

# **FIRELANDS LOCAL SCHOOL DISTRICT**

## **ANNUAL NOTICES**

DATE POSTED -AUGUST 1, 2009

**BOARD OF EDUCATION POLICIES** -The Firelands Local School District Board of Education has adopted policies and regulations governing all aspects of the operation of the Firelands Local School District. A copy of the District Board of Education Policy Manual is located at the Firelands Local Schools District Board of Education Office at 11970 Vermilion Rd., Oberlin, OH 44074; and at the District's website at <http://www.firelandsschools.org>. Parents, students, and members of the public may examine the policies during normal school hours during the scheduled school year and during the summer recess at the School District Board of Education Office. Copies of the policies are available and will be subject to the cost of reproduction.

**VACATIONS** -Often times during the school year, parents wish to withdraw their youngster from school for the purpose of taking a vacation. Scheduling a vacation during the instructional year causes a serious interruption in the instructional process. There is no substitute for consistent, daily attendance at school. We encourage parents not to schedule vacations during the instructional year. However, we understand that some absences are unavoidable and will, therefore, be considered if prior arrangements are made in accordance with District guidelines available at each building.

**CHILD FIND – SPECIAL EDUCATION** -The Firelands Local School District Board of Education is committed to the education of all of its children, including those with disability conditions that require special programs or services. You can help us fulfill our desire and obligation by letting us know of children who, because of one or more disabilities, may require extra help. The term “disability” includes such conditions as hearing, speech or language, physical, orthopedic, or visual impairments, learning and behavioral disabilities, cognitive disability, and health impairments, such as epilepsy or cardiac illness, and other severe or multiple disabilities. In order to serve disabled children, we must identify them and evaluate their needs by means of a multi-factored assessment. Then we must meet with parents, our staff, and other professionals to determine the most appropriate public education in the least restrictive environment. You can help us. If you know a child who is disabled or may be suspected of being disabled, please call or write to the attention of Dr. Daniel Murdock, Director of Special Education, Firelands Local Schools, 11970 Vermilion Rd., Oberlin, Ohio 44074, or call 440-965-5821.

**GIFTED EDUCATION** -The Firelands Local School Board of Education believes all students are entitled to an education that appropriately meets their particular needs. Gifted students, as identified by professionally qualified personnel and as defined by the State Board of Education's Identification And Services For Children Who Are Gifted, are capable of remarkable performance by virtue of superior cognitive ability, specific academic ability, creative thinking ability and/or visual/performing arts ability when compared to others of their age, experience, or environment.

The Firelands Local School Board of Education believes unique programs and/or services beyond those offered in the typical school continuum are to be provided in order to realize the potential contributions to self and society of these students. Therefore, The Board of Education encourages efforts to provide, as an integral part of the established K-12 school program, special programs and activities for the identified gifted students. Identification procedures will be in compliance with established District procedures.

**EQUAL EDUCATION OPPORTUNITIES** – The Firelands Local School District Board of Education supports equal educational opportunities for students free from limitations based upon ethnic or racial backgrounds, religious beliefs, economic and social conditions, disability, or sex.

The Firelands Local School Board of Education declares it to be the policy of this District to provide an equal opportunity for all students, regardless of race, color, creed, disability, religion, sex, ancestry, national origin, place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered in this District. Therefore all students are eligible to enroll in all courses listed for which they have met the specified academic or prior course prerequisite.

The Firelands Local School District Board of Education is also an equal opportunity employer and does not discriminate on the basis of sex, race, color, religion, age, disability, or national origin. These practices are in compliance with the rules and regulations set forth in Title VI and Title VII of the Civil Rights Act of 1964, Equal Pay Act of 1963, Title IX of the 1972 Education Amendments, Age Discrimination Act of 1967, Section 504 of the Rehabilitation Act of 1973, and the Ohio Civil Rights, Equal Pay, and Age Discrimination Acts. If a student is suspected of being disabled under Section 504, the school administration should be notified. Due process safeguards apply. The Superintendent shall appoint and publicize the name of the compliance officer whose responsibility it will be to ensure that Federal and State regulations are complied with and that any inquiries or complaints regarding discrimination or equal access are dealt with promptly in accordance with law. S/He shall also ensure that proper notice of nondiscrimination for Title II, Title VI, and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Act is provided to students, their parents, staff members, and the general public. Persons having concerns with the implementation of Board of Education policies regarding equal opportunities should present their concerns to: Mr. Michael Englert, Assistant Superintendent, 11970 Vermilion Rd., Oberlin, OH 44074.

**STUDENT PRIVACY AND PARENTAL ACCESS TO INFORMATION** -The Firelands Local School District Board of Education respects the privacy rights of parents and their children. No student shall be required, as a part of the school program or the District's curriculum, without prior written consent of the student (if an adult or an emancipated minor) or, if an unemancipated minor, his/her parents, to submit to or participate in any survey, analysis, or evaluation that reveals information concerning: political affiliations or beliefs of the student or his/her parents; mental or psychological problems of the student or his/her family; sex behavior or attitudes; illegal, anti-social, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged and analogous relationships, such as those of lawyers, physicians, and ministers; religious practices, affiliations, or beliefs of the student or his/her parents; or income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program).

The Superintendent shall ensure that procedures are established whereby parents may inspect any materials used in conjunction with any such survey, analysis, or evaluation. Further, parents have the right to inspect, upon request, a survey or evaluation created by a third party before the survey/evaluation is administered or distributed by the school to the student. The parent will have access to the survey/evaluation within a reasonable period of time after the request is received by the building principal. Additionally, parents have the right to inspect, upon request, any instructional material used as part of the educational curriculum of the student. The parent will have access to the instructional material within a reasonable period of time after the request is received by the building principal. The term instructional material means instructional content that is provided to a student, regardless of its format, including printed and representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or assessments. The Board will not allow 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).

The Superintendent is directed to provide notice directly to parents of students enrolled in the District of the substantive content of this policy at least annually at the beginning of the school year, and within a reasonable period of time after any substantive change in this policy. In addition, the Superintendent is directed to notify parents of students in the District, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when the administration of any survey by a third party that contains one or more of the items described above are scheduled or expected to be scheduled.

For purposes of this policy, the term "parent" includes a legal guardian or other person 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).

**STUDENT HEALTH SERVICES** – The Firelands Local School District Board of Education supports the appropriate school health services programs in order to protect and promote the physical and emotional health of children enrolled in the schools so that they may receive maximum benefit from the advantages the educational program has to offer.

The Firelands Local School District Board of Education believes that all school children should complete a minimum immunization schedule. Therefore, in complying with Ohio laws and the Ohio Department of Health, the following immunizations are to be completed or in the process of being completed before a student is to be admitted to Firelands Schools: four (4) or more doses of DPT or TD (adult) vaccine or a combination of these vaccines; three (3) or more doses or trivalent oral polio vaccine (TOPV); one (1) measles immunization – received after the child's first birthday; one (1) rubella immunization – received after the child's first birthday; one (1) mumps immunization – received on or after the child's first birthday.

In addition, prior to 7<sup>th</sup> grade a second dose of measles, mumps, and rubella vaccines is required by the Ohio Department of Health. In addition, a tuberculin test is recommended. The immunization may be waived if it is deemed medically inadvisable or if objections are raised on religious or philosophical grounds. A written physician's statement may serve as a valid waiver in cases of medical inadvisability, while a written statement signed by a parent or guardian is required as a waiver for valid objections raised on religious or philosophical grounds. The Firelands Local School District Board of Education will cooperate with the Lorain County Board of Health in implementing procedures for the control of communicable disease. Medical authorization procedures will be implemented to assist school personnel in providing emergency help to students in a manner previously agreed to by parents.

**DRESS CODE** – Responsibility for a student's dress and grooming rests primarily with student and parent. Such matters are of concern to and become the responsibility of the Firelands Local School District Board of Education only when they: are or are likely to disrupt the learning process; pose a threat to the health or safety of any individual student or students generally; are destructive to school property such as floors or furnishings.

It will be the duty of the School Principal to administer this policy and he/she may, when appropriate, consult with students, parents, teachers, and members of the administrative staff. Specific building dress codes will be adopted through student handbooks.

**USE OF TOBACCO ON SCHOOL PREMISES** – The Firelands Local School District Board of Education is committed to

providing students, staff, and visitors with a tobacco-free environment. The negative health effects of tobacco use for both users and nonusers, particularly in connection with second hand smoke, are well established. Further, providing a tobacco-free environment is consistent with the role-modeling responsibilities of teachers and staff to our students.

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco, in addition to papers used to roll cigarettes and other lighted smoking devices for burning tobacco or any other plant. In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the Board does not condone the use of tobacco, the Firelands Local School District Board of Education prohibits the use of tobacco within any enclosed facility owned or leased or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to school grounds and/or any school-related event. The Superintendent shall require the posting of signs as required by R.C. 3794.06 and as specified by the Ohio Department of Health.

**ANTI-HARASSMENT – General Policy Statement** -It is the policy of the Firelands Local School District Board of Education to maintain an education and work environment which is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The School District Board of Education will vigorously enforce its prohibition against harassment based on sex, race, color, national origin, religion, disability, or any other unlawful basis, and encourages those within the School District community, who feel aggrieved to seek assistance to rectify the problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated; the Board will take immediate steps to end the harassment. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action. For purposes of this policy, "School District community" means students, administrators, teachers, staff, and all other school personnel.

**Other Violations of the Anti-Harassment Policy** -The Firelands Local School District Board of Education will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts: Retaliating against a person who has made a report or filed a complaint alleging harassment, or who has participated as a witness in a harassment investigation; Filing a malicious or knowingly false report or complaint of harassment; Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.

**Definitions -Sexual Harassment** -Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as: Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when: Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity; Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual; Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender. Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to: Unwelcome sexual propositions, invitations, solicitations, and flirtations; Physical assault; Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances; Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals; unwelcome and inappropriate touching, patting, or pinching; obscene gestures. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another; remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history. Consensual sexual relationships where such relationship leads to favoritism of a student or subordinate employee with whom the teacher or superior is sexually involved and where such favoritism adversely affects other students and/or employees.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

**Race/Color Harassment** -Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

**Religious (Creed) Harassment** -Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

**National Origin Harassment** -Prohibited national origin harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

**Disability Harassment** -Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance of creating an intimidating, hostile, or offensive working and/or learning environment; or with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

**Confidentiality** -The School District will make reasonable efforts to maintain the confidentiality of the parties involved in a harassment investigation. Confidentiality, however, cannot be guaranteed.

**DRUG AND ALCOHOL USE** -The Firelands Local School District Board of Education recognizes alcohol/drug abuse and dependency to be a serious problem; furthermore, the Board recognizes the dependency stage of chemical use to be a primary physical illness. Health problems of youth are primarily the responsibility of the home and community; however, in school the community's youth spend a major portion of their time and chemical abuse problems often interfere with school behavior, student learning, and the fullest possible development of the individual. The schools then should have a major part in early detection of chemical use, abuse and dependence, the protection of students from the promotion and sales of alcohol and non-prescribed drugs, and a partnership role with families and other institutions in seeking treatment for the chemically dependent person. Toward this goal, the School District Board of Education is committed to achieving an environment of high risk for those who would use or abuse all non-prescribed chemicals. This goal, however, cannot be achieved by the schools alone, regardless of funding, staffing ability or program development. The family, religious organizations, police, community health services, mental health and treatment centers, and concerned citizens must also play a role if the goal is to be accomplished. The administration is authorized to establish a community action team of school and community people which would serve as a source of advice and support to the substance abuse program as it functions within the school.

To this end: the possession, use, gift, or sale at school, on school premises, on school buses, or at school sponsored activities of any alcoholic beverage, narcotic, drug, counterfeit drug, medicine or pill chemical preparation, plant, seed or derivative thereof, of a hallucinogen, barbiturate or amphetamine nature, is strictly prohibited; any student violating this regulation or seeking to promote, encourage, aid or abet in the violation of this policy, will be referred to the school principal/designee; action taken following violation of this regulation shall include notification of parent and civil authorities, expulsion from school and other means necessary to stop violation and prevent further violations; material deemed to be illegal shall be confiscated and will not be returned to the possessor; the issue of possession, use, gift, or sale of any narcotic, drug, counterfeit drug, medicine or pill, chemical preparation, plant, seed or derivative thereof, of a hallucinogen, barbiturate or amphetamine nature. Penalties shall be included in each schools Student/Parent handbook.

**DRUG FREE SCHOOLS** -The unlawful possession, use or distribution of identified illicit drugs and alcohol by students and employees on school premises or as part of any of school activities will not be tolerated. Yearly a communication will be given to all students and parents. It will include: a statement that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful; standards of conduct that clearly prohibit the unlawful possession or distribution of illicit drugs and alcohol by students on school premises or as part of any of its activities; a statement that compliance with the standards of conduct is mandatory; a statement that disciplinary sanctions which are consistent with local, state, and federal laws--up to and including expulsion and referral for prosecution--will be imposed on those who violate the standards of conduct; a statement of possible disciplinary sanctions;

information about drug and alcohol counseling and rehabilitation and about re-entry programs that are available to students

Age appropriate, developmentally-based drug and alcohol instruction that addresses the legal, social, and health consequences of drug and alcohol use will be provided to all students. The instruction should provide information about effective techniques for resisting peer pressure to use illicit drugs or alcohol.

**STUDENT CONDUCT AND DISCIPLINE** – The Firelands Local School District Board of Education believes that appropriate student behavior is necessary and must be maintained if all students are to obtain a quality education. The Board has "zero tolerance" of violent, disruptive behavior or a violation of school rules by its students. The Board delegates to school staff the authority to enforce District policies, rules and regulations governing student conduct. Students have a responsibility to know and follow the rules and regulations of the school. A student's failure to comply with these expectations may result in discipline. Discipline will be administered in a reasonable manner, will be based upon respect and consideration of the rights of others and will be in compliance with Ohio Law and the policies of the Board. Consideration will be given to appropriate notification and involvement of parents.

Rules, regulations and possible disciplinary actions for students of each school will be established by the principal of the school and included in the Student/Parent Handbook for the school. The disciplinary actions will also be progressive in nature dependent upon the severity and/or frequency of the inappropriate actions taken. A student will not be removed from an academic class or academic activity while it is in session except when necessary. Likewise, a student will not be removed from school during the school day except when necessary. Not allowing a student to participate in a future academic class or academic activity will not be used as a punishment or consequence except under unique circumstances. The principal will be involved when such action is taken.

The principal has the responsibility and authority to establish and implement additional rules and disciplinary actions as may be necessary for the orderly operation of the school. Such rules and actions must be appropriately communicated to students, parents and staff. Staff and parents should be involved by the principal in reviewing the rules and regulations for student conduct and student discipline to be included in the Student/Parent Handbook for the School.

If a student is identified through the school District as being disabled, the student's disability and any applicable law, rules and regulations will be considered in taking disciplinary action. The principal/designee may consult with the Director of Special Education to ensure compliance with state/federal regulations for students with disabilities.

There will be equivalent practices concerning student conduct and student discipline for students participating in student activities including athletics. However, those rules and regulations will be included in the Student Activity Handbook and/or rules for each activity or athletic team.

The Firelands Local School District Board of Education believes it is necessary for staff, parents and students to work together to promote the best educational interests of the students of the District. The Board adopts a Code of Conduct Policy annually. The Board additionally adopts and incorporates herein by reference the policies and procedures for disciplinary action embodied in all Student/Parent Handbooks. The rules and standards set forth, apply to conduct on school premises, or on school buses or any other school vehicle, or involving school property, or at any school-sponsored event or function. The rules and standards also apply to any misconduct, regardless of where it occurs that is directed at a District employee or official or the property of such employee or official.

**BULLYING AND OTHER FORMS OF AGGRESSIVE BEHAVIOR** -The Firelands Local School District Board of Education is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. The Board encourages the promotion of positive interpersonal relations between members of the school community. Aggressive behavior toward a student, whether by other students, staff, or third parties is strictly prohibited and will not be tolerated. This prohibition includes physical, verbal, and psychological abuse. The Board will not tolerate any gestures, comments, threats, or actions which cause or threaten to cause bodily harm or personal degradation. This policy applies to all activities in the District, including activities on school property or while enroute to or from school and those occurring off school property if the student or employee is at any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, or where an employee is engaged in school business.

Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well being. This type of behavior is a form of intimidation and harassment, although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, or disability. It would include, but not be limited to, such behaviors as stalking, bullying/cyber bullying, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing.

Any student who believes s/he has been or is the victim of aggressive behavior should immediately report the situation to the building principal or assistant principal, or the Superintendent. The student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate administrator or Board official. Complaints against the building principal should be filed with

the Superintendent. Complaints against the Superintendent should be filed with the Board President.

Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports may be made to those identified above. All complaints about aggressive behavior that may violate this policy shall be promptly investigated. If the investigation finds an instance of aggressive behavior has occurred, it will result in prompt and appropriate remedial and/or disciplinary action. This may include up to expulsion for students, up to discharge for employees, exclusion for parents, guests, volunteers, and contractors, and removal from any official position and/or a request to resign for Board members. Individuals may also be referred to law enforcement officials. The complainant shall be notified of the findings of the investigation, and as appropriate, that remedial action has been taken.

This policy shall not be interpreted to infringe upon the First Amendment rights of students (i.e., to prohibit a reasoned and civil exchange of opinions, or debate, that is conducted at appropriate times and places during the school day and is protected by State or Federal law).

Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of aggressive behavior is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of District Board of Education policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as aggressive behavior. Making intentionally false reports about aggressive behavior for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

The following definitions are provided for guidance only. If a student or other individual believes there has been aggressive behavior, regardless of whether it fits a particular definition, s/he should report it and allow the administration to determine the appropriate course of action. "Bullying" is defined as a person willfully and repeatedly exercising power or control over another with hostile or malicious intent (i.e., repeated oppression, physical or psychological, of a less powerful individual by a more powerful individual or group). Bullying can be physical, verbal (oral or written), electronically transmitted, psychological (e.g., emotional abuse), through attacks on the property of another, or a combination of any of these. Some examples of bullying are: Physical – hitting, kicking, spitting, pushing, pulling, taking and/or damaging personal belongings or extorting money, blocking or impeding student movement, unwelcome physical contact; Verbal – taunting, malicious teasing, insulting, name calling, making threats; Psychological – spreading rumors, manipulating social relationships, coercion, or engaging in social exclusion/shunning, extortion, or intimidation; "Cyber bullying" – the use of information and communication technologies such as e-mail, cell phone and pager text messages, instant messaging (IM), defamatory personal web sites, and defamatory online personal polling web sites, to support deliberate, repeated, and hostile behavior by an individual or group, that is intended to harm others." [Bill Belsey (<http://www.cyberbullying.ca>)]; the Firelands Local School District Board of Education recognizes that cyber bullying can be particularly devastating to young people because: cyber bullies more easily hide behind the anonymity that the Internet provides; cyber bullies spread their hurtful messages to a very wide audience with remarkable speed; cyber bullies do not have to own their own actions, as it is usually very difficult to identify cyber bullies because of screen names, so they do not fear being punished for their actions; and the reflection time that once existed between the planning of a prank – or a serious stunt – and its commission has all but been erased when it comes to cyber bullying activity.

Cyber bullying includes, but is not limited to the following: "Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, marital status or disability (sexual orientation, physical characteristic, cultural background, socioeconomic status, or geographic location). "Intimidation" includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin or sexual orientation. "Menacing" includes, but is not limited to, any act intended to place a school employee, student, or third party in fear of imminent serious physical injury. "Harassment, intimidation, or bullying" means any act that substantially interferes with a student's educational benefits, opportunities, or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, and that has the effect of: physically harming a student or damaging a student's property; knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or creating a hostile educational environment.

"Staff" includes all school employees and Firelands Local School District Board of Education members. "Third parties" include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, vendors, or others engaged in District business, and others not directly subject to school control at inter-District or intra-District athletic competitions or other school events.

**Privacy/Confidentiality** -The Firelands Local School District Board of Education will respect the privacy of the complainant, the individual(s) against who the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under this policy and its related administrative guidelines shall be maintained as confidential to the extent permitted by law.

**Notification** -Notice of this policy will be annually circulated to and posted in conspicuous locations in all school buildings and departments within the District and discussed with students, as well as incorporated into the teacher, student, and parent/guardian handbooks. State and Federal rights posters on discrimination and harassment shall also be posted at each building. All new hires will be required to review and sign off on this policy and the related complaint procedure.

**Education and Training** -In support of this policy, the Firelands Local School District Board of Education promotes preventative educational measures to create greater awareness of aggressive behavior, including bullying.

The Superintendent is directed to develop administrative guidelines to implement this policy. Guidelines shall include reporting and investigative procedures, as needed. The complaint procedure established by the Superintendent shall be followed.

**EXPULSION** -The expulsion of a student from school by the Superintendent is considered to be most serious and should be exercised only when other lesser types of disciplinary action would not be sufficient or appropriate. Expulsions should be made only after careful investigation of the incident and thoughtful consideration of the consequences to the student and to the school. The Superintendent may expel a student from school for a period not to exceed the greater of eighty (80) school days or the number of school days remaining in the semester or term in which the incident that gives rise to the expulsion takes place. If at the time an expulsion is imposed there are fewer than eighty (80) school days remaining in the school year in which the incident that gives rise to the expulsion takes place, the Superintendent may apply to any remaining part or all of the period of the expulsion to the following school year. In addition, the Superintendent may require a student to perform community service in conjunction with or in place of an expulsion. The student or his/her parent/guardian may appeal an expulsion to the District Board of Education (or their designee). At the request of the student, his/her parent/guardian or attorney, the Board may hold the hearing in executive session, but may act upon the expulsion only at a public meeting. The Board may, by a majority vote of its full membership, reinstate such student. When a student is expelled for the following reasons, the parent and student will be notified that the student may also be subject to permanent exclusion from school: Illegal conveyance or possession of a deadly weapon or dangerous ordnance, carrying a concealed weapon, aggravated trafficking, trafficking in drugs, trafficking involving the possession of a bulk amount of a controlled substance or the sale of a controlled substance; and/or aggravated murder, murder, voluntary or involuntary manslaughter, felonious or aggravated assault, rape, gross sexual imposition or felonious sexual penetration, if the victim is a District employee.

**EXPULSION OF STUDENTS FOR BRINGING FIREARMS AND WEAPONS TO SCHOOL, AND OTHER DANGEROUS BEHAVIOR** -A student who brings a firearm to school or on to any other property owned or controlled by the Firelands Local School District Board of Education will be expelled from school for a period of one (1) year. A student who brings a knife to school or on to any other property owned or controlled by the Board may be expelled for a period not to exceed one (1) year. Any such expulsion shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place. For purposes of this policy a firearm has the same meaning as provided pursuant to the "Gun-Free Schools Act of 1994," 108 Stat. 270, 20 U.S.C. 8001(a)(2). A knife is defined as any device consisting of a sharp blade whether or not fastened to a handle, designed or intended for use as a cutting instrument, regardless of the length of the blade. Any act that would be a criminal offense when committed by an adult that results in serious physical harm to persons or property (as defined by R.C. 2901.01) may subject the offender to expulsion of up to one (1) year. The Superintendent may, in his/her sole judgment and discretion, reduce such expulsion to a period of less than (1) year, on a case-by-case basis, for the following reasons: applicable state or federal laws relating to the student's disability; extent of culpability of the student.

**SUSPENSION** -The Principal, Assistant Principal or Superintendent may suspend a student from school for a period not to exceed ten (10) days. If at the time a suspension is imposed there are fewer than ten school days remaining in the school year in which the incident that gives rise to the suspension takes place, the Superintendent may apply any remaining part or all of the period of the suspension to the following school year. In addition, the Superintendent may require a student to perform community service in conjunction with or in place of suspension. If a student is identified through the school District as being disabled, the student's disability and any applicable law, rules and regulations will be considered in taking disciplinary action. The responsible administrator shall consult with the Director of Special Education to ensure compliance with state/federal regulations for students with disabilities. The offense for which suspension may be imposed should be greatly prejudicial to the discipline and operation of the school, or potentially dangerous to the well-being of the school's students and personnel, or gravely improper in the circumstances.

The student or his/her parent may appeal such action to the central office administrator as assigned by the Superintendent. This central office administrator will act as the Board's designee and will hear the appeal. At the request of the student, parent, or representative, this hearing may be held in executive session, but the decision of the central office administrator acting as the Board's designee will become part of the public record and read into the Minutes of the Board of Education. When a student is suspended for the following reasons, the parent and student will be notified that the student may also be subject to permanent exclusion from school: Illegal conveyance or possession of a deadly weapon or dangerous ordnance, carrying a concealed weapon, aggravated trafficking, trafficking in drugs, trafficking involving the possession of a bulk amount of a controlled substance or the sale of a controlled substance; and/or aggravated murder, murder, voluntary or involuntary manslaughter, felonious or aggravated assault, rape, gross sexual imposition or felonious sexual penetration, if the victim is a District employee.

**PERMANENT EXCLUSION** –The Firelands Local School District Board of Education may seek the permanent exclusion of a student sixteen (16) years of age or older who is either convicted in criminal court or adjudicated delinquent by a juvenile court of any of the following offenses that occur on school grounds or at a school function: illegal conveyance or possession of a deadly weapon or dangerous ordnance, carrying a concealed weapon, aggravated trafficking, trafficking in drugs, trafficking involving the possession of a bulk amount of a controlled substance or the sale of a controlled substance; and/or aggravated murder, murder, voluntary or involuntary manslaughter, felonious or aggravated assault, rape, gross sexual imposition or felonious sexual penetration, if the victim is a District employee.

In addition, complicity in any of the above acts may be the basis for permanent exclusion. Any building administrator witnessing, or having knowledge of, one (1) of these acts must report the incident to the Superintendent within twenty-four (24) hours, whether or not the student is over sixteen (16) years of age. If the Superintendent receives notification that a student has been found guilty of or is adjudicated delinquent for any of the listed offenses, s/he will determine whether the student's continued attendance in the District endangers the health and safety of other students or school employees or whether his attendance poses a danger of disruption to the District's graded course of study. If s/he determines that either danger exists, s/he may recommend that the Board adopt a resolution requesting the State Superintendent of Public Instruction to permanently exclude the student from attendance in any Ohio school. Written notice of the Superintendent's recommendation for permanent exclusion will be provided to the student and his parent, guardian or custodian.

If a student is identified as being disabled, the student's disability and any applicable law, rules and regulations will be considered in taking disciplinary action. The principal/designee may consult with the Director of Special Education to ensure compliance with state/federal regulations for students with disabilities. The Board will act upon the Superintendent's recommendation with fourteen (14) days. Among the items the Board will consider will be information on: academic and extracurricular activity record of the student; disciplinary record of the student; social history of the student; response to prior discipline and sanctions; seriousness of the offense and any aggravating circumstances; any mitigating circumstances; evidence regarding the possible danger to other students and employees if the student remains in the District; evidence regarding the probable disruption of the graded course of study; and availability of less serious sanctions that would permit the student to stay in the District.

The Board may allow for the hearing of witnesses and the presentation of additional evidence. If the Board adopts the resolution to permanently exclude the student, the Board will: forward the written resolution, together with the adjudication or conviction and a copy of the student's entire school record to the State Superintendent; promptly designate a representative to present the District's case for permanent exclusion to the State Superintendent; and forward a copy of the resolution to the student and his parent, guardian or custodian. If the State Superintendent rejects the resolution, then the student will be re-admitted to the District's schools. No employee of this District will knowingly admit, or cause by inaction to be admitted, any student who has been permanently excluded.

**Re-admission** -If, in the opinion of the Superintendent, a permanently excluded student no longer represents a danger to the health and safety of other students or staff, the District may, in some instances, seek the re-admission of the student. On the recommendation of the Superintendent, the Firelands Local School District Board of Education will consider a resolution requesting the State Superintendent to revoke the permanent exclusion. If the Board adopts the resolution it will be forwarded to the State Superintendent, along with the reasons for the resolution and all relevant information.

**Probationary Admission following Permanent Exclusion** -Under state law, a student permanently excluded from school may request probationary admission for ninety (90) days in any public school District. If a student requests consideration of probationary admission into this District, the Superintendent may enter into discussions with the student and his parent, guardian, custodian or their designee to develop a probationary admission plan designed to meet the educational needs of the child and the disciplinary requirements of the District. If a satisfactory plan is developed, then the Superintendent will recommend the District Board of Education allow the student to attend classes within the District. The Board will act on the recommendation within fourteen (14) days. If a student violates the terms of the re-admission plan, then the Superintendent may immediately remove the student pending action by the Board. The Board's action must take place within five (5) days from receipt of the Superintendent's recommendation to revoke the re-admission. A student in compliance with his probationary re-admission plan may request either an extension of the plan for an additional ninety (90) days or for the Superintendent to recommend that the permanent exclusion be revoked.

**BUS CONDUCT** -While the law requires the District to furnish transportation, it does not relieve parents of students from the responsibility of supervision until such time as the child boards the bus in the morning and after the child leaves the bus at the end of the school day. Once a child boards the bus --and only at that time --does s/he become the responsibility of the District. Such responsibility will end when the child is delivered to the regular bus stop at the close of the school day.

In view of the fact that a bus is an extension of the classroom, the Board will require children to conduct themselves in the bus in a manner consistent with established standards for classroom behavior. Children who become a serious disciplinary problem on the school bus may have their riding privileges suspended. In such cases, the parents of the children involved become responsible for seeing that their children get to and from school safely.

**INTERROGATIONS, INVESTIGATIONS AND SEARCHES** – The Firelands Local School District Board of Education believes that students should be free from interrogations, investigations, and searches by an outside agency on school premises during school hours without expressed parental approval. However, a student will be released to a law enforcement agency or a governmental social services agency for interrogation, investigation or search at school upon verification of the legal authority of the agency. In such cases, an attempt must be made to notify the student's parents unless the parent is the subject of the investigation and/or if the case involves a governmental social services agency and concerns the safety or welfare of the student. A representative of the school shall be present.

Desks and lockers are the property of the District Board of Education and remain at all times under the control of school officials. Students are granted the non-exclusive use of desks and lockers and should not expect privacy with respect to items stored in desks or lockers. Desks and lockers and the contents of all desks and lockers are subject to random search at any time without regard to whether there is a reasonable suspicion that any desk or locker, or its contents contains evidence of a violation of a criminal statute or a school rule. A copy of this policy will be posted in a conspicuous place in each school building that has desks and lockers available for use by pupils.

Building principals or their designees may inspect a student's vehicle parked on school premises if there is reasonable cause to believe that prohibited articles are kept there, or that school rules and regulations have been violated. If such an inspection takes place, the student or another adult will be present. An inspection of a vehicle from the exterior is not a search. This policy will not intend to limit or prevent a school official from investigating incidents and determining a basis for decisions affecting the operation of the schools, conduct of students, or services of employees.

**DUE PROCESS RIGHTS** –The Firelands Local School District Board of Education recognizes that students waive certain constitutional rights regarding their education. Accordingly, the Board establishes the following procedures:

**Student subject to suspension:** When a student is being considered for an out-of-school suspension by the Superintendent, principal, or other administrator: the student will be informed in writing of the potential suspension and the reasons for the proposed action; the student will be provided an opportunity for an informal hearing to challenge the reason for the intended suspension and to explain his/her actions; an attempt will be made to notify parents or guardians by telephone if a suspension is issued; within one (1) school day of the suspension the Superintendent, principal, or other administrator will notify the parents, guardians, or custodians of the student and the Treasurer of the Board. The notice will include the reasons for the suspension and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; and the right to request the hearing be held in executive session if before the Board. If the offense is one for which the District may seek permanent exclusion, then the notice will contain that information; Notice of this suspension will also be sent to the: Superintendent; Board Treasurer; Student's school record (not for inclusion in the permanent record). If a student leaves school property without permission immediately upon violation (or suspected violation) of a provision of the Student Code of Conduct/Student Discipline Code or prior to an administrator conducting an informal hearing as specified above, and the student fails to return to school on the following school day, the principal, assistant principal, Superintendent, or any other administrator, may send the student and his/her parent(s)/guardian(s) notice of the suspension, and offer to provide the student and/or his/her parents an informal hearing upon request to discuss the reasons for the suspension and to allow the student to challenge the reasons and to explain his/her actions, any time prior to the end of the suspension period.

**Appeal of Suspension to the Board or its designee** -The student who is eighteen (18) or older or the student's parent(s) or guardian(s) may appeal the suspension to the Board or its designee. They may be represented in all such appeal proceedings. A verbatim record will be kept of the hearing which may be held in executive session at the request of the student, parent, or guardian, if held before the Board. The procedure to pursue such appeal will be provided in regulations approved by the Superintendent. Notice of appeal must be filed with the Treasurer or the Superintendent within five (5) school days of the notice to suspend.

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

**Students subject to expulsion:** When a student is being considered for expulsion by the Superintendent: 1) The Superintendent will give the student and parent, guardian, or custodian, written notice of the intended expulsion, including reasons for the intended expulsion; 2) The student and parent or representative have the opportunity to appear before the Superintendent or designee to challenge the proposed action or to otherwise explain the student's actions. The written notice will state the time and place to appear, which must not be earlier than three (3) school days nor later than five (5) school days after the notice is given, unless the Superintendent grants an extension upon request of the student or parent; 3) Within one (1) school day of the expulsion, the Superintendent will notify the parents, guardians, or custodians of the student and Treasurer of the Board. The notice will include the reasons for the expulsion and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; and the right to request the hearing be held in executive session if before the Board. If the offense is one for which the District may seek permanent exclusion, then the notice will contain that information.

**Appeal of Expulsion to the Board** – A student who is eighteen (18) or older or the student's parent(s) or guardian(s) may appeal the expulsion by the Superintendent to the Board or its designee. They may be represented in all such appeal proceedings and will be

granted a hearing before the Board or its designee. A verbatim record will be kept of the hearing which may be held in executive session at the request of the student, parent, or guardian. The procedure to pursue such appeal will be in accordance with regulations approved by the Superintendent. Notice of intent to appeal must be filed within ten (10) school days of the Superintendent's decision to expel to the Board directly or through the Superintendent's office. While a hearing before the Board may occur in executive session, the Board must act in public.

**Appeal to the Court** – Under State law, the decision of the Board may be further appealed to the Court of Common Pleas.

**Students subject to emergency removal** -Students whose conduct warrants emergency removal shall be dealt with in accordance with the rights and procedures outlined in Policy – Emergency Removal.

**Students subject to permanent exclusion** -Students whose conduct is that for which permanent exclusion is warranted shall be dealt with in accordance with the rights and procedures outlined in Policy – Permanent Exclusion of Nondisabled Students.

**Students subject to suspension from bus riding/transportation privileges** -Students whose conduct warrants suspension from bus riding and/or transportation services shall be dealt with in accordance with the rights and procedures outlined in Policy -Suspension of Bus Riding/Transportation Privileges.

The Superintendent shall ensure that all members of the staff use the above procedures when dealing with students. In addition, this statement of due process rights is to be placed in all student handbooks in a manner that will facilitate understanding by students and their parents.

These procedures shall not apply to in-school disciplinary alternatives including in-school suspensions. An in-school suspension is one served entirely within a school setting. Nor shall these disciplinary alternative procedures apply to students who are prohibited by authorized school personnel from all or part of their participation in cocurricular, interscholastic, and/or non-interscholastic extra-curricular activities.

**WEAPONS IN THE SCHOOL** – No student will, on school property or in any school vehicle or at any school sponsored event (regardless of location), bring, transport, possess, handle, carry, use, or conceal any firearm, knife or dangerous weapon. Whoever violates this policy will be subject to discipline, including expulsion or suspension from school.

A weapon is any device which is or may be used to cause harm to another person, including but not limited to a firearm, a knife, a club, a chain, razor, metal knuckles, noxious irritants, chemicals, or explosive or incendiary device. For purposes of this policy, a firearm is defined as any weapon capable of expelling or propelling one or more projectiles by the action of an explosive or combustible propellant or compressed air or spring including any unloaded or inoperative firearm, or any simulated or "look alike" firearm. Also, a knife is defined as any device consisting of a sharp blade whether or not fastened to a handle, designed or intended for use as a cutting instrument, regardless of the length of the blade.

The Board directs the Superintendent to post notices prohibiting the carrying and possession of concealed weapons in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. The notices shall contain a statement substantially in the following form: unless otherwise authorized by law, pursuant to Ohio Revised Code 2923.122, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into a school safety zone.

The Superintendent shall conspicuously post such notices at each entrance of a school and/or school building and in areas inside the building where visitors are required to report. Notices shall also be posted at each entrance leading into a school activity (particularly those activities held outside of the school building) and parcel of land. Further, notices shall be posted in each school bus and other Board-owned vehicle, including a school van.

**STUDENT RIGHTS AND RESPONSIBILITIES** – The Firelands Local School District Board of Education believes that genuine student involvement requires responsible student action which is possible if students are guaranteed certain basic rights, among which are the following, the right to: free inquiry; due process; freedom of association; freedom of peaceful assembly and petition; participate in the governance of the school; freedom from discrimination based upon race, creed, color, sex or national origin; equal educational opportunity.

Exercise of the above rights mandates a responsibility and duty not to infringe upon same rights of others.

Within the bounds of fundamental teaching obligations and in relationship to the nature of the subject being taught, teachers should encourage free dynamic expression of ideas among students. Students should not be forced to accept under penalty of academic, administrative, or peer group censure or reprisal a purely personal and arbitrary opinion or idea. In return, students who refuse to abide

by the social rules governing fundamental fairness and decency in human dialogue may forfeit their rights to engage in such dialogue and students who engage in slander or obscenity during such dialogue, whether written, verbal, or symbolic, may subject themselves to disciplinary action.

**TECHNOLOGY SERVICES** – The Firelands Local School District Board of Education recognizes that technology can greatly enhance the instructional program, as well as the efficiency of the District and school site administration. The Board also realizes that careful planning is essential to insure the successful, equitable and cost-effective implementation of technology-based materials, equipment, systems and networks. Computers and use of the District network or on-line services network are to support learning and to enhance instruction, as well as assist in the administration of the District. All technology is to be used in a responsible, efficient, ethical and legal manner. Failure to adhere to this policy and the related guidelines will result in the revocation of the user's access privilege.

**COMPUTER ACCESS AUTHORIZATION AND TERMINATION POLICY FOR STAFF** – In the course of employment with the District, employees may be required to have access to various computer systems to perform their job duties. These systems may include, but not be limited to the following: District e-mail systems, file storage systems as well as accounting, payroll, student and EMIS systems hosted by a State Information Technology Center (ITC).

The Superintendent and/or Treasurer (or designee) is directed to develop and implement procedures in order to authorize proper access to those employees who need to access certain computer systems of the District. In addition, they are directed to ensure that procedures are in place to terminate computer access to employees who are no longer employed by the District or who no longer need access to certain computer systems. Computer access termination procedures shall include directing the District's ITC to immediately terminate access to critical systems containing sensitive information (e.g., payroll and student systems) as soon as reasonably possible once an employee has left employment with the District.

**STUDENT RECORDS** -The Firelands Local School District Board of Education has adopted appropriate policies pertaining to the release of information contained in student records. With the adoption of these policies and guidelines, the Firelands Local Schools student records policy adheres to the Federal Family Rights and Privacy Act Regulations issued by the Department of Health, Education, and Welfare. The following information serves as written notice of guidelines governing access to student records for parents and eligible students wishing to review information contained in records maintained by the Firelands Local Schools. Copies of the Schools student records policy are available at the District website or upon request at the Board of Education Office. In order to provide appropriate educational services and programming, the District 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. 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, and designated school personnel, who have a legitimate educational interest in the information, or to other individuals or organizations as permitted by law. The term "parents" includes legal guardians or other persons standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child). The term "eligible student" refers to a student who is eighteen (18) years of age or older, or a student of any age who is enrolled in a postsecondary institution. Both parents shall have equal access to student records unless stipulated otherwise by court order or law. In the case of eligible students, parents may be allowed access to the records without the student's consent, provided the student is considered a dependent under section 152 of the Internal Revenue Code. "Legitimate educational interest" shall be 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 authorizes the administration to: forward student records, including disciplinary records with respect to any current suspension and expulsion, upon request to a private or public school or school District in which a student of this District seeks or intends to enroll, upon condition that a reasonable attempt is made to notify the student's parents of the transfer, of their right to receive a copy of the record if desired, and of their right to have a hearing to challenge the content of the record; provide "personally-identifiable" information to appropriate parties in connection with an emergency if such knowledge is necessary to protect the health and safety of the student or other individuals; report a crime committed by a child with a disability to appropriate authorities and to transmit copies of the student's special education and disciplinary records to the authorities for their consideration; 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. 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 educational 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. Only "directory information" regarding a student shall be released to any person or party, other than the student or his/her 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 its 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; awards received; honor rolls; or scholarships. 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 ten (10) days after receipt of the Superintendent's annual public notice.

In accordance with Federal and State law, the Board shall release the names, addresses, 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, 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 educational 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" on former students without student or parental 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).

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" in connection with a school District activity before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student 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 fifteen (15) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within fifteen (15) 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 at the discretion of school administration: college or other postsecondary education recruitment, or military recruitment; book clubs, magazine, and programs providing access to low-cost literary products; curriculum and instructional materials used by elementary and secondary schools; 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; the sale by students of products or services to raise funds for school-related or education-related activities; 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: inspect and review the student's educational records; request amendments if the parent believes the record is inaccurate, misleading, or violates the student's privacy rights; consent to disclosures of personally-identifiable information contained in the student's educational records, except to those disclosures allowed by the law; challenge Board noncompliance with a parent's request to amend the records through a hearing; file a complaint with the Department of Education; obtain a copy of the Board's policy and administrative guidelines on student records.

The Superintendent shall also develop procedural guidelines for: the proper storage and retention of records including a list of the type and location of record; 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.

**CONSTRUCTIVE CRITICISM** – Constructive criticism is welcomed by the Firelands Local School District Board of Education when the concern is motivated by a sincere desire to improve the quality of the educational programs or services or to help the schools make optimum use of available resources. Although no resident of the community will be denied the right to bring concerns to the Board, the resident will be referred to the proper organizational channels before investigation or action by the Board. This will occur whether the concern is presented at a meeting of the Board of Education, is sent to the Board of Education, or is verbally presented to a member of the Firelands Local School District Board of Education. Exceptions may be made by the Board when the concern involves Board actions or operations.

The District Board of Education believes that most concerns are best handled and resolved as close to their origin as possible. The staff should be given the opportunity to consider the issues and attempt to resolve the problems prior to involvement by the Board; therefore, the proper channeling of concerns usually is as follows: Employee, who is involved with the concern; Principal/other Administrator who is the supervisor of the employee; Superintendent, and School District Board of Education. However, some concerns (e.g., sexual harassment, possible felony, striking of a student) may be initiated directly to the Principal, responsible Administrator, Assistant Superintendent or Superintendent. The Board expects the staff to receive concerns courteously and to respond to the originator in a timely and appropriate manner.

For certain types of concerns, specific procedures have been established: Alleged violations of Equal Employment Opportunities, Equal Educational Opportunities, American's with Disabilities Act, and Harassment including Sexual Harassment; Appeals of Suspensions or Expulsion; Complaints About Instructional Materials; Concerns About School Employees (an attempt first should be made to talk to the employee to resolve the concern. If the situation is not resolved, a written and signed concern may be submitted to the responsible administrator and then, if necessary, to the Superintendent. Finally, the concern may be submitted to the Firelands Local School District Board of Education).

Whenever a concern about a school employee is made directly to the Board as a whole or to a Board member as an individual, it will be referred to the school administration for review.

Constructive criticism concerning an employee will be heard by the School District Board of Education only in Executive Session. The Ohio Revised Code allows the Firelands Local School District Board of Education to meet in Executive Session to consider complaints against a public employee.

The Superintendent will develop procedures that assure prompt and fair attention to concerns about school employees. The procedure will require that an employee who is the object of a concern be informed and be afforded the opportunity to respond. All procedures will be in accordance with negotiated agreements.

**VISITORS TO THE SCHOOL** – The Firelands Local School District Board of Education believes that each building principal or administrator must be charged with responsibility for the orderly operation of the assigned building; therefore, all visitors will report to the school office and receive permission to be on or within school premises.

**PUBLIC RECORDS** -The Firelands Local School District Board of Education recognizes its responsibility to maintain 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 as defined in statute as having been created, generated, sent, communicated, received, or stored by electronic means, 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. "Public records" do not include medical records, trial preparation records, confidential law enforcement investigatory records, 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.

The public records of this District shall be available during regular business hours, with the exception of published holidays. Upon request, a person may receive copies of public records, at cost, within a reasonable period of time. 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.

Each request for public records shall be evaluated for a response at the time of the public records request. 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). The request for records need not be in writing. The requestor shall not be required to provide his/her 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 acknowledgement by the District shall also be in writing.

The Superintendent/designee 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, 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 purchase copies of the District's public records upon payment of a fee. A person who chooses to purchase 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 chooses to purchase a copy of a public record may also 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 said record as well as costs for postage and supplies used in the mailing. 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. 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 used to conduct public business are subject to disclosure, and all employees or representatives of the District shall retain e-mails that relate to public business and shall copy them to their business e-mail account(s) or to the records custodian. The records custodian shall treat e-mail from private accounts that are used to conduct public business, thus subject to disclosure, 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.

No public record may be removed from the office in which it is maintained except by a Board officer or employee in the course of the performance of his/her duties. Nothing in this policy shall be construed as preventing a Board member, in the performance of his/her official duties, from inspecting any record of this District, except student records and certain portions of personnel records. A School District Records Commission shall be established consisting of the Board President, Treasurer, and Superintendent of Schools 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/designee 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.

**MANDATORY REPORTING OF MISCONDUCT BY LICENSED EMPLOYEES** -The Firelands Local School District Board of Education recognizes its responsibility to effectively address employee misconduct and, where determined appropriate, to provide a measured disciplinary response consistent with due process. In addition, with respect to licensed professional staff members, matters of misconduct, including conviction of certain crimes enumerated by law and/or conduct which is unbecoming to the teaching profession, will be reported by the Board to the Ohio Department of Education.

**Definitions** -"Licensed professional staff member" refers to Board employees who hold an educator's license or certification with the Ohio Department of Education (ODE) (including the Treasurer and Business Manager), educational assistants (aides with a permit and paraprofessionals with a license from ODE), individuals holding a one (1) year conditional teaching permit in the area of intervention specialist or seeking an alternative educator license, and those individuals who do not hold a valid educator's license but who are employed by the Board under a Pupil Activity Program Permit. "Conduct unbecoming the teaching profession" is defined to mean: crimes or misconduct involving minors; crimes or misconduct involving school children; crimes or misconduct involving academic fraud; crimes or misconduct involving the school community; making, or causing to be made, any false or misleading statement or concealing a material fact in obtaining the issuance or renewal of any educator licensing documents; the violation of the terms and conditions of a consent agreement with the State Board of Education; a plea of guilty to or a finding of guilt or conviction upon any offense enumerated under R.C. 3319.39.

**Reporting Professional Misconduct** -The Board and/or the Superintendent will file a report to the Ohio Department of Education, on forms provided for that purpose, matters of misconduct on the part of licensed professional staff members, under any of the following

circumstances: when the Board obtains knowledge that a licensed professional staff member has pled guilty, has been found guilty, or has been convicted of a crime specified in R.C. 3319.31(B)(2) or 3319.39(B)(1), including but not limited to any felony, any misdemeanor sex offense, any offense of violence, any theft offense and any drug abuse offense that is not a minor misdemeanor; when the Board has initiated termination or non-renewal proceedings against a professional staff member who is reasonably believed to have committed an act that is unbecoming to the teaching profession; when the professional staff member has resigned under threat of termination or non-renewal for any of the reasons set forth in paragraphs A and B above; when the professional staff member has resigned during the course of an investigation of alleged misconduct which is reasonably believed to be unbecoming to the teaching profession.

**Investigation Reports Regarding Professional Misconduct** -Reports of any investigation regarding whether or not a professional staff member has committed an act or offense for which the Board is required to make a report to the Ohio Department of Education, as set forth above, shall be kept in the personnel file of the professional staff member. Should the Ohio Department of Education determine that the results of that investigation do not warrant initiating an action suspending, revoking, or otherwise limiting that professional staff member's license or permit, the report(s) of any investigation will be moved to a separate public file.

**CRIMINAL HISTORY RECORD CHECK** -In order to adequately safeguard students and staff members, and in accordance with State law, the Board of Education requires an inquiry into the background of each applicant the Superintendent recommends for employment on the District's professional staff. This requirement includes all substitutes and persons employed on a part-time basis such as coaches or activity supervisors who may have care, custody, or control of students. In addition, all professional staff members with a license, certificate, or permit issued by the Ohio Department of Education must undergo a criminal background check at the time of the renewal of same or, in the case of a permanent teaching certificate, no less than every five (5) years. Such background check is not otherwise required of any currently-employed staff member who is a candidate for another position within the District.

The Superintendent shall establish administrative guidelines which will require a records check that complies with the law and ensures that, at the time of the initial application, upon renewal of a professional teaching certificate, license, or permit, and, for professional staff members with permanent teaching certificates -not later than every five (5) years, the applicant or employee is properly informed of the requirement to obtain a criminal history records check, a set of the applicant's or employee's fingerprints, and proof that the applicant or employee has been a resident of Ohio for the five (5) years previous to the criminal history records check, and if not, that the Bureau of Criminal Investigation shall be requested to obtain criminal history information from the Federal Bureau of Investigation.

The guidelines established by the Superintendent shall also direct that any information and records obtained from such inquiries are confidential and shall not be released or disseminated. Should it be necessary to employ a person to maintain a continuity of the District's operations prior to receipt of the criminal history record, the Superintendent may, except in the case of a bus driver, employ the person on a provisional basis until the report is received. In accordance with State regulations, the Superintendent shall request the Director of Transportation to conduct a biennial criminal history record check on each employed bus driver.

**USE OF MEDICATIONS** -The Board of Education shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically-prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, 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 his/her educational program.

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

Before any prescribed medication (i.e., a drug) or treatment may be administered to any student during school hours, the Board shall require a written statement from a licensed health professional authorized to prescribe drugs ("prescriber") accompanied by the written authorization of the parent. Before any non-prescribed medication or treatment may be administered, the Board shall require the prior written consent of the parent along with a waiver of any liability of the District for the administration of the medication. These documents shall be kept in the office of the administering school, 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 the Student Code of Conduct/Discipline Code.

Only medication in its original container; labeled with the date, if a prescription; the student's name; and exact dosage will be

administered. The Superintendent or his/her designee 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.

However, students shall be permitted to carry and use, as necessary, an asthma inhaler, provided the student has prior written permission from his/her parent and physician and has submitted the appropriate form, to the principal and any school nurse assigned to the building.

Additionally, students shall be permitted to carry and use, as necessary, an epinephrine autoinjector to treat anaphylaxis, provided the student has prior written approval from the prescriber of the medication and his/her parent/guardian, if the student is a minor, and has submitted written approval to the principal and any school nurse assigned to the building. The parent/guardian or the student shall provide a back-up 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).

The following staff are designated as being authorized to administer medication and treatment to students: principal; teacher; school nurse; building secretary; aide; others as designated by student's IEP and/or 504 plan. 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.

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 school/clinic office and administered in accord with this policy. 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.

**FOOD SERVICE MANAGEMENT/CHILD NUTRITION PROGRAMS** – It will be the purpose of the food service program in the Firelands Local School District to provide well-balanced meals that are nourishing at moderate prices for students in grades 6-12 without cost to the school district. The District Board of Education participates in the National School Lunch Program and receives commodities donated by the United States Department of Agriculture for use in free and reduced priced meals. It is the responsibility of the administration to determine eligibility of the students involved and to implement the program for providing the free and reduced price meals within the framework of government controls.

**MCKINNEY VENTO HOMELESS EDUCATION ASSISTANCE ACT** -The Superintendent will appoint a Liaison for Homeless Children whose general duty will be to safeguard the rights of homeless children attending school in this District. The Liaison must be notified immediately upon the enrollment or assignment of a homeless child. The Liaison will coordinate operations and services so that: homeless children are identified, with special attention given to the enrollment and attendance of homeless children who are not currently attending school; homeless children have a full and fair opportunity to succeed in school; homeless families and children receive educational services for which they are eligible, including any preschool programs, and referrals to health care services, dental services, mental health services, and other appropriate services; parents or guardians of homeless children are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children; public notice of the educational rights of homeless children is disseminated where such children receive services, such as schools, family shelters, and soup kitchens; enrollment disputes are mediated in accordance with Board Policy and the State Consolidated Plan; the parents or guardians of any homeless child and any unaccompanied homeless minor are fully informed of transportation services and assisted in accessing such transportation; appropriate data is collected and reported regarding homeless children and youth as required by the U.S. Department of Education and the Ohio Department of Education for use in making necessary program adjustments.

Upon enrollment of a homeless child, the Liaison will coordinate with appropriate administrative staff to assure that the school last attended by a homeless child is immediately contacted to provide relevant academic or other relevant records. If upon enrollment the homeless child is found to be in need of any immunization required for enrollment by State law or any other medical records, the Liaison will assist the family or student in obtaining the immunizations or necessary medical records. The Liaison will also contact the Director of Transportation to assure transportation of the homeless student is provided in accordance with the Board's Transportation Policy. Any disputes regarding the enrollment or assignment of a homeless student will be referred to the Liaison for expeditious resolution. The Liaison should attempt to resolve disputes within five (5) school days. Any dispute which cannot be resolved by the Liaison should be reported to the State Coordinator for the Education of Homeless Children and Youth at the Ohio Department of Education. According to State guidelines, the State Coordinator has an additional five (5) school days from the time of notification to bring about resolution. Individuals not satisfied with the State Coordinator's proposed resolution can appeal such decision to the State Superintendent of Public Instruction within five (5) school days for final resolution of the dispute.

As part of his/her assigned duties, the Liaison will coordinate and collaborate with the State Coordinator for Homeless Children and other community and school personnel responsible for providing education and related services to homeless children including but not limited to: School District services with local social service agencies and other agencies or programs providing services to homeless children and their families; and with other school districts on inter-district issues, such as transportation or the transfer of school records. Such coordination should be designed to facilitate homeless children having access and reasonable proximity to available education and related support services, and raise the awareness of school personnel and service providers of the effects of short-term stays in a shelter and other challenges associated with homelessness.

As part of his/her assigned duties, the Liaison for Homeless Children will inform school personnel, services providers and advocates working with homeless families about his/her duties.

**ASBESTOS HAZARD EMERGENCY RESPONSE ACT** – It is the intention of the Firelands Local School District Board of Education to comply with all federal and state regulations controlling asbestos and to take whatever steps are necessary to ensure students and employees a healthy and safe environment in which to learn and work. You are welcome to review a copy of the asbestos management plan in the District's administrative offices during regular business hours. All asbestos related inquiries should be directed to Michael Englert, our asbestos program coordinator, at (440) 965-5821.