issues, and that school employees and students may not be used to distribute campaign materials during school. These changes align with guidance issued by the Auditor of State in 2023. The FAQs provided insight into how the Auditor's office views use of public funds and activities related to levy and bond initiatives. In light of the FAQ, changes have also been made to PO 3231 which governs outside activities of school staff, and a new policy, Policy 6100, has been developed regarding the proper use of public funds.

Policy 2431 - Interscholastic Athletics (Revised)

Additions/revisions reflect the recent guidance (June 2026) issued by the Ohio High School Athletic Association (OHSAA) regarding student eligibility - Bylaw 4-4.

Policy 2431.07 - Extracurricular Participation of Non-Enrolled Public High School Students (Student Athlete Mobility "SAM Act") (New)

This new policy is provided in response to provisions of S.B. 276, effective October 6, 2026. School districts that are members of an organization that regulates interscholastic athletics (OHSAA) and that offer extracurricular activities are required to adopt a policy that permits a student enrolled in a neighboring school that does not offer an activity to petition for participation in that activity. OHSAA has issued additional guidance on this topic.

This policy should be adopted to comply with the law.

Policy 5111.01 - Homeless Students (Revised)

The policy and administrative guideline have been updated to incorporate requirements of the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11431 et seq.) related to provision of assistance for the FAFSA, the requirement to remove barriers to full participation in academic activities, and awarding of credit for any coursework satisfactorily completed by an eligible student while attending another school. HB 472,

which was passed by the legislature but vetoed by Governor DeWine, would have required the state to waive certain fees for homeless youth to obtain birth certificates. This bill required school staff to certify the student's homeless status. However, with the Governor's veto, this law does not take effect.

Policy 5224 - Youth Membership Organization (New)

This new policy is provided to outline the requirements of S.B. 19 (effective September 23, 2026), requiring school districts to provide opportunities for qualified youth membership organizations at least once annually. Parents must be notified in advance and provided with an opportunity to opt their students out. These groups, referred to as patriotic youth organizations, must also be permitted to provide displays on school property and send informational flyers for student recruitment through the district's existing digital communications channels at least once per year.

Provisions of this policy must be implemented in accordance with the law.

Policy 5330 - Use of Medications (Revised)

Effective August 26th, 2026, school districts are required to permit students to carry and use epinephrine nasal spray (prescribed under the brand name Neffy), in addition to epinephrine auto-injectors (also known as EpiPens). The nasal spray was approved by the Food and Drug Administration in 2024 for the emergency treatment of allergic reactions including anaphylaxis and provides an alternative to injectable epinephrine. HB 462 updated the law to include this relatively new form of the drug. The revised law refers to both autoinjectors and nasal sprays as "epinephrine delivery systems." Fortunately, the two products both contain the same drug – epinephrine. Schools should be aware that students may be prescribed both an epi-pen and the nasal delivery system in case the nasal delivery system is not sufficient to disrupt the allergic response quickly enough. Staff may need to be trained regarding administration of both forms of the drug.

Policy 5463 - Credits from State-Chartered, Special, and Nonchartered Schools (Revised)

This policy has been revised in light of the requirements of the Governor's Merit Award and the Ohio Guaranteed Admission programs. The revisions provide guidance in awarding credit for students transferring into the district.

Policy 5514 - Student Use of Bicycles, E-Bikes, Scooters, E-Scooters, and Other Personal Transportation Devices (New)

This policy replaces the current policy regarding student use of bicycles on school property. It reflects the broad expansion of personal transportation devices and a range of options to be considered in controlling access and use in securing a safe campus environment.

This policy is not required, but should be considered.

Policy 6423 - Use of Credit Cards (Revised)

The policy has been updated following the release of an Auditor of State Advisory Memo, dated April 23rd, 2026, addressing the allowability of public offices to incur and pay credit card convenience fees for credit card purchases. Credit card convenience fees include "charges, assessed by vendors or service providers, for processing payments made via credit card." Public employees routinely use credit cards, typically for smaller purchases. There were concerns that the auditor may not consider convenience fees to be a proper use of public funds. In the memo, the auditor recognizes that convenience fees are often unavoidable, and further states that "... auditors will not be specifically targeting or questioning the routine occurrence of convenience fees, provided there is a reasonable and documented basis for payment." The auditor recommends that public entities adopt formal policies which outline when the payment of convenience fees are appropriate, and when they should be avoided.

Policy 7540.10 - Recording and AI Processing of Communications on School Property and at School Events (New)

Policy 2461 - Recording of District Meetings Involving Students and/or Parents (Rescind)

See Legal Alert 08 - Recording and AI Processing of Communications on School Property and at School Events.

Consideration and adoption of Policy 7540.10 and rescission of Policy 2461 is recommended but not required.

Policy 8120 - Volunteers (Revised)

Policy 8470 - Sex Offender Notification (Revised)

These two (2) policies have been revised to include the prohibition of state law for any person who is a restricted sex offender from serving as a volunteer in a capacity that affords opportunity for extensive contact with minor children.

Policy 8310 - Public Records (Revised)

H.B. 455 (effective October 9, 2026) allows for the appointment of designees for each of the district's records commission members.

Policy 8330 - Student Records (Revised)

In addition to several minor changes, PO 8330 has been amended to address legal requirements related to technology provider use of educational records. Technology providers are defined under state law to include a person or company that contracts with the Board to provide school-issued devices and creates, receives, or maintains educational records (as defined by the Family Educational Rights and Privacy Act of 1974 and R.C. 3319.325) pursuant or incidental to its contract with the Board. The term does not include county board of developmental disabilities, educational service centers, information technology centers, assessment providers, curriculum providers, or other public schools that enter into service contracts with the Board. Technology providers are required to comply with certain operational requirements. Additionally, districts must provide notice to parents and students regarding any curriculum, testing or assessment technology provider contract. The notice must include specific elements. These changes were implemented through SB 29 (effective October 24th, 2024) and amended by HB 432 (effective December 9th, 2024).

ADMINISTRATIVE GUIDELINES

AG 5111.01 - Homeless Students (Role of the Local Liaison) (Revised)

AG 5463 - Student Transfer from Nonchartered Schools and Enrollment from Home Education (Revised)

See note on Policy 5111.01.

AG 5514 - Student Use of Bicycles, E-Bikes, Scooters, E-Scooters, and Other Personal Transportation Devices (New)

See note on Policy 5514.

AG 7540.10 - Recording and AI Processing of Communications of School Property and at School Events (New)

See note on Policy 7540.10.

AG 8470 - Sex Offender Notification (Revised)

See note on Policy 8120/8470.

COMMENTS

Reviewing Board Minutes

A feature of your subscription to the Update Service is the review of your District's Board minutes to identify action that results in new policy or revision to existing policy. If such action has been taken and copies of the related materials have not been submitted to the Coshocton Office, the District will be contacted and additional information regarding the action will be requested. Please take advantage of this valuable service by sending copies of your Board minutes to the Coshocton Office for review.

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VOL. 45 SEPTEMBER 2026

02 - Policy Disposition Sheet

Vol. 45, No. 1 - August 2026 Policy Disposition Sheet

DISPOSITION OF NEW/REVISED/REPLACEMENT POLICIES FOR BOARD ADOPTION

VOL. 45, NO. 1 - AUGUST 2026

Coding for District-Specific Edits

*1 = drafted by District staff

*2 = if the material was a work for hire, that is, material the District paid someone else to develop but from whom the District purchased the rights to publish

*3 = if the material is copyrighted to someone else from whom the District has secured permission to publish the material

(No code is needed for accepting Neola's vetted material)

Policy Number	Date Adopted	District-Specific Edits (1, 2, or 3)	Date Tabled	Date Rejected
po0145				
po0146				
po1231				
po2265				
po2431				
po2431.07 New				
po2461 Rescind				
po3231				
po4231				
po5111.01				
po5224 New				
po5330				
po5463				
po5514 Replacement				
po6100 New				
po6423				
po7540.10 New				
po8120				
po8310				

Policy Number	Date Adopted	District-Specific Edits (1, 2, or 3)	Date Tabled	Date Rejected
po8330				
po8470				
po9700				

VOL. 45 SEPTEMBER 2026

03 - Legal Alert

Vol. 45, No. 1 - August 2026 Medical Marijuana Reclassified to Schedule III

Legal Alert

To:	Neola Clients
From:	Peters Kalail & Markakis Co., L.P.A.
Re:	Medical Marijuana Reclassified to Schedule III
Date:	June 2026

School districts can no longer rely on marijuana's former Schedule I status to categorically deny accommodation requests involving state-licensed medical marijuana. Instead, districts should promptly review their procedures for handling employee and student accommodation requests and ensure such requests are evaluated on an individualized basis.

On April 23, 2026, Acting Attorney General Todd Blanche signed AG Order No. 6754-2026 (the "Order"), reclassifying FDA-approved drugs containing marijuana and state-licensed medical marijuana from Schedule I to Schedule III of the Controlled Substances Act (CSA).¹ As a result, medical marijuana is no longer treated under federal law as a substance with no accepted medical use; rather, medical marijuana is now treated, for federal scheduling purposes, similar to substances such as ketamine, anabolic steroids, testosterone, and Tylenol with codeine.² This reclassification has significant and immediate implications for public school districts in Ohio and nationwide, both as employers and as educational institutions serving students.

Before the Order, marijuana's Schedule I status allowed districts to rely on its federal illegality when denying accommodation requests tied to medical marijuana use. That rationale is no longer available in the same categorical form. Districts must now evaluate employee requests involving medical marijuana through the ADA interactive process. Likewise, Section 504 teams and IEP teams may need to consider parent or student requests involving disability-related medical marijuana use rather than denying them outright based solely on marijuana's former federal status. Human resources personnel, Section 504 coordinators, and special education teams should review their protocols so they are prepared to appropriately respond to such requests.

Accommodating School Employees Under the ADA

Before marijuana was reclassified to Schedule III, public school districts routinely prohibited employees from using or possessing marijuana on school property, prohibited employees from reporting to work while impaired, and denied accommodation requests involving marijuana based on its federal illegality. Drug-free workplace policies also typically identified marijuana as a prohibited substance without

exception. Districts may still prohibit on-campus possession or use and may still address workplace impairment. What has changed is that districts may no longer rely solely on marijuana's former federal status to deny an accommodation request involving state-licensed medical marijuana. Instead, those requests must now be evaluated through the ADA's interactive process.

As such, when a school employee presents a valid medical marijuana card, recommendation, or similar state authorization in support of an accommodation request³ – including as an explanation for a positive drug test – the district must engage in the individualized ADA interactive process. At a minimum, that process should include the following steps:

1. Receive and document the accommodation request.
2. Identify the employee's underlying qualifying disability (that is, the medical condition for which marijuana is prescribed, not the marijuana use itself).
3. Obtain medical documentation describing the employee's functional limitations and the relationship between those limitations and the requested accommodation.
4. Clarify the specific accommodation sought, such as a modified schedule, leave, tolerance of off-campus use during a break, or an exception to a positive marijuana drug test.
5. Assess whether the requested accommodation would eliminate an essential job function or impose an undue hardship.
6. Evaluate whether the employee would pose a direct threat to safety even with the requested accommodation.
7. Document the decision, including any accommodation granted or denied and the reasons for that determination.

Although districts must engage in the interactive process, they are not required to allow employees to possess or use medical marijuana on school property. Federal drug-free workplace requirements remain in effect, and Ohio law likewise does not require employers to permit on-duty use, on-premises use, or workplace impairment.⁴

Requests involving off-campus marijuana use during the workday will likely present some of the most difficult issues following reclassification. Even after reclassification, a district is not required to approve such a request if doing so would eliminate an essential job function, create a safety risk, or impose an undue hardship. For example, a teacher cannot leave a classroom unattended to administer medical marijuana. Likewise, a district may deny a request if the employee would return impaired or unable to perform the essential duties of the position safely and effectively.

At the same time, districts should not deny these requests categorically without first engaging in the interactive process. The analysis should consider the employee's position and job duties, whether the role is safety-sensitive, the nature of the employee's disability, the timing and frequency of the requested use, whether the requested accommodation would create operational or safety concerns, whether the employee could return able to perform essential functions, and whether any alternative accommodations would address the employee's limitations. Districts should also remember that federal Department of Transportation regulations continue to prohibit marijuana use by safety-sensitive CDL holders, including school bus drivers.

Districts should work with legal counsel to evaluate each request on its individual merits.

Finally, if an employee uses medical marijuana off campus and subsequently enters school grounds impaired, the district may remove the employee from duty for safety reasons and discipline the employee for any resulting performance or conduct issues, even if the marijuana use itself was medically authorized.

Student Accommodations Under Section 504 and the IDEA

As with employees, districts may no longer deny student accommodation requests involving use of state-authorized medical marijuana solely because marijuana was previously classified as illegal under federal law. At the same time, districts generally are not required to permit students to use medical marijuana on school grounds,⁵ unless state law expressly authorizes on-campus administration.⁶ In Ohio, no statute currently provides that authorization. Even so, Section 504 teams and IEP teams must now consider accommodation requests involving medical marijuana on an individualized basis rather than rejecting them categorically.

One of the most significant emerging questions is whether, and under what circumstances, a district must accommodate a student by permitting the student to leave school property to administer medical marijuana and then return to school. While there is no automatic right to such an arrangement, districts may not reject a request categorically. Instead, districts should use a fact-specific analysis to address such requests. Relevant considerations may include:

1. The student's underlying disability.
2. The medical necessity and timing of the dosing schedule.
3. Whether the absence would be educationally disruptive.
4. Whether the student could return and meaningfully participate in instruction after administration.
5. Whether any safety concerns would arise upon return.
6. Whether other accommodations could meet the student's needs, such as a modified schedule, later start time, or homebound services during part of the day.

Section 504 teams should convene promptly to consider these requests and should document both the decision and the reasoning supporting it.

Section 504 coordinators should consider taking the following steps now:

1. Review existing 504 plans for students who may use medical marijuana pursuant to a card, physician recommendation, or similar state authorization, and flag those plans for reconsideration at the next scheduled review, or sooner if a parent requests.
2. Develop a specific 504 protocol for medical marijuana accommodation requests that includes intake documentation, physician verification process, team meeting, and required plan elements.
3. Confirm with district legal counsel that the board's drug-free school policy remains properly aligned with federal requirements and that any approved 504 accommodation does not conflict with those requirements.
4. Train Section 504 building coordinators to recognize medical marijuana accommodation requests and route them appropriately rather than making ad hoc decisions or issuing blanket denials.

IEP teams will face similar considerations. When medical marijuana is part of a student's disability-related treatment, the team should consider the supporting documentation, the effect of the administration schedule on the student's access to educational programming, whether related services or program modifications may be needed, how the treatment affects educational performance and progress toward IEP goals, and how to coordinate with parents in a manner consistent with board policy, state law, and applicable federal requirements.

IEP teams should take the following actions immediately:

1. For students whose IEPs include health-related goals or related services, determine whether the student's medical marijuana use is currently affecting educational performance or access to

programming.

2. Where medical marijuana is part of the student's medical treatment for their disability, ensure the IEP's Present Levels of Academic Achievement and Functional Performance accurately reflect the potential impact of that treatment on learning.
3. Coordinate with the school nurse and building administrator on any health care plans that may need updating.
4. Ensure that, for students with IEPs who use medical marijuana, any manifestation determination review accounts for the disability-related nature of any disciplinary incidents involving marijuana.
5. Consult with legal counsel before agreeing to any IEP provision that would permit on-campus administration or off-campus administration with return.

If a Section 504 team or IEP team determines that off-campus administration followed by a return to school is appropriate, the student's Section 504 Plan or IEP should address, as applicable, the following:

1. Duration and frequency of authorized absences (maximum time away per dose, per day, per week).
2. Authorized caregivers and the documentation they must carry.
3. Check-out and check-in procedures (office sign-out, parent signature, return log).
4. Make-up work protocols, including who will provide assignments, the timeline for completion, and any effect on grades.
5. Academic impact monitoring, including whether the team will reconvene if the student's performance or engagement declines after returning to school.
6. Any post-administration restrictions on safety-sensitive activities, if applicable (e.g., no lab work or physical education for a certain period after return).
7. A review schedule, given the evolving legal landscape, with clearly defined follow-up dates.

In light of the foregoing, school districts should promptly train relevant personnel and implement clear procedures for evaluating employee and student requests involving use of medical marijuana on an individualized basis. Districts also should review current practices relating to drug testing, workplace and student impairment, Section 504 and IEP decision-making, and requests for off-campus administration to ensure those practices are applied consistently and lawfully.

Neola will continue to monitor this developing area of law and will provide updates as appropriate. It is also evaluating whether revisions to existing template policies or administrative guidelines may become necessary in light of the April 23, 2026 Order. At present, however, Neola is not recommending immediate policy revisions while the broader rescheduling process continues and pending legal challenges are resolved. At least one challenge has already been filed in the United States Court of Appeals for the D.C. Circuit that could temporarily affect the reclassification of medical marijuana from Schedule I to Schedule III.⁷ Until the legal landscape becomes clearer, districts should avoid categorical responses and work with local legal counsel to evaluate each request individually.

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The information in this Legal Alert is not intended to create, and receipt of it does not constitute, an attorney-client relationship. If you have specific questions regarding a particular fact situation, you should obtain the services of competent legal counsel.

¹ Schedule I substances are deemed under federal law to have no accepted medical use and a high potential for abuse, and their possession or use is illegal under the CSA, regardless of state law. Reclassifying marijuana to Schedule III reflects recognized medical use and a lower potential for abuse for federal scheduling purposes.

² A small number of marijuana-derived medications have received FDA approval. Recreational marijuana use, however, remains illegal under federal law, even though many states, including Ohio, have authorized adult-use (i.e., recreational use) under state law. The broader federal treatment of non-medical marijuana use remains unsettled. Acting Attorney General Blanche has directed the related administrative review process to resume on June 29, 2026, when a public hearing on the issue is expected to commence.

³ Because marijuana was classified as a Schedule I substance, physicians historically could not prescribe it under federal law. Under Ohio's medical marijuana framework, a patient with a qualifying condition may instead obtain a physician recommendation permitting the patient to purchase medical marijuana from a licensed dispensary. Such recommendations are not the same as a prescription under Ohio law. See State Medical Board of Ohio, Medical Marijuana – Overview, available at: <https://med.ohio.gov/for-the-public/medical-marijuana/overview> (last accessed June 1, 2026). Importantly, the recent federal reclassification does not, by itself, change Ohio's prescribing rules.

⁴ Public school districts that receive federal funds remain subject to the Drug-Free Workplace Act. 41 U.S.C. §§ 8101–8106, and related regulations. Accordingly, districts may continue to prohibit employee possession or use of marijuana on school property. Ohio law likewise does not require employers to accommodate on-duty use, on-premises use, or workplace impairment. See Ohio Rev. Code Ch. 3796.

⁵ Federal funding statutes, including Every Student Succeeds Act (ESSA), reflect Congress's expectations that school districts maintain healthy, supportive, and drug-free learning environments. See 42 U.S.C. §§ 7114(b)(3)(B) and 7118(2). Those requirements reinforce a district's authority to regulate student drug use on school grounds absent a clear contrary state-law directive.

⁶ No Ohio statute currently authorizes on-campus administration of medical marijuana to students. As a result, Ohio school personnel, including school nurses, are not authorized to administer medical marijuana at school. By contrast, some states have enacted laws permitting on-campus administration in limited circumstances.

⁷ See *SAM, Inc. v. U.S. Department of Justice*, No. 26-1106 (D.C. Cir.). If the D.C. Circuit Court issues a stay or preliminary injunction affecting the April 23, 2026 Order, the legal effect of the reclassification could be delayed or altered while the litigation proceeds. Districts should therefore monitor the case closely and consult with local counsel before relying on the reclassification in responding to accommodation requests.

VOL. 45 SEPTEMBER 2026

04 - Legal Alert

Vol. 45, No. 1 - August 2026 DOJ Extends Web Accessibility Compliance Deadlines by One Year

Legal Alert

To:	Neola Clients
From:	Peters Kalail & Markakis Co., L.P.A.
Re:	DOJ Extends Web Accessibility Compliance Deadlines by One Year
Date:	August 2026

As detailed in our August 2025 Legal Alert, the U.S. Department of Justice ("DOJ") issued a Final Rule in April 2024 under Title II of the Americans with Disabilities Act ("ADA") requiring public school districts and other state and local government entities to make their websites and mobile applications accessible to individuals with disabilities in conformance with the Web Content Accessibility Guidelines (WCAG) 2.1, Level AA technical standard. The original compliance deadlines were April 24, 2026, for school districts serving populations of 50,000 or more, and April 26, 2027, for smaller districts. Those deadlines have now been extended by one year.

The DOJ's New Interim Final Rule

On April 20, 2026, the DOJ published an Interim Final Rule ("IFR") in the Federal Register extending the compliance deadlines under Title II's web accessibility rule. The new deadlines are:

- April 26, 2027 — for state and local government entities (including school districts) serving populations of 50,000 or more; and
- April 26, 2028 — for public entities serving populations of fewer than 50,000, and any special district government.

The IFR is effective immediately and does not alter any of the substantive WCAG 2.1, Level AA requirements from the 2024 Final Rule. It solely extends the dates by which covered entities must comply.

Why Did the DOJ Extend the Deadlines?

The DOJ cited several factors in justifying the extension. First, the Department acknowledged that it overestimated the capacity of state and local governments — including school districts — to achieve compliance within the original timeframes. Entities across the country reported significant resource constraints, staff shortages, and limited technical expertise. Second, the DOJ noted that generative AI tools, which many hoped would help automate accessibility remediation, have not yet proven reliable enough to do so at scale, increasing reliance on costly and time-consuming manual work. Third, the DOJ

expressed concern that the technical standards linked within the 2024 rule point to dynamically updateable web pages — creating uncertainty about what exactly is required. Finally, the Department was mindful of the litigation risk that non-compliant entities would face if the original deadlines took effect before meaningful compliance was achievable.

These concerns appear consistent with feedback received from elementary and secondary school advocacy organizations, which reported that many districts had not yet begun meaningful compliance work, lacked budgetary resources, and feared an onslaught of accessibility-related lawsuits.

This Extension Should Not Stop Districts From Working Toward Compliance

While this extension provides welcome breathing room, school districts should not treat it as a green light to pause their accessibility efforts. Several important realities remain:

- Title II obligations are ongoing. Regardless of the new deadlines, school districts remain obligated under existing Title II requirements to ensure that individuals with disabilities have effective access to district programs and services, including online content and communications. The extension only shifts the mandatory WCAG 2.1 technical standard deadline — it does not suspend current anti-discrimination obligations.
- Accessibility lawsuits continue to rise. More than 3,000 web accessibility lawsuits were filed in 2025 alone. The extension does not insulate districts from private litigation asserting existing ADA obligations.
- The DOJ may issue further rulemaking. The IFR invites public comment (due June 22, 2026) and signals that the DOJ may issue a notice of proposed rulemaking during the extension period to revisit the substance of the 2024 Final Rule itself. Districts should monitor these developments closely.
- HHS rule is unaffected. The Department of Health and Human Services (HHS) issued its own web accessibility rule applicable to recipients of federal funding, with an original compliance date of May 11, 2026. As of this writing, HHS has not extended that deadline. Districts should consult with counsel regarding whether and how this separate rule applies to them.

Recommended Action Steps for Ohio School Districts

As outlined in our August 2025 Legal Alert, districts should use the extended timeline to undertake the following:

- Conduct a Website and App Accessibility Audit. Inventory all district websites, web-based tools, and mobile applications. Assess their current conformance with WCAG 2.1, Level AA, and develop a remediation plan for any deficiencies. PDF documents on district websites deserve particular attention, as they are frequently non-compliant.
- Review and Update Vendor Contracts. Ensure all existing and future contracts with technology vendors include explicit WCAG 2.1, Level AA compliance requirements, vendor liability for accessibility failures, and district rights to terminate for non-compliance and recover associated legal costs.
- Train Relevant Staff. Provide training to technology directors, curriculum developers, communications staff, and others who create or manage web content, so they understand their obligations and how to produce accessible content by default.
- Establish a User Feedback Mechanism. As required by Policy and Administrative Guideline 7540.02 (updated by Neola in 2025), districts should implement and publicize a process by which users can report accessibility concerns related to web content or mobile apps.
- Build a Documented Accessibility Program. Courts have dismissed accessibility lawsuits against entities that demonstrate a meaningful, ongoing accessibility program. Consequently, we

recommend your district build and document that program now — even before the new deadline arrives — to garner added legal protection.

The one-year extension is an opportunity, not a reprieve. Districts that invest in genuine accessibility work now will be better positioned legally, operationally, and ethically when the new compliance dates arrive. Please contact your local legal counsel if you have questions about your district's obligations under the ADA's web accessibility rules.

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VOL. 45 SEPTEMBER 2026

05 - Memorandum

Vol. 45, No. 1 - August 2026 EDGAR Collection - UGG

Memorandum

To:	Neola Clients
From:	Neola, Inc.
Re:	Federal Grants and Proposed Rule Changes
Date:	August 2026

Local Education Agencies, which include all Boards of Education in Ohio, are recipients of federal funds.¹ Currently, Neola has a collection of policy templates that address the Board's responsibilities with respect to federal grants. These policies include, but are not necessarily limited to, the following:

- A. Policy 1130/3113/4113 - Conflict of Interest
- B. Policy 6110 - *Grant Funds*
- C. Policy 6111 - *Internal Controls*
- D. Policy 6112 - *Cash Management of Grants*
- E. Policy 6114 - *Cost Principles - Spending Federal Funds*
- F. Policy 6116 - *Time and Effort Reporting*
- G. Policy 6325 - *Procurement - Federal Grants/Funds*
- H. Policy 6550 - Travel Payment & Reimbursement
- I. Policy 7300 - Disposition of Real Property/Personal Property
- J. Policy 7310 - Disposition of Surplus Property
- K. Policy 7450 - Property Inventory
- L. Policy 7455 - Accounting System for Capital Assets
- M. Policy 8500 - Food Services

Importantly, on May 29, 2026, the Office of Management and Budget ("OMB") issued a sweeping proposed rule that will significantly impact federal grant recipients. The following is a summary of the potential changes published by OMB (source: <https://www.regulations.gov/document/OMB-2026-0034-0001>):

The Office of Management and Budget ("OMB") proposes to revise the Guidance for Federal Financial Assistance to improve government-wide policies and requirements related to the management of grants, cooperative agreements, and other forms of assistance. OMB is proposing revisions that would improve transparency, accountability, and oversight for Federal awards across the Federal Government. This includes ensuring that American tax dollars are not wasted or misused, that activities performed under Federal awards are consistent with law and policy, and that recipients are held accountable when they fail to meet relevant standards. The revisions also aim to ensure that basic American principles of equality and equal opportunity are upheld throughout all stages of the award-making process and that unlawful discrimination is no longer permitted. Proposed changes also include providing further clarification on the regulatory status of the OMB requirements and on the process for future updates to the government-wide requirements. Finally, OMB also proposes changes to reduce recipient burden. The listed Federal grant-making agencies propose conforming changes to their respective adopting regulations, or, in the case of some agencies and other entities, establishing new adopting regulations or policies. The proposed changes reflect the administration's commitment to transparency, accountability, and proper oversight for the Federal grant-making process. The proposed regulations seek to ensure that American tax dollars are ultimately used to serve the needs of the American public.

Comments to the proposed rule have been accepted through July 13, 2026, with the proposed rule having an effective date of October 1, 2026. Neola will continue to monitor OMB's rulemaking efforts and will be prepared to prepare policy revisions if necessary.

¹Neola's policy templates may at times use the terms "Board of Education" or "Board" interchangeably with "School District" or "District" when referring to federal grant responsibilities. Regardless of which term is used, the Board of Education (even if the term used is "School District" or "District") as the Local Educational Agency, is responsible for complying with obligations applicable to recipients of federal funds.

This memorandum is intended as general information and not legal advice. No attorney-client relationship exists.

VOL. 45 SEPTEMBER 2026

06 - Legal Alert

Vol. 45, No. 1 - August 2026 Trio of "Christmas Tree" Bills Prompt a Host of Changes in Education Law

Legal Alert

To:	Neola Clients
From:	Gingo & Bair, LLC
Re:	Trio of "Christmas Tree" Bills Prompt a Host of Changes in Education Law
Date:	August 2026

Ohio’s education law landscape is changing once again, thanks to an active spring legislative session that ended in mid-June and included the passage of three (3) separate Christmas tree bills. There is a lot to unpack in these bills, which when combined, add up to more than 400 pages of legislative changes. Here is a “brief” glimpse of coming attractions in the world of education law.

SENATE BILL 19 RECAP

Senate Bill 19, which was signed by the Governor on June 24th and takes effect September 23, 2026, establishes, among other things, new requirements for school districts to provide free academic intervention services to eligible students.

Student Diagnostic Assessments

Under SB 19, the Ohio Department of Education and Workforce Development (“DEW”) is tasked with approving up to six (6) (formerly five (5)) diagnostic assessments for grades K-3 in both reading and math. The approved diagnostics may now include a computer-based assessment that provides immediate results to teachers.

The bill includes several prohibitions related to assessments. For instance, schools are now prohibited from administering assessments from multiple providers in order to improve state report card ratings but may do so to help guide and inform student instruction. Additionally, schools may not administer reading or math diagnostic assessments from multiple providers to the same K-3 students unless one (1) of the following conditions is met:

- An additional assessment is prompted by a student’s Individualized Education Plan (“IEP”);
- The results of a student’s reading assessment indicate that additional assessment is necessary to determine if the student is at risk for dyslexia; or
- For any other reason deemed appropriate by DEW.

Test providers may seek a waiver from DEW that permits schools to use another diagnostic assessment. Schools may continue to use a reading assessment if they had a contract with a provider that existed prior to September 25, 2025. However, this temporary authority lapses once the contract expires, or by July 1, 2028, whichever occurs first. By February 28, 2028, DEW is required to submit a report to the Speaker of the House and Senate summarizing the number of schools which used diagnostic assessments under an existing contract.

Note that HB 455 includes some minor changes to the same statutes governing diagnostic assessments. However, these changes simply updated the law to include the effective date of the budget bill. The substantive changes were enacted through SB 19.

Math and Reading Curriculum, Improvement Plans, and Advanced Coursework

Changes to math and reading curriculum and services are among the most significant for schools in SB 19. Many of these changes will be addressed during the next school year for full implementation during the 2027-2028 school year.

1. Core Math Curriculum

A new statute, R.C. 3301.0734, was enacted that requires the DEW to review core mathematics curricula and establish a list of high-quality curriculum and instructional materials in mathematics as well as a list of evidence-based mathematics intervention programs by April 15, 2027. DEW is also required to develop and post a rubric and scoring system that is used to evaluate the curriculum. School districts may use the core curriculum adopted by DEW, or alternatively select different high-quality core curriculum and instructional materials. DEW is tasked with including each school building's selection of reading and math curricula on their report card, with an indication of whether the curricula is designated as high-quality.

Likewise, DEW is required to develop a rubric and scoring system to evaluate English language arts (also referred to as "ELA") core curricula and determine whether it facilitates a student's skill building and sequential advancement through mastery. The rubric will be posted on DEW's website. DEW will be required to provide a copy of the scored rubric to any entity which submits curriculum for review.

2. Math and Reading Improvement Plans

A separate provision in SB 19 addresses math achievement improvement plans. Legislators initially proposed language which would have required districts to develop math improvement plans for individual students, which is like reading improvement and monitoring plans (often referred to simply as a "RIMP"). However, the final version of the bill instead requires that each school district and community school create a math achievement improvement plan for any school building in which 51% or less of the building's students who took the third-grade mathematics assessment for that school year attained proficient or higher. Plans must be submitted to the DEW beginning in the 2026-2027 school year.

DEW will establish rules regarding content, submission deadlines, and implementation of the plans, and will be required to post the plans on a prominent website location. School buildings that are subject to a plan must use curriculum from a list established by DEW. DEW will also create and publish an optional student math academic intervention template.

An important change to reading achievement improvement plans was also implemented. The law modifies the requirement for submission of a reading achievement improvement plan to apply for each building rather than each district that meets listed criteria. The criteria for when a plan must be developed as established under the previous version of the law remain. A school building or community school that for the past two (2) consecutive report cards either receives a "D" or "F" on K-3 literacy progress measure or less than three (3) stars for early literacy, or that has 51% or less of students who took the third grade ELA assessment attained proficient or higher must develop the plan.

3. Advanced Mathematics Opportunities

A new statute, R.C. §3313.6032, mandates that each school district provide advanced mathematics opportunities for a “qualifying student” who either 1) achieves an advanced level of skill on a math achievement test; or 2) meets the district’s choice of multiple measures under one (1) of the following:

- Accomplished level of skill on a math achievement assessment prescribed by law plus holds an average class grade of A or B in math; or
- Achieves a designated score, as determined by DEW, on a math diagnostic assessment prescribed under state law plus an accomplished level of skill on a math achievement assessment.

4. Districts are permitted to redetermine their choice of multiple measures under this provision annually.

5. Additionally, districts must accomplish all of the following by July 1, 2027:

- Eligible Sixth Grade Students: Enroll each qualifying student in grade six in both a mathematics course for seventh grade that combines seventh and eighth grade state mathematics standards into one school year; and Algebra I in eighth grade (provided that the student achieves at least a proficient level of skill on the required mathematics achievement test for grade eight). Students enrolled in Algebra I must take the state end-of-course examination. Districts are required to notify parents of students who qualify for enrollment in these courses and inform them of the option to opt out by submitting a written request.
- Eligible Students in Grades Three (3) to Five (5): Enroll each qualifying student in grades three (3) through five (5) in advanced mathematics learning opportunities. The law includes additional details about advanced learning opportunities, which are courses that exceed the standard mathematics curriculum for the student’s grade level, or services or curricula modifications in mathematics, provided either in person or through electronic means which provide additional rigor or challenge. According to the law, this may include differentiated instruction in which the depth, breadth, complexity, pacing, and acceleration are tailored to each student’s individual needs and readiness; or interdisciplinary work.
- Mathematics Placement and Promotion Policy: Adopt a comprehensive mathematics placement and promotion policy within ninety (90) days that includes a curriculum plan beginning in grade three (3) that both:
 - Creates a timeline and explanation for how students will be prepared and placed in Algebra I; and
 - Describes how the school district will provide advanced learning opportunities in mathematics and accommodate each student in grade seven (7) who qualifies.

To support these significant changes in the law, DEW is required to adopt rules regarding placement of eligible sixth grade students based on the student’s performance on a mathematics achievement assessment. DEW is also required to designate a score that reflects an accomplished level of skill for each of the mathematics diagnostics assessments selected under state law. Finally, DEW is required to update its model acceleration policy to include provisions for advanced learning opportunities in math.

The law specifies that students will be required to take the designated achievement tests or end-of-course examinations for any mathematics course the student takes because of enrollment in advanced mathematics.

Districts are permitted to offer advanced learning opportunities in math to other students who do not otherwise qualify under the new law if the student meets the district’s requirements or would benefit from the same.

6. Free Academic Intervention Services

Beginning in the 2026-2027 school year, districts are required to provide evidence-based academic intervention services (also referred to as “AIS”) at no cost to students who demonstrate a limited level of skill in math, ELA, or both on a diagnostic assessment. Students enrolled in a dropout prevention and recovery school, or who have an IEP that includes services related to traumatic brain injury or significant cognitive disabilities, are exempt unless an IEP team determines the services are appropriate.

Academic intervention services may encompass a variety of evidence-based supports, such as:

- High-dosage tutoring that is aligned with a student’s classroom instruction through a state-approved vendor. Tutoring opportunities must include instruction time delivered at least three (3) days per week, or at least fifty (50) hours over thirty-six (36) weeks, and may be incorporated into a student’s regular classroom instruction. To the extent practicable, districts are urged to provide each student’s tutoring services with the same tutor.
- Additional instruction time
- Extended school year
- Participation in learning support programs
- Any other academically centered support services that the district determines will improve academic performance

These services must align with academic instruction and shall be provided in addition to rather than a replacement for existing academic instruction and other services provided to students. All ELA services must specifically align with the science of reading. AIS must not supplant a student’s core academic instruction time, except that in grades K-3 the instruction aligned with science and social studies standards may be integrated into core math and reading instruction rather than being taught in separate instructional periods.

AIS may be provided by the district and/or a contracted vendor. The services must align with each student’s assessed level of skill and provide for accelerated skill and mastery where possible to help achieve grade-level performance. Even though the law states that students are no longer eligible for services once they demonstrate a proficient level of performance in either math or ELA, it also states that nothing prevents a district from providing intervention services to a student who does not otherwise qualify.

Any students in grades 9-12 who fail to demonstrate proficient or higher on diagnostic assessments or an end-of-course exam in math or ELA and are not required to retake the exam continue to qualify for AIS. Services must align in this case with a student’s graduation pathway.

Districts must notify parents that their student will receive AIS prior to initiating the services. The notification must include a description of the services that the student will receive, and who will be providing them. “Periodic” updates must be provided to parents, in addition to resources and recommendations for ways that a parent can support the services.

Districts will be required to report certain data about AIS through EMIS, including:

- The number of qualifying students enrolled in the district;
- The number of qualifying students who receive AIS in math, ELA, or both; and
- The number of qualifying students who receive services from the district, a vendor, or both.

Annually, beginning in the 2027-2028 school year, DEW will randomly identify and review/audit up to five percent (5%) of individual schools operated by a school district to assess AIS services

provided. Schools may not be selected more than once every three (3) years. At a minimum, the audit will include document review, staff interviews, and observations of interventions. The audit must assess whether students receive services in accordance with the law, the types and methods of services provided, and the quality of services provided by the school or vendors. Assessment of quality may include consideration of length and duration of services, specific programs and curriculum used, credentials of staff and service providers, and data regarding student progress.

DEW must provide a written summary of findings and recommendations from any audit within seventy-five (75) days. The district is required to post the report on its website and make it available to any person upon request. DEW will also include the audit as part of the student opportunity profile on the state report card. DEW is authorized to contract with a third party to assist with the audit/review.

7. Professional Development for Math Instruction

For FY 2026 and 2027, districts may use disadvantaged pupil impact aid for professional development on evidence-based strategies for effective mathematics instruction, and implementation of high-quality core curriculum in math as defined by DEW.

Additionally, DEW is required to develop a professional development course that focuses on foundational knowledge in mathematics and integrates life skills. A pilot professional development series for school leaders must be provided no later than December 31, 2026.

8. Teacher Licensure

The State Board of Education shall assess whether each individual who applies for a new valid educator license for grades PreK-8 and who may teach mathematics is able to provide high-quality mathematics instruction. The Chancellor of Higher Education, in consultation with the DEW, shall define proficiency levels for educators, and shall collaborate with the State Board to set appropriate benchmarks. Teachers who do not demonstrate proficiency may not instruct in math, but may instruct in other areas if qualified. Teachers who fail to demonstrate proficiency may retake the test. The State Board is required to develop rules for implementation of this change.

Innovative Education Pilot Programs

SB 19 grants community and STEM schools with the ability to apply for approval of an innovative education pilot program designed to enhance student achievement, engagement, student wellness, and preparation for the workforce and post-secondary education. DEW is tasked with promoting the program and providing technical assistance. DEW is also required to publicize model projects of educational innovation, including ones that use artificial intelligence in instruction. Finally, DEW is required to promote the availability of waivers from education laws and rules to assist with implementation of approved programs.

Youth Organization Access to Students

Upon request, school districts will be required to provide at least one (1) opportunity per year for the representatives of certain youth organizations to 1) provide displays on school property for student recruitment, including informational flyers and use of existing digital communication channels; and 2) be given up to ten (10) consecutive minutes during the school day on a designated date and time to speak with students at school. Districts must also notify parents and guardians about each organization's expected presentation and give them the opportunity to opt their child out of participating.

Youth organizations are defined to include "youth membership organization listed in 36 U.S.C. 30101, 30901, 31101, 40301, 70901, 80301, 130501, 140101, and 154101, that serves young people under twenty-one (21) years of age and has an educational purpose that promotes patriotism, workforce readiness, and civic involvement." Federal citations listed in the definition specifically reference the following federally chartered organizations: Big Brothers, Big Sisters of America; Boy Scouts of America, Boys & Girls Clubs of America; Civil Air Patrol; Future Farmers of America; Girl Scouts of America; Little League Baseball; Marine Corps League; and the Naval Sea Cadet Corps.

As public entities, public school districts are required to ensure that all groups receive equal access to facilities under federal law. The legislature attempted to address this issue by declaring that districts which permit these designated youth organizations to speak or distribute materials are not required to provide any type of “equal access” to other organizations. It is not clear whether this language will provide any type of true legal protection for school districts that refuse similar access for other groups.

Autism Scholarship Programs

Qualifications for the Autism Scholarship Program (“ASP”) have once again been modified to clarify that a child is eligible if 1) they have been diagnosed as autistic by a physician or psychologist; 2) is enrolled in a chartered or nonchartered nonpublic school, is home educated, or is a student who is eighteen (18) to twenty-one (21) and received home education but not yet a diploma; and 3) has an education plan developed by the child’s district of residence that includes transition services.

Interestingly, under R.C. §3313.6110, a parent of a home-educated student is responsible for issuing the student’s diploma. It is presumed that the parent can elect to delay issuance of the diploma in order to access publicly funded transition services through the scholarship program, despite having waived the student’s entitlement to a Free Appropriate Public Education.

Department Staffing

DEW is no longer required to hire a full-time physical education coordinator to provide guidance and technical assistance to schools. DEW reported to the Legislative Service Commission that this position is currently vacant, and the duties have already been distributed to others in the department. It is presumed that DEW will still provide standards and guidance for PE. HB 455 strikes the same language as well, interestingly enough.

Career Tech Education for Home Educated Students

Revisions to the law through SB 19 expressly permit home-educated students to enroll in a career technical education program tuition-free for a partial day to attend a lab. These students will be included in enrolled ADM for the district that operates the program as a part-time student. Funds will be paid in proportion to time spent at the program.

SENATE BILL 276 RECAP

Senate Bill 276 was initially introduced to support Ohio’s entrance into a multi-state compact for school psychologists, but became more controversial with the addition of the success sequence instruction and student athlete mobility laws that were also proposed during this session. These additions slowed the bill’s progression and triggered several rounds of amendments.

SB 276 was eventually passed by the Senate on June 10, 2026, but did not make it to the Governor’s desk until July 1st, due to a delay in receiving all required legislative signatures. It was signed by Governor DeWine on July 7, 2026, and authorizes Ohio to join the Interstate Compact for School Psychologists. The bill also includes provisions on student transportation, athletics, and success sequence curriculum. The bill takes effect on October 6, 2026.

Interstate Compact for School Psychologists

The Ohio Legislature has officially authorized membership in the Interstate Compact for School Psychologists, which will hopefully provide districts with access to a wider pool of professionals. The state has entered into a number of other compacts over the past few years which impact many types of school employees. This is the latest iteration, and one that will hopefully give schools more access to qualified professionals in this field who live outside of Ohio. As a member of the compact, Ohio will be required to offer licenses for qualified individuals who live in other member states, and will need to report information to the School Psychologist Interstate Licensure Compact Commission, the governing body of the compact. Rules will need to be adopted by the state, which might take some time.

Success Sequence Curriculum

The DEW is required to review and maintain a list of approved curriculum and resources for grades six (6) through twelve (12) that instruct in “success sequence.” Success Sequence is described in the law as a three-pronged framework for youth and young adults based on research that concludes individuals who complete at least high school, obtain full-time employment, and marry before having children are overwhelmingly less likely to live in poverty.

Presumably beginning in the 2027-2028 school year, school districts will be required to provide instruction on the success sequence, using any of the following:

- A curriculum reviewed and maintained by DEW;
- A different curriculum aligned with the success sequence;
- A curriculum that integrates instruction that is aligned with the success sequence curriculum requirements into the health education curriculum mandated by R.C. §3313.60(A) (which also includes instruction in the nutritional value of food, the harmful effects of drugs and alcohol, sexually transmitted diseases, sexual assault prevention, and awareness about child sex abuse and violence).

School districts must include instruction in one (1) or more courses required for high school graduation. Again, districts may elect to include this instruction in the health course mandated by R.C. §3313.60, summarized above, but are not required to.

Student Athlete Mobility Act

This provision of the law was among the most controversial. School districts that are members of an organization that regulates interscholastic athletics (essentially, the Ohio High School Athletic Association) and that offer extracurricular activities are required to adopt a policy that permits a student who is enrolled in a neighboring school that does not offer an activity to petition for participation in that activity. Interestingly, the definition of “neighboring school” includes not only a high school operated by another district that borders it, but also a separate high school within the same district. Special rules apply for districts that border Lake Erie.

Participants must be of the appropriate age and grade level as determined by the superintendent of the receiving school district. They must also meet all academic, non-academic, and financial requirements to participate. This includes tryouts.

Students are prohibited from participating in the same extracurricular at more than one (1) high school operated by their or another school district or other public high school (including community schools and STEM schools) in the same year. This prohibition includes students whose high school terminates an activity mid-season. These students must wait until the following school year to petition for participation elsewhere.

The new law also permits two (2) neighboring public schools (including community or STEM schools) to partner and establish a single team if neither has enough students to form a team on their own. A “sufficient number” is determined by adding the minimum number of students required for competition in the activity plus half of that number, rounded up to the nearest whole.

OHSAA has released additional information since the passage of the bill, which is summarized in the separate legal alert.

Hybrid Assessment Report

The DEW is required to conduct research, compile data, and prepare a report for the House and Senate standing education committees to consider the creation of a single, statewide hybrid assessment system that provides both criterion-referenced results aligned to the statewide academic standards and nationally norm-referenced results (including national percentile rankings, vertically aligned scale scores, growth measures, and other nationally comparable benchmarking data). The new proposed system must

assess the same grade levels and subject areas as the diagnostic assessments, statewide achievement assessments, and end-of-course exams, but be given in place of them.

The report provided to the standing committees must include consideration and data for each of the following:

1. An analysis of what percentage of assessment questions would need to be aligned to the criterion-referenced standards and the norm-referenced content areas to ensure compliance with federal law and establish credible, reliable academic benchmarking;
2. National percentile ranks and national norm-referenced comparisons;
3. Vertically aligned scale scores and growth measures;
4. A computer-adaptive design when practicable;
5. Instructions for how to read and interpret assessment results that include percentile ranges and percentages, including both state and national proficiency;
6. A method or a description of how to compare results between the new statewide hybrid assessment system and the diagnostic assessment, statewide achievement assessment, or end-of-course examination that the assessment is replacing;
7. Minimizing the amount of time students spend testing;
8. Producing a growth measure that leverages data from the grade level above and below the grade level being tested to more accurately reflect a year of learning;
9. Returning actionable results within one (1) week of administration of the assessment;
10. Meeting all requirements under the "Elementary and Secondary Education Act of 1965," 20 U.S.C. 6301 et seq;
11. An independent psychometric review; and
12. A detailed cost comparison of the statewide hybrid assessment system against the diagnostic assessment, statewide achievement assessment, or end-of-course examination that the assessment is replacing.

Finally, the law declares that the DEW is prohibited from requiring a separate nationally norm-referenced assessment in addition to the statewide achievement tests or end-of-course exams for any grade or subject area covered by the hybrid system unless either federal law requires it, or the General Assembly approves it.

HOUSE BILL 455 RECAP

Finally, House Bill 455, which was signed by the Governor on July 10th and takes effect October 9, 2026, increases the number of State Board of Education members and greatly simplifies the process of filling a school board vacancy. It also gives city school districts an easier path to opt out of civil service.

State Board of Education

Just shy of one (1) year after HB 96 drastically reduced the state board of education from nineteen (19) to five (5) members, HB 455 has increased the membership slightly to seven (7) members. Previously, eleven (11) of the nineteen (19) state board members were elected to their positions. Amendments adopted in the state's biennium budget bill eliminated the elected positions and replaced them with five (5) members appointed by the Governor.

Under the revised law, the Governor must still appoint at least one (1) member who represents each of the following:

1. A rural school district;
2. A suburban school district;
3. An urban school district;
4. A community school; and
5. A chartered nonpublic school.

However, there are no specific requirements for who may serve in the additional two (2) spots. While this may provide the opportunity to increase representation of public schools, it may also result in additional representation for nonpublic schools.

The law addresses a transition period for these changes by specifying how the terms of appointed members will work. Under previous changes enacted through HB 96, members who were elected or appointed before September 30, 2025 remain in office until their terms expire. If any of the elected seats are vacated before the end of the term, or when the terms naturally expire, the positions are abolished and will not be filled. HB 455 struck language that declares the first three (3) appointed members to reach the expiration of their terms or vacate the office shall be abolished, likely because there are currently seven (7) at-large members serving and no longer a need to eliminate any seats. With this change in the law, these seats will remain active. Finally, the law specifies that each initial member who is appointed after the effective date of HB 455 to a seat that is vacant as of January 1, 2027 shall have a term of office that begins on that date, and each initial member shall be appointed by the same date. Members will continue to serve for four (4) year terms.

Civil Service for City School Districts

R.C. §124.011 authorizes a city school district and city to enter into a written agreement which establishes that the school district is exempt in whole or in part from civil service jurisdiction. Many have long argued that civil service does not really make sense for public schools. Over the years, city school districts have worked with municipalities and unions to carve out many, if not all, civil service requirements. However, the process was not easy, often requiring changes to city laws and charters, as well as amendments to CBAs.

Fortunately, this change in the law might make it even easier to do so in the future. Legal counsel should be contacted to discuss the implications of this new provision, including requirements to collectively bargain any changes.

Board Vacancies

R.C. §3313.11 governs board vacancies for school districts, excluding joint vocational school board members who are appointed through a JVSD plan. The statute now expressly includes educational service center governing boards as well.

Important changes to the law were passed through HB 455 that will hopefully reduce the difficulties associated with the appointment of a new member. Under prior law, boards were required to navigate a somewhat confusing appointment process where they were required to appoint a member at the next regular meeting that occurred no less than ten (10) days and no more than thirty (30) days after a seat became vacant. Unexpected vacancies were particularly challenging, as boards had little time to seek community interest and vet candidates.

The revised version of the law should reduce this burden. Now, school boards simply have forty-five (45) days to appoint a new member after a vacancy occurs. There is no defined window of time for when the appointment must occur other than that it must happen within forty-five (45) days, and there is no requirement to appoint at "the next regular meeting." Appointment can occur at any regular or special meeting that falls within this forty-five (45) day window. If the board fails to appoint someone within forty-five (45) days, the probate court will take action to fill the vacancy.

The legislature also included language about the process of declaring a seat vacant due to a member's unjustified absence. Under the previous version of the law, school boards were authorized to declare a seat vacant by 2/3 vote if the remaining members determined an absence of at least ninety (90) days was caused without sufficient reason. The vote could not be taken less than thirty (30) days after such absence. Now, the board has no more than forty-five (45) days to take such a vote, and cannot consider someone absent for insufficient reasons if that individual is an active or reserve member of the Armed Forces of the US or Ohio National Guard and is deployed outside the territory of the district or ESC.

Records Commissions

The requirement to create a district records commission gained renewed interest in the last few years as districts statewide were threatened with legal challenges. Under the current version of R.C. §149.41, each city, local, joint vocational, and exempted village school and each ESC must operate a records commission comprised of the board president, superintendent, and treasurer. The commission must meet at least annually to review applications for one-time disposal of obsolete records and schedules of records retention and disposition submitted by any employee. HB 455 revises the law to permit appointments of designees for commission members.

Local School Finance

HB 455 removes a treasurer's obligation under R.C. §135.142 to submit an annual report by August 31st to the state auditor and Director of Education and Workforce. The treasurer is still required to produce the report and submit it to the local board of education for review each year in August. DEW will no longer be required to compile a report with district investments for this program that is sent to the General Assembly.

The bill also eliminates the requirement that school districts annually report to DEW a description of their initiatives funded by disadvantaged pupil impact aid, and for DEW to issue a report with this information to the General Assembly by December 1 in each odd year. In place of this obligation, DEW must develop a uniform mechanism for districts to report this information and will publish the summary on its website by October 31st each year. The summary must include the total disadvantaged pupil impact aid each district and school received for the prior year, and each district/school's expenditures of the funds.

Additionally, a process under R.C. §3313.483 that allowed a school board to seek state assistance if the board determined it may be financially unable to open on the day or to remain open for instruction on all days in an adopted school calendar has been struck. Legislators report that this process is considered obsolete, which motivated the change.

State Education Governance and Report Cards

In addition to removal of outdated references to the prior report card grading system, HB 455 also makes several important substantive changes to report cards. For instance, it eliminates DEW's requirement to submit preliminary report card data for school districts by July 31st. Final report cards will still be released no later than the 15th day of September (or the preceding Friday, if the date falls on a Saturday or Sunday). DEW is no longer required to include in a report card a report on student success in meeting state physical education benchmarks, compliance with the Women, Infants, and Children (WIC) health and nutrition policies, and participation in the PE pilot program. DEW is also no longer required to annually rank public schools by student performance growth using the value-added progress dimension or other related measures.

On a positive note, HB 455 modifies the four-year and five-year adjusted cohort graduation measures for students on IEPs who have met diploma requirements but defer graduation. These students will now be counted as graduates. Schools previously took a hit on report cards when special education students deferred graduation to access transition services and programs.

HB 455 modifies the post-secondary readiness measure as well by modifying several of the ways that students demonstrate post-secondary readiness. Specifically, students who achieve both of the following will be counted:

1. Attain a remediation-free score in ELA on a nationally standardized assessment or a score of at least advanced on the end-of-course ELA II exam; and
2. Attain a remediation-free score in mathematics on a nationally standardized assessment or a score of at least advanced on the end-of-course examinations for both Algebra I and Geometry.

Alternatively, students who earn at least twelve (12) college credits through any combination of the following also demonstrate readiness:

1. Advanced standing programs including CCP;
2. Earning a score of three (3) or higher on an Advanced Placement examination, or four (4) or higher on an International Baccalaureate examination (which equates to three (3) college credits).

The other qualifiers that existed prior to HB 455's passage remain the same for this measure.

DEW will now report the four-year and five-year adjusted cohort graduation rates in the list of measures that do not receive an assigned performance rating.

Additional provisions establish that the Director of Education and Workforce is no longer required to submit an annual report to the General Assembly and Governor that outlines the status, needs, and major problems of the public schools in Ohio. This report previously included recommendations for necessary legislative action and a ten (10) year projection of Ohio's public and nonpublic school enrollment, listed by year and grade level. Similarly, the state board is no longer required to annually report activities of the department, problems and needs of education in Ohio.

Licensure, Training and Criminal Background Checks

DEW is required to develop a list of approved state training programs that are more rigorous than the previously identified competency-based training for the science of reading, which must be completed every five (5) years for certain school employees. The law further states that the new training may be taken in place of the current science of reading courses.

A new law was passed in HB 455 that authorizes the State Board of Education to add additional grade levels to a valid alternative resident educator license which authorizes the individual to teach at any grade level from prek-12, or any combination of grade levels as assigned by the employing school district due to staffing needs. The following conditions must be met:

- The employing district must inform the state board that due to local staffing needs, the district plans to assign the educator to a grade level outside of their current license;
- The educator is teaching a subject aligned with their bachelor's or graduate degree, professional experience, or demonstrated subject matter competency;
- The educator possesses the knowledge, skills, and professional capacity necessary to instruct students at the assigned grade level; and
- The educator completes any required pedagogical training prescribed by the State Board within the timeframes established.

Statutes governing background checks for both teaching and nonteaching staff have been updated to include new disqualifying offenses. Individuals who have committed the relatively new crime of grooming as well as strangling and domestic violence are not eligible to be issued a license or permit. The bill also adds strangulation, grooming, and prostitution (unless a person was coerced into committing the offense), to the list of criminal offenses that disqualify a person from employment in a public school, nonpublic school, or ESC.

Enrollment, Attendance and Truancy

HB 455 helps to resolve an ambiguity in the law regarding parents who have never been married. Under current law, an unmarried mother is presumed to be the child's sole residential parent and legal custodian absent a court order that declares otherwise. R.C. §3313.64(A)(1)(a) now states that the term "*parent*" means either parent, unless the parents have never been married to each other . . . in which case "parent" means the parent who is the residential parent and legal custodian of the child." This language will allow a child to enroll in the school district where the child's residential parent and legal custodian resides. This likely also means that a child who is enrolled in a district where a "noncustodial" parent resides may not be able to continue attending that district tuition free.

A revision of R.C. §2151.354 now grants the juvenile court jurisdiction over an unruly child during the subsequent school year for the purpose of monitoring the child's school attendance. Additionally, the bill modifies a criminal statute that used to require a child be declared a delinquent before an adult faced criminal charges for contributing to that child's habitual truancy. This designation is no longer necessary for an adult to be charged with the crime, which is a misdemeanor offense.

These provisions enhance recently modified attendance and truancy laws by authorizing juvenile courts to play a more active role in monitoring student attendance. It also reduces the bar for adults to face criminal repercussions for interfering with a child's school attendance.

Cleanup of Old Ohio Graduation Test References and EdChoice Phase-in

Now that Ohio Graduation Tests are truly a thing of the past, the legislature took the opportunity to strike legal references to them and remove end-of-course examination phase-in language. The legislature also struck language regarding EdChoice changes that applied through 2025-2026. These changes are not substantive for schools at this point. The effects were addressed in previous years.

EMIS Tweaks

There are several amendments to the DEW revision process for EMIS manuals and guidance. Current law establishes a formal review process that requires DEW to post new or updated EMIS guidelines on the department's website for public comment. HB 455 revisions clarify that this process is limited to changes in the manual, and further that DEW is not required when the manual is updated to reflect changes in state or federal law that take effect in less than ninety (90) days. The posting and comment procedure need also not to be followed when DEW posts supplemental guidance documents designed to assist districts in understanding and using the EMIS system, or when removing data from the EMIS guidelines/manual to reduce the burden of reporting for districts.

This change may shield DEW from receiving both helpful public comments and scrutiny when they issue guidance documents. DEW has received criticism in the past for using the EMIS guidance and manual to implement changes or take positions that may not be required or supported by current laws and regulations. These changes may cause concern as a result.

Innovative Education Pilot Program Changes

R.C. §3302.07 has been modified to allow community schools and STEM schools to apply for innovative education pilot programs. Previously, only public schools, ESCs and chartered nonpublic schools could apply. One benefit of the program is that schools can receive waivers from certain state mandates.

DEW is directed to do the following. They are tasked with promoting innovative educational programs that are designed to increase student achievement and engagement, improve student wellness, and prepare students for post-secondary or the workforce. DEW is also required to provide technical assistance to schools in designing and implementing the programs and publicize model projects of educational innovation (including the use of AI in instruction). Finally, DEW is required to promote the availability of waivers from education laws and regulations that serve as barriers to the program.

HB 455 also officially ended then school districts of innovation designation, primarily because schools can apply for the Innovative Education Pilot which is considered more flexible.

Elimination of the Tutor Ohio Kids Program

HB 455 terminates the Tutor Ohio Kids Program, a program that was started a few years ago with \$2.4 million of federal funds granted through the American Rescue Plan Act. A designated ESC was responsible for hiring employees and working with volunteers to provide tutoring and remedial services. In light of the program's termination, the State Teachers Retirement System/STRS and School Employees Retirement System/SERS statutes have been updated to remove reference to the tutors. Likewise, R.C. §3313.7118 has been updated to remove reference to the program, and now directly lists the entities that must provide diabetes informational materials to elementary school students (which includes all public schools and ESCs).

Student Discipline and Cell Phone Policies

Under current law, schools are required to post their suspension, expulsion, removal, and permanent exclusion policy, transportation discipline policy, the district's policy excluding students from extracurriculars, and the district's cell phone policy, in a central location in each school building. HB 455 authorizes the board to post the policies on their websites as an alternative.

Work Permits for Minors

HB 455 permits 14- and 15-year-olds to be employed between the hours of 7:00 p.m. and 9:00 p.m. on any night before a day that school is not in session if the minor receives approval from a parent or guardian. The bill also requires a minor who wants to receive an age and schooling certificate to submit a minor work hour notification form that is signed by a parent/guardian to the superintendent or chief administrative officer. The form will be created by the Department of Commerce and will provide notice of the hours that a minor may work in Ohio. Signature on the form serves as an attestation that the parents have received notice of the information on the form.

College-preparatory Boarding Schools

References to college-preparatory boarding schools have been struck throughout Chapter 33. Currently, there are no college-preparatory boarding schools operating in the state. This will likely have no substantive impact on public schools.

Remote Assessments for Internet- and Computer-based Community Schools

Internet- and computer-based community schools, also known as e-schools, may allow students to complete any state mandated assessments remotely in an online format under certain circumstances. Efforts must be made to ensure the students are not cheating and the tests are secure. These schools must also provide information on testing and proctoring options to parents, conduct a meeting with parents, and otherwise accommodate each parent or guardian's preferred testing method. Schools must also administer in-person tests when a student's IEP indicates it is appropriate.

Automatic Closure of Community Schools

HB 455 revises the criteria that results in automatic closure of a poorly performing community school. The closure will no longer be based on the performance ratings in the school's report card, but rather on how the school ranks among other public schools on the performance index and the value-added progress dimension gain index (based on grades enrolled in the school). Schools that serve up to third grade and rank in the bottom five percent (5%) for the performance index score for three (3) consecutive years will be closed (excluding dropout prevention and recovery schools and certain special education schools). Schools that educate grades 4-12 and are ranked in the bottom five percent (5%) for the performance index score plus have been ranked in the bottom sixty percent (60%) in the community school closure value-added progress dimension gain index will also be closed. The revisions include phase-in language, with full implementation occurring in 2028-2029.

Final Reflections

SB 19 and HB 455 have triggered a new wave of change in the education law landscape. Comments from legislators in recent months foreshadowed that the state legislature had big plans for education-related change. Predictions have become reality with these two (2) comprehensive bills.

Unfortunately, we have discovered that whenever the legislature attempts to merge multiple initiatives into a “Christmas tree” bill, mistakes are often made and legislative fixes are required. Time will tell if these bills create unanticipated stumbling blocks. Meanwhile, school districts have one (1) year to prepare and adjust before a new biennium budget is proposed next year.

Disclaimer: This Alert is provided for informational purposes only. It does not constitute legal advice and does not create an attorney-client relationship. Any questions about actual situations regarding the Sunshine Law and its application to a particular situation should be addressed to the school district’s legal counsel for specific legal advice.

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VOL. 45 SEPTEMBER 2026

07 - Memorandum

Vol. 45, No. 1 - August 2026 Federal Reorganization Proposal

Memorandum

To:	Neola Clients
From:	Neola, Inc.
Re:	Federal Reorganization Proposal
Date:	August 2026

The federal reorganization proposal could significantly impact how education, civil rights, privacy, disability, and equity-related responsibilities are administered. Supporters view the proposal as an effort to improve efficiency and align expertise, while critics have raised concerns about its potential impact on the U. S. Department of Education's civil rights infrastructure and accessibility for students, families, and school districts.

The U. S. Department of Education recently announced several interagency agreements ("IAAs") that could shift certain functions to other federal agencies, including DOJ. While many questions remain about how these changes will be implemented, one thing is clear - the laws themselves, and your school's compliance obligations, have not changed.

Neola, Inc. will continue to watch these developments closely and share any updates and practical guidance as more information becomes available.

This memorandum is intended as general information and not legal advice. No attorney-client relationship exists.

VOL. 45 SEPTEMBER 2026

08 - Legal Alert

Vol. 45, No. 1 - August 2026 Recording and AI Processing of Communications on School Property and at School Events

Legal Alert

To:	Neola Clients
From:	Peters Kalail & Markakis Co., L.P.A.
Re:	Recording and AI Processing of Communications on School Property and at School Events
Date:	August 2026

For nearly a decade, Policy 2461 – Recording of District Meetings Involving Students and/or Parents has been the Board's primary response to parents' inquiries related to whether they can record an IEP or Section 504 team meeting or other meetings involving students and/or parents (e.g., parent-teacher conferences). Several years ago, Neola amended Policy 2461 to address the emerging practice of parents attempting to use covert means (e.g., AngelSense devices) to listen-in or record their student's daily activities at school. Today, with advancements in technology, it became clear it was time for Neola to take a new look at the topic of how best to regulate when a person is permitted to record (and/or AI process) communications that take place on school property and at or during school events.

New Policy 7540.10 and its accompanying Administrative Guideline 7540.10 are Neola's attempt to address this topic from a more comprehensive perspective that better aligns with the types of devices that building administrators and school employees may now encounter, or wish to use, at school – e.g., AI-enabled eyewear that quietly transcribes hallway conversations, pendant microphones that record and/or summarize an entire school day (possibly without ever saving an audio file), and devices that are enabled with facial-recognition software that is capable of identifying a specific student from a passing glance.

Given that Policy 2461 was originally drafted for a world of handheld tape recorders and written consent forms, Neola recommends your board retire Policy 2461 and adopt new Policy and Administrative Guideline 7540.10 — Recording and AI Processing of Communications on School Property and at School Events. This Legal Alert explains why a wholesale replacement, rather than further amending Policy 2461, is the right approach; what the new framework covers; and what your Board and administrative team should do to prepare for adoption.

The Origins of Policy 2461 and Why It Has Become Dated

As mentioned above, Policy 2461 was originally offered as a means for boards of education to answer the narrow question: may a parent audio record an IEP or Section 504 team meeting, so that the parent can meaningfully understand and participate in the process?¹ The policy offered districts two (2) competing

models — recording presumptively permitted with advance notice (Option #1), or recording prohibited absent a showing that it was necessary for the parent to understand the IEP or 504 process (Option #2) — and extended a similar, secondary choice to other meetings such as parent-teacher conferences. Video recording received a single sentence: it is “strictly prohibited,” full stop.

The policy’s only other substantive provision addresses a scenario nobody anticipated when Policy 2461 was originally drafted: a parent placing a recording or two-way communication device inside a student’s book bag or on the student’s person. That provision was added specifically to respond to the rise of GPS-and-audio monitoring products such as AngelSense, marketed to parents — often parents of nonverbal or otherwise vulnerable students — who wanted independent, continuous insight into their child’s school day. The revision required written Superintendent approval before such a device could be placed on or with a student: a sensible, narrow fix for a specific product category.

This history explains both Policy 2461’s strength and its limitation. While Policy 2461 is well-suited to address the issues of parents recording special education meetings and parent-placed monitoring devices, it has never addressed employees, the public, Board meetings, school events, video recording generally, livestreaming, or artificial intelligence. Given that all these groups are now impacted by the current technological advances in the area of recording and AI-processing of communications, Neola decided it was time to expand the scope of its guidance on this subject.

Modern Technology Has Outgrown Policy 2461

The recording landscape Policy 2461 was written for — a parent with a handheld recorder or a smartphone — bears little resemblance to what a building administrator may now encounter in a hallway, a classroom, or a meeting.

Camera-equipped smart eyewear is now a mainstream consumer product. Popular lines of AI glasses span several price points — from roughly \$299 entry-level frames to a \$799 display-equipped model — with some of the more expensive models including built-in cameras, a multi-microphone array, and an always-available AI assistant that can be summoned with a spoken wake phrase. The glasses look, at a glance, like ordinary sunglasses. Manufacturers commonly rely on a small indicator light as the primary signal to bystanders that recording is occurring, but the light is easy to miss, particularly because many people do not yet know to look for it. Reporting has also documented low-cost modification kits capable of disabling the light and the emergence of facial-recognition capability in camera-glasses hardware. A person wearing ordinary-looking glasses may therefore be able to record students covertly or identify a specific student by name without drawing meaningful attention to the device.

The risk is not limited to the immediate loss of privacy. Images of minors captured in schools or at school events may be copied, uploaded, analyzed, altered, or used as source material for AI-generated content without the child’s or parent’s knowledge. Because smart glasses permit hands-free recording while the wearer appears to be looking normally at the child, school personnel and families may have no realistic opportunity to intervene before the image leaves the premises. This safeguarding concern supports treating covert wearable recording as materially different from ordinary, visible photography.

A second, and for schools equally significant, category is the standalone AI wearable: a pendant, clip, or lanyard-worn microphone —designed to be worn all day and to passively transcribe and summarize everything the wearer hears, often without ever retaining the underlying audio in a form anyone could later review. That last feature is the one Policy 2461 is least equipped to handle. Policy 2461 regulates a “recording” — something captured and kept. A device that generates a written summary of a confidential IEP meeting and then discards the audio has not made a “recording” as Policy 2461 would understand the term, even though it has extracted and repackaged the same confidential content a recording would have captured.

For implementation purposes, Policy 7540.10 includes a technology-neutral definition of “AI Wearable Device” that covers eyewear, headwear, pendants, pins, clips, wrist-worn devices, and similar wearable items containing a camera, microphone, computer, or other technology that permits the user to record, transmit, transcribe, summarize, identify, or otherwise process audio, video, images, or communications. The definition applies to prescription and non-prescription devices and turns on capability rather than brand name, outward appearance, or primary function.

Why Neola Recommends a New Policy Instead of Amending Policy 2461

Once the relevant technology moved beyond “does a parent get to hit record,” three (3) drafting realities made a standalone policy the better vehicle than a further round of amendments to Policy 2461:

- **Different audience.** Policy 2461 speaks only to students and parents in the context of meetings. The conduct districts now need to regulate involves employees (disciplinary interviews, AI notetaking apps used around students), members of the public (school events, Board meetings), and students outside the meeting context (recording classmates in a classroom or locker room). A policy captioned “Recording of District Meetings Involving Students and/or Parents” cannot organically absorb rules for a spectator livestreaming a football game or an employee’s right to record a pre-disciplinary hearing.
- **Different legal footing.** As discussed below, the Board’s authority to restrict recording rests on different legal footing depending on the setting — broad proprietary and custodial authority inside a classroom or a confidential meeting; a narrower, First Amendment–constrained authority at a public Board meeting or public event. A policy organized around “meetings involving students and parents” has no natural place to draw that distinction. Policy 7540.10 is instead built around a differentiated framework based on modality, setting, and the nature of the conduct. Its graduated rules are able to address a variety of circumstances, from the most protected public settings to the most restricted non-public and biometric contexts.
- **A new regulated activity, not just a new device.** “AI Processing of Communications” is defined independently of whether any recording is retained, precisely so that transcribe-and-discard tools are covered. That is a different regulatory object than “recording,” and folding it into Policy 2461 would have required either distorting 2461’s core focus or bolting an unrelated AI section onto a policy the Board and staff have long associated narrowly with IEP meetings. Placing the new policy in the 7000 (Property) series, rather than the 2000 (Program) series where Policy 2461 is located, also better reflects that the Board’s authority to regulate in this area flows substantially from its control of school property, not solely from special education procedure.

Rather than layer AI concepts onto a meeting-specific policy, Neola has elected to build a single, comprehensively defined framework.

The Legal Bases For Why a School District Can Restrict What the General Public Cannot

Ohio is a one-party consent state; pursuant to Ohio Revised Code § 2933.52, a person who is a party to a conversation, or who has the consent of at least one party, may lawfully record it without committing a crime.² That statute answers the question “is this recording a crime?” It does not answer the different question “may a board of education, as the owner and operator of school property and as a public employer, impose a stricter rule as a condition of being on that property or participating in that meeting?” Policy 7540.10 answers the second question directly; the fact that Ohio permits one-party consent recording does not override the Board’s policy, because the District, as a political subdivision, may impose restrictions more restrictive than state law as a condition of access to non-public school settings and proceedings.

This authority, however, is not unlimited, and the new policy respects these limits, which move along a spectrum:

- At the most protected end, individuals recording public officials performing official duties in public settings — most notably, members of the public recording the open portions of a board of education meeting under Ohio’s Open Meetings Act — exercise a right with First Amendment dimensions.³ The board may impose only reasonable, viewpoint-neutral time, place, and manner restrictions: equipment must be unobtrusive and may not block aisles, interfere with the sound system, or disrupt the proceeding, but recording itself cannot be banned or singled out based on the content or viewpoint of the person recording.

- In the middle, at public school events — games, concerts, graduations — the board similarly cannot forbid recording outright, but may impose non-disruption and safety-based restrictions, and may prohibit narrow categories of conduct such as commercial recording or biometric identification, because these events, while open to the community, occur on school property the board actively supervises for the safety of children.
- At the most restricted end — classrooms during instruction, IEP and Section 504 team meetings, disciplinary proceedings, and any other non-public setting — the Board is acting as proprietor of nonpublic school space and as the entity legally responsible for the confidentiality of the proceedings. Courts have long recognized that schools possess distinct authority to regulate conduct on their property that the government could not exercise in a traditional public forum, given the custodial relationship schools have with children, the confidentiality obligations FERPA and Ohio’s student privacy statute impose, and the need to protect the integrity of processes like IEP team deliberations and employee discipline. It is this authority — not R.C. § 2933.52 — that allows the Board to require advance notice before a non-public meeting is recorded, and to prohibit covert recording and covert AI Processing altogether, even by a participant who would otherwise be entitled to record under the one-party consent statute.

How the New Framework Treats the Settings That Matter Most

1. Special Education Meetings

The new policy preserves — and, in some respects, strengthens — the core protection Policy 2461 always aimed to provide: a parent’s ability to record an IEP or Section 504 team meeting when doing so is necessary for meaningful participation. Policy 7540.10 makes audio recording by both the parent and the District the default rule, closer to Policy 2461’s Option #1 than Option #2, while preserving advance notice and simultaneous District recording. Critically, the policy expressly recognizes that lack of advance notice cannot, by itself, be used to prevent a parent from recording an IEP or Section 504 team meeting when recording is necessary for meaningful participation — aligning District practice with federal guidance on this point. Video recording of these meetings remains deliberately unaddressed as an affirmative right based on the reasoning that adding language on video could be read, incorrectly, as creating a right that does not exist under IDEA or Ohio law, so the new policy — like Policy 2461 before it — focuses on audio recording.

A parent’s right to audio record an IEP or Section 504 Team meeting for purposes of meaningful participation should not be confused with a general right to observe or record classroom activity. IDEA gives parents an expanded role in evaluating their student, determining placement, and developing the IEP, but it does not create a general entitlement for a parent or representative to observe a current or proposed classroom or to record classroom activity. Classroom access remains governed by State and local law and board policy. A separate analysis, however, may be required if a parent or student asserts that observation, recording, or use of a particular device is necessary because of a disability.

2. Public Board Meetings

This is an entirely new category for the District’s recording rules — Policy 2461 does not address board meetings at all. Policy 7540.10, read together with Bylaw 0169.1 – Public Participation at Board Meetings, establishes that members of the public may record, livestream, or photograph the open portions of Board meetings without advance notice, subject only to the reasonable time, place, and manner restrictions described in Section IV above. The presiding officer retains authority to relocate or stop recording that disrupts the meeting, blocks views or exits, or captures information properly discussed only in executive session.

3. Employee Investigatory and Disciplinary Meetings

This, too, is new territory; Policy 2461 says nothing about employees. The new framework recognizes that any participant in an investigatory interview, pre-disciplinary meeting, or grievance proceeding — the District, the employee, or a union representative — may record, provided the intent to record is disclosed at the outset; no participant’s consent is required

beyond that disclosure. Covert recording by any party, including the District, is prohibited. District-made recordings of these proceedings are personnel records, not student education records, and are handled under Ohio's public records law and applicable collective bargaining agreements rather than FERPA. The policy also flags, as a recommended provision, an employee's right to request union representation before an investigatory interview that could lead to discipline — a right protected independently under Ohio's public-sector collective bargaining law.⁴

4. Advance Notice and the Ban on Covert Recording

Across every non-public setting, the policy imposes one consistent baseline: anyone who intends to record, transcribe, summarize, or otherwise AI-process a conversation must say so before or at the start of the interaction, and covert recording or covert AI Processing is prohibited District-wide, for every category of person, regardless of whether the underlying conduct would otherwise be lawful under R.C. § 2933.52. The use of a tool that produces a word-for-word transcript or summary without retaining an audio file does not avoid the notice requirement or the need to evaluate applicable consent law. This is the throughline connecting IEP meetings, employee discipline, and ordinary employees' conversations in the hallway: the Board is not attempting to prohibit recording or AI Processing outright in these settings, only to prohibit doing it secretly.

AI Processing of Communications: Regulating the Content, Not Just the File

The single most consequential drafting choice in the new policy is the decision to regulate "AI Processing of Communications" as a category entirely independent of "recording." A recording, under Policy 2461 and under the new policy alike, is something captured and retained in a fixed medium. But a growing share of AI notetaking and "always-on memory" tools are not designed to retain anything: they listen, transcribe, extract, and summarize in real time, and in many configurations the underlying audio is never stored anywhere a person could later retrieve it. A policy that only regulates "recording" leaves a device operating in this way entirely unregulated on its plain language, even though the device has just produced a written summary of a confidential IEP meeting, a disciplinary interview, or a counseling conversation.

Policy 7540.10 closes that gap directly: AI Processing of Communications is defined to reach any technological means of acquiring and acting on the substance of a communication, regardless of whether the underlying communication is stored or retained in its original form. The same notice requirements that apply to audio recording in non-public settings apply equally to AI transcription and summarization — the absence of a retained recording is expressly not an exemption. The practical consequence for administrators is that a parent's phone quietly generating a meeting summary through an AI notetaking app, or an employee's smart pendant summarizing a hallway conversation, is subject to exactly the same advance-notice and anti-covert-processing rules as someone holding up a recorder.

This matters most acutely for student privacy. An AI-generated summary or transcript of an IEP team meeting, if maintained by the District and directly related to an identifiable student, is a student education record under FERPA and R.C. § 3319.321 just as a traditional audio recording would be.⁵ Policy 7540.10 and AG 7540.10 therefore address not merely whether a tool automatically uploads meeting content, but the full data lifecycle: where content is transmitted and stored; whether vendor personnel or contractors may review it; how long source content and derivative outputs are retained; whether content may be used to train or improve an AI model; whether it may be linked with information from other services; and how deletion is accomplished. A parent generally may consent to those risks as to information concerning the parent's own child, but has no authority to consent on behalf of another student whose information the same device may capture. The Policy establishes the controlling safeguards, and the AG provides the administrator's inquiry, documentation, and response procedures.

Policy 7540.10 further establishes the criteria the Superintendent must evaluate before authorizing an employee to use an AI recording or transcription tool. AG 7540.10 operationalizes that requirement through a written request, review of privacy and data-use terms, documentation of the approval decision and its conditions, and renewed review when software features, vendor terms, integrations, or data

practices materially change. Approval is therefore device-, purpose-, and configuration-specific; it is not a one-time clearance based merely on a vendor's statement that no audio file is retained.

Not every image or recording that includes a student, however, is automatically an education record. The relevant questions are whether the District maintains the material and whether it is directly related to or focused on an identifiable student. A general recording of a school play, athletic event, graduation, or other group activity ordinarily differs from footage created or maintained to document a particular student's conduct, performance, discipline, services, or educational program. Administrators should make that distinction before classifying, disclosing, or responding to a request for recorded material.

The Particular Danger of Biometric Identification

The new policy singles out biometric identification — facial recognition and voice recognition used to identify a specific person rather than merely to transcribe words — as the most restrictive category of technology it regulates, and for good reason. Unlike a transcript or a video recording, which requires a person to later review the content to learn who said what, biometric identification technology can name a specific, identifiable minor in real time, without the wearer doing anything more than looking in that student's direction.

This is no longer hypothetical. Camera-equipped smart glasses have already been reported combining live video capture with third-party face-search services to return a stranger's name and other identifying information within seconds of a passing glance, and at least one major glasses manufacturer is reported to be building facial-recognition capability directly into its 2026 hardware. In a school setting — where the subjects are minors, where R.C. § 3319.321 independently prohibits release of personally identifiable student information to any person without parental consent, and where an unknown adult identifying a specific child by name at a youth sporting event or in a school parking lot raises acute safety concerns — the stakes are categorically different than in the general public.

Policy 7540.10 responds by prohibiting biometric identification outright in non-public settings absent written consent from every person who could be identified, and by prohibiting active, directed use of biometric identification to identify specific students at public events and in publicly accessible areas of school property — a restriction the policy carefully distinguishes from ordinary photography or video in which faces simply happen to appear. That distinction matters; the new policy is not attempting to ban cameras at graduation. It is banning the deliberate use of identification technology against children on school property, which Neola believes is defensible as an exercise of the Board's property-control and student-safety authority even in settings that otherwise remain open to public recording.

Notwithstanding the preceding, it is important to recognize that smart glasses and head-mounted cameras may also function as accessibility tools. For a person who is blind or has low vision, the same technology that creates recording and identification risks may assist with navigation, obstacle detection, text recognition, or conversion of visual information to audio. District procedures must therefore avoid treating the form of the device as conclusive and instead must route accommodation requests through the applicable IEP, Section 504, or disability-access process before excluding the device.

Banning Student Possession of AI-Enabled Wearable Devices

Neola recognizes that many districts want more than the ability to ask a student to turn off a smart-glasses camera. They want the authority to prohibit students from having an AI Wearable Device on campus at all — unless the device is a documented IEP or Section 504 accommodation — and to confiscate a device found in a student's possession, releasing it only to a parent or guardian, not the student.

For this reason, Policy and AG 7540.10 specifically goes beyond — in the Student-Specific Provisions — restricting the use of a AI-enabled recording device without another person's knowledge and restricting recording during instructional time in classrooms and other instructional spaces, to prohibit a student from possessing, wearing or using an AI Wearable Device (e.g., camera-equipped smart glasses, AI-enabled recording pendants, or similar wearable devices) on school property or at school events. A device possessed in violation of this provision may be temporarily confiscated and only released to the student's parent or guardian. Please note, the policy and AG both offer an option to exempt smartwatches from

this ban, and both exempt devices required as accommodations pursuant to a student's IEP or Section 504 Plan.

Neola maintains it is legally permissible to ban such devices provided the Board complies with the four (4) conditions outlined below. A blanket, content-neutral ban on a defined category of wearable device is not the kind of expressive conduct *Tinker v. Des Moines* protects⁶; it is closer to the routine personal-electronic-device rules (cell phones, vapes) that courts have long allowed schools to enforce under their custodial authority over students on campus. Confiscating a device that a student is not permitted to have in the first place does not require the individualized reasonable-suspicion showing that *New Jersey v. T.L.O.* requires for searching the contents of a device⁷ — that standard remains fully applicable, and is already built into the AG, before anyone looks at what is on the device. To keep the ban on solid footing, the Board needs to (1) preserve the IEP/Section 504 and accessibility-tool carve-outs (which the policy and AG do); (2) enforce the rule evenhandedly across all students; (3) return — never destroy or permanently retain — a confiscated device, and only to a parent or guardian; and (4) publish the rule clearly before enforcing it.

Please note that if a district elects to prohibit an adult visitor from bringing smart glasses or another prohibited wearable into a non-public school setting, it should decide in advance whether the individual must return the device to a vehicle or may surrender it temporarily for safekeeping. Any surrender procedure should identify who receives the device, document the transfer, prohibit access to the device's contents, and provide for prompt return when the person leaves. Individuals who rely on prescription smart glasses should receive advance notice to bring conventional prescription eyewear unless an accommodation applies.

Notice Is a Precondition to Enforcement

None of the protections and prohibitions discussed above mean anything if the people subject to them do not know about them. For example, a district cannot discipline a student for violating a rule it never published, cannot persuasively tell a parent their recording was "covert" under a policy the parent was never shown, and cannot expect an employee to understand their own recording rights in an investigatory interview if no one has ever explained them. Consequently, the new policy and AG include provisions that address the need for appropriate advance notice and training of staff. Following adoption of Policy 7540.10 and the issuance of AG 7540.10, and before your District relies on them to deny some's attempt to record/AI-process, confiscate a device, or discipline anyone for violating the policy, the administration will need to ensure the terms of the restrictions and procedures outlined in the policy and AG are communicated to all the relevant parties.

To this end, AG 7540.10 proposes including a plain-language summary of the policy in the annual Student Handbook. Neola further recommends the District treat that provision as a floor, not a ceiling, and issue appropriate notice through at least the following channels:

- A general, District-wide communication — website posting, newsletter, or email to all parents, students, and staff — at the time the policy is adopted and again at the start of each school year, describing the new recording and AI Processing rules in plain language.
- The Student Handbook and Code of Conduct, so that a consequence for covert recording, undisclosed AI Processing, or possessing a prohibited wearable device rests on a rule the student and parent actually received, not merely one the Board adopted.
- IEP, Section 504, disciplinary, and other non-public meeting invitations. The advance-notice obligation in the AG's Procedures for Non-Public Meetings only works if parents learn about it before they walk in the door. A single sentence in the meeting invitation or notice letter — "If you intend to record this meeting or use an app to transcribe or summarize it, please let us know in advance" — converts a paper requirement into a workable one.
- Employee onboarding and handbooks, particularly the recording rights and obligations that apply to investigatory and disciplinary meetings, and any required notice to recognized employee organizations before the employee-specific provisions take effect.

- Signage or program notices at public events and Board meetings should identify smart glasses, AI-enabled recording pendants, and transcription applications in plain language; explain that an indicator light or the absence of a saved audio file does not exempt a device from the policy; distinguish the rules applicable to students from those applicable to adults; and remain consistent with the copyright advisory the AG offers pertaining to performances.

These above are more than good communication practices. If the District ever needs to enforce these rules — denying a parent’s request to place a device on a student, disciplining a student for covert recording, defending a decision in a grievance or due process hearing — the first question a hearing officer, arbitrator, or reviewing court is likely to ask is whether the affected person had fair notice of the rule. Districts that can point to a handbook provision, a meeting notice, and a dated communication will be in a materially stronger position than districts relying on the fact that the Board adopted a policy at a public meeting.

Practical Guidance When an Administrator Suspects They Are Being Recorded

The Policy and AG are built around defined settings — classrooms, meetings, events — on or connected to school property. As such, they do not squarely address a scenario administrators regularly encounter: a phone call with a parent, an employee, or a supervisor, where the administrator suspects, but doesn’t know, that the other party is recording. To that end, Neola offers the following as practical, non-binding guidance for such situations, but cautions administrators with specific concerns should consult counsel:

- **Ask directly:** “Are you recording this call?” is a fair question, and how the person answers matters.
- **If the person admits to recording:** the administrator may ask them to stop. If they decline, a reasonable response is to state that the administrator will also record the remainder of the call, and/or to ask the person to send the administrator a copy of their recording once the call ends. Because Ohio is a one-party consent state, the administrator does not need the other party’s permission to record a call the administrator is a party to; the value of announcing it is transparency and creating an equally complete, contemporaneous record.
- **If the administrator elects to record:** say so and consider telling the other party how the recording will be treated — as a public record subject to Ohio’s Public Records Act if the call concerns a personnel matter, a vendor dispute, or other non-student business, or as a student education record under FERPA and R.C. § 3319.321 if the call concerns a particular student. Again, this is a matter of transparency, not legal obligation, but it avoids surprises later and reduces the odds the call becomes a public-records dispute in its own right.
- **If the person denies recording:** note it. Log the date, time, the fact that the question was asked, and the person’s exact answer. If a recording of that same call later surfaces in a grievance, due process hearing, or litigation, the administrator’s contemporaneous log of the denial may support an argument that the recording should be given little weight or excluded as incomplete or unreliable — the administrator was denied a fair opportunity to make an equally complete, simultaneous recording precisely because the other party denied that one was being made. Whether such an argument succeeds will depend on the forum and its rules of evidence, and administrators should not assume the recording will be automatically excluded; but a clear, contemporaneous log meaningfully improves the District’s position and costs nothing to create.
- **For calls the administrator can anticipate will be sensitive** — a disciplinary conversation, a harassment complaint, a contentious parent call — the cleanest practice is to state at the outset that the District may record the call for accuracy, which avoids the entire question.

When a Parent Reports That Their Child Covertly Recorded Wrongdoing

A related, harder scenario: a parent calls to say their child secretly recorded another student bullying them, or a staff member mistreating them, in violation of Policy 7540.10. The District’s instinct may be to treat this as a straightforward student conduct violation — provided the restriction is reflected in the Code of Conduct and Student Handbook, consistent with the notice discussion above. We recommend resisting that instinct until the District has done two (2) things.

First, and regardless of how the evidence was obtained, investigate the underlying conduct. If the recording reflects bullying, harassment, or intimidation, R.C. § 3313.666 requires the District to investigate; if it reflects staff misconduct toward a student, your standard investigatory procedures apply, and Track Two-B of the AG's escalation procedure for staff-conduct-related requests is a reasonable model to follow even though this scenario involves a recording already made, not a prospective request. Policy 7540.10 already says as much: nothing in the policy "supersede[s], limit[s], or substitute[s] for the District's mandatory obligation to investigate reports of harassment, intimidation, and bullying under R.C. § 3313.666." That obligation does not evaporate because the evidence arrived in a policy-violating package.

Second, and separately, evaluate whether and how to address the recording student's policy violation. This is a judgment call, and reasonable districts will land in different places depending on the facts. Some considerations that may inform — though not automatically dictate — the outcome:

- Whether the student (or parent) had attempted to report the underlying conduct through normal channels before resorting to recording, and whether those channels had been tried and had failed;
- The severity of the conduct the recording reveals, versus the severity of the recording violation itself;
- Whether the recording was targeted at documenting specific, reasonably suspected misconduct, as opposed to indiscriminate surveillance of classmates or staff;
- Whether disciplining the student could reasonably be perceived as retaliation for reporting bullying, harassment, or staff misconduct — a perception that carries its own legal exposure under Title IX and general anti-retaliation principles, independent of whatever the District decides about the recording itself.

Neola does not recommend a blanket rule that recordings exposing serious misconduct are automatically excused, nor one that treats every covert student recording identically regardless of what it reveals. What is recommended is that the decision whether to discipline the recording student be made deliberately, on its own timeline, separately from the (mandatory, non-discretionary) decision to investigate what the recording shows — and that the District be able to articulate, if asked later, that any discipline imposed was based on neutral application of the recording policy rather than on the content the recording happened to reveal. Given the retaliation exposure, we recommend involving legal counsel before finalizing discipline in any case where the recording surfaces a credible allegation against a staff member.

What Your Board and Administrative Team Should Do Before Adoption

Because Policy 7540.10 and its companion Administrative Guideline are built as template documents with numerous bracketed options, your Board and administration have real decisions to make before adoption — this is not a document that can simply be dropped into place. Neola recommends the following:

- Resolve the relationship between 7540.10 and 2461. Neola suggests rescinding Policy 2461 upon adoption of 7540.10, rather than maintaining both, to avoid two (2) policies speaking to the same subject with different defaults. If the Board prefers to preserve any 2461-specific language, Neola can help incorporate it directly into 7540.10 rather than cross-referencing a separate, narrower policy.
- Work through the bracketed options with counsel. Key choices include whether to add optional language addressing video recording of IEP/504 meetings (we do not recommend this); whether to include the impact-and-effects bargaining provision for the employee-specific sections, which we recommend building into your implementation process regardless of whether it is written into the policy itself, given the District's obligations under R.C. § 4117.08(C); and how to structure the Superintendent authorization process for employee use of AI-enabled devices.
- Build the AI Wearable Reference List and the required training tiers. The Administrative Guideline contemplates a living reference document, updated at least annually, plus differentiated training

for all staff, building administrators, IEP/504 case managers, and HR/investigatory personnel. The annual review should address not only newly marketed devices; changes in recording indicators; transcription, summarization, biometric- and speaker-identification functions; cloud-upload defaults; vendor and contractor human-review practices; retention and deletion terms; model-training and product-improvement uses; cross-service-data linkage; and accessibility functions. Existing employee-tool approvals should be reassessed against current product functions and vendor practices, and any approval materially affected by a change should be suspended or revised before further use. This is not a one-time task; the underlying technology and its data practices will look different in twelve (12) months.

- Update cross-referenced policies. Confirm that Bylaw 0169.1 – Public Participation at Board Meetings, Policy 7540.09 – Artificial Intelligence, Policy 8330 – Student Records, and Policy 8350 – Confidentiality are aligned with the new definitions, particularly the treatment of AI-generated outputs as potential education records.
- Provide notice to bargaining units before implementation, not after. Several employee-specific provisions — recording rights in disciplinary meetings, AI Wearable Device authorization, and the general employee recording standards — are, at minimum, mandatory subjects of impact-and-effects bargaining.
- Confirm the scope of the student wearable-device possession ban described in this policy.
- Build the notice channels described in Section IX into your rollout and annual calendar, and use the practical guidance in Sections X and XI as the basis for a short training module for building administrators and front-office staff.

Your Neola Associate, along with your local legal counsel, will be useful guides as the Board considers its options with respect to adopting Policy and Administrative Guideline 7540.10, retiring or revising Policy 2461, or working through the bracketed options described in the new documents.

Information contained in this Legal Alert is provided for the general education and knowledge of its readers. It is not designed to be, and should not be used as, the sole source of information when analyzing and addressing a legal problem/issue, and it should not be substituted for legal advice, which relies on a specific factual analysis. Moreover, the laws of each jurisdiction are different and are constantly evolving.

The information in this Legal Alert is not intended to create, and receipt of it does not constitute, an attorney-client relationship. If you have specific questions regarding a particular fact situation, you should obtain the services of competent legal counsel.

¹ See OSEP Policy Guidance (June 4, 2003) (reaffirmed in subsequent guidance), cited as legal authority in Policy 7540.10, addressing a parent's ability to audio record an IEP team meeting where necessary to meaningfully understand and participate in the IEP process.

² R.C. § 2933.52 makes it a criminal offense to intercept a wire, oral, or electronic communication except as authorized, but expressly permits interception by a person who is a party to the communication, or who has the consent of at least one party. This is commonly referred to as Ohio's "one-party consent" rule.

³ Ohio's Open Meetings Act, R.C. § 121.22, requires that meetings of a public body, including a board of education, be open to the public, subject to narrow statutory exceptions for executive session. Federal courts have increasingly recognized a First Amendment right to record public officials performing their official duties in public, subject to reasonable time, place, and manner restrictions.

⁴ R.C. § 4117.03(A) and related Ohio public-sector labor law recognize a public employee's right to request union representation during an investigatory interview the employee reasonably believes may result in discipline.

⁵ 20 U.S.C. § 1232g; 34 C.F.R. Part 99 (FERPA); R.C. § 3319.321.

⁶ *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969) (protecting student expressive conduct absent a showing of substantial disruption). A device-possession rule of general application is conduct regulation, not a restriction on a student’s own expression, and is not analyzed under *Tinker*’s substantial-disruption standard.

⁷ *New Jersey v. T.L.O.*, 469 U.S. 325 (1985) (governing the reasonableness of a search of a student’s person or belongings), is expressly cited as legal authority in Policy 7540.10.

⁸ R.C. § 4117.08(C) requires a public employer to bargain over the impact and effects of matters affecting employees’ wages, hours, terms, and conditions of employment, even where the underlying subject — here, workplace recording and AI-use rules — may not itself be a mandatory subject of bargaining.

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VOL. 45 SEPTEMBER 2026

09 - Legal Alert

Vol. 45, No. 1 - August 2026 The SAM Act Opens New Horizons for Ohio High School Athletes

Legal Alert

To:	Neola Clients
From:	Gingo & Bair, LLC
Re:	The SAM Act Opens New Horizons for Ohio High School Athletes
Date:	August 2026

Passage of the Student Athlete Mobility Act (also referred to as the “SAM Act”), which was adopted as an amendment in Senate Bill 276, creates new opportunities for high school students to participate in sports that are not offered at their high school. Seventh and eighth grade students are not eligible to take advantage of this new law.

SB 276 takes effect October 6th, 2026. According to the law and confirmed by recent guidance issued by the Ohio High School Athletic Association (“OHSAA”) in July, students may be eligible to participate beginning this upcoming school year.

New Required Policy

The SAM Act requires school districts that are members of OHSAA and offer extracurricular activities to adopt a policy that permits a student from a neighboring school to petition for participation in an extracurricular activity not offered at their high school of attendance. The policy must include the following provisions:

1. The form and manner in which a student from a neighboring school may petition to participate in an activity.
2. The requirement that both the superintendent of the receiving school and the neighboring school approve the student’s participation. As part of the approval process, certification from the superintendent where the student is enrolled must be provided that confirms the student has not participated in the extracurricular activity at that school district during the current school year.
3. A requirement that if the student’s district operates more than one (1) high school, the student must first petition to participate in an extracurricular activity at one of the other district high schools provided the activity is offered there. Only if a student is not approved to participate at another school within the district may they seek participation at another district’s high school. OHSAA guidance indicates that students in a multi-high school setting must be assigned to the

school closest to their school of enrollment that offers the activity, absent extenuating circumstances.

Guidance from OHSAA emphasizes that if either superintendent rejects the petition, the student is not able to participate in an activity at another school. OHSAA also notes that the new law does not permit students to participate in nonpublic schools where they are not enrolled. Finally, OHSAA states that female students may petition for participation if their district only offers a boys or coed team.

NEOLA has developed a template policy for school districts to adopt and implement this school year. Additionally, OHSAA has published a template that documents the petition and agreement between the superintendents from each district involved. OHSAA notes that the agreement does not need to be submitted to them. However, the document should be maintained by both schools.

Definitions are Key

R.C. 3313.5321 includes several important definitions that set parameters for athletic participation under the SAM Act. The phrase “neighboring school” is defined to include the following:

1. a high school operated by the board of education other than the high school where the student is enrolled;
2. a high school operated by a district that directly borders the school district where the student is enrolled;
3. a high school operated by an island school district if the school district borders Lake Erie; and
4. any other public high school that is located within the territory of the student’s school district or a neighboring school district.

The SAM Act adopts the definition of “extracurricular activity” from R.C. 3313.53 which governs community school student participation in public school activities. The term refers to “a pupil activity program that a school or school district operates and is not included in the school district’s graded course of study, including an interscholastic extracurricular activity that a school or school district sponsors or participates in and that has participants from more than one school or school district.”

A Few Limits for Participants

Participants must be of the appropriate age and grade level as determined by the superintendent of the receiving school district. They must also meet all academic, non-academic, and financial requirements to participate. This includes tryouts.

Students are prohibited from participating in the same extracurricular at more than one high school operated by their or another school district or other public high school (including community schools and STEM schools) in the same year. This prohibition includes students whose high school terminates an activity mid-season. These students must wait until the following school year to petition for participation elsewhere.

Additionally, students are not permitted to petition for participation solely because the school in which the student is enrolled does not offer the competition level at which the student wishes to participate, such as varsity, junior varsity, or freshman level.

Neighboring Schools May Team Up

The new law also permits two (2) neighboring public schools (including community or STEM schools) to partner and establish a single team if neither has enough students to form a team on their own. A “sufficient number” is determined by adding the minimum number of students required for competition in the activity plus half of that number, rounded up to the nearest whole.

Disclaimer: This Alert is provided for informational purposes only. It does not constitute legal advice and does not create an attorney-client relationship. Any questions about actual situations regarding the Sunshine Law and its

application to a particular situation should be addressed to the school district's legal counsel for specific legal advice.

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VOL. 45 SEPTEMBER 2026

po0145

Vol. 45, No. 1 - August 2026 Revised FILLING A BOARD VACANCY

ADOPTED Mar 25, 2004

Revised Bylaw - Vol. 45, No. 1**0145 - FILLING A BOARD VACANCY**

A vacancy occurs on the Board when one (1) of the following events occurs:

- A. death
- B. nonresidence
- C. resignation
- D. failure of the person elected or appointed to qualify as an elector residence within the District within ten (10) days after the organization of the Board or of the appointment or election
- E. failure of the person elected or appointed to qualify due to acceptance of duties incompatible with those of a Board member
- F. removal from the District
- G. absence from meetings of the Board for a period of ninety (90) days, if the absence is caused by reasons declared insufficient by a two-thirds (2/3's) vote of the remaining members of the Board and this vote was taken and entered into the record of the Board in no more than forty-five (45) not less than thirty (30) days after the absence

A member cannot be considered absent for insufficient reasons if that individual is an active or reserve member of the armed forces of the United States or Ohio National Guard and is deployed outside the territory of the District.

- H. removal from office

Whenever a vacancy occurs, the Board shall fill the vacancy at any regular or special meeting held within forty-five (45) at its next regular or special meeting but not earlier than ten (10) days after the vacancy occurs.

[x] The Board shall take the following steps to fill the vacancy:

- A. **(x)** The Board shall seek qualified and interested candidates from the community through the news media, word of mouth, and contacts with appropriate organizations.
- B. **(x)** All applicants are to submit a notice of their interest, in writing, to the treasurer.
- C. **(x)** The Board may shall interview all interested candidates to ascertain their qualifications.

[END-OF-OPTION]

Appointment by the Board to fill a vacancy shall be by majority vote of the remaining members of the Board.

If the Board fails to appoint a member to its Board within forty-five (45) thirty (30) days after the vacancy occurs, the probate court of the county, upon being advised of the failure to fill the vacancy, shall act as the Board and perform the duties imposed upon the Board.

The newly-appointed Board member selected to fill a vacancy shall serve the shorter of the following periods:

- A. until completion of the unexpired term, or

B. until the first day of January immediately following the next regular Board of Education election taking place more than ninety (90) days after a person is selected to fill the vacancy. At that election, a special election to fill the vacancy will be held. However, no such special election shall be held if the unexpired term ends on or before the first day of January immediately following that regular Board election.

Whenever there is a need to have a special Board election to fulfill an unexpired term, the Board shall give written notice to the Board of Elections. The term of a member elected at such a special election shall begin the first day of January immediately following the special Board election and shall be for the balance of the unexpired term.

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Legal

R.C. 3.07, 3313.11, 3313.85

VOL. 45 SEPTEMBER 2026

po0146

Vol. 45, No. 1 - August 2026 Revised RESIGNATION OR REMOVAL

ADOPTED Mar 25, 2004

Revised Bylaw - Vol. 45, No. 1

0146 - RESIGNATION OR REMOVAL

Whenever a member ~~shall cease~~ ceases to be a bona fide resident of the District, his/her membership shall cease immediately.

[X] The removal of a member who resigns shall become effective upon the presentation of the resignation to the Board duly convened or upon the effective date specified in the resignation, whichever is later. ~~[END OF OPTION]~~

Any member who fails to attend meetings of the Board for a period of ninety (90) days for reasons determined to be insufficient on the affirmative vote of two-thirds (2/3's) of the remaining members of the Board, and this vote is taken and entered into the record of the Board in no more than forty-five (45) ~~no less than thirty (30)~~ days after the period of absence shall no longer be a member and his/her office shall be vacant. ~~R.C. 3313.11~~

A member cannot be considered absent for insufficient reasons if that individual is an active or reserve member of the Armed Forces of the United States or Ohio National Guard and is deployed outside the territory of the District.

A member may be removed for misconduct in office in accordance with law. R.C. 3.07 et seq.

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Legal

R.C. 3313.11

VOL. 45 SEPTEMBER 2026

po1231

Vol. 45, No. 1 - August 2026 Revised OUTSIDE ACTIVITIES OF STAFF

ADOPTED Dec 14, 2006

Revised Policy - Vol. 45, No. 1

1231 - OUTSIDE ACTIVITIES OF **STAFF ADMINISTRATORS**

Staff Administrative staff members should avoid situations in which their personal interests, activities, and associations conflict with the interests of the District. If such situations threaten an administrator's effectiveness within the School System, the Superintendent and/or Board of Education shall evaluate the impact of such interest, activity, or association upon the administrator's responsibilities.

Staff members who hold a license or permit issued by the State Board of Education are expected to adhere to the State Board of Education's Licensure Code of Professional Conduct for Ohio Educators both during and outside of work time.

Staff members Administrators may not dedicate work time to an outside interest, activity, or association.

Staff members Administrators may not use school property or school time to solicit or accept customers for private enterprises.

Staff members may not use school property for personal use that is not in accordance with Board policy, or local, State, or Federal law.

Staff members Administrators may not engage in business transactions on behalf of private enterprises in which a staff member s/he may profit by virtue of the staff member's his/her official position or authority or benefit financially from confidential information that the employee has obtained or may obtain by reason of their his/her position or authority.

Staff members may not engage in nepotism as prohibited by local, State, or Federal law.

Staff members Administrators may not campaign on school property during working hours on behalf of any political issue, or candidate for local, State, or National office, or engage in activities intended to influence the outcome of an election for any political candidate, or for a levy or bond issue. Staff members are prohibited from using school property to promote or oppose any political candidate, levy or bond, even if such use occurs outside of work time or school hours. The constitutional right to express political and other opinions as citizens is reserved to all employees.

Staff members Administrators should refrain from expressions that disrupt the efficient operation of the school and/or interfere with the maintenance of discipline by school officials. Staff members should not use technology, social media, or other electronic communications to host, post, or distribute improper or inappropriate material that could reasonably be accessed by the school community. This includes, but is not limited to, pornography, obscene material, promotion of drug use or underage consumption of alcohol, promotion of violence, disparagement of students, and disparagement of any individual based on a protected class factor or any other factor in violation of Board policy, local, State, or Federal law. Likewise, staff members should not use inappropriate language, gestures, or signs at school-related activities.

VOL. 45 SEPTEMBER 2026

po2265

Vol. 45, No. 1 - August 2026 Revised PROTECTIONS OF INDIVIDUAL BELIEFS, AFFILIATIONS, IDEALS, OR PRINCIPLES OF POLITICAL MOVEMENTS AND IDEOLOGY

Revised Policy - Vol. 45, No. 1

2265 - PROTECTIONS OF INDIVIDUAL BELIEFS, AFFILIATIONS, IDEALS, OR PRINCIPLES OF POLITICAL MOVEMENTS AND IDEOLOGY

The Board of Education is committed to establishing a school and work environment that supports the free exchange of ideas and allows employees and students to maintain their own beliefs, affiliations, ideals, political opinions, and ideology without fear of repercussion.

To that end, the Board will not solicit or require employees or job applicants to affirmatively ascribe to or express opinions about specific beliefs, affiliations, ideals, principles concerning political movements, or ideology. The Board shall not use statements of commitment or opposition to specific beliefs, affiliations, ideals, or principles concerning political movements , political issues or candidates, or ideology as part of any evaluation criteria for employees or job applicants, or as a factor in determining an employee's career advancement, assignment, or job benefits. No employment contract shall include a provision that conditions employment or any form of compensation on passage of a levy or bond. Employees will not be asked to contribute funds or support a levy campaign, although payroll deductions for political contributions are permissible in accordance with State law.

Likewise, the Board shall not solicit or require current or prospective students who seek enrollment in the District to affirmatively ascribe to specific beliefs, affiliations, ideals, or principles concerning political movement or ideology, nor will the District use any statements of commitment to specific beliefs, affiliations, ideals, or principles concerning political movements or ideology to evaluate the student's academic performance.

The Board maintains its authority to take disciplinary and other types of action against employees and students who violate State and Federal laws, including anti-discrimination laws, in accordance with Board Policy, administrative guidelines, () the provisions of an adopted collective bargaining agreement, [END-OF-OPTION] and the student code of conduct where applicable.

Nothing in this policy is intended to modify or limit an educator's academic freedom, or an educator's ability to research or write publications about specific beliefs, affiliations, ideals, or principles concerning political movements, ideology, or social actions.

This policy shall not prohibit, limit, or restrict the Board's authority to consider a job applicant's scholarship, teaching, or subject matter expertise in the applicant's given field of study, nor does it limit the Board's authority to offer an established character education program.

The Board shall make all policies, District guidance, and training materials used for students and employees on all matters regarding specific beliefs, affiliations, ideals, or principles concerning political movements or ideology publicly available unless such documents or materials contain protected legal communications or guidance.

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Legal

R.C. 3313.207, .208, .209

R.C. 3319.614
R.C. 5104.0112

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VOL. 45 SEPTEMBER 2026

po2431

Vol. 45, No. 1 - August 2026 Revised INTERSCHOLASTIC ATHLETICS

ADOPTED Mar 25, 2004 · REVISED Aug 21, 2025

2431 - INTERSCHOLASTIC ATHLETICS

The Board of Education recognizes the value to the students of the District and to the community of a program of interscholastic athletics for students as an integral part of the total school experience.

The program should foster the growth of school loyalty within the student body as a whole and stimulate community interest in athletics.

The game activities and practice sessions should provide many opportunities to teach the values of competition and good sportsmanship.

The program of interscholastic athletics should provide students the opportunity to exercise and test their athletic abilities in a context greater and more varied than that which can be offered by a school or the School District alone. It should also offer an opportunity for career and educational development.

For purposes of this policy, the program of interscholastic athletics shall include all activities relating to competitive sport contests, games, events, or sport exhibitions involving individual students or teams of students of this District with those of another district.

The Board shall approve annually a program of interscholastic athletics.

The Board shall determine the standards of eligibility to be met by all students participating in the interscholastic program. Such standards shall require that each student be in good physical condition, be free of injury, and have fully recovered from illness before participating in any interscholastic athletic event.

Prior to the start of each athletic season, each school operated by the District that offers athletic programs shall hold an informational meeting for students, parents, guardians, other individuals having care or charge of a student, physicians, pediatric cardiologists, athletic trainers, and any other individuals who participate in athletic programs regarding the symptoms and warning signs of sudden cardiac arrest for all ages of students.

No student may practice or compete in interscholastic athletics until the student submits a form signed by the student's parent or guardian, or by a person having care or charge of the student, affirming that each has received a sudden cardiac arrest, concussion, and head injury information sheet as prepared by the Ohio Department of Health and Department of Education and Workforce. See Form 2431 F1 and Form 2431 F2.

In addition to the eligibility requirements established by the Ohio High School Athletic Association, to be eligible for any interscholastic extra-curricular activity, a student must have maintained at least a 2.0 grade-point average for the grading period previous to the one in which the student wishes to participate.

Incoming 9th graders MUST earn passing grades in a minimum of four (4) courses in their final grading period of grade 8 in order to be eligible, with regard to scholarship, during their first grading period of 9th grade. Thereafter, all high school students MUST earn passing grades in a minimum of five (5) one-credit courses (or the equivalent) during the immediately preceding grading period to have continuing eligibility.

Students educated at home or enrolled in a nonpublic school who are permitted to participate on a District interscholastic team must fulfill the same academic, nonacademic, and financial requirements as any other participant. See Policy 9270.

The Superintendent may grant any home-educated student or any student enrolled in a qualifying school or a different school district, regardless of whether the Superintendent's district is the student's resident district, the opportunity to participate in interscholastic athletics at a school in the District, if the student was subject to any of the following by a school official, employee, or volunteer, or another student, from the district or school in which the student is enrolled or the district in which the student is participating in interscholastic athletics under R.C. 3313.537, 3313.5311, or 3313.5312:

- A. harassment, intimidation, or bullying;
- B. a qualifying offense for which the school official, employee, or volunteer, or another student, has been either of the following:
 - 1. charged with, indicted for, convicted of, or pled guilty to committing;
 - 2. alleged to be or is adjudicated a delinquent child for committing;
- C. conduct by a school official, employee, or volunteer that violates the licensure code of professional conduct for Ohio educators developed by the State Board of Education.

The Superintendent will document the reason(s) for granting participation under this policy. To be eligible, a student who is enrolled in a nonpublic, community, or other public school must be of the appropriate age and grade level, as determined by the Superintendent, and must fulfill the same academic, nonacademic, and financial requirements as any other participant. Home-educated students will be subject to the same rules of participation and the same fees that are applied to any other participant. The District will not penalize or restrict eligibility to participate in District interscholastic athletics for students who cease to participate in interscholastic athletics elsewhere during the school year and begin to participate in District programs after being subject to bullying or any other types of offenses listed in this Policy.

An exception may be made by the principal if the student has been participating in an intervention program and has shown satisfactory progress toward achieving the minimum grade-point average.

If a student who becomes ineligible under these standards improves their grade point average during the current grading period to meet the eligibility standard, the student may be reinstated at the beginning of the next grading period with an acceptable grade point average.

Restoration of an "Incomplete" Grade

If a student's failure to meet the academic eligibility requirements is due to an "incomplete" grade given in one (1) or more courses which the student was taking during the grading period in question, the student may have their eligibility restored once the "incomplete" has been changed to a passing letter grade provided:

- A. the failure to complete the required coursework during the grading period was due to calamity day(s), family tragedy, or illness or accident as verified by a physician; and
- B. the "incomplete" was given in accordance with Board of Education grading policies and procedures and is applicable to all students in the school; and
- C. the previously scheduled work and/or exams is/are completed within the time period provided in Board policy for completing work required to convert an "incomplete" into a letter grade; and
- D. there is no evidence that the "incomplete" was given in order to afford the student extended time in order to provide the student tutoring or other educational services simply to avoid a failing grade.

Specific documentation of criteria listed above (Items A-D) must be submitted to the Ohio High School Athletic Association (OHSAA) (See AG 2431) in order to be considered by the Executive Director for such a ruling.

These same eligibility standards shall apply to all other co-curricular and extra-curricular activities sponsored by the District. (See Policy 2430)

Students identified as disabled under R.C. 3323 and the IDEA are subject to the eligibility standards established by this policy unless specifically exempted by the express terms of their individualized education program (IEP). An IEP can specify the criteria by which a grade will be determined for (a) course(s), given the student's individualized disability.

Since the primary purpose of the athletic program is to enhance the education of participating students as indicated in this policy, the Board places top priority on maximum student participation and the values of good sportsmanship and fair play.

The Board further adopts those eligibility standards set by the Constitution of the Ohio High School Athletic Association (OHSAA) that are consistent with State and Federal law, and shall review such standards annually to ascertain that they continue to be in conformity with the objectives of this Board.

The Board further directs that only those students may participate in the program of interscholastic athletics who have:

- A. maintained a satisfactory academic record;
- B. attended school regularly;
- C. demonstrated good citizenship and responsibility;
- D. returned all school and athletic equipment;
- E. refrained from participation in a contest on a non-interscholastic team, or as an individual in the same sport during the school's season.

The Superintendent shall annually prepare, approve, and present to the Board for its consideration a program of interscholastic athletics which shall include a complete schedule of events and shall inform the Board of changes in that schedule as they occur and shall secure Board approval before making any changes in the said schedule

In order to minimize health and safety risks to student-athletes and maintain ethical standards, school personnel, coaches, athletic trainers, and lay coaches shall not dispense, supply, recommend, or permit the use of any drug, medication, or food supplement solely for performance-enhancing purposes. The Superintendent shall cause to be posted in all locker rooms in buildings that include students in any grade higher than the sixth grade the following:

"Warning: Improper use of anabolic steroids may cause serious or fatal health problems, such as heart disease, stroke, cancer, growth deformities, infertility, personality changes, severe acne, and baldness. Possession, sale, or use of anabolic steroids without a valid prescription is a crime punishable by a fine and imprisonment."

The Superintendent shall develop appropriate administrative guidelines for the operation of the Athletic Program and a Code of Conduct for those who participate. Such guidelines should provide for the following safeguards:

- A. Prior to enrolling in the sport:
 - 1. each participant shall submit to a thorough physical examination by a District-approved physician;
 - 2. parents shall report any past or current health problems along with a physician's statement that any such problems have or are being treated and pose no threat to the student's participation.
- B. Any student who is found to have a health condition which may be life-threatening to self or others shall not be allowed to participate until the situation has been analyzed by a medical review panel that has determined the conditions under which the student may participate. The District shall assume no liability for any student with a health condition who has been authorized to play by the parents and their physician but not by the District.

- C. Any student who incurs an injury requiring a physician's care is to have the written approval of a physician prior to the student's return to participation.
- D. Any student practicing for or competing in an interscholastic event who exhibits signs, symptoms, or behaviors consistent with having sustained a concussion or head injury shall be removed from the practice or competition by the student's coach (and/or the referee serving during the practice or competition).

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

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

The Superintendent is also to develop guidelines for ensuring that sportsmanship, ethics, and integrity characterize the manner in which the athletic program is conducted and the actions of students who participate. Such guidelines should include:

- A. criteria for judging these important qualities;
- B. procedures by which these values will be communicated to students, parents, and supporters;
- C. means for monitoring the behavior of each of these groups to ensure their behavior reflects high standards.

The guidelines should also provide a set of behavioral expectations for each type of participant as well as a Sportsmanship Code of Conduct which each type of participant is to follow. The Superintendent is authorized to implement suitable disciplinary procedures against those who violate this Sportsmanship Code.

Students will be further informed that participation in interscholastic sports is a privilege and not a right, and that they may be prohibited from all or part of their participation in such activities by authorized school personnel without further notice, hearing, and/or appeal rights (see Policy 5610.05 - Prohibition From Extra-Curricular Activities).

In order to support the High School Athletic Association's program to strengthen sportsmanship, ethics, and integrity, the Board commits itself to:

- A. adopt policies (upon recommendation of the administration) which reflect the District's educational objectives and promote the ideals of good sportsmanship, ethics, and integrity;
- B. establish standards for athletic participation which reinforce the concept that athletic activities are a privilege, not a right;
- C. attend and enjoy school athletic activities, serving as a positive role model, and expecting the same from parents, fans, participants, coaches, and other school personnel;
- D. support and reward participants, coaches, school administrators, and fans who display good sportsmanship;
- E. recognize the value of school athletic activities as a vital part of education.

No student will be denied the opportunity to participate in interscholastic athletics offered by a school in the District because the student has or is participating in a College Credit Plus Program as long as the student fulfills all academic, nonacademic, and financial requirements.

No student will be limited from wearing religious apparel while participating in interscholastic or non-interscholastic extra-curricular activities unless such apparel poses a legitimate danger to participants. If such danger is identified, the student will be offered reasonable accommodations available for the participant wearing religious apparel.

Revised 11/17/22

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Legal

R.C. 2305.23, 2305.231, 3313.53, 3313.535, 3313.539, 3313.752

R.C. 3313.5311, 3313.5312, 3313.5314, 3313.5317, 3315.062

Ohio High School Athletic Association

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VOL. 45 SEPTEMBER 2026

po2431.07

Vol. 45, No. 1 - August 2026 New EXTRACURRICULAR PARTICIPATION OF NON-ENROLLED PUBLIC HIGH SCHOOL STUDENTS (STUDENT ATHLETE MOBILITY "SAM ACT")

New Policy - Vol. 45, No. 1

2431.07 - EXTRACURRICULAR PARTICIPATION OF NON-ENROLLED PUBLIC HIGH SCHOOL STUDENTS (STUDENT ATHLETE MOBILITY "SAM Act")

[DRAFTING NOTE: Effective for the 2026-2027 school year, each public school district board of education that offers an extracurricular activity and is a member school of the Ohio High School Athletic Association or any other organization that regulates interscholastic athletics is required to adopt a policy that permits a public school student enrolled in a neighboring school to petition to participate in an activity not offered by the high school that they are enrolled in.]

Definitions

The term "extracurricular activity" means a student activity program that a school or school district operates and is not included in the school district's graded course of study, including an interscholastic extracurricular activity that a school or school district sponsors or participates in and that has participants from more than one school or school district.

The term "neighboring school" means:

- A. A high school operated by the board of education other than the high school in which the student is enrolled;
- B. A high school operated by a school district that directly borders the board of education's school district;
- C. If the board of education's school district borders Lake Erie, a high school operated by an island school district; and
- D. Any other public high school that is located within the territory of either the board of education's school district or a school district that directly borders the board of education's school district.

Petition for Participation in the District

A student who is enrolled in a public high school that does not offer a particular extracurricular activity may submit a petition seeking to participate in that activity at any high school operated by the District. Girls may petition to participate in an activity that is only offered as a boys' team or coed team at their high school.

Prior to submitting a petition, the student must submit ☐ a form developed by the District ☒ the form developed by the Ohio High School Athletic Association - [END OF OPTION]; available on the District's website. The form must first be signed by the Superintendent of the school in which the student is enrolled. The Superintendent's signature confirms that 1) the activity is not offered at the student's school of enrollment; 2) the student has not participated in the activity during the current school year; and 3) the Superintendent agrees to permit the student to participate in the District's activity.

If a student is enrolled in a school district that operates multiple high schools, the student must first petition to participate in the extracurricular activity in their District of enrollment if it is offered at another high school. If the student is not approved by the Superintendent to participate at another high school, the student may petition to participate in the District's program.

The Superintendent, in their sole discretion, may approve the petition and will sign the form. The form will be maintained by the District in the designated file.

Petitions must be submitted no later than three (3) **[ENTER #]** weeks prior to the official start of the season.

District Students Petitioning to Participate in Neighboring District

District students who wish to participate in an extracurricular activity in a neighboring district will be required to complete the forms required by that district and submit them to the Superintendent for review and approval.

[] Before seeking participation in a neighboring school district, students who are enrolled in one of the high schools operated by the District must first petition to participate in the extracurricular activity if it is offered in another District high school. In accordance with OHSAA rules, students in a multi-high school setting must be assigned to the school closest to their school of enrollment that offers the activity, absent extenuating circumstances.

The Superintendent will review the petition and may approve the student's participation. If participation is denied, the student may then petition to participate in a program operated by a neighboring district.

[END OF OPTION] [DRAFTING NOTE: Select this option if your district operates multiple high schools].

Student Eligibility Requirements

To be eligible, a non-enrolled student must be of the appropriate age and grade level, as determined by the Superintendent. The student must also fulfill the same academic, nonacademic, and financial requirements as any other participant, including tryouts if required by the activity.

Students are not permitted to petition for participation at a nonpublic high school. A student is prohibited from participating in the same extracurricular activity at more than one high school operated by a school district or other public high school in any one school year. If the student's high school of enrollment participates in any regular season contest for the extracurricular activity but ceases offering it before the conclusion of the season, the student is not eligible to petition for participation until the following school year.

A student may not petition to participate in an extracurricular activity solely because the school in which the student is enrolled does not offer the competition level at which the student wishes to participate, such as varsity, junior varsity, or freshman level teams.

Partnering with Neighboring Schools to Operate an Activity

In accordance with State law, the Board may partner with a neighboring school to establish a single team for an activity if neither school has a sufficient number of students willing to participate in the extracurricular activity. The formula to determine whether there is a sufficient number of students shall be the sum of the minimum number of students required for competition in an extracurricular activity plus half of that number, rounded to the nearest whole.

@ Neola 2026

Legal

R.C. 3313.5321, 3313.537

The Ohio High School Athletic Association Rules

VOL. 45 SEPTEMBER 2026

po2461

Vol. 45, No. 1 - August 2026 Rescind RECORDING OF DISTRICT MEETINGS INVOLVING STUDENTS AND/OR PARENTS

Rescind Policy - Vol. 45, No. 1

2461-- RECORDING OF DISTRICT MEETINGS INVOLVING STUDENTS AND/OR PARENTS

Recording of IEP Team and 504 Team Meetings

[SELECT OPTION # 1 OR OPTION # 2]

[OPTION #1]

[] In order to facilitate parents' ability to fully participate in the IEP and/or 504 process, parents of students with disabilities are ordinarily permitted to audio record IEP Team meetings and 504 Team meetings in accordance with the following procedures:

- A. Parents wishing to audio record an IEP Team meeting or 504 Team meeting must utilize their own recording device and provide notice to the District prior to the date of the scheduled IEP Team or 504 Team meeting.
- B. If parent(s) elects to audio record an IEP Team meeting, the District will also record the meeting.

[END OF OPTION #1]

[OPTION #2]

[] The recording of IEP Team meetings and 504 Team meetings is prohibited unless it is necessary in order for a parent to understand the IEP process or 504 process and/or his/her child's IEP or 504 Plan, or otherwise necessary to implement other parental rights under the IDEIA, Section 504 of the Rehabilitation Act of 1973, as amended, and/or the Americans with Disabilities Act, as amended.

- A. If a parent believes that audio recording an IEP Team or 504 Team meeting is necessary, s/he should notify _____ **[Principal or Director of Pupil Services or Director of Special Education]** in writing, preferably at least two (2) school days before the IEP Team or 504 Team meeting, of his/her desire to audio record the meeting and the reason the recording is required. The _____ will notify the parent at least one (1) school day before the meeting if s/he intends to deny the parent's request to record the meeting.
- B. If the District representative denies the request, s/he will state in writing the reasons for the denial. Authorized exceptions to the general prohibition against the audio recording of IEP Team meetings and 504 Team meetings will typically involve situations when a parent or other IEP Team or 504 Team member has a disability recognized under Section 504/ADA or a language barrier that would preclude the individual's ability to understand and/or meaningfully participate in the IEP process or 504 process. The District representative may ask for documentation of the existence of any such disability or language barrier. If a parent is permitted to audio record the meeting, s/he must use his/her own recording device and the District will similarly record the meeting.

[END OF OPTION #2]

Recording of Other District Meetings Involving Students and/or Parents (e.g., Parent-Teacher Conferences)

[SELECT OPTION #3 or OPTION #4]

[OPTION #3]

[] Parents are permitted to audio record meetings with the District provided they notify the District prior to the date of the scheduled meeting of their intent to record the meeting. If a parent provides the requisite notice and is permitted to audio record the meeting, s/he must use his/her own recording device and the District will similarly record the meeting.

[OPTION #4]

[] Parents are prohibited from audio recording meetings with the District unless a parent or District staff member has a disability recognized under Section 504/ADA or a language barrier that would preclude the individual's ability to understand and/or participate in the meeting. The District representative may ask for documentation of the existence of any such disability or language barrier. If a parent is permitted to audio record the meeting, s/he must use his/her own recording device and the District will similarly record the meeting.

[END OF OPTIONS]

Video recording any District meeting is strictly prohibited.

Parents and students are expressly prohibited from using covert means to listen in or make a recording (audio or video) of any meeting or activity at school. This includes placing recording devices, or other devices with one- or two-way communication technology (i.e., technology that allows a person off-site to listen to live conversations and sounds taking place in the location where the device is located), within a student's book bag or on the student's person without express written consent of the Superintendent. Any requests to place a recording device or other device with one- or two-way audio communication technology within a student's book bag or on a student's person shall be submitted, in writing, to the _____ **[e.g. Principal or Director of Pupil Services]**. The District representative shall notify the parent(s), in writing, whether such request is denied or granted within five (5) days.

If the District audio records any meeting, the resulting recording shall become a part of the student's educational record and will be maintained in accordance with State and Federal law.

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VOL. 45 SEPTEMBER 2026

po3231

Vol. 45, No. 1 - August 2026 Revised OUTSIDE ACTIVITIES OF STAFF

ADOPTED Mar 25, 2004 · REVISED Dec 14, 2006

Revised Policy - Vol. 45, No. 1

3231 - OUTSIDE ACTIVITIES OF STAFF

Staff Professional staff members should avoid situations in which their personal interests, activities, and associations conflict with the interests of the District. If such situations threaten a staff member's effectiveness within the school system, the Superintendent and/or Board of Education shall evaluate the impact of such interest, activity, or association upon the professional staff member's responsibilities.

Staff members who hold a license or permit issued by the State Board of Education are expected to adhere to the State Board of Education's Licensure Code of Professional Conduct for Ohio Educators both during and outside of work time.

Staff members may not dedicate work time to an outside interest, activity, or association.

Staff members may not use school property or school time to solicit or accept customers for private enterprises.

Staff members may not use school property for personal use that is not in accordance with Board policy, or local, State, or Federal law.

Staff members may not engage in business transactions on behalf of private enterprises in which a staff member s/he may profit by virtue of the staff member's his/her official position or authority or benefit financially from confidential information that the employee has obtained or may obtain by reason of their his/her position or authority.

Staff members may not engage in nepotism as prohibited by local, State, or Federal law.

Staff members may not campaign on school property during working hours on behalf of any political issue, or candidate for local, State, or National office , or engage in activities intended to influence the outcome of an election for any political candidate, or for a levy or bond issue. Staff members are prohibited from using school property to promote or oppose any political candidate, levy or bond, even if such use occurs outside of work time or school hours. The constitutional right to express political and other opinions as citizens is reserved to all employees.

Staff members should refrain from expressions that disrupt the efficient operation of the school and/or interfere with the maintenance of discipline by school officials. Staff members should not use technology, social media, or other electronic communications to host, post, or distribute improper or inappropriate material that could reasonably be accessed by the school community. This includes, but is not limited to, pornography, obscene material, promotion of drug use or underage consumption of alcohol, promotion of violence, disparagement of students, and disparagement of any individual based on a protected class factor or any other factor in violation of Board policy, local, State, or Federal law. Likewise, staff members should not use inappropriate language, gestures, or signs at school-related activities.

Unless expressly approved by the Superintendent, staff members may not accept fees for tutoring when such tutoring is conducted during the normal work day.

Similarly, unless expressly approved by the Superintendent, staff members may not accept fees for remedial tutoring of students currently enrolled in one (1) or more of their classes.

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VOL. 45 SEPTEMBER 2026

po4231

Vol. 45, No. 1 - August 2026 Revised OUTSIDE ACTIVITIES OF STAFF

ADOPTED Mar 25, 2004 · REVISED Dec 14, 2006

Revised Policy - Vol. 45, No. 1

4231 - OUTSIDE ACTIVITIES OF ~~CLASSIFIED~~ STAFF

Staff members should avoid situations in which their personal interests, activities, and associations may conflict with the interests of the District. If such situations threaten a staff member's effectiveness within the School System, the Superintendent and Board of Education shall evaluate the impact of such interest, activity, or association upon the staff member's responsibilities.

- A. Staff members who hold a license or permit issued by the State Board of Education are expected to adhere to the State Board of Education's Licensure Code of Professional Conduct for Ohio Educators both during and outside of work time.
- B. ~~H~~ - Staff members may not dedicate work time to an outside interest, activity, or association.
- C. ~~H~~ - Staff members may not use school property or school time to solicit or accept customers for private enterprises.
- D. Staff members may not use school property for personal use that is not in accordance with Board policy, or local, State, or Federal law.
- E. ~~H~~ - Staff members may not engage in business transactions on behalf of private enterprises in which a staff member s/he may profit by virtue of the staff member's his/her official position or authority or benefit financially from confidential information that the staff member has obtained or may obtain by reason of their his/her position or authority.
- F. Staff members may not engage in nepotism as prohibited by local, State, or Federal law.
- G. ~~H~~ - Staff members may not campaign on school property during working hours on behalf of any political issue, or candidate for local, State, or National office , or engage in activities intended to influence the outcome of an election for any political candidate, or for a levy or bond issue. Staff members are prohibited from using school property to promote or oppose any political candidate, levy or bond, even if such use occurs outside of work time or school hours. The constitutional right to express political and other opinions as citizens is reserved to all employees.
- H. ~~H~~ - Staff members should refrain from expressions that disrupt the efficient operation of the school and/or interfere with the maintenance of discipline by school officials. Staff members should not use technology, social media, or other electronic communications to host, post, or distribute improper or inappropriate material that could reasonably be accessed by the school community. This includes, but is not limited to, pornography, obscene material, promotion of drug use or underage consumption of alcohol, promotion of violence, disparagement of students, and disparagement of any individual based on a protected class factor or any other factor in violation of board policy, local, State, or Federal law. Likewise, staff members should not use inappropriate language, gestures, or signs at school-related activities.

VOL. 45 SEPTEMBER 2026

po5111.01

Vol. 45, No. 1 - August 2026 Revised HOMELESS STUDENTS

ADOPTED Mar 25, 2004 · REVISED May 25, 2017

5111.01 - HOMELESS STUDENTS

Definitions

Children who are identified as meeting the Federal definition of "homeless" will be provided a free appropriate public education (FAPE) in the same manner as all other students of the District. To that end, homeless students will not be stigmatized or segregated on the basis of their status as homeless. The District shall establish safeguards that protect homeless students from discrimination on the basis of their homelessness. The District shall regularly review and revise its policies, including school discipline policies that impact homeless students or those who may be a member of any of the Protected Classes (Policy 2260).

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

- A. share the housing of other persons due to loss of housing, economic hardship, or similar reason
- B. live in motels, hotels, trailer parks, or camping grounds due to a lack of alternative adequate accommodations
- C. live in emergency or transitional shelters
- D. are abandoned in hospitals
- E. have a primary night time residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings, or
- F. live in a car, park, public space, abandoned building, substandard housing¹, bus or train station, or similar setting

Pursuant to the McKinney-Vento Act, an unaccompanied youth includes a homeless child or youth not in the physical custody of a parent or guardian.

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

Services to Homeless Children and Youth

The District will provide services to homeless students that are comparable to other students in the District, including:

- A. transportation services;
- B. public preschool programs and other educational programs and services for which the homeless student meets eligibility criteria including:
 - 1. programs for children with disabilities;
 - 2. programs for English Learners (ELs) (i.e., students with Limited English Proficiency (LEP));
 - 3. programs in career and technical education;
 - 4. programs for gifted and talented students;
 - 5. school nutrition programs; and
 - 6. before - and after-school programs.

The Superintendent will appoint a Liaison for Homeless Children who will perform the duties as assigned by the Superintendent. Additionally, the Liaison will coordinate and collaborate with the State Coordinator for the Education of Homeless Children and Youth as well as with community and school personnel responsible for the provision of education and related services to homeless children and youths. The Liaison will also provide unaccompanied homeless youth with verification of independent-student status for FAFSA and student financial aid purposes. For more information on the role of the Liaison, refer to AG 5111.01.

School Stability

Maintaining a stable school environment is crucial to a homeless student's success in school. To ensure stability, the District must make school placement determinations based on the "best interest" of the homeless child or youth based on student-centered factors. The District must:

- A. continue the student's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year even if the child or youth becomes permanently housed during an academic year; or
- B. enroll the student in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend

When determining a child or youth's best interest, the District must assume that keeping the homeless student in the school of origin is in that student's best interest, except when doing so is contrary to the request of the student's parent or guardian, or the student if the student ~~he or she~~ is an unaccompanied youth. The school of origin is the school the student attended or enrolled in when permanently housed, including a public preschool. The school of origin also includes the designated receiving school at the next level for feeder school patterns, when the student completes the final grade level at the school of origin.

When determining the student's best interest, the District must also consider student-centered factors, including the impact of mobility on achievement, education, health, and safety of homeless students and give priority to the request of the student's parent or guardian, or youth (if an unaccompanied youth). The District also considers the school placement of siblings when making this determination.

If the District finds that it is not in the student's best interest to attend the school of origin or the school requested by the parent or guardian, or unaccompanied youth, the District must provide the individual with a written explanation and reason for the determination in a manner and form understandable to the parent, guardian or unaccompanied youth. This written explanation will include appeal rights and be provided in a timely manner.

Immediate Enrollment

The District has an obligation to remove barriers to the enrollment and retention of homeless students. A school chosen on the basis of a best interest determination must immediately enroll the homeless student, even if the student does not have the documentation typically necessary for enrollment, such as immunization and other required health records, proof of residency, proof of guardianship, birth certificate or previous academic records. The homeless student must also be enrolled immediately regardless of whether the student missed application or enrollment deadlines during the period of homelessness or has outstanding fines or fees.

The enrolling school must immediately contact the school last attended by the homeless student to obtain relevant academic or other records. If the student needs immunization or other health records, the enrolling school must immediately refer the parent, guardian, or unaccompanied youth to the local liaison, who will help obtain the immunizations, screenings or other required health records. Records usually maintained by the school must be kept so that they are available in a timely fashion if the child enters a new school or district. These records include immunization or other required health records, academic records, birth certificates, guardianship records, and evaluations for special services or programs. Procedures for inter-State records transfer between schools should be taken into account in order to facilitate immediate enrollment.

In addition, the District will also make sure that, once identified for services, the homeless student is attending classes and not facing barriers to accessing academic and extracurricular activities, including magnet school, summer school, career and technical education, advanced placement, online learning, and charter school programs (if available). . . The District will remove barriers to full participation in academic activities. Absence or delay of records will not be used to deny full participation in school activities. The District may use school assessments to determine the student's placement until the District receives student records.

Transportation

The District provides homeless students with transportation services that are comparable to those available to non-homeless students. The District also provides or arranges for transportation to and from the school of origin at the parent or guardian's request, or the liaison's request in the case of an unaccompanied youth. Transportation is arranged promptly to allow for immediate enrollment and will not create barriers to a homeless student's attendance, retention, and success.

- A. If the homeless student continues to live in the District, where the school of origin is located, transportation will be provided or arranged for the student's transportation to or from the school of origin.
- B. If the homeless student moves to an area served by another district, though continuing the homeless student's ~~his/her~~ education at the school of origin (which is in the District), the District and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin. If the districts cannot agree upon such a method, the responsibility and costs will be shared equally.
- C. When the student obtains permanent housing, transportation shall be provided to and from the school of origin until the end of the school year.

The District determines the mode of transportation in consultation with the parent or guardian and based on the best interest of the student.

In accordance with Federal law, the above transportation requirements still apply during the resolution of any dispute. The District will work with the State to resolve transportation disputes with other districts. If the disputing district is in another State, the District will turn to the State for assistance as Federal guidance says that both States should try to arrange an agreement for the districts.

Dispute Resolution

Homeless families and youths have the right to challenge placement and enrollment decisions. If a dispute arises between a school and a parent, guardian, or unaccompanied youth regarding eligibility, school selection, or enrollment of a homeless student, the District must follow its dispute resolution procedures, consistent with the State's procedures. If such a dispute occurs, the District will immediately enroll the homeless student in the school in which enrollment is sought pending final resolution of the dispute, including all appeals. The student will receive all services for which they are eligible until all disputes and appeals are resolved.

Pursuant to State, District, and Board of Education policies, the District will provide the parent, guardian, or unaccompanied youth with a written explanation of all decisions regarding school selection and enrollment made by the school, District, or State, along with a written explanation of appeal rights.

The District's notice and written explanation about the reason for its decision will include, at a minimum, an explanation of how the school reached its decision regarding eligibility, school selection, or enrollment, including 1) a description of the proposed or refused action by the school, 2) an explanation of why the action is proposed or refused, 3) a description of other options the school considered and why those options were rejected, 4) a description of any other relevant factors to the school's decision and information related to the eligibility or best interest determination such as the facts, witnesses, and evidence relied upon and their sources, and 5) an appropriate timeline to ensure deadlines are not missed. The District must also include contact information for the Liaison and the State Coordinator, and a brief description of their roles. The District will also refer the parent, guardian, or unaccompanied youth to the Liaison, who will carry out the dispute resolution process.

The District ensures that all decisions and notices are drafted in a language and format appropriate for low-literacy, limited vision readers, and individuals with disabilities. For children and youth and/or parents or guardians who are English learners or whose dominant language is not English, the District will provide translation and interpretation services in connection with all phases of the dispute resolution process pursuant to Federal laws. The District will also provide electronic notices via email if the parent, guardian, or unaccompanied youth has access to email followed by a written notice provided in person or sent by mail.

Homeless Children in Preschool

Homeless preschool-aged children and their families shall be provided equal access to the educational services for which they are eligible, including preschool programs, including Head Start programs, administered by the District. Additionally, the homeless child must remain in the public preschool of origin, unless a determination is made that it is not in the child's best interest. When making such a decision on the student's best interest, the District takes into account the same factors as it does for any student, regardless of age. It also considers **preschool age-specific** ~~pre-school age-specific~~ factors, such as 1) the child's attachment to preschool teachers and staff; 2) the impact of school climate on the child, including school safety; the quality and availability of services to meet the child's needs, including health, developmental, and social-emotional needs; and 3) travel time to and from school.

The District must also provide transportation services to the school of origin for a homeless child attending preschool. It is the District's responsibility to provide the child with transportation to the school of origin even if the homeless preschooler who is enrolled in a public preschool in the District moves to another district that does not provide widely available or universal preschool.

Public Notice

In addition to notifying the parent or guardian of the homeless student or the unaccompanied youth of the applicable rights described above, the District shall post public notice of educational rights of children and youth experiencing homelessness in each school. In addition, the District shall post public notice of the McKinney-Vento rights in places that homeless populations frequent, such as shelters, soup kitchens, and libraries in a manner and form understandable to the parents and guardians and unaccompanied youths.

Records

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

All records for homeless students shall be maintained, subject to the protections of the Family Educational Rights and Privacy Act (FERPA) and Policy 8330, and in such a manner so that they are available in a timely fashion and can be transferred promptly to the appropriate parties, as required. Pursuant to the McKinney-Vento Act, information regarding a homeless student's living situation is not considered directory information and must be provided the same protections as other non directory personally identifiable information (PII) contained in student education records under FERPA. The District shall incorporate practices to protect student privacy as described in AG 5111.01, AG 8330, and in accordance with the provisions of the Violence Against Women Act (VAWA) and the Family Violence Prevention and Services Act (FVPSA).

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

Note:

Education for Homeless Children and Youth Programs, Non-Regulatory Guidance, U.S. Department of Education (ED), Title VII-B of the McKinney-Vento Homeless Assistance Act, as amended by the Every Student Succeeds Act, at A-3 (July 27, 2016).

¹ According to nonregulatory guidance from the U.S. Department of Education (ED), standards for adequate housing may vary by locality. Please see ED guidance for factors to consider when determining whether a child or youth is living in "substandard housing."

Revised 1/26/06

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Legal

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

VOL. 45 SEPTEMBER 2026

po5224

Vol. 45, No. 1 - August 2026 New YOUTH MEMBERSHIP ORGANIZATION ACCESS

New Policy - Vol. 45, No. 1

5224 - YOUTH MEMBERSHIP ORGANIZATION ACCESS

In accordance with State law, designated youth organizations may request the District to provide representatives of the organization an opportunity to speak to students during the school day and distribute informational materials to encourage participation in the organization and its activities and inform students of how the organization may further the student's educational interests, readiness for the workforce, and civic involvement.

Youth membership organizations are defined to include any "youth membership organization listed in 36 U.S.C. 30101, 30901, 31101, 40301, 70901, 80301, 130501, 140101, and 154101, that serves young people under twenty-one (21) years of age and has an educational purpose that promotes patriotism, workforce readiness, and civic involvement." Federal citations listed in the definition specifically reference the following Federally chartered organizations: Big Brothers, Big Sisters of America; Boy Scouts of America; Boys & Girls Clubs of America; Civil Air Patrol; Future Farmers of America; Girl Scouts of America; Little League Baseball; Marine Corps League; and the Naval Sea Cadet Corps.

Upon request by a youth membership organization, the District shall provide the following:

- A. At least one (1) opportunity per school year for the youth to provide displays on school property within the District for student recruitment, including informational flyers and the use of other existing digital communication channels;
- B. A specific date and time for the youth organization to speak with students at schools in the District for up to ten (10) consecutive minutes during the school day, but not during instruction for a core curriculum subject; and
- C. Notification to parents or guardians of each expected presentation by a youth organization and the option to withhold consent for their child to participate.

The District may deny equal access to an organization that is not designated as a youth membership organization under the statute.

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Legal

R.C. 3313.476, 3313.6022

Attorney General's Opinion 88-001

VOL. 45 SEPTEMBER 2026

po5330

Vol. 45, No. 1 - August 2026 Revised USE OF MEDICATIONS

ADOPTED Mar 25, 2004 · REVISED Aug 21, 2025

5330 - USE OF MEDICATIONS

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

For purposes of this policy, "medication" shall include all medicines, including those prescribed by a licensed health professional authorized to prescribe drugs, and any nonprescribed (over-the-counter) drugs, preparations, and/or remedies. "Over-the-counter drug" means a drug, as defined in section 4729.01 of the Revised Code, that may be legally sold without a prescription and that is administered without the instruction of a prescriber. "Prescription drug" means a drug, as defined in section 4729.01 of the Revised Code, that is to be administered pursuant to the instructions of the prescriber, whether or not required by law to be sold only upon a prescription. "Treatment" refers both to the manner in which a medication is administered and to healthcare procedures which require special training, such as catheterization.

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

For prescription drugs, only medication in its original container; labeled with the date, if a prescription; the student's name; and exact dosage will be administered. Over-the-counter drugs must be provided and maintained in the original manufacturer's packaging. The Superintendent shall determine a location in each building where the medications to be administered under this policy shall be stored, which shall be a locked storage place, unless the medications require refrigeration in which case they shall be stored in a refrigerator in a place not commonly used by students, and unless the medication to be administered is seizure or diabetes medication, which may be kept in an easily accessible location.

Parents may administer medication or treatment, with the exception of diabetes care covered under Policy 5336.

Additionally, students may administer medication or treatment to themselves, if authorized in writing by their parents and a licensed health professional authorized to prescribe drugs.

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

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

Students may possess a drug prescribed to the student to prevent the onset of a seizure or to alleviate the symptoms of a seizure, provided that the student has prior written approval from the student's physician, and if the student is a minor, the written approval of the student's parent or guardian (Form 5330 F5 - Authorization for the Possession and Use of Seizure Medications). Copies of the written approvals must be provided to the Principal and any school nurse assigned to the building. This permission shall extend to any activity, event, or program sponsored by the school or in which the school participates.

Students shall be permitted to possess and self-administer over-the-counter topical sunscreen products while on school property or at a school-sponsored event.

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

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

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

Individuals who administer medications designed to prevent the onset of seizures or alleviate the symptoms of a seizure will receive training regarding the circumstances under which the drug is to be administered to the student and how it should be administered. They will also receive a copy of the written approval issued by the student's physician.

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

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

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

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

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

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

Revised 10/19/23

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Legal

R.C. 3313.712, 3313.713, 3313.716, 3313.718, 3313.7110, 3313.7117, 4729.01

VOL. 45 SEPTEMBER 2026

po5463

Vol. 45, No. 1 - August 2026 Revised CREDITS FROM STATE-CHARTERED AND NONCHARTERED NONPUBLIC SCHOOLS

ADOPTED Mar 25, 2004

Revised Policy - Vol. 45, No. 1

5463 - CREDITS FROM STATE-CHARTERED ~~,SPECIAL,~~ AND NONCHARTERED NONPUBLIC SCHOOLS

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

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

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

High School Transcripts and Issuance of Diplomas for Students who Transfer from Non-Chartered Nonpublic Schools

Students who transfer into high school from a non-chartered nonpublic school shall meet the District and State graduation requirements to qualify for a high school diploma. However, a student who transfers or enrolls after the start of the student's twelfth grade year and fails to attain a competency score on the Algebra I and English language arts II end-of-course examination shall not be required to retake the applicable examination prior to demonstrating competency in the failed subject area under the alternative options permitted in State law.

[x] The Board of Education will award credit for high school courses as follows. One (1) unit of credit will be awarded for courses that include at least 120 hours of instruction (laboratory courses require a minimum of 150 hours), and one-half (1/2) unit is awarded for courses that include at least sixty (60) hours of course instruction. [DRAFTING NOTE: this option reflects the requirement in State law for awarding one (1) unit or one-half (1/2) unit of high school credit in a chartered public school district or chartered nonpublic school]. [END OF OPTION].

Although credits from nonchartered nonpublic schools may be granted and placed on a student's transcript, no grades will be entered on the transcript or considered for class ranking, including the determination of the Top Five Percent (5%) and Top Ten Percent (10%) for the Governor's Merit Scholarship and Ohio Guaranteed Admission Programs. Only grades awarded for courses taken at the District or at a school approved or chartered by a State education agency, including the Ohio Department of Education and Workforce ("DEW"), shall be considered in class ranking and for entering on the transcript.

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Legal

R.C. 3301.07, 3301.16, 3313.60, 3313.618

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VOL. 45 SEPTEMBER 2026

po5514

Vol. 45, No. 1 - August 2026 Replacement STUDENT USE OF BICYCLES, E-BIKES, SCOOTERS, E-SCOOTERS, AND OTHER PERSONAL TRANSPORTATION DEVICES

ADOPTED Mar 25, 2004

Replacement Policy - Vol. 45, No. 1

5514 - STUDENT USE OF BICYCLES, E-BIKES, SCOOTERS, E-SCOOTERS, AND OTHER PERSONAL TRANSPORTATION DEVICES

The Board recognizes that some students have an interest in using bicycles, electric bicycles ("e-bikes"), scooters, electric scooters ("e-scooters"), and similar personal transportation devices to travel to and from school. ☒ The Board values student transportation independence and the environmental benefits of these modes of travel while recognizing the need to maintain a safe learning environment for all students, staff, and visitors on school property. ☒ To that end, the ☒ The ~~END OF OPTION~~ Board also recognizes that such devices need to be regulated to avoid potential safety, pedestrian, traffic, supervision, property, and fire safety concerns on school property.

For purposes of this policy, "personal transportation device" means a traditional bicycle, e-bike, scooter, e-scooter, moped, motorized bicycle, skateboard, longboard, rollerblades, hoverboard, one-wheel self-balancing board, or similar device used for personal transportation or recreation, whether powered manually by an operator, electrically, or by another non-motor-vehicle means.

This policy does not apply to motor vehicles governed by Board Policy 5515 – Use of Motor Vehicles or Board Policy 5515.01 – Safe Operation of Motorized Utility Vehicles By Students.

This policy also does not prohibit or restrict the lawful use of wheelchairs, power wheelchairs, scooters, or other mobility devices used by individuals with disabilities. Disability-related requests shall be reviewed individually under applicable law – including the ADA, Section 504, and, where applicable, the IDEA – and relevant Board policies.

[DRAFTING NOTE: SELECT OPTION 1 OR OPTION 2]

[] [OPTION 1]

~~The Board prohibits the use of personal transportation devices () except () traditional bicycles ()~~
~~END OF INTERNAL OPTIONS~~ by students on campus for purposes of travel to and from school.

[END OF OPTION 1]

☒ **[OPTION 2]**

Students may bring personal transportation devices onto school property only as permitted by this policy, - ~~() Administrative Guideline 5514 - Student Use of Bicycles, E-Bikes, Scooters, E-Scooters, and~~

Other Personal Transportation Devices, ~~[END-OF-OPTION]~~ building rules, posted signs, and staff directions.

[DRAFTING NOTE: Selection OPTION A, OPTION B, OPTION C, OPTION D, OR OPTION E]

[] [OPTION A] [DRAFTING NOTE: This option balances student transportation needs with the greater pedestrian, supervision, maturity, and speed risks at elementary and middle school buildings.]

Specifically, the Board permits traditional bicycles Districtwide, subject to building rules; powered personal transportation devices are ~~permitted prohibited~~ at elementary buildings; powered personal transportation devices are ~~permitted prohibited~~ at middle school buildings ~~unless~~ specifically approved by the Principal; and ~~Class 1 and Class 2~~ electric bicycles at the high school with registration and parent/guardian acknowledgment. ~~Class 3 electric bicycles are prohibited on school property unless specifically approved by the Superintendent.~~

[END-OF-OPTION A]

[] [OPTION B] [DRAFTING NOTE: This is a more restrictive option but is legally defensible and the easiest to administer. It is most appropriate for campuses with heavy pedestrian traffic, narrow sidewalks, congested bus loops, limited storage areas, or prior safety incidents. The tradeoff is that it may be viewed as less responsive to students who use e-bikes as transportation.]

Specifically, the Board permits traditional bicycles and non-electric scooters subject to building rules. The Board prohibits all powered personal transportation devices, including all e-bikes, e-scooters, hoverboards, one-wheels, and similar devices, on all school property.

[END-OF-OPTION B]

[] [OPTION C] [DRAFTING NOTE: This option is even more restrictive than Option B; as such, it substantially reduces risk and supervision burden, but may be unnecessarily restrictive for students who safely bike to school.]

Specifically, the Board permits only traditional bicycles at the high school level and prohibits all personal transportation devices for elementary and middle school students.

[END-OF-OPTION C]

[] [OPTION D] [DRAFT NOTE: This option is more permissive than Option; as such, it better accommodates student transportation needs but increases supervision, enforcement, and device-classification burdens. A district considering this option will want to make sure it has adequate arrival/dismissal controls and designated parking/storage areas in place.]

Specifically, the Board permits traditional bicycles and Class 1 and Class 2 e-bikes at both middle school and high school buildings with registration, parent/guardian acknowledgment, and building-specific parking/dismount rules. No personal transportation devices are permitted at the elementary level.

[END-OF-OPTION D]

[] [OPTION E] [DRAFTING NOTE: This option is one of the most permissive but also one of the least desirable from a K-12 risk-management perspective. It requires staff to evaluate device class, age restrictions, helmet requirements, speedometer requirements, and possible device modifications.]

Specifically, the Board permits traditional bicycles and Class 1/Class 2 () /Class 3 [END OF INTERNAL OPTION] e-bikes at the high school () and middle school [END OF INTERNAL OPTION] level if the device complies with Ohio law, the student satisfies all age and safety requirements, and the device is registered with the building.

[END OF OPTION E]

[DRAFTING NOTE: The Board can modify any of the preceding versions if it wants to sanction the use of scooters and/or e-scooters, etc.]

[END OF OPTION 2]

Unless specifically authorized by the Superintendent, students may not bring or operate on school property:

- A. () Class 3 e-bikes; [END OF OPTION]
- B. () Mopeds and motorized bicycles (as defined in O.R.C. § 4511.01(H)) () , unless the student demonstrates a documented transportation need and obtains prior written approval from the Superintendent [END OF INTERNAL OPTION] ; [END OF OPTION]
- C. () Hoverboards; [END OF OPTION]
- D. () One-wheel self-balancing board; [END OF OPTION]
- E. Unlabeled, altered, modified, or noncompliant e-bikes or e-scooters;
- F. Gas-powered scooters, mini-bikes, dirt bikes, all-terrain vehicles, go-karts, or similar vehicles;
- G. Devices capable of speeds or operation inconsistent with applicable law or District rules;
- H. Devices with damaged, altered, leaking, swollen, smoking, overheating, or otherwise unsafe batteries; or
- I. Any device prohibited by () Administrative Guideline 5514--Student Use of Bicycles, E-Bikes, Scooters, E-Scooters, and Other Personal Transportation Devices, or [END OF OPTION] building rule.

[DRAFTING NOTE: As noted above with respect to OPTION A, it is recommended that the District prohibit Class 3 e-bikes because they are faster, harder to supervise in a K-12 setting, and create age, helmet, speedometer, and device-class verification problems for building administrators. Similarly, it is recommended that the District prohibit mopeds and motorized bicycles by default. Mopeds are not motor vehicles under O.R.C. § 4511.01(B) and are therefore not governed by Policy 5515--Use of Motor Vehicles. Unlike e-bikes, mopeds may have gasoline or electric motors capable of reaching twenty (20) mph, require Ohio title and registration under O.R.C. § 4513.02, and may be designed to carry a passenger. These characteristics create pedestrian-safety, parking, and enforcement challenges comparable to those associated with Class 3 e-bikes. Including a Superintendent-approved exception preserves flexibility for the rare student who has a genuine transportation need and no alternative.]

The student operator of a personal transportation device must observe all safety laws and rules, display courtesy and consideration toward others, and abide by this policy () and AG-5514--Student Use of Bicycles, E-Bikes, Scooters, E-Scooters, and Other Personal Transportation Devices [END OF OPTION] , as well as all laws and ordinances regarding the operation of the relevant device. Bringing or using a personal transportation device on school property is a privilege, not a right. The privilege may be limited, suspended, or revoked when necessary to protect safety, property, access, or the orderly operation of school. Additional disciplinary action may result from the unsafe operation of a personal transportation device on Board property.

[] The Superintendent is authorized to develop administrative guidelines governing permitted and prohibited devices, grade-level restrictions, registration requirements, designated routes, dismount zones, parking and storage areas, helmet expectations, battery and charging restrictions, and enforcement procedures. **[END OF OPTION] [DRAFTING NOTE: If a district does not purchase Neola's administrative guidelines, it will want to address some or all of the topics listed in the preceding option in this policy – e.g., helmet requirements, speed limits on school property, age and grade restrictions, etc.]**

Charging personal e-bikes, e-scooters, hoverboards, one-wheels, or similar powered devices on school property is prohibited unless specifically authorized, in writing, by the Superintendent. **[DRAFTING NOTE: This should be in the Board policy because lithium-ion battery charging creates fire-safety and facilities-management concerns.]**

Personal transportation devices must be parked or stored only in designated areas and may not block sidewalks, ramps, accessible routes, building entrances, emergency exits, fire lanes, bus loading areas, or pedestrian pathways.

School administrators may conduct an administrative inspection of a student's personal transportation device parked and/or operated on school property upon reasonable suspicion that the device contains contraband or evidence of a rule violation.

[x] Under no circumstances may a personal transportation device be operated on Board property at a speed that exceeds ten (10) miles per hour. In areas of the campus designated by the building principal as high-pedestrian areas — including, but not limited to, bus loading zones, building entrance areas, parent drop-off and pick-up lanes, and posted dismount zones — students must reduce their speed to walking pace or dismount entirely, regardless of the general campus speed limit. **[END OF OPTION] [DRAFTING NOTE: The reference to ten (10) miles per hour is simply a recommendation; if the District selects a different speed limit, it will need to make a corresponding adjustment to the relevant section in AG 5514– Student Use of Bicycles, E-Bikes, Scooters, E-Scooters, and Other Personal Transportation Devices. Additionally, this paragraph may be modified to only apply the speed limit to electric-powered personal transportation devices.]**

[x] Upon the request of an administrator, the operator of an electric-powered transportation device will dismount the device and walk the device to the appropriate storage area. Failure to comply with an administrator's request to dismount and walk such a device may subject the student to disciplinary action. **- END OF OPTION]**

The District is not responsible for theft of, or damage to, any personal transportation devices parked or operated on school property. Student and parent/guardian assume all risk of loss.

The District further does not assume responsibility for personal injury or property damage arising from a student's use of a personal transportation device on school property, and the student and parent/guardian assume the risks associated with such use, to the extent permitted by applicable law.

Violation of this policy **(-) or AG 5514– Student Use of Bicycles, E-Bikes, Scooters, E-Scooters, and Other Personal Transportation Devices - [END OF OPTION]** may result in loss of the privilege to bring a device onto school property, parent/guardian notification, securing or removal of the device pending parent/guardian retrieval, restitution for damage, discipline under the Student Code of Conduct, and referral to law enforcement where appropriate.

By issuing this policy, the Board in no way seeks to regulate students' use of personal transportation devices off Board property.

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Legal

R.C. §§ 3313.20, 3313.47, 3313.66, 3313.661, 4511.01, 4511.514, 4511.522
Ohio Revised Code Chapter 2744
20 U.S.C. § 1400 et seq. (IDEA); 34 C.F.R. Part 300

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VOL. 45 SEPTEMBER 2026

po6100

Vol. 45, No. 1 - August 2026 New PROPER USE OF PUBLIC FUNDS

New Policy - Vol. 45, No. 1

6100 - PROPER USE OF PUBLIC FUNDS

The Board of Education recognizes that all expenditures of public funds must be for a proper and allowable public purpose. To ensure the responsible stewardship of public tax dollars by the Board of Education, Board members and employees are expected to comply with the following requirements.

Publication of Information about the District

State law authorizes a political subdivision to publish and distribute newsletters or other forms of communication about the plans, policies, and operations of the political subdivision to members of the public. However, the Board will not approve any expenditure to publish, distribute, or communicate information that:

- A. Contains defamatory, libelous, or obscene materials;
- B. Promotes alcoholic beverages, tobacco products, or any illegal products, services, or activities;
- C. Promotes unlawful discrimination on the basis of any protected class;
- D. Supports or opposes a labor organization or any action by, on behalf of, or against a labor organization;
- E. Supports or opposes the nomination or election of a candidate for public office, or the investigation, prosecution, or recall of a public official; or
- F. Supports or opposes the passage of a levy or bond.

[X ✖] The ~~(-) Superintendent~~ **(x) principal** _____ **[END-OF-INTERNAL-OPTION]** - will review materials before they are published to ensure that materials are factual. **[END-OF-OPTION]**

Compensation of Staff Who Communicate Information about the District

The Board shall not compensate any employee of the District to engage in activities intended to influence the outcome of an election for any political candidate, or a levy or bond issue. Additionally, no employment contract shall include a provision that conditions employment or any form of compensation on passage of a levy or bond. Employees will not be asked to contribute funds or support a levy campaign, although payroll deductions for political contributions are permissible in accordance with State law. Students are not permitted to use District funds or Board-owned facilities or equipment to promote or oppose a levy or bond, nor may pro or anti-levy materials be distributed to students during the school day or sent home with students.

However, employees may be compensated for attending a public meeting to present information about the District's finances, activities or operations, even if the election of a public official or a levy or bond issue is discussed or debated at the meeting, provided that the information is not presented in a manner designed to influence the outcome of an election. Information discussed at public meetings related to school finances may include the possible impacts of the passage or failure of a levy or bond issue.

~~**[] The Superintendent and Treasurer are encouraged to publish information and provide community**~~

updates on a regular basis to help inform the public about school operations. **[END-OF-OPTION]**

Employees may be compensated for compiling, analyzing, and creating reports and other materials that relay factual information related to the District's finances and the need for a levy or bond.

The Board may also compensate employees to attend training or professional development that includes review of permissible and prohibited activities related to levies and bonds.

Nothing in this policy is intended to prohibit or restrict any employee or Board member from speaking in support of or opposition to a candidate or issue on the ballot as a private citizen on their own time, unless such action is otherwise prohibited by law.

[x] Employees and Board members may participate in a levy or other political action committee as long as all activities occur outside of compensated time. **[END-OF-OPTION]**

Engagement of Third-Party Services Related to Levies and Bonds

The Board may utilize the services of Board-approved third parties such as legal counsel and financial consultants to advise on legal and financial matters and offer guidance related to levies and bonds. Third parties may also be hired to conduct surveys that gather information and gauge the public's perceptions of topics such as school finances, the quality of facilities and programs, the need for additional or elimination of specific facilities and programs. Publicly funded surveys will not be used to gauge the community's support for a levy or bond or otherwise advocate for the passage or opposition of a levy or bond.

Consultants will not be expected to contribute to or fund a political action group or committee as an explicit or implicit condition of being awarded a contract, nor will public funds be used to compensate a third party for services intended to influence the outcome of a levy or bond issue.

Use of Board-Owned Property

Employees may not use District equipment, including electronic mail and other technology, to support or oppose a candidate, levy, or bond, even if the use is outside of work time. Outside groups will be permitted to use District buildings and facilities in accordance with Board policies, which are applied in a content-neutral manner. Pro or anti-levy campaign signs and other materials will not be stored on school property.

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Legal

R.C. 9.03, 3315.07

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VOL. 45 SEPTEMBER 2026

po6423

Vol. 45, No. 1 - August 2026 Revised USE OF CREDIT CARDS

ADOPTED Mar 25, 2004 · REVISED Apr 27, 2026

6423 - USE OF CREDIT CARDS

The Board of Education recognizes the value of an efficient method of payment and recordkeeping for certain expenses.

The Board, therefore, authorizes the use of District credit cards. The name of the District shall appear on each District credit card and check related to a credit card account held by the District. A "credit card account" shall include any bank-issued credit card account, store-issued credit card account, financial institution-issued credit card account, financial depository-issued credit card account, affinity credit card account, or any other card account allowing the holder to purchase goods or services on credit or otherwise transact with the account, and any debit or gift card account related to the receipt of grant monies. The term expressly excludes any procurement card account, gasoline or telephone credit card account, or any other card account where merchant category codes are in place as a system of control for use of the account.

The authorization, handling, and use of credit cards have been established to provide a convenient and efficient means to purchase goods and services from vendors. Credit cards, however, shall not be used in order to circumvent the general purchasing procedures established by State law and Board policy. The Board affirms that credit cards shall only be used in connection with Board-approved or school-related activities and that only those types of expenses that are for the benefit of the District and serve a valid and proper public purpose shall be paid for by credit card. However, under no circumstances shall credit cards be used for personal purchases or the purchase of alcoholic beverages, regardless of whether the purchase of such beverages is made in connection with a meal.

[] CREDIT CARD CONVENIENCE FEES

Credit card convenience fees are charges, assessed by vendors or service providers, for processing payments made via credit card. These fees are a common and generally unavoidable cost associated with processing electronic payments.

Whenever feasible, alternative payment methods that do not include convenience fees – such as ACH transfers, checks, or other direct payment options – should be utilized to minimize costs. In selecting vendors for products and services, consideration will be given to whether convenience fees may apply when remitting payment.

In situations where convenience fees are justified due to operational necessity, efficiency, or timing considerations, convenience fees may be incurred (X) if approved in advance by the Treasurer/CFO. Convenience fees must be documented on a receipt or bill.

Payment of convenience fees shall not exceed four percent (4%) for any single purchase unless approved in advance by the Treasurer/CFO.

Accrual and use of frequent flyer miles, credit card rewards, hotel points, or other rewards earned during official business is permitted, provided that these rewards are earned the same way as members of the public would earn them, and they do not impose additional costs to the District. Such accrual and use shall be in accordance with Policy 6465 - Public Office Award Program.

Use of credit cards in an unauthorized or illegal manner may result in revocation of credit card privileges, disciplinary action, and/or, where appropriate, may require the user to pay any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase. Additionally, any officer or employee of the District who knowingly misuses a credit card account is guilty of the criminal offense of misuse of credit cards. Violations will be reported to the appropriate law enforcement authorities and any applicable licensure board(s).

The Treasurer shall be responsible for the initial issuance, reissuance, and cancellation of District credit cards and shall maintain written procedures and all appropriate records and reports regarding the District's credit card account(s). Records and reports will be maintained and made available for review in accordance with this policy and State law.

All officers and employees are required to immediately report lost or stolen credit cards or notice of a possible data breach involving a District credit card to their immediate supervisor and the Treasurer. The Treasurer will notify the entity that issued the credit card and request cancellation of the lost or stolen card as soon as practicable.

The maximum limit for any credit card account or any credit card utilized by the District will be established annually at the Board's Organizational Meeting, following a recommendation by the Treasurer.

Subject to the discretion of the Board and the approval of the Treasurer, credit cards may be used for eligible goods and services, including:

- A. transportation reservations and expenses;
- B. conference registrations;
- C. hotel reservation guarantees and expenses;
- D. reasonable meal expenses (both in-town and out-of-town), including a maximum gratuity of twenty-five percent (25%), but excluding alcoholic beverages;
- E. purchases from vendors who do not accept purchase orders or vouchers with prior approval from the Treasurer;
- F. safety and security reasons in connection with a student field trip, competition, and/or other activity or event if monies are budgeted and deposited with the Treasurer in advance;
- G. other purchases approved by the Treasurer on a case-by-case basis.

Officers and employees are liable in person and upon official bond for any unauthorized use of credit cards, and any officer or employee who suspects the loss, theft, or possibility of unauthorized use of a credit card must notify the Treasurer immediately, who shall notify the Board.

The Board prohibits the use of debit card accounts except for the receipt of grant monies. Any officer or employee of the District who uses a debit card account for any other purpose is guilty of the criminal offense of misuse of credit cards.

Use of the District credit card for any cash withdrawal transaction is strictly prohibited.

The Treasurer/CFO shall retain general possession and control of the credit card account or presentation instruments related to an account, such as credit cards and checks.

The Treasurer/CFO shall develop administrative guidelines that specify those employees authorized to use credit cards, the types of expenses which can be paid by credit card, and their proper supervision and use. Inappropriate or illegal use of the credit card and/or failure to strictly comply with the limitations and requirements set forth in the administrative guidelines may result in a loss of credit card privileges, disciplinary action, up to and including termination, personal responsibility for any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase, and/or possible referral to law enforcement authorities for prosecution. Violations will also be reported to the applicable licensure board(s).

The Board authorizes the following employees to use District credit cards:

- A. Superintendent
- B. Treasurer
- C. Building principals
- D. Maintenance Director

Each request for use of a District credit card shall contain:

- A. date needed,
- B. date to be returned,
- C. purpose,
- D. authorization.

Upon receipt of a District credit card, employees shall:

- A. inform merchants that the purchase is for “official School District business” and is not subject to State or local sales tax;

However, if the merchant fails to waive the tax, the employee shall pay it. For large purchases where the merchant refuses to waive the tax, the employee shall present a tax exemption form.

- B. maintain credit cards in a secure fashion and prevent unauthorized charges to the account;
- C. use reasonable care when making purchases online, refrain from providing the credit card number to unknown online merchants, and do not auto-save credit card numbers for any online account;
- D. maintain sufficient documentation of all purchases, including, but not limited to, charge receipts, original cash register slip or other detailed receipt, and invoices;
- E. provide documentation of all purchases to the Treasurer in a timely manner to ensure prompt payment;
- F. refrain from allowing anyone else to use the credit card or account number;
- G. refrain from splitting the costs of an invoice or purchase in order to circumvent the credit card process and establish pre-approved single purchase limits, monthly spending limits, and/or funds availability.

The officer or employee is liable in person and upon any official bond to reimburse the District the amount for which the officer or employee does not provide itemized receipts in accordance with the credit card policy described herein.

After use, District credit cards are to be returned to the Treasurer, along with appropriate receipt copies of all charges, within five (5) business days upon completion of any approved use.

Employees, when possible, shall include an original cash register slip or other detailed receipt (i.e., a receipt from a restaurant itemizing all purchases made) in addition to the receipt copy of all charges. In addition, employees shall include shipping documents and receipts received with the merchandise.

Employees shall specify on the back of the receipt the following information:

- A. a brief description of the school-related purpose of the purchase
- B. the names and affiliation of each attendee if a purchase is made on behalf of a group of individuals

Failure to return District credit cards and/or receipts within the above-referenced time period may result in the suspension of credit card privileges and/or charges being deemed unrelated or unsubstantiated.

Employees shall be responsible for any and all unrelated or unsubstantiated purchases and shall be required to make full reimbursement to the District within thirty (30) business days.

If an employee reimburses the District for an unsupported purchase, it shall be documented in the monthly credit card reconciliation.

The Treasurer will keep a record/activity log of all credit card uses and review and approve all purchases to verify that the expenses are incurred in connection with Board-approved or school-related activities, are for the benefit of the District, and serve a valid and proper public purpose prior to disbursing public funds for payment of such expenses.

Any and all reviews and approvals must be evidenced by the Treasurer's initials and/or signature.

In addition to evidencing review and approval of the purchase, the Treasurer should immediately send all questionable items to the employee purchasing the item for an explanation. These explanations shall be approved by the employee's immediate supervisor and the Treasurer prior to the payment of such expenses. If an employee reimburses the District for a questionable purchase, it shall be documented in the monthly credit card reconciliation.

Upon review and approval, all appropriate documentation shall be forwarded to the Treasurer.

Upon receipt of the appropriate documentation, credit card expenditures will be paid through the Treasurer's office.

The Treasurer will monitor the credit card account(s) and reconcile all credit accounts on a monthly basis.

The Treasurer/CFO shall file a report with the Board annually, detailing all rewards received based on the use of the District's credit card account.

Revised 2/9/05

Revised 5/25/17

Revised 11/29/18

Revised 3/17/22

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Legal

R.C. 2921.01, 2913.21, 3313.311

VOL. 45 SEPTEMBER 2026

po7540.10

Vol. 45, No. 1 - August 2026 New RECORDING AND AI PROCESSING OF COMMUNICATIONS ON SCHOOL PROPERTY AND AT SCHOOL EVENTS

New Policy - Vol. 45, No. 1

7540.10 - RECORDING AND AI PROCESSING OF COMMUNICATIONS ON SCHOOL PROPERTY AND AT SCHOOL EVENTS

Technological advancements in recording devices and artificial intelligence tools — including AI-enabled wearable cameras, AI transcription and summarization devices, and other emerging technologies — present significant legal, privacy, and operational challenges for the school environment.

While these technologies serve many legitimate purposes, including providing accessibility for individuals with disabilities, the Board of Education adopts this policy to:

- A. Protect the privacy, safety, and dignity of students, staff, and community members;
- B. Ensure compliance with the Family Educational Rights and Privacy Act ("FERPA"); Ohio's student privacy statute (R.C. § 3319.321), the Individuals with Disabilities Education Improvement Act ("IDEA"), Ohio's wiretapping laws; and other applicable Federal and State laws and regulations;
- C. Preserve the integrity and confidentiality of educational, disciplinary, and administrative proceedings;
- D. Minimize disruption to the learning environment; and
- E. Address privacy risks created by devices and technologies capable of passive, covert, AI-enhanced, or biometric recording or processing, while expressly preserving legitimate accessibility, assistive, and personal uses.

From the outset, the Board acknowledges that the right to record public officials performing official duties in public settings implicates First Amendment protections, that parents and community members have legitimate interests in recording public school events, and that employee recording rights in connection with workplace safety and protected concerted activity are protected under applicable law. Consequently, this policy is narrowly tailored and viewpoint-neutral and does not purport to infringe upon constitutionally or legally protected recording or expression.

SCOPE AND APPLICATION

This policy applies to:

- A. All students enrolled in the District, on school property, on school-provided transportation, or at any school-sponsored activity or event;
- B. All employees of the District, whether full-time, part-time, substitute, or contracted, during work hours, on school property, or when otherwise engaged in District business;
- C. All parents, guardians, and eligible students participating in school meetings including, but not limited to, IEP team meetings, Section 504 team meetings, parent-teacher conferences, and

student disciplinary hearings; and

- D. All members of the public and community present on school property, attending school events, or participating in Board meetings.

This policy applies to all forms of audio and video recording, livestreaming, and AI Processing of Communications including, but not limited to, capabilities integrated into wearable items, portable devices, or any other technology, whether or not recording or processing is the primary function of the device.

A class, meeting, proceeding, or event otherwise covered by this policy remains subject to this policy when conducted through a virtual or remote platform (e.g., a videoconferencing service), regardless of whether a student, employee, parent, or other participant is physically present on school property at the time.

This policy does not apply to personal photography or recording in outdoor public areas adjacent to school property that are not under the District's control or jurisdiction.

DEFINITIONS

For purposes of this policy:

"Recording" means the audio or video capture and retention of communications, images, or events in a fixed, retrievable medium. The term encompasses audio recording of conversations, video recording of persons or spaces, and the combination of audio and video recording. Depending on context, this policy applies different rules to different forms of recording, as specified below.

"Recording device" means any device, instrument, or technology — regardless of form, size, or primary function — that can capture, store, transmit, or stream audio, video, or both. The term includes wearable technology, portable devices, and any device in which recording capability is incidental to another primary function.

"AI-enabled recording device" means any device, application, wearable item, or technology that can capture audio, video, images, or communications and uses artificial intelligence to process, convert, summarize, identify, transmit, or store the captured information. This includes, but is not limited to, devices or tools that provide real-time transcription, voice-to-text conversion, automated summaries, facial or voice identification, biometric identification, speaker identification, translation, cloud-based processing, or AI-assisted note-taking. The term applies regardless of whether the device's primary purpose is recording, whether the AI processing occurs on the device or through a cloud-based service, and whether the original audio or video is retained after processing. - [X] Administrative Guideline 7540.10 - Recording and AI Processing of Communications on School Property and at School Events identifies current examples of AI-enabled recording devices for staff reference and training purposes. [END-OF OPTION] For the District's broader framework governing the use of AI tools for educational and administrative purposes, see Policy 7540.09 – Artificial Intelligence ("AI").

"AI Wearable Device" means an AI-enabled recording device designed to be worn on the body, including eyewear, headwear, pendants, pins, clips, wrist-worn devices (e.g., smart watches or wristbands), or similar wearable items containing a camera, microphone, computer, or other technology that permits the user to record, transmit, transcribe, summarize, or otherwise process audio, video, images, or communications. The term applies to prescription and non-prescription devices and depends on the device's capabilities rather than its brand name, outward appearance, or primary function. An AI Wearable Device is a subset of "AI-enabled recording device" and "Recording device" as those terms are defined above. - [X] Administrative Guideline 7540.10 - Recording and AI Processing of Communications on School Property and at School Events provides for the District to maintain a current AI Wearable Reference List identifying examples of AI Wearable Devices for staff reference and training purposes. [END-OF OPTION]

"AI Processing of Communications" means the use of any artificial intelligence system — whether operating on-device, through a cloud service, or through any intermediate processing infrastructure — to analyze, interpret, transcribe, translate, summarize, identify speakers or individuals, or otherwise derive information from the content of an oral, visual, or electronic communication, regardless of whether the

underlying communication is stored or retained in its original form following such processing. The term includes, but is not limited to, real-time transcription, on-device language model processing, cloud-based speech-to-text conversion, automated meeting summarization, and biometric identification applied to live or streamed inputs. The relevant privacy interest this policy protects is the unauthorized acquisition and use of the content of communications — not merely their retention — and this definition is therefore to be construed broadly to reach any technological means by which the substance of a communication is acquired and acted upon, whether or not any underlying audio, video, or other primary input is preserved. This policy does not govern the District's use of AI tools for general educational or administrative purposes unrelated to the capture or processing of communications; those uses (e.g., use of speech-to-text software and grammar checkers used for purposes of drafting written communications/documents, lesson planning assistants, or grading software) are governed by Policy 7540.09 – Artificial Intelligence ("AI").

"Biometric identification" means the automated or AI-assisted identification or attempted identification of a specific individual based on physical or behavioral characteristics including, but not limited to, facial recognition, voice recognition used to identify a specific person (as distinguished from voice-to-text transcription), gait analysis, or other biometric markers. This definition does not encompass hearing-assistive technology, voice amplification, or real-time captioning that does not attempt to identify specific individuals. This policy does not apply to any security systems or equipment that the District or authorized staff use on school property.

"Covert recording or processing" means recording or AI Processing of Communications in a manner intended to conceal that recording or processing is occurring, or in violation of a District rule requiring notice, disclosure, and/or authorization. This term expressly encompasses processing-without-retention scenarios in which communications are subjected to real-time AI analysis and a derivative output is generated without the underlying audio or video being stored, and such processing occurs without the knowledge of the persons whose communications are processed. A recording or AI Processing activity may violate this policy even if it does not constitute a criminal offense.

"Livestreaming" means the real-time transmission of audio, video, or both to a remote audience or platform, including transmission to social media platforms, video-sharing sites, or any other internet-accessible destination. Livestreaming is treated as a form of recording for purposes of this policy, with the additional consideration that it constitutes simultaneous public distribution.

"Non-public meeting" means any meeting or conference not open to the general public including, but not limited to, IEP team meetings, Section 504 team meetings, parent-teacher conferences, employee disciplinary proceedings, personnel meetings, and student disciplinary hearings.

"Public meeting" means any meeting open to the public, including Board meetings conducted in compliance with Ohio's Open Meetings Act (i.e., R.C. § 121.22).

"Public school event" means any school-sponsored activity open to or customarily attended by parents, guardians, and members of the community, including athletic competitions, musical and theatrical performances, academic fairs, award ceremonies, and graduation exercises.

"Prohibited Area" means any locker room, restroom, changing area, shower facility, nurse's office or examination area, or any other area where persons have a heightened and objectively reasonable expectation of bodily privacy.

"Student education record" has the meaning set forth in FERPA, 20 U.S.C. § 1232g, and Ohio Revised Code § 3319.321, and includes recordings and AI-generated derivative outputs that directly relate to an identifiable student and are maintained by the District. See Policy 8330 – Student Records.

"Personally identifiable information ("PII")" has the meaning set forth in 34 C.F.R. § 99.3 and R.C. § 3319.321(B), and includes student names, images, voices, and other information that would allow a reasonable person in the school community to identify a specific student. See Policy 8330 – Student Records.

"Accessibility tool" means a device, application, or technology used by a person with a disability to facilitate equal access to communications, information, or the environment including, but not limited to,

hearing-assistive devices, real-time captioning applications, voice amplification devices, screen readers, visual orientation aids for persons with visual impairments, and speech-generating devices. It also applies to devices, applications, or technology used by a person for whom English is a second language to translate/interpret oral or written communications. See below for the safe harbor applicable to accessibility tools.

GENERAL RULES

Differentiated Framework

Recognizing that different forms of recording and AI Processing carry different privacy implications, this policy applies a graduated framework based on modality, setting, and the nature of the conduct involved. The following general principles apply across all settings, with specific rules for particular modalities and environments set forth below:

- A. Audio recording of conversations in non-public settings requires advance notice to all parties. In publicly accessible areas during public events, audio recording for personal use does not require individual consent.
- B. Video recording of publicly accessible areas during public events is generally permitted for personal, non-commercial use, subject to the restrictions specified below.
- C. Video recording in non-public settings — including classrooms during instruction, non-public meetings, and semi-private spaces — is generally prohibited absent express authorization as specified in this policy.
- D. Video recording in Prohibited Areas is absolutely prohibited for all persons.
- E. Livestreaming is treated as recording for all purposes of this policy. In addition to the restrictions applicable to recording, livestreaming at public school events is subject to copyright laws (**x**) and the copyright advisory set forth below **[END-OF-OPTION]** :
- F. AI transcription and summarization of communications is subject to the same notification requirements as audio recording of the content being processed. The absence of a retained recording does not exempt AI Processing from these requirements.
- G. Biometric identification — using technology to identify specific individuals from their images, voices, or other biometric characteristics — is the most restrictive modality under this policy. Its use is prohibited in non-public settings without express written authorization from all individuals subject to identification and is subject to heightened restrictions in public settings.

General Notification Rule — Non-Public Settings

In non-public settings — including classrooms during instructional time, non-public meetings, non-public administrative areas, hallways and common areas during the school day when the school is not open to the general public, and any Prohibited Area — no person shall use a recording device or engage in AI Processing of Communications in a manner that captures the audio or auditory communications of other individuals without first providing clear verbal or written notification to all parties whose communications will be captured or processed that recording or AI Processing is in fact occurring. **[x]** Video recording or AI Processing of visual input in non-public settings is prohibited absent express authorization from the Superintendent. **[END-OF-OPTION][DRAFTING NOTE: Neola recommends the inclusion of this option.]**

Notification that a recording device is present or visible does not, standing alone, satisfy this requirement. Notification must affirmatively communicate that recording or AI Processing is actively taking place. The absence of a retained recording does not exempt AI Processing from this notification requirement.

The fact that Ohio is a one-party consent State under R.C. § 2933.52 does not override this Board policy requirement. The District, as a political subdivision, is entitled to impose restrictions more restrictive than

State law as a condition of access to non-public school settings and proceedings. This policy articulates such restrictions.

Nothing herein, however, prohibits school security personnel (e.g., School Resource Officers) from using body cameras while fulfilling their responsibilities.

Prohibition on Covert Recording and Covert AI Processing

Covert recording or processing is prohibited for all persons, including students, staff, parents, and community members, at all times on school property, at all school events, and during any virtual or remote meeting or instructional session covered by this policy, except as expressly permitted by law or authorized in writing by the Superintendent.

Any person who engages in covert recording or covert AI Processing may be subject to:

- A. A directive to cease the prohibited conduct;
- B. Removal from school property;
- C. Referral to law enforcement where there is reasonable basis to believe applicable Ohio or Federal criminal law has been violated;
- D. For students: disciplinary action pursuant to the Student Code of Conduct; and
- E. For employees: disciplinary action consistent with applicable Board policies, employment law, and collective bargaining agreements.

Biometric Identification — Heightened Restrictions

The use of biometric identification technology — including AI-enabled facial recognition and voice-based individual identification — is subject to the following restrictions in addition to all other applicable provisions of this policy:

- A. Non-public settings: Biometric identification of any individual is prohibited in non-public meetings, classrooms, and Prohibited Areas without the express prior written consent of each individual who may be identified.
- B. Public school events and publicly accessible areas: Active, directed use of biometric identification technology to identify specific students on school property is prohibited, regardless of the setting. This prohibition applies to the deliberate use of such technology to identify named or targeted individuals; it does not apply to general photography or video recording at public events in which facial images are incidentally captured without any identification function being engaged.
- C. District use: The District shall not use biometric identification technology to identify students without appropriate notice and compliance with applicable State and Federal law. ~~(-) The District will publish a notice of any biometric identification technology in use on school property and the purposes for which it is used. [END-OF-OPTION]~~

Accessibility Tools and Assistive Technology — Safe Harbor

Nothing in this policy shall be construed to deny the use of an accessibility tool required by law or approved as a reasonable accommodation. The District may, however, implement reasonable, nondiscriminatory safeguards concerning confidentiality, cloud upload, retention, redistribution, biometric identification, speaker identification, and access to student or personnel information, provided those safeguards do not deny effective communication or meaningful access. This safe harbor applies to students, employees, parents, and members of the public, and includes:

- A. Hearing-assistive devices, including FM systems, loop systems, Bluetooth hearing aid streamers, and remote microphone systems;

- B. Real-time captioning applications ("CART") and similar services used by deaf or hard-of-hearing individuals;
- C. Translation applications that process spoken language into another language for communication access;
- D. Screen readers, visual orientation aids, and navigation assistance tools for persons with visual impairments;
- E. Speech-generating devices and augmentative communication technology; and
- F. Any other assistive technology documented in a student's IEP or Section 504 plan, or identified as a disability accommodation for an employee or visitor under the ADA.

A person using an accessibility tool in a non-public meeting or school setting may be asked to identify the general function of the tool when reasonably necessary to implement confidentiality safeguards, provided the person is not required to disclose a diagnosis or unnecessary medical information. The District shall not deny access to any meeting or event to a person whose accessibility tool is subject to this safe harbor. Building administrators who are uncertain whether a device qualifies as an accessibility tool should consult the Superintendent before taking any action.

This safe harbor does not exempt a device from the restrictions on biometric identification discussed above if the device is used for that purpose.

STUDENT-SPECIFIC PROVISIONS

General Student Prohibition

Students are prohibited from using recording devices to capture audio or video of other students, staff, or individuals on school property, at school events, or during any virtual or remote instructional session or activity provided by or through the District, without the knowledge of the person being recorded, except as provided in this policy. This prohibition applies regardless of whether the student is a party to the conversation being recorded.

Classroom and Educational Settings

Students are prohibited from audio or video recording during instructional time in classrooms, laboratories, gymnasiums, counseling offices, or any instructional space (including a synchronous virtual or remote instructional session), except:

- A. When expressly authorized by the classroom teacher or building principal for a specific educational purpose;
- B. As a documented accommodation in the student's IEP or Section 504 Plan; or
- C. As authorized in writing by the building principal for a specific legitimate purpose.

Authorization under items A. and C. does not authorize recording of other students without their knowledge and does not authorize distribution of any recording beyond the authorized purpose.

Prohibited Areas — Absolute Prohibition

Recording, photographing, livestreaming, or AI Processing of Communications in any Prohibited Area is strictly prohibited for all persons, regardless of consent and regardless of whether any audio or video is retained following processing. Violations involving intentional, knowing, reckless, invasive, or harmful conduct shall result in referral to law enforcement. Other violations shall be addressed consistent with the circumstances, student discipline procedures, and applicable law.

IEP and Section 504 Accommodations

Nothing in this policy prohibits a student from using a recording device or accessibility tool where such use is documented as a necessary accommodation in the student's IEP or Section 504 Plan. The District shall implement all such accommodations consistent with applicable law. Where recording is an IEP or Section 504 accommodation, the building administrator shall notify relevant staff of the accommodation at the beginning of each school year and upon any change in placement.

Student Accessibility Tools

The accessibility tool safe harbor set forth above applies to all students, including students who do not have a formal IEP or Section 504 plan, provided the device is used solely for the accessibility purpose for which it is designed.

Possession of AI Wearable Devices

Except as provided in section *IEP and Section 504 Accommodations* and section *Student Accessibility Tools* above, students are prohibited from possessing, wearing or using an AI-Wearable Device on school property or at school events, and from wearing or using an AI Wearable Device while participating in synchronous virtual or remote instruction, or a virtual or remote meeting or activity, provided by or through the District, regardless of whether the student is physically present on school property at the time. [X] This prohibition does not apply to smartwatches when the AI Processing features are not active. [END-OF-OPTION] - A device possessed or worn in violation of this provision on school property or at a school event may be temporarily confiscated consistent with this policy, and any confiscated device shall be released only to the student's parent or guardian. The violation may also be addressed through discipline consistent with the Student Code of Conduct. Where a violation occurs in a virtual or remote setting and the device cannot be physically confiscated, the District may address the violation through discipline consistent with the Student Code of Conduct.

Disciplinary Consequences

Student violations of this policy shall be addressed pursuant to the Student Code of Conduct and State law. Consequences shall be proportionate to the severity of the violation and the student's disciplinary history. [] - The range of consequences is set forth in Administrative Guideline 7540.10 - Recording and AI Processing of Communications on School Property and at School Events: - [END-OF-OPTION]

EMPLOYEE-SPECIFIC PROVISIONS

General Employee Recording Standards

Employees shall not use recording devices to record other employees, students, parents, or members of the public in the course of their employment without the knowledge of all parties being recorded, except:

- A. As authorized by the Superintendent for legitimate educational, safety, or administrative purposes;
- B. When the employee is a party to the communication and recording is made for a purpose protected under applicable law including, but not limited to, documenting workplace safety violations, harassment, discrimination, or other matters constituting protected concerted activity under Ohio law; or
- C. As expressly required by the employee's job responsibilities (e.g., security personnel).

Employee Use of AI-Enabled Recording Devices

Employees are prohibited from using AI-enabled recording devices while interacting with students, conducting meetings, or performing District duties, whether on school property or through a virtual or remote platform, without prior authorization from the Superintendent. [] - Before granting authorization, the Superintendent shall determine and document: (1) what audio, video, images, communications, transcripts, prompts, summaries, or other outputs the device or application captures or creates; (2) where that information is transmitted, processed, and stored; (3) whether vendor personnel, contractors, or

other third parties may access or review it; (4) the applicable retention and deletion practices; (5) whether the information may be used to train, evaluate, or improve an AI model or other product; (6) whether the information may be combined with information from other services; and (7) how the proposed use will comply with student record, personnel record, public records, litigation hold, and records retention obligations. **[END-OF-OPTION] [DRAFTING NOTE: Neola recommends including this optional language, but this information can be limited to inclusion in AG 7540.10.]** - Authorization shall not be granted solely because a tool does not retain an audio or video file. Any authorized use must comply with FERPA, R.C. § 3319.321, and all other applicable privacy laws - **[] The Superintendent authorization process is set forth in Administrative Guideline 7540.10 - Recording and AI Processing of Communications on School Property and at School Events. [END-OF-OPTION]**

[x] The District encourages employees who seek to use AI tools for legitimate note-taking or accessibility purposes to contact the Superintendent or Principal to explore District-managed alternatives that incorporate appropriate FERPA and student privacy safeguards. **[END-OF-OPTION]**

Employee Investigation and Disciplinary Meetings — Recording Rights and Obligations

Employee investigatory interviews, pre-disciplinary meetings, disciplinary hearings, and grievance proceedings are non-public meetings governed by this policy. Because these proceedings implicate both the District's legitimate interests in confidentiality and the employee's legitimate interests in an accurate record, the following framework applies:

A. Prohibition on Covert Recording. Consistent with the general prohibition on covert recording set forth above, no party — including the District, the employee, or any employee representative — shall covertly record any employee investigatory interview, disciplinary meeting, pre-disciplinary hearing, or grievance proceeding. Any intent to record such a proceeding must be disclosed at the commencement of the meeting.

B. Right to Record with Disclosure. Any party to an employee disciplinary or investigatory proceeding — including the District, the employee, and a union representative who is present — may record the proceeding, provided disclosure of the intent to record is made to all participants at the commencement of the meeting. No party's consent is required to record a meeting in which that party is a participant, provided disclosure is given; however, covert recording by any party is prohibited.

(x) Nothing in this policy shall be construed to prevent an employee from exercising their right to request the presence of a union representative before or during an investigatory interview that the employee reasonably believes may result in discipline. The District shall not condition the permissibility of a union representative's attendance on any waiver of recording rights under this policy. **[END-OF-OPTION] - [DRAFTING NOTE: This language in this Option is legally accurate but it is marked as optional because does not "need" to be included in this policy. Nevertheless, Neola recommends this language is included to serve as a reminder for administrators that they need to afford employees an opportunity to have union representation at investigatory interviews/meetings that may lead to disciplinary consequences. Alternatively, if the Superintendent plans to issue AG 7540.10, this topic can be addressed in the administrative guideline.]**

C. District-Made Recordings of Employee Proceedings. Any recording of an employee disciplinary or investigatory proceeding made by the District shall be treated as a personnel record, not a student education record, and shall be handled consistent with Ohio public records law and applicable collective bargaining agreements. Such recordings shall not be commingled with student education records. The employee shall have the right to request a copy of any District-made recording of their own disciplinary or investigatory proceeding, subject to any applicable exemptions or redactions under Ohio public records law, Ohio student privacy law, and any provisions of applicable collective bargaining agreements.

(-) Procedures. The Superintendent shall develop Administrative Guidelines implementing the procedures for recording at employee investigatory and disciplinary meetings, including the disclosure process, the handling and storage of District-made recordings, and the procedures for

employee requests for copies of such recordings. ~~[END OF OPTION]~~

D. Employee Accessibility Accommodations. The accessibility tool safe harbor detailed above applies to all employees. Requests for accessibility accommodations involving recording devices shall be processed through the District's standard ADA/Section 504 accommodation procedures. The accommodation shall be disclosed to the building administrator, who shall notify relevant staff without disclosing protected medical information.

E. ☒ Collective Bargaining. Implementation of employee-specific provisions of this policy shall comply with applicable collective bargaining agreements and the District's obligations under R.C. Chapter 4117. ☒ The Superintendent shall provide any required notice to recognized employee organizations and afford them a reasonable opportunity to request bargaining over the impact and effects of the employee-specific provisions herein. If an employee organization submits such a request, the Superintendent shall engage in any required bargaining over the impact and effects of this policy on employees' wages, hours, terms, and conditions of employment before implementation. ~~[END OF INTERNAL OPTION]~~ ~~[END OF OPTION]~~

PARENT, GUARDIAN, AND COMMUNITY MEMBER PROVISIONS

Non-Public Meetings

Parents and guardians participating in non-public school meetings — including IEP team meetings, Section 504 team meetings, parent-teacher conferences, and student disciplinary hearings — are expected to provide advance notice to the Principal or meeting coordinator when they intend to audio record the meeting or use a device to AI Process Communications during the meeting. ☒ Video recording of non-public school meetings is strictly prohibited. ~~[END OF OPTION]~~ ~~[DRAFTING NOTE: This language is consistent with the language included in Policy 2461.]~~

☒ The District may establish reasonable procedures governing audio recording and AI Processing at non-public meetings. ~~- ☐ The District shall specify the procedures for such notification in Administrative Guideline 7540.10. [END OF OPTIONS]~~

If advance notice is not provided, the District may pause the meeting ~~- ☐ briefly~~ ~~[END OF OPTION]~~ to address audio recording procedures, arrange for the District to also audio record, and implement reasonable confidentiality safeguards. Lack of advance notice shall not, by itself, prevent audio recording of an IEP or Section 504 team meeting when audio recording is necessary for meaningful parent participation.

The District shall provide access to District-maintained recordings in accordance with FERPA, R.C. § 3319.321, and other applicable laws. The District may request a copy of any parent-made recording, but the District does not assume responsibility for obtaining, preserving, or maintaining recordings made independently by parents or other non-District participants.

Requests to Place a Recording Device on or With a Student

A parent or guardian who wishes the District to authorize a recording device to be placed on a student's person, in the student's backpack, or otherwise carried or worn by the student during the school day must submit a written request to the building principal.

The District's default position is that it will not authorize such recording. Recording through a device placed on or carried by a student raises significant concerns — including the privacy rights of other students and staff who may be recorded without their knowledge, potential violations of Ohio wiretapping law, the District's independent obligation to investigate any underlying concern about the student's welfare, and the operational and legal complexity of administering student-worn recording in the school environment.

Instead, upon receipt of a written request, the principal shall acknowledge the request promptly and engage with the parent to understand the underlying concern. Where the concern relates to the student's disability or educational program under IDEA or Section 504, the matter shall be referred to the student's IEP or Section 504 team for consideration. In all other cases, the principal shall respond in writing. ~~(H)~~

within the timeframe established by the Superintendent in Administrative Guideline 7540.10. **[END-OF-OPTION]** ,explaining the basis for the District's decision.

In all cases — and regardless of whether the request is granted, denied, or pending — the District shall address the parent's underlying concern about the student's welfare, safety, or educational experience through the applicable investigatory, disciplinary, or educational support processes without delay.

When a parent or guardian discloses information that reasonably alleges harassment, intimidation, bullying, threats, or similar misconduct involving a student — whether through a recording authorization request or otherwise — the District shall address the issue under applicable anti-harassment, anti-bullying, student discipline, threat assessment, and/or nondiscrimination procedures without delay.

Public School Events — Recording Generally Permitted; Specific Restrictions Apply

Recording at public school events — including athletic competitions, musical and theatrical performances, academic fairs, award ceremonies, and graduation exercises — is generally permitted for parents, guardians, and community members for personal, non-commercial purposes. **[x]** The District encourages families to document and celebrate student achievements. **[END-OF-OPTION]**

The following specific restrictions apply:

- A. Prohibited Areas: Recording is absolutely prohibited in locker rooms, restrooms, and other Prohibited Areas at all times, including during public events.
- B. Non-disruption: Recording must not interfere with the event, obstruct the view of other attendees, compromise student safety or supervision, or impede the performance or competition.
- C. Biometric identification: Active, directed use of biometric identification technology to identify specific students is prohibited at public school events, as stated above. General photography and video recording at public events is not restricted by this provision.
- D. Incidental background capture: The incidental appearance of students, staff, or other attendees in the background of a personal recording made at a permitted public event does not itself constitute a policy violation. This policy does not require individuals recording public events to prevent incidental capture of others who are present.
- E. Commercial recording: Individuals or organizations seeking to record public school events for commercial purposes, or media organizations seeking to record for broadcast or publication, must obtain advance written permission from the Superintendent.
- F. Livestreaming at public events: Livestreaming of public school events for personal, non-commercial purposes is permitted under the same conditions applicable to recording generally. Individuals who livestream public events are solely responsible for ensuring compliance with any terms of service of the platform used and any other applicable laws.

[DRAFTING NOTE: The following optional language is recommended but not required.]

(x) Copyright advisory: Recordings of musical, theatrical, dramatic, or choreographic performances at school events may include content protected by copyright. The District's licenses with performing rights organizations (such as ASCAP, BMI, or SESAC) apply to the District's public performances and do not extend to recordings made by audience members. Individuals who record and publicly distribute such performances — including by posting to social media or video-sharing platforms — do so at their own risk and may be subject to copyright claims by the rights holders of the performed works. The District makes no representation that personal recordings of school performances are authorized under any copyright license held by the District. This advisory is informational only; the District does not assume responsibility for the copyright compliance of recordings made by audience members. **[END-OF-OPTIONAL LANGUAGE]**

G. Public hallways and common areas during public events: When school facilities are open to the public for a school event, hallways, lobbies, and common areas accessible to the general public during that event are treated as publicly accessible areas for purposes of this policy. Recording in such areas by attendees during the event is subject to the same rules applicable to recording at the event itself.

(**x**) Distribution and Use of Recordings: The Board encourages parents and community members who record at school events or activities to use such recordings responsibly. Recordings made at school events may capture images and voices of other people’s children. While FERPA imposes obligations on educational institutions — not on private individuals — the Board notes that Ohio law provides civil remedies for invasion of privacy, defamation, and intentional infliction of emotional distress, and that the distribution of recordings in a manner designed to harass, embarrass, or harm identifiable individuals may give rise to legal liability independent of this policy. The Board also notes that recordings that constitute harassment of students or staff may implicate the Board’s anti-harassment policies and, if directed at students, may implicate Title IX and/or R.C. § 3313.666. This section is advisory only and does not constitute a prohibition on lawful speech or expression. **[END-OF-OPTION]**

H. Nothing in this Section authorizes a student to possess, wear, or use an AI-enabled recording device at a public school event.

Public Board Meetings

Members of the public may photograph, audio record, video record, or livestream the open portions of public Board meetings, subject to reasonable, viewpoint-neutral time, place, and manner restrictions necessary to preserve order, safety, accessibility, confidentiality, and the ability of the public to observe the meeting.

Recording equipment must be silent, unobtrusive, self-contained, and positioned so it does not obstruct views, block aisles or exits, interfere with sound systems, capture confidential documents or conversations, or disrupt the meeting.

The presiding officer may direct a person to relocate, adjust, discontinue, or remove recording equipment if the activity disrupts the meeting, interferes with others’ ability to observe, creates a safety concern, captures confidential information, or violates meeting rules.

Nothing in this policy authorizes recording of executive sessions or other proceedings lawfully closed to the public.

Where the District livestreams or otherwise broadcasts the open portions of a Board meeting, this section applies equally to any person recording or redistributing that livestream, regardless of the person’s physical location. Nothing in this section authorizes virtual attendance for purposes of Board member quorum or voting, which remains governed by R.C. §§ 121.22 and 121.221.

STUDENT PRIVACY — FERPA AND R.C. § 3319.321

FERPA Obligations of the District

The District shall maintain, use, and disclose student education records — including audio and video recordings and AI-generated derivative outputs that constitute education records — in accordance with FERPA and its implementing regulations. Any recording or AI-generated output maintained by the District that directly relates to an identifiable student shall be treated as an education record and handled in accordance with the District’s FERPA policies and procedures.

Ohio Student Privacy — R.C. § 3319.321

Independent of FERPA, the District’s handling of student information is governed by R.C. § 3319.321, which prohibits the release of, or the permitting of access to, personally identifiable student information without the written consent of the student’s parent or guardian (or of a student age eighteen (18) or older), except as specifically authorized by that statute.

R.C. § 3319.321(B) applies to “any person” who would release or permit access to PII of students attending school in the District, not only to the District itself. Because R.C. § 3319.321 restricts unauthorized release of or access to personally identifiable student information, Board employees shall take reasonable steps, consistent with this policy, ~~and Administrative Guideline 7540.10~~ **[END OF OPTION]**, to prevent unauthorized recording or AI Processing in settings where confidential student information from District records, special education meetings, disciplinary proceedings, counseling matters, or other non-public school proceedings may be disclosed.

[x] R.C. § 3319.321(A) further prohibits the release of student directory information for use in a profit-making activity. District-authorized AI tools shall not be used to upload, transmit, disclose, train on, or otherwise process student PII or education records through third-party platforms unless approved through District technology, privacy, and legal review. Approval should address FERPA, R.C. § 3319.321, vendor data-use terms, retention, redisclosure, security, model training, and commercial-use restrictions. **[END OF OPTION]**

District Measures to Protect Student PII

The District shall take reasonable measures to discourage and respond to the unauthorized capture of student PII by unauthorized recording devices, including AI-enabled devices with biometric identification capabilities. ~~These measures shall include the training, notification, and response protocols set forth in Administrative Guideline 7540.10.~~ **[END OF OPTION]** **[x]** The District shall annually review its technology vendor agreements to ensure that no vendor agreement authorizes the use of student data for commercial AI training or product development without appropriate consent. **[END OF OPTION]**

AUDIO RECORDING IEP AND SECTION 504 TEAM MEETINGS — SPECIFIC PROVISIONS

The District permits audio recording of IEP Team meetings and Section 504 team meetings by both the District and parents/guardians, subject to the following conditions:

- A. The party intending to audio record must notify all other parties at or before the commencement of the meeting.
- B. Both the District and the parent/guardian may audio record if either party elects to do so.
- C. The District shall provide the parent/guardian with a copy of any District-made audio recording upon written request.
- D. Any audio recording made and maintained by the District shall constitute part of the student’s education records and shall be subject to FERPA and R.C. § 3319.321.
- E. AI-enabled transcription or processing devices used by parent, guardian, or other participant at IEP or Section 504 team meetings must be disclosed to the District in advance or at the commencement of the meeting. The District may impose reasonable safeguards to prevent unauthorized disclosure or processing of student PII, including information concerning students other than the parent’s own child ~~consistent with Administrative Guideline 7540.10~~ **[END OF OPTION]**.
- F. The District shall not enforce this policy in a manner that prevents a parent from audio recording an IEP or Section 504 Team meeting when such recording is necessary for the parent to meaningfully participate in and exercise their rights under IDEA or Section 504, as applicable.

[x] Video recording of IEP or Section 504 Team meetings by parents is not a right guaranteed under IDEA, Section 504, or Ohio law. As such, the Superintendent may establish reasonable procedures governing video recording of such meetings, including requiring that video recording be limited to the parent’s own child if other students are present, while providing alternative means to ensure parent participation. **[END OF OPTION]** **[DRAFTING NOTE: Neola does not advise adding this language because it could be read to permit – at least under limited circumstances – the video recording of IEP or Section 504 team meetings; there is no such legal right so keeping the above language that only permits audio recording can be**

~~viewed as the District's prohibition against video recording. If a Board is considering adding the above optional language, it should consult with its local legal counsel.]~~

ENFORCEMENT AND CONSEQUENCES

Enforcement of this policy shall be proportionate to the nature and severity of the violation, the setting in which it occurred, and the circumstances of the individual involved. The District's first response to most violations shall be to direct the individual to cease the prohibited conduct. Law enforcement referral is appropriate where there is reasonable basis to believe a criminal violation has occurred, where an individual refuses to cease prohibited conduct and the District has no other adequate remedy, or where the safety or privacy interests at stake are sufficiently serious to warrant immediate referral. Violations of the Prohibited Area prohibition shall result in referral to law enforcement.

The following consequences apply by category:

Students: Disciplinary action shall be consistent with the Student Code of Conduct and R.C. § 3313.66 and shall be proportionate to the violation. The District may temporarily confiscate a device used to violate this policy. The District may inspect the contents of a confiscated device if it has reasonable suspicion that the device contains evidence of a policy or legal violation; the scope of any inspection shall be reasonably related to that suspicion. No staff members shall search a student's personal device without first notifying the Principal. - ~~[] The range of consequences is set forth in Administrative Guideline ____.~~ **[END-OF OPTION]**

Employees: Disciplinary action shall be consistent with applicable employment law, the District's employee conduct standards, and applicable collective bargaining agreements. Serious violations, including covert recording of students or other staff, may result in referral to law enforcement.

Parents and Community Members: The District's primary remedy is to direct the individual to cease the prohibited conduct. If the individual refuses, the District may request that the individual leave school property or, for a virtual meeting, remove the individual from the virtual session. The District will not confiscate personal property from adults who are not employees. Law enforcement shall be contacted where there is reasonable basis to believe a criminal violation has occurred, where an individual refuses to leave school property after being directed to do so, or where the safety of students or staff is at risk.

The District reserves the right to pursue available civil legal remedies, including injunctive relief, in cases of serious or repeated violations that cause harm to the District, its students, or its staff.

[] ADMINISTRATIVE GUIDELINES

~~The Superintendent is authorized and directed to develop administrative guidelines to implement this policy:~~

~~[] Such guidelines shall address at minimum:~~

- ~~A. () Current examples of AI-enabled recording devices and AI-Processing tools for staff training and identification purposes, to be updated annually;~~
- ~~B. () Specific procedures for a person seeking to notify the District of an intent to record non-public meetings, including () the forms and **[END-OF-INTERNAL OPTION]** timelines applicable to advance notice;~~
- ~~C. () Specific procedures governing the handling, custody, labeling, and storage of District-made recordings;~~
- ~~D. () Specific procedures for parent and guardian access to copies of District-made recordings, consistent with FERPA and R.C. § 3319.321;~~
- ~~E. () A protocol for addressing suspected violations of this policy, including immediate response, documentation, notification, escalation, and law enforcement referral procedures;~~
- ~~F. () Procedures for student device confiscation and inspection consistent with the Student Code of Conduct and applicable law, regulations, and case law, including the distinction between~~

confiscation (which requires reasonable belief of a violation) and inspection of contents (which requires reasonable suspicion of specific evidence);

- G. (-) Guidelines for the use of AI-enabled devices by District employees in the performance of their duties, including the Superintendent authorization process;
- H. (-) A tiered training program for all staff, building administrators, and special education personnel on identifying, responding to, and documenting recording device and AI Processing violations;
- I. (-) Procedures for providing notice to recognized employee organizations and engaging in required impact and effects bargaining under R.C. § 4117.08(C) before implementation;
- J. (-) Procedures governing parent and guardian requests to authorize a recording device to be placed on or carried by a student, including the disability-related referral track, the mandatory declination track for bullying/harassment/staff conduct requests, and initiation of investigation obligations under R.C. § 3313.666, as appropriate;
- K. (-) Procedures governing FERPA and R.C. § 3319.321 classification of recordings and AI-generated outputs as education records, including parent access procedures;
- L. (-) Procedures for managing recording and livestreaming at public school events, including the copyright advisory and the media credentialing process; and
- M. (-) Any additional provisions necessitated by developments in recording technology or applicable law.

The Superintendent shall review and update Administrative Guideline _____ at least annually, or more frequently as technology or law requires.

[END OF OPTIONS]

NON-WAIVER/LEGAL COMPLIANCE

Nothing in this policy shall be construed to:

- A. Authorize any recording or AI Processing of Communications that violates Ohio or Federal law, or prohibit any recording or AI Processing expressly authorized by Ohio or Federal law;
- B. Infringe upon First Amendment rights, including the right to record public officials performing official duties in public settings, the right to engage in personal photography or video recording at public school events for personal, non-commercial purposes, subject to the specific restrictions specified above, or the right to record public Board of Education meetings (see Bylaw 0169.01);
- C. Restrict or prohibit the use of an accessibility tool as defined above and protected by the ADA, Section 504, IDEA, or other applicable laws;
- D. Infringe upon the rights of public employees protected by Ohio's Public Employees' Collective Bargaining Act (i.e., R.C. Chapter 4117), or applicable collective bargaining agreements – including an employee's right to request the presence of a union representative before or during an investigatory interview that the employee reasonably believes may result in discipline;
- E. Prohibit parents from audio recording IEP or Section 504 team meetings in circumstances required by IDEA and/or Section 504; or
- F. Supersede, limit, or substitute for the District's mandatory obligation to investigate reports of harassment, intimidation, and bullying under R.C. § 3313.666, or to address any other concerns about student welfare through applicable District processes.

POLICY REVIEW

The Board will review this policy not less than every two (2) years, or more frequently as necessitated by

changes in technology, applicable law, or District experience. Given the rapid evolution of AI-enabled recording technologies, the Superintendent is directed to advise the Board of significant technological or legal developments that may require policy revision between scheduled reviews. [☒] The Superintendent shall review and update ~~(-) annually~~ (☒) as necessary **[END OF INTERNAL OPTION]** ~~-Administrative Guideline 7540.10- (-)~~, including to identify specific current devices subject to this policy **[END OF OPTION]**.

Cross-References:

Bylaw 0169.1 – Public Participation at Board Meetings
Policy 2260.01 – Section 504/ADA Prohibition Against Discrimination Based on Disability
Policy 2460 – Special Education
Policy 3122/4122/1422 – Nondiscrimination, Equal Employment Opportunity, and Anti-Harassment
Policy 3139/4139 – Staff Discipline
Policy 5136 – Personal Communication Devices
Policy 5136.01 – Electronic Equipment
Policy 5500 – Student Conduct
Policy 5517 – Anti-Harassment
Policy 5517.01 – Bullying and Other Forms of Aggressive Behavior
Policy 5600 – Student Discipline
Policy 5610 – Removal, Suspension, Expulsion, and Permanent Exclusion of Students
Policy 7530.02 – Staff Use of Personal Communication Devices
Policy 7540.03 – Student Technology Acceptable Use and Safety
Policy 7540.04 – Staff Technology Acceptable Use and Safety
Policy 7540.09 – Artificial Intelligence (“AI”)
Policy 8310 – Public Records
Policy 8330 – Student Records
Policy 8350 – Confidentiality
Policy 9150 – School Visitors
Policy 9160 – Public Attendance at School Events

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Legal

R.C. §§ 121.22, 2907.08, 2933.51–2933.66, 3301.24, 3313.20, 3313.29, 3313.66, 3313.666, 3313.753, 3319.321, 4117.01–4117.24
18 U.S.C. §§ 2510–2523
20 U.S.C. § 1232g (FERPA); 34 C.F.R. Part 99
20 U.S.C. § 1400 et seq. (IDEA); 34 C.F.R. Part 300
29 U.S.C. § 794 (Section 504);
42 U.S.C. § 12101 et seq. (ADA)
U.S. Const. amends. I, IV
OSEP Policy Guidance (2003) (reaffirmed in subsequent guidance)
New Jersey v. T.L.O., 469 U.S. 325 (1985)

VOL. 45 SEPTEMBER 2026

po8120

Vol. 45, No. 1 - August 2026 Revised VOLUNTEERS

ADOPTED Apr 20, 2023 · REVISED Oct 19, 2023

8120 - VOLUNTEERS

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

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

Volunteers for Athletic Activities

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

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

General Requirements

The Superintendent is to inform each volunteer that they:

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

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

have to provide a set of fingerprints so that a criminal records check can be conducted and that they will have to pay the costs associated with the criminal records check either before they can begin their duties or as a condition of continued service as a volunteer at the discretion of the Board.

If a criminal records check indicates that a volunteer has been convicted of or pleaded guilty to any of the offenses listed below and/or described in R.C. 109.572 (A)(1), the volunteer will be informed either that the Board is no longer interested in maintaining their volunteer service or that the volunteer will be assigned to duties for which they will not work unsupervised with children.

State law prohibits any person who is in a restricted sex offender category from serving as a volunteer with any person, group, or organization, including a school, in a capacity that affords them extensive contact with minor children. Extensive contact with minor children is defined by law to include working directly and in an unaccompanied setting with minor children on more than an incidental or occasional basis, or having supervision or disciplinary power over minor children. A violation of State law is considered a criminal offense. District staff will immediately notify law enforcement upon discovering that a registered sex offender may have violated the law.

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

Offenses

No person is to be accepted or maintained as a volunteer if they have been convicted of any of the following offenses:

- A. aggravated murder, murder, voluntary manslaughter, involuntary manslaughter
- B. felonious assault, aggravated assault, assault
- C. failing to provide for a functionally impaired person
- D. aggravated menacing
- E. patient abuse or neglect
- F. kidnapping, abduction, child stealing, criminal child enticement
- G. rape, sexual battery, corruption of a minor, gross sexual imposition, sexual imposition, importuning, voyeurism, public indecency, felonious sexual penetration, compelling prostitution, promoting prostitution, procuring prostitution, disseminating matter harmful to juveniles, pandering obscenity, pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, illegal use of minor in nudity-oriented material or performance
- H. aggravated robbery, robbery
- I. aggravated burglary, burglary
- J. abortion without informed consent
- K. endangering children
- L. contributing to the delinquency of children
- M. domestic violence
- N. carrying concealed weapons, having weapons while under disability, improperly discharging firearm at or into a habitation or school
- O. corrupting another with drugs
- P. trafficking in drugs
- Q. illegal manufacture of drugs or cultivation of marijuana
- R. funding of drug or marijuana trafficking
- S. illegal administration or distribution of anabolic steroids
- T. drug possession offenses (that are not a minor drug possession offense)
- U. placing harmful objects in or adulterating food or confection

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Legal

A.C. 3301-27-01
R.C. 109.572, 109.574-7, 121.401-2, 3313.203, 3319.321, 3327.16
20 U.S.C. 1232g

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VOL. 45 SEPTEMBER 2026

po8310

Vol. 45, No. 1 - August 2026 Revised PUBLIC RECORDS

ADOPTED Mar 25, 2004 · REVISED Feb 20, 2025

8310 - PUBLIC RECORDS

The Board of Education is responsible for maintaining the public records of this District and to make such records available to residents of Ohio for inspection and reproduction.

The Board will utilize the following procedures regarding the availability of public records. "Public records" are defined as any document, device, or item, regardless of physical form or characteristic, including an electronic record created or received by or coming under the jurisdiction of the Board or its employees, which serves to document the organization, functions, policies, decisions, procedures, operations, or other activities of the District. "Electronic record" is defined as a record created, generated, sent, communicated, received, or stored by electronic means. "Public records" do not include medical records, documents containing genetic information, trial preparation records, confidential law enforcement investigatory records, educational support services data as defined by R.C. 3319.32, records the release of which is prohibited by State or Federal law, and any other exceptions set forth in R.C. 149.43. Confidential law enforcement investigatory records, medical records, and trial preparation records are as defined in R.C. 149.43. No public records, including but not limited to personnel records, personnel files, staff directories, and student records, shall include the actual/confidential addresses of students, parents, or employees who are participating in the Safe at Home/Address Confidentiality Program administered by the Secretary of State. Such public records and student records shall only contain the address designated by the Secretary of State to serve as the student's, parent's, or employee's address.

The District's public records shall be organized and maintained so that they are readily available for inspection and copying. As such, public records will be available for inspection during regular business hours, with the exception of published holidays. The District's public records shall be promptly prepared and made available for inspection. A reasonable period of time may be necessary due to the volume of records requested, the proximity of the location where the records are stored, and/or for the District to review and redact non-public/confidential information contained in the record. Upon request, a person may receive copies of public records, at cost, within a reasonable period of time.

Each request for public records shall be evaluated for a response at the time it is made. Although no specific language is required to make a request, the requester must minimally identify the record(s) requested with sufficient clarity to allow the District to identify, retrieve, and review the record(s). If a requestor makes an ambiguous or overly broad request or has difficulty in making a request for inspection or copies of public records such that the District's Record Officer cannot reasonably identify what public records are being requested, the District Record Officer or designee may deny the request but shall provide the requestor with an opportunity to revise the request by informing the requestor of the manner in which records are maintained by the District and accessed in the ordinary course of business. The request for records need not be in writing. The requestor shall not be required to provide their identity or the intended use of the requested public record(s).

At the time of the request, the records custodian shall inform the person making the request of the estimated length of time required to gather the records. All requests for public records shall be satisfied or acknowledged by the District promptly following the receipt of the request. If the request for records was in writing, the acknowledgment by the District shall also be in writing.

Any request deemed significantly beyond routine, such as seeking a voluminous number of copies and/or records, or requiring extensive research, the acknowledgment shall include the following:

- A. an estimated cost if copies are requested

B. any items within the request that may be exempt from disclosure

The Superintendent is authorized to grant or refuse access to the records of this District in accordance with the law. Any denial, in whole or in part, of a public records request must include an explanation, including legal authority. If portions of a record are public and portions are exempt, the exempt portions are to be redacted and the rest released. If there are redactions, the requester must be notified of the redaction, and/or the redaction must be plainly visible, and each redaction must be accompanied by a supporting explanation, including legal authority. If the request for records was in writing, the explanation shall also be in writing.

A person may obtain copies of the District's public records upon payment of a fee. A person who requests a copy of a public record may request to have said record duplicated on paper, on the same medium on which the District keeps the record, or on any other medium in which the custodian of records determines that said record reasonably can be duplicated as an integral part of normal operations. A person who requests a copy of a public record may choose to have that record sent to him/her by United States mail or by other means of delivery or transmission provided the person making the request pays in advance for the said record as well as the costs for postage and the mailing supplies.

The number of records requested by a person that the District will transmit by U.S. mail shall be limited to ten (10) per month, unless the person certifies, in writing to the District, that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes. "Commercial" shall be narrowly defined and does not include reporting or gathering news, reporting gathering information to assist citizen oversight or understanding of the operation or activities of the District, or nonprofit educational research. (R.C. 149.43(B)(7))

Those seeking public records will be charged only the actual cost of making copies.

Documents in electronic mail format are records as defined by the Ohio Revised Code when their content relates to the business of the District (i.e., they serve to document the organization, functions, policies, decisions, procedures, operations, or other activities of the District). E-mail shall be treated in the same fashion as records in other formats and shall follow the same retention schedule.

Records in private e-mail accounts are subject to disclosure if their content relates to public business, and all employees or representatives of the District are responsible for retaining e-mails that meet the definition of public records and copying them to their District e-mail account(s) and/or to the records custodian.

The records custodian shall treat such e-mail/records from private accounts as records of the District. These records shall be filed appropriately, retained in accordance with the established schedules, and made available for inspection and copying in accordance with the Public Records Act.

Private e-mail, electronic documents, and documents ("private records") that do not serve to document the District's organization, functions, policies, decisions, procedures, operations, or other activities are not public records. Although private records do not fall under Policy 8310 or AG 8310A, they may fall under Policy 8315 - "Information Management" and/or AG 8315 - "Litigation Hold Procedure".

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

Nothing in this policy shall be construed as preventing a Board member, in the performance of the Board member's official duties, from inspecting any record of this District, except student records and certain confidential portions of personnel records.

A School District Records Commission shall be established consisting of the Board President, Treasurer/CFO, and Superintendent of Schools, or their designee(s) in accordance with law to judge the advisability of destroying District records. Record retention schedules shall be updated regularly and posted prominently. The Commission shall meet at least once every twelve (12) months.

The Superintendent shall provide for the inspection, reproduction, and release of public records in accordance with this policy and with the Public Records Law. Administrative guidelines shall be developed

to provide guidance to District employees in responding to public records requests. The Superintendent shall require the posting and distribution of this policy in accordance with statute.

Revised 9/28/04

Revised 11/15/07

Revised 11/20/08

Revised 5/27/10

Revised 10/24/19

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Legal

R.C. 9.01, 102.03(B), 111.41, 111.42, 111.43, 111.46, 111.47, 111.99

R.C. 149.011, 149.41, 149.43, 1306.01, 1347 et seq., 3313.26

R.C.3319.32, 3319.321

20 U.S.C. 1232g

29 C.F.R. Part 1635

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

VOL. 45 SEPTEMBER 2026

po8330

Vol. 45, No. 1 - August 2026 Revised STUDENT RECORDS

ADOPTED Mar 25, 2004 · REVISED Oct 19, 2023

8330 - STUDENT RECORDS

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

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

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

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

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

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

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

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

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

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

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

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

The Board authorizes the administration to:

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

- education and disciplinary records to the authorities for their consideration;
- F. release de-identified records and information in accordance with Federal regulations;
- G. disclose personally identifiable information from education records, without consent, to organizations conducting studies for, or on behalf of, the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

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

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

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

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

The District will verify that the authorized representative complies with FERPA regulations.

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

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

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

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

DIRECTORY INFORMATION

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

The Board designates school-assigned e-mail accounts as directory information for the limited purpose of facilitating students' registration for access to various online educational services, including mobile

applications/apps that will be utilized by the student for educational purposes and for inclusion in internal e-mail address books.

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

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

Parents and eligible students may refuse to allow the Board to disclose any or all of such directory information upon written notification to the Board within two (2) days after receipt of the Superintendent's annual public notice.

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

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

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

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

INSPECTION OF INFORMATION COLLECTION INSTRUMENT

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student's or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible student must submit a written request to the building principal at least five (5) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within five (5) business days of the principal receiving the request.

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

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

- A. college or other postsecondary education recruitment, or military recruitment
- B. book clubs, magazines, and programs providing access to low-cost literary products

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

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

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

The Superintendent shall also develop procedural guidelines for:

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

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

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

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

SAFE AT HOME/ADDRESS CONFIDENTIALITY PROGRAM

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

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

If a non-custodial parent presents a subpoena or court order stating that the non-custodial parent should be provided with copies or access to a student's records, the District will redact the student's confidential address and telephone number from the student's records before complying with the order or subpoena. The District will also notify the custodial/residential parent of the release of student records in accordance with the order or subpoena.

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

TECHNOLOGY PROVIDER USE OF EDUCATIONAL RECORDS

The Board contracts with third parties to provide school-issued devices, which include hardware, software, devices, and accounts that the District by itself or with assistance from a technology provider provides to individual students for their dedicated use.

Under State law, technology providers are defined to include a person or company that contracts with the Board to provide school-issued devices and creates, receives, or maintains educational records (as defined by the Family Educational Rights and Privacy Act of 1974 and R.C. 3319.325) pursuant or incidental to its contract with the Board. The term does not include county board of developmental disabilities, educational service centers, information technology centers, assessment providers, curriculum providers, or other public schools that enter into service contracts with the Board.

At all times, education records created, received, maintained, or disseminated by a technology provider as part of their contracted services shall remain the sole property of the District. Technology providers will not electronically access or monitor location-tracking features of a school-issued device, audio or visual receiving, transmitting, or recording features of said devices, or student interactions with school issued devices (including keystrokes and web-browsing activities) except in accordance with the law and Board policy.

Technology providers are required to notify the Board when it is discovered that education records are subject to a breach of the security of the data. Technology providers are prohibited by law from selling, sharing, or disseminating education records except as delegated or assigned to do so through the contract with the Board, and are further prohibited from using education records for any commercial purpose, including marketing or advertising to students or parents.

Contracts with technology providers will ensure that appropriate security measures are put in place to protect education records. Restrictions will be placed on unauthorized access to education records by the technology provider's employees, contractors or agents, and technology providers will ensure that records will only be accessed as necessary to fulfill official duties. Contracts will specify that within ninety (90) days after the expiration of the contract, the technology provider will either destroy or return education records in its possession unless renewal of the contract is anticipated.

Annually, by August 1st, the District will provide notice to parents and students regarding any curriculum, testing or assessment technology provider contract affecting the student's education records. The notice shall:

1. identify each curriculum, testing or assessment technology provider with access to education records;
2. identify the education records affected by the provider contract;
3. include information about the right to, upon request, inspect a complete copy of technology provider contracts; and
4. provide contact information for the school department to which a parent or student may direct questions or concerns regarding any program or activity that allows a curriculum, testing or assessment technology provider to access a student's education records.

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

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

34 C.F.R. Part 99

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

26 U.S.C. 152

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

20 U.S.C. 7165(b)

20 U.S.C. 7908

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

521

VOL. 45 SEPTEMBER 2026

po8470

Vol. 45, No. 1 - August 2026 Revised SEX OFFENDER NOTIFICATION

ADOPTED Jun 28, 2007

8470 - SEX OFFENDER NOTIFICATION

Ohio's "Sex Offender Registration and Community Notification" law requires all "habitual sex offenders" and adjudicated "sexual predators" (hereinafter "offenders") to register with the sheriff of the county in which they reside. The sheriff must then notify certain community members including the Superintendent of the School District in which such an offender resides. The Board of Education is committed to assisting the sheriff and local law enforcement agencies with their responsibility for Community Notification of offenders as required by law.

When the Superintendent receives information from the sheriff concerning an offender subject to Community Notification, the Superintendent shall disseminate the information to all District employees whose duties include the supervision of and/or responsibility for students.

Employees who receive said information shall promptly notify the Superintendent if a person subject to Community Notification is observed in the vicinity of the school or a bus stop area. The Superintendent shall notify the local law enforcement agency if, in the judgment of the Superintendent, the presence of the person subject to Community Notification appears to be without a legitimate purpose or otherwise creates concern for the safety of children. The Superintendent shall cooperate with the local law enforcement agency if any additional action is to be taken.

When the Superintendent receives information from the sheriff concerning an offender subject to Community Notification, the Superintendent shall not release detailed information (i.e., name, address, and nature of offense) concerning such sex offenders to any person other than those employees whose duties include supervision of and/or responsibility for students. However, the Superintendent may disseminate limited information as authorized by law.

State law prohibits any person who is in a restricted sex offender category from serving as a volunteer with any person, group, or organization, including a school, in a capacity that affords them extensive contact with minor children. Extensive contact with minor children is defined by law to include working directly and in an unaccompanied setting with minor children on more than an incidental or occasional basis, or having supervision or disciplinary power over minor children. A violation of State law is considered a criminal offense. Individuals who are known sex offenders will not be permitted to volunteer for school activities that involve work with minors. District staff will immediately notify law enforcement upon discovering that a registered sex offender may have violated the law.

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

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R.C. 2950

A.C. 109:5-2

VOL. 45 SEPTEMBER 2026

po9700

Vol. 45, No. 1 - August 2026 Revised RELATIONS WITH SPECIAL INTEREST GROUPS

ADOPTED Mar 25, 2004 · REVISED Nov 17, 2016

9700 - RELATIONS WITH SPECIAL INTEREST GROUPS

Any request from civic institutions, charitable organizations, or special interest groups which involve such activities as patriotic functions, contests, exhibits, sales of products to and by students, sending promotional materials home with students, graduation prizes, fund-raising, and free teaching materials must be carefully reviewed to ensure that such activities promote student interests.

It is the policy of the Board of Education that students, staff members, and District facilities not be used for promoting the interests of any nonschool agency or organization, public or private, without the approval of the Board or its designee; and any such approval, granted for whatever cause or group, shall not be construed as an endorsement of said cause or group by this Board.

A. Political Interests

All materials or activities proposed by outside political sources for student or staff use or participation shall be reviewed by the Superintendent on the basis of their educational contribution to part or all of the school program, benefit to students, and no such approval shall have the primary purpose of advancing the special interest of the proposing group.

The Board shall permit the use of educational materials, programs, and equipment which contains commercial messages providing the content of such messages and the manner of presentation has been approved by the Superintendent and is in compliance with the District's administrative guidelines.

In addition, the Board shall permit school organizations and/or school-affiliated groups to sell space in District facilities, on District property, or in District publications for the express purpose of advertising the products or services of a commercial organization, provided that providing the content of such advertisements and the manner of their presentation has been approved by the Superintendent and is in compliance with the District's administrative guidelines. Approval will be granted in a content-neutral way.

B. Contests/Exhibits

The Board recognizes that contests, exhibits, and the like may benefit individual students or the District as a whole, but participation in such special activities may not:

1. make unreasonable demands upon the time and energies of staff or students or upon the resources of the District;
2. involve any direct cost to the District;
3. interrupt the regular school program unless the student body as a whole derives benefit from such activities;
4. cause the participants to leave the School District, unless:

- a. the Board's Policy 2340 - Field and Other District- Sponsored Trips - has been complied with in all aspects;
- b. the Board has granted special permission;
- c. the parents of a minor student have granted their permission.

C. Distribution/Posting of Literature

No outside organization or staff member or student representing an outside organization may distribute or post literature on that organization's behalf on District property either during or after school hours without the permission and prior review of the Superintendent.

The Superintendent shall develop administrative guidelines that:

1. establish criteria concerning distribution or posting of student materials;
2. address distribution or posting of materials employees wish to distribute on behalf of an employee organization in compliance with the terms of negotiated collective bargaining agreements;
3. prohibit the use of the District or school mail system by the community, students or staff for distribution of nonschool-related materials unless authorized by the Superintendent;
4. prohibit distribution of materials from any profit-making organization to students to take home to their parents unless authorized by the Superintendent;
5. permit flyers and notices from outside non-profit organizations to be made available for students to pick-up at the literature distribution rack/table by the school building's office, under the following circumstances:
 - a. the flyer/notice publicizes a specific community activity or event that is age-appropriate for the students that attend the school;
 - b. if the event or activity is religious in nature, the flyer may not contain a proselytizing message (i.e., a message that promotes and/or advocates the benefits of the specific religion);
 - c. the organization submits the number of copies of the flyer that it wants placed in the literature distribution rack/table;
6. establish and clearly communicate the time, place, and manner restrictions concerning the distribution of all nonschool-related materials;

D. Solicitation of Funds

Any outside organization or staff member representing an outside organization desiring to solicit funds on school property must receive permission to do so from the Superintendent.

Permission to solicit funds will be granted only to those organizations, individuals, or staff members who meet the permission criteria established in the District's administrative guidelines. Solicitation must take place at such times and places and in such a manner as specified in the administrative guidelines. In accordance with Board Policy 5830, no District student may participate in the solicitation without the Superintendent's approval.

The Board disclaims all responsibility for the protection of, or accounting for, such funds.

Solicited funds are not to be deposited in any regular or special accounts of the District.

A copy of this policy as well as the relevant administrative guidelines shall be given to any individual granted permission to solicit funds on District property.

This policy does not apply to the raising of funds for District-sponsored or school-sponsored activities.

Use of the name, logo, or any assets of the District, including, but not limited to facilities, technology, or communication networks, is prohibited without the specific permission of the Superintendent.

Crowdfunding activities aimed at raising funds for a specific classroom or school activity, including extracurricular activity, or to obtain supplemental resources (e.g., supplies or equipment) that are not required to provide a free appropriate public education to any students in the classroom may be permitted, but only with the specific approval of the Superintendent.

All crowdfunding activities are subject to the procedures/guidelines in AG 6605.

E. Prizes/Scholarship

The Board of Education is appreciative of the generosity of organizations which offer scholarships or prizes to deserving students in this District.

But, in accepting the offer of such scholarships or prizes, the Board directs that these guidelines be observed:

1. No information either academic or personal shall be released from the student's record for the purpose of selecting a scholarship or prize winner without the permission of the student who is eighteen (18), or the parents of a student who is younger in accordance with the Board's policy on student records.
2. The type of scholarship or prize, the criteria for selection of the winner, and any restrictions upon it shall be approved by the principal.
3. The principal, together with a committee of staff members designated by the principal, may be involved in the selection of the recipient and, if agreeable to the sponsoring organization, the selection shall be left entirely to the principal and staff committee.

F. Sale of School Supplies

In determining the appropriateness of the sale of school supplies by organizations other than the School District, the Board requires that:

1. the organization have a purpose which will benefit the School District and its students;
2. the organization's planned activities are clearly in the best interest of the School District and its students;
3. the organization has submitted the following information and assurances on the form provided by the District: a statement noting the purpose of the organization, financial accountability assurances, and use of facility assurances.

All funds generated by the sale of such school supplies shall be kept separate from other activity funds or other transactions of the Board.

G. Surveys and Questionnaires

Neither District-related nor nondistrict-related organizations shall be allowed to administer a survey or questionnaire to students or staff unless the instrument and the proposed plan is submitted, in advance, to the Superintendent. If approved, a copy of the results and the proposed manner of their communication are to be provided to him/her for review and approval before they are released.

Students shall not be required to complete surveys to provide marketing information to vendors, or distribute to vendors any personal information of students, including but not limited to

names, addresses, and telephone numbers, except as may be required by law. In addition, the District shall not enter into any contract for products or services, including electronic media services, where personal information will be collected from the students by the providers of the services.

See also Policy 2416 and AG 2416.

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Revised 11/21/13

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