

Book Policy Manual

Section Vol. 40, No. 1 - August 2021

Title Vol. 40, No. 1 - August 2021

Code 02 - Policy Disposition Sheet

Status 3) Approved and ready for NEOLA

Adopted October 20, 2021

Last Revised September 15, 2021

Last Reviewed September 15, 2021

**DISPOSITION OF NEW/REVISED/REPLACEMENT
POLICIES FOR BOARD ADOPTION**

VOLUME 40, NO. 1 - AUGUST 2021

Coding for District-Specific Edits

*1 = drafted by District staff

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

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

Policy Number	Date Adopted	District-Specific Edits (1, 2, or 3)	Date Tabled	Date Rejected
po0169.1	10/20/2021			
po1530	10/20/2021			
po1617	10/20/2021			
po2370.01				10/20/2021
po3217	10/20/2021			
po4217	10/20/2021			
po5111.02	10/21/2021			
po5200	10/20/2021			
po5336				10/20/2021
po5350	10/20/2021			
po5516	10/20/2021			
po5630.01				10/20/2021
po5722	10/20/2021			
po6114	10/20/2021			
po7300	10/20/2021			
po7450	10/20/2021			
po8330	10/20/2021			
po8400	10/20/2021			
po8462	10/20/2021			
po8740	10/20/2021			

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised PUBLIC PARTICIPATION AT BOARD MEETINGS
Code	po0169.1
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

0169.1 - PUBLIC PARTICIPATION AT BOARD MEETINGS

The Governing Board recognizes the value to school governance of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest. The Board offers public participation to members of the public in accordance with the guidelines below. The Board applies these procedures to all speakers and does not discriminate based on the identity of the speaker, content of the speech, or viewpoint of the speaker.

The Board is also committed to conducting its meetings in a productive and efficient manner that assures that the regular agenda of the Board is completed in a reasonable period of time, honors the voluntary nature of the Board's time and using that time efficiently, and allows for a fair and adequate opportunity for input to be considered. Consequently, public participation at Board meetings will be governed by this bylaw.

In order to permit the fair and orderly expression of such comment, the Board shall provide a period for public participation

☒ at every regular meeting of the Board

~~☐ at all regular special public meetings of the Board~~

~~☐ at those public meetings of the Board during which action may be taken~~

and publish rules to govern such participation in Board meetings.

The presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

The presiding officer shall be guided by the following rules:

A. ~~☐~~ Public participation shall be permitted

☒ as indicated on the order of business. ~~[RECOMMENDED]~~

☒ before the Board takes official action on any issue of substance.

☒ at the discretion of the presiding officer.

B. ☒ Anyone having a legitimate interest in the actions of the Board may participate during the designated public portion(s) ~~public portion~~ of a meeting.

C. ☒ Attendees must register their intention to participate in the public participation portion of the meeting upon their arrival at the meeting.

~~☒~~ upon their arrival at the meeting.

D. ~~☐ within two (2) business days before the meeting.~~

- E. ~~[DRAFTING NOTE: The timeline for registration should be reasonably determined in consideration of the posting of the meeting agenda and should be consistently applied.]~~
- F. () Individuals may not register others to speak during public participation.
- G. (X) Participants must first be recognized by the presiding officer
- (X) and will be requested to preface their comments by an announcement of their name,
- (X) address, and
- (X) group affiliation, if and when appropriate.
- H. (X) Each statement made by a participant ~~shall~~ may be limited to Three (3) minutes in duration.
- I. (X) During the portion of the meeting designated for public participation, no participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- J. ~~() No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.~~
- K. (X) All statements shall be directed to the presiding officer; no person may address or question Board members individually.
- L. (X) Audio or video recordings are permitted. The person operating the recorder should contact the Superintendent prior to the Board meeting to review possible placement and agrees to the placement of the equipment, and must agree to abide by the following conditions:
1. No obstructions are created between the Board and the audience.
 2. No interviews are conducted in the meeting room while the Board is in session and not disrupt the meeting.
 3. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session.
- M. (X) The presiding officer may:
1. (X) interrupt, warn, or terminate a participant's session when they make comments that are repetitive, obscene, and/or comments that constitute a true threat (i.e., statements meant to frighten or intimidate one (1) or more specified persons into believing that they will be seriously harmed by the speaker or someone acting at the speaker's behest);
 2. ~~() prohibit public comments that are frivolous, repetitive, and/or harassing;~~
 3. (X) interrupt, warn, or terminate a participant's statement when the statement is too lengthy, abusive, off-topic, obscene, or irrelevant;
 4. (X) request any individual to stop speaking and/or leave the meeting when that person does not observe reasonable decorum or is disruptive to the conduct and/or orderly progress of the meeting;
 5. (X) request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the conduct and/or orderly progress of the meeting;
 6. (X) call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
 7. (X) waive these rules.
- (X) with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.

[X] The portion of the meeting during which the participation of the public is invited shall be limited to (X) Thirty (30) minutes, unless extended by a vote of the Board.

~~[-]~~~~X~~-The Board may permit individuals to attend meetings remotely through live broadcast; however, public participation will be limited to those who are in attendance at the meeting site only. The Board is not responsible for any technology failures that prevent or disrupt any individual from attending remotely.

OR

~~[-]~~~~The Board permits individuals who attend meetings remotely to participate in public participation, subject to the same rules that apply to individuals who attend in person. The Board is not responsible for any technology failures that prevent or disrupt any individual from attending and/or participating remotely.~~

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Legal

R.C. 3313.20

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised EVALUATION OF PRINCIPALS AND OTHER ADMINISTRATORS
Code	po1530
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

1530 - EVALUATION OF PRINCIPALS AND OTHER ADMINISTRATORS

Application

This policy shall apply to all persons employed by the Governing Board in a position requiring licensure as an administrator. This definition excludes school counselors but includes professional pupil services personnel and administrative specialists (or equivalent positions) who spend less than fifty percent (50%) of their time teaching or otherwise working directly in the presence of students.

This policy shall also apply to all persons employed in positions not requiring administrative licensure, but whose job duties enable them to be considered either a supervisor or management level employee as defined in R.C. 4117.01.

Procedures

General Requirements

The Superintendent shall implement a program of regular evaluation for all administrative personnel which includes the following elements:

- A. The evaluation process shall fairly attempt to measure the administrator's effectiveness in performing the duties set forth in his/her job description.
- B. A written evaluation document shall be produced for each evaluation. Each administrator shall be evaluated at least once annually.
- C. The evaluation shall be conducted by the Superintendent or his/her designee (such designation may be oral or in writing) prior to the Board's consideration of contract renewal or non-renewal, the Superintendent shall review the results of the evaluation process with the Board.

Specific Requirements for Building Principals and Assistant Principals

In addition to the above, procedures for the evaluation of Educational Service Center building principals and assistant principals will be based upon comparable standards as set forth in the policy adopted by the Board for the evaluation of teachers pursuant to R.C. 3319.111, but tailored to address the duties and responsibilities of building principals and assistant principals and the environment in which they work. The Superintendent is authorized to develop administrative guidelines for the procedural and substantive evaluation of building principals and assistant principals consistent with this policy and State law.

(**X**) and is further authorized to access the ~~Ohio Principal Evaluation System (OPES)~~ model as a resource in the development and maintenance of an evaluation process.

Evaluation Instruments

The Superintendent may utilize model evaluation forms by the Ohio Department of Education for administrators evaluated under OPES. The Superintendent may, ~~in his/her discretion,~~ utilize a single evaluation instrument for all administrative positions, not

subject to evaluation under OPES, instruments particularized for each position, or a combination of both types of instruments.

Evaluation instruments shall be developed and/or utilized by the Superintendent as s/he may determine in his/her best professional judgment and may be modified from time-to-time by the Superintendent in the exercise of such professional judgment. Specific Board approval of the evaluation instruments or modifications to such instruments shall not be required.

Basis for Evaluation

Each evaluation shall fairly attempt to measure the administrator's effectiveness in performing the duties of his/her job description.

Evaluations may be based upon the direct formal observations of the administrator, but may also consider informal ~~or incidental~~ observations/walkthroughs and other relevant information which is within the knowledge of or brought to the attention of the evaluator. Out-of-school conduct may be considered if such conduct impairs the individual's effectiveness as an administrator or as a role model for students and staff.

Observations and Conferences

A pre-evaluation conference may be conducted if deemed necessary or advisable by the evaluator.

Formal observations may be made of the administrator, either announced or unannounced, ~~, but shall not be a required element of the evaluation process except for principals and assistant principals, who are subject to OPES. Whether formal observations are deemed appropriate to other administrative positions shall be determined by the evaluator on a case-by-case basis.~~ Administrators evaluated under OPES will receive at least two (2) formal observations of at least thirty (30) minutes in length. Formal observations for administrators who are not evaluated under OPES are optional as determined by the evaluator on a case-by-case basis.

Following any formal observations and/or gathering of other evaluative data, and before finalizing any evaluation report, the evaluator shall arrange a ~~post-evaluation~~ conference at which the results of the evaluation process are discussed with the administrator. To the extent that any weaknesses or deficiencies have been identified in the evaluation process, the evaluator shall offer suggestions for improvement. Identified weaknesses and suggestions for improvement shall be identified in the evaluation report, but shall not be a required element of any evaluation. However, for Principals and assistant Principals, the requirements of OPES shall apply in determining the need for professional growth and/or improvement plans.

A final written evaluation report shall be produced in a manner deemed appropriate by the evaluator, in consultation with the administrator. This evaluation report may be combined with the evaluation instruments or may be a separate document. The evaluation report shall be signed and dated by the administrator and the evaluator at the conclusion of the post-evaluation conference. The signature of the administrator shall not necessarily indicate that s/he agrees with the evaluator's comments or conclusions, but only that s/he has been made aware of such comments or conclusions. A copy of the evaluation report shall be provided to the administrator.

Number and Timing of Evaluations

A. Administrator Not in Final Year of Contract

An administrator not in the final year of his/her contract shall be evaluated at least once during the school year. A written copy of the evaluation report shall be provided to the administrator no later than the end of the administrator's contract year as defined by the administrator's annual salary notice.

B. Administrator in Final Year of Contract

An administrator whose contract is due to expire at the conclusion of the current school year shall have at least one (1) preliminary evaluation and one (1) final evaluation during such year. A written copy of the preliminary evaluation report shall be provided to the administrator at least sixty (60) days prior to any Board action on the renewal or non-renewal of the contract. For principals, a pinned signed-written copy of the post-observation report shall serve as the preliminary evaluation. A written copy of the final evaluation report shall be provided to the administrator at least five (5) days prior to any Board action on the renewal or non-renewal of the contract.

The final evaluation report for an administrator in the last year of his/her contract shall include the administrator's final holistic rating and the Superintendent's intended recommendation to the Board concerning the renewal or non-renewal of the contract. The Board will consider the evaluation results when deciding whether to renew or not renew an administrator's contract.

Meeting with Board

Each administrator shall be provided the opportunity to meet with the Board in executive session prior to the Board's action on his/her contract. In this meeting, the Board shall discuss its reasons for considering the renewal or non-renewal of the contract. The administrator may be accompanied by a representative of his/her choosing at the meeting. However, no witnesses or other persons may appear with or on behalf of the administrator without the express permission of the Board.

Written notice of the right to have such a meeting with the Board shall be provided in accordance with law to each administrator whose contract is expiring at the conclusion of the current school year.

Written Rebuttal

The administrator may, at any time following the receipt of an evaluation report, submit a written rebuttal, not to exceed three (3) pages in length, which shall be promptly attached to the evaluation report and any copies of the evaluation report which are retained in the Center's records or submitted to the Board for its consideration.

Legal Effect

This policy and the procedures contained herein shall not create a legal expectancy of continued employment or a property interest in continued employment, and shall not be deemed a part of any individual administrator's contract or otherwise a contractual obligation of the Board.

To the extent that any of the procedures contained herein exceed the requirements of Ohio law, such procedures shall not be construed as a pre-condition to contract non-renewal and shall not prevent the Board from proceeding with a contract non-renewal which otherwise satisfies the minimum requirements of Ohio law.

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Legal R.C. 3319.02, 3319.111, 3319.112, 4117.01

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 New WEAPONS
Code	po1617
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

1617 - **WEAPONS**

The Governing Board prohibits staff members from possessing, storing, making, or using a weapon, including a concealed weapon, in a school safety zone and any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle, except as permitted by law.

The term weapon includes any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, incendiary devices, explosives, and other objects defined as dangerous ordinances under State law.

The Superintendent shall immediately refer a staff member who violates this policy to law enforcement officials, regardless of whether such staff member possesses a valid concealed weapon license. The staff member who violates this policy will also be subject to disciplinary action, up to and including termination, as permitted by applicable Board policy and the terms of existing collective bargaining agreements.

Exceptions to this policy include:

- A. weapons under the control of State or Federal agents authorized to carry deadly weapons who are acting within the scope of their duties or law enforcement agents;
- B. weapons carried by security personnel or other designated staff employed by the Board who are qualified under State law to carry a weapon in a school safety zone while on active duty;

~~[DRAFTING NOTE: The Ohio Supreme Court has ruled that under current State law an employee must have completed either the State approved basic peace officer training program or have at least twenty (20) years of active duty experience as a peace officer in order to be qualified to carry a gun onto school property. Gabbard v. Madison Local Sch. Dist. Bd. of Edn. Slip Opinion No. 2021-Ohio-2067 (June 23, 2021). Educational Service Centers should consult with legal counsel to confirm eligibility requirements under current law before designating an employee to carry a concealed weapon onto school property.]~~

- C. handguns in the possession of a person who has a valid concealed handgun license or who is an active duty member of the armed forces with a valid military identification card and documentation of successful completion of firearms training if the handgun remains in a vehicle with the individual or is left in a locked vehicle when the person exits the vehicle;
- D. ~~(-) objects indistinguishable from a firearm used during school safety trainings;~~
- E. ~~(-) items indistinguishable from a firearm approved by a principal as part of a class or individual presentation under adult supervision, if used for the purpose of and in the manner approved (working firearms and ammunition shall never be approved);~~
- F. ~~(-) theatrical props used in appropriate settings;~~

G. ~~(-) starter pistols used in appropriate sporting events.~~

H. ~~(-) _____.~~

Staff members shall immediately report any information concerning weapons and/or threats of violence by students, staff members, or visitors to the Superintendent. Failure to report such information may subject the staff member to disciplinary action, up to and including termination.

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 R.C. 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.

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R.C. 109. 78

R.C. 2923.11, 2923.12, 2923.122, 2923.19, 2923.161, 2923.22, 3313.20

18 U.S.C. 922

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised BLENDED LEARNING
Code	po2370.01
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

~~2370.01~~ **BLENDED LEARNING**

~~The Governing Board authorizes the operation of a blended learning environment as an educational opportunity for students. Blended learning is defined as delivery of instruction in a combination of time primarily in a supervised physical location away from home and online delivery where the student has some element of control over time, place, path, or pace of learning. Students participating in blended learning shall have the ability to advance from grade to grade and earn credits by demonstrating proficiency of knowledge or skills through competency-based learning models rather than a minimum number of days or hours in a classroom or on a digital learning device. Blended learning programs must have an annual instructional calendar of not less than 910 hours.~~

~~Students participating in blended learning shall have the ability to earn credits by demonstrating proficiency of knowledge or skills through competency-based learning models rather than a minimum number of days or hours in a classroom or on a digital learning device. Students may advance from grade to grade based upon credits earned.~~

~~If the school alters the hours that it is open for instruction in order to adapt blended learning opportunities that apply to all students, the school shall be released from school year hourly requirements in R.C. 3313.48(A).~~

~~The Superintendent is authorized to develop program guidelines and specific procedures to address the following requirements:~~

- ~~A. The means of personalization of student-centered learning models to meet the needs of each student.~~
- ~~B. The evaluation and review of the quality of online curriculum delivered to students.~~
- ~~C. The assessment of each participating student's progress through the curriculum. Students will shall be permitted to advance through each level of the curriculum based on demonstrated competency/mastery of the material.~~
- ~~D. The assignment of a sufficient number of teachers to ensure a student has an appropriate level of interaction to meet the student's personal learning goals. Each participating student shall be assigned to at least one (1) teacher of record. **[NOTE: A school or classroom that implements blended learning cannot be required to have more than one (1) teacher for every 125 students.]**~~
- ~~E. The method by which each participating student will have access to the digital learning tools necessary to access the online or digital content.~~
- ~~F. The means by which each school shall use a filtering device or install filtering software that protects against internet access to materials that are obscene or harmful to juveniles on each computer provided to or made available to students for instructional use. The school shall provide such device or software at no cost to any student who uses a device obtained from a source other than the school.~~
- ~~G. The means by which the school will ensure that teachers have appropriate training in the pedagogy of the effective delivery of online or digital instruction.~~

~~The Superintendent will collect, report, and track program data annually in accordance with data reporting guidelines and provide regular reports to the Board.~~

~~The Superintendent shall establish the necessary administrative guidelines and procedures to comply with State law which will thereafter be properly communicated to both students and their parents.~~

~~O.A.C. 3301-35-03~~

~~R.C. 3302.41~~

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O.A.C. 3301-35-03

R.C. 3302.41

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised WEAPONS
Code	po3217
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

3217 - WEAPONS

The Governing Board prohibits ~~professional~~ staff members from possessing, storing, making, or using a weapon, including a concealed weapon, in a school safety zone and any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle, except as permitted by law.

~~(-) without the permission of the Superintendent.~~

The term weapon ~~includes means~~ any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, incendiary devices, explosives, and other objects defined as dangerous ordinances under State law. ~~and explosives.~~

The Superintendent shall immediately refer a staff member who violates this policy to law enforcement officials, regardless of whether such staff member possesses a valid concealed weapon license. The staff member who violates this policy will also be subject to disciplinary action, up to and including termination, as permitted by applicable Board policy and the terms of existing collective bargaining agreements.

Exceptions to this policy include:

- A. weapons under the control of State or Federal agents authorized to carry deadly weapons who are acting within the scope of their duties or law enforcement agents; ~~law enforcement personnel;~~
- B. weapons carried by security personnel or other designated staff employed by the Board who are qualified under State law to carry a weapon in a school safety zone while on active duty;

[DRAFTING NOTE: The Ohio Supreme Court has ruled that under current State law an employee must have completed either the State-approved basic peace officer training program or have at least twenty (20) years of active-duty experience as a peace officer in order to be qualified to carry a gun onto school property. Gabbard v. Madison Local Sch. Dist. Bd. of Edn. Slip Opinion No. 2021-Ohio-2067 (June 23, 2021). Educational Service Centers should consult with legal counsel to confirm eligibility requirements under current law before designating an employee to carry a concealed weapon onto school property.]

- C. handguns in the possession of a person who has a valid concealed handgun license or who is an active duty member of the armed forces with a valid military identification card and documentation of successful completion of firearms training if the handgun remains in a vehicle with the individual or is left in a locked vehicle when the person exits the vehicle;
- D. ~~(-) weapons carried by an on-duty security officer employed by the Board;~~
- E. ~~(-) objects indistinguishable from a firearm used during school safety trainings;~~
- F. ~~(-) items indistinguishable from a firearm approved by a principal as part of a class or individual presentation under adult supervision, if used for the purpose of and in the manner approved; (working firearms and ammunition shall never be~~

approved)

- G. ~~(-) theatrical props used in appropriate settings;~~
- H. ~~(-) starter pistols used in appropriate sporting events.~~
- I. ~~(-) _____.~~

Staff members shall immediately report any information concerning weapons and/or threats of violence by students, staff members, or visitors to the Superintendent. Failure to report such information may subject the staff member to disciplinary action, up to and including termination.

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 R.C. 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.

R.C. 109.78

R.C. 2923.11, 2923.12, 2923.122, 2923.19, 2923.161, 2923.22, 3313.20

18 U.S.C. 922

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Legal

R.C. 109.78

R.C. 2923.11, 2923.12, 2923.122, 2923.19, 2923.161, 2923.22, 3313.20

18 U.S.C. 922

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised WEAPONS
Code	po4217
Status	3) Approved and ready for NEOLA
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Last Reviewed	September 15, 2021

4217 - **WEAPONS**

The Governing Board prohibits ~~classified~~ staff members from possessing, storing, making, or using a weapon, including a concealed weapon, in a school safety zone and any setting that is under the control and supervision of the Board for the purpose of school activities approved and authorized by the Board including, but not limited to, property leased, owned, or contracted for by the Board, a school-sponsored event, or in a Board-owned vehicle, except as permitted by law.

~~(-) without the permission of the Superintendent.~~

The term weapon ~~includes~~means any object which, in the manner in which it is used, is intended to be used, or is represented, is capable of inflicting serious bodily harm or property damage, as well as endangering the health and safety of persons. Weapons include, but are not limited to, firearms, guns of any type, including air and gas-powered guns (whether loaded or unloaded), knives, razors, clubs, electric weapons, metallic knuckles, martial arts weapons, ammunition, incendiary devices, explosives, and other objects defined as dangerous ordinances under State law.~~and explosives.~~

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Exceptions to this policy include:

- A. weapons under the control of State or Federal agents authorized to carry deadly weapons who are acting within the scope of their duties or law enforcement agents;~~law enforcement personnel;~~
- B. weapons carried by security personnel or other designated staff employed by the Board who are qualified under State law to carry a weapon in a school safety zone while on active duty;

[DRAFTING NOTE: The Ohio Supreme Court has ruled that under current State law an employee must have completed either the State-approved basic peace officer training program or have at least twenty (20) years of active-duty experience as a peace officer in order to be qualified to carry a gun onto school property. Gabbard v. Madison Local Sch. Dist. Bd. of Edn. Slip Opinion No. 2021-Ohio-2067 (June 23, 2021). Educational Service Centers should consult with legal counsel to confirm eligibility requirements under current law before designating an employee to carry a concealed weapon onto school property.]

- C. handguns in the possession of a person who has a valid concealed handgun license or who is an active duty member of the armed forces with a valid military identification card and documentation of successful completion of firearms training if the handgun remains in a vehicle with the individual or is left in a locked vehicle when the person exits the vehicle;
- D. ~~(-) weapons carried by an on-duty security officer employed by the Board;~~
- E. ~~(-) objects indistinguishable from a firearm used during school safety trainings;~~

- F. ~~(-) items indistinguishable from a firearm approved by a principal as part of a class or individual presentation under adult supervision, if used for the purpose of and in the manner approved (working firearms and ammunition shall never be approved);~~
- G. ~~(-) theatrical props used in appropriate settings;~~
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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.

R.C. 109.78

R.C. 2923.11, 2923.12, 2923.122, 2923.19, 2923.161, 2923.22, 3313.20

18 U.S.C. 922

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Legal

R.C. 109.78

R.C. 2923.11, 2923.12, 2923.122, 2923.19, 2923.161, 2923.22, 3313.20

18 U.S.C. 922

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN
Code	po5111.02
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

5111.02 - **EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN**

Children of an active duty member of the United States armed services shall be entitled to all of the rights and protections afforded under the Interstate Compact on Educational Opportunity for Military Children (Compact).

The intent of this policy is to minimize the potential challenges to educational success for children of military families because of frequent moves and deployment of their parents by:

- A. facilitating the timely enrollment and placement of children of military families in educational and other school programs and activities;
- B. facilitating the on-time graduation of children of military families; and
- C. providing for the uniform collection and sharing of information between and among schools and military families.

Children of active-duty uniformed services members parents/guardians who are subject to a transfer or relocation order and will be relocating to but do not yet reside in the District shall be permitted to apply for enrollment in the same manner and at the same time as resident students.

Enrollment applications shall be accepted by electronic means, including those for specific schools or programs within the Educational Service Center.

Parents/guardians must provide proof of residence within ten (10) days after establishing residence in the Center. A temporary on-base billeting facility, a purchased or leased home or apartment, or a Federal government or public-private venture off-base military housing are all acceptable forms of residency.

The children of military families shall be permitted to participate in technology-based educational opportunities to minimize disruptions when those students' families transition from one military installation to another. The Center shall make necessary provisions to enable students to participate in technology-based opportunities when those students' families receive permanent change of station orders out of the state until the students are enrolled in the schools of a new local education agency.

The Superintendent shall maintain guidelines for implementation of this policy which are consistent with the Compact and State law.

The guidelines shall apply to children of military families within the state as well as between member states.

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Legal R.C. 3301.60
Interstate Compact on Educational Opportunity for Military Children

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised ATTENDANCE
Code	po5200
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

5200 - **ATTENDANCE**

The educational program offered by this Educational Service Center is predicated upon the presence of the student and requires continuity of instruction and classroom participation. Attendance shall be required of all students enrolled in the schools during the days and hours that the school is in session.

(☒) or during the attendance sessions to which s/he has been assigned.

A student in grades nine (9) through twelve (12) may be considered a full-time equivalent student provided the student is enrolled in at least five (5) units of instruction, as defined by State law, per school year.

In accordance with statute, the Superintendent shall require, from the parent of each student of compulsory school age or from an adult student who has been absent from school or from class for any reason, a ~~() written~~ **[END OF OPTION]** statement of the cause for such absence. The Governing Board reserves the right to verify such statements and to investigate the cause of each single absence or prolonged absence.

☒ The Board considers the following factors to be reasonable excuses for time missed at school:

- A. personal illness (a written physician's statement verifying the illness may be required)
- B. appointment with a health care provider
- C. illness in the family necessitating the presence of the child
- D. quarantine of the home
- E. death in the family
- F. necessary work at home due to absence or incapacity of parent(s)/guardian(s)
- G. observation or celebration of a bona fide religious holiday
- H. out-of-state travel (up to a maximum twenty-four (24) hours per school year that the student's school is open for instruction) to participate in a Center-approved enrichment or extracurricular activity

Any classroom assignment missed due to the absence shall be completed by the student.

If the student will be absent for twenty-four (24) or more consecutive hours that the student's school is open for instruction, a classroom teacher shall accompany the student during the travel period to provide the student with instructional assistance.

- I. such good cause as may be acceptable to the Superintendent
- J. medically necessary leave for a pregnant student in accordance with Policy 5751

K. **(X)** service as a precinct officer at a primary, special or general election in accordance with the program set forth in Policy 5725

L. college visitation

[X-] The Center requires verification of the date and time of the visitation by the college, university, or technical college.

M. absences due to a student's placement in foster care or change in foster care placement or any court proceedings related to their foster care status

N. absences due to a student being homeless

[X] Attendance need not always be within the school facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board.

[X] The Board shall consider each student assigned to a program of other guided learning experiences to be in regular attendance for the program provided that s/he reports to such staff member s/he is assigned for guidance at the place in which s/he is conducting study, and regularly demonstrates progress toward the objectives of the course of study.

[X] The Superintendent may excuse a student over fourteen (14) years of age from attendance at school for a future limited period for the purpose of performing essential work directly or exclusively for his/her parents or guardians. Such excuse should not exceed five (5) days and may at the discretion of the Superintendent be renewed for five (5) additional days. At no time, however, shall such excuse cause a student to be absent from school for a period of more than ten (10) consecutive days.

At the discretion of the Superintendent, a student may be excused for a longer period of time than ten (10) days if a child's parent or guardian has recently died or become totally or partially incapacitated and there is no older brother or sister living in the home who is out of school. (The Superintendent may request a certificate of a physician attesting to the physical condition of the parent or guardian.)

~~**[]** Attendance shall be taken at the beginning of every block/period in buildings with block/period based scheduling. Absences from a class block/period shall be accounted for to the nearest full hour.~~

[X] Attendance shall be taken at the commencement of the school day in buildings with non-period-based schedules. Attendance for students arriving late or leaving early must be tracked and recorded to the nearest full hour.

Contacting the Parent/Guardian of an Absent Student

When a parent, guardian, or other person having care of a student has failed to initiate a telephone call or other communication notifying the school or building administration of the student's excused or unexcused absence within 120 minutes after the beginning of the school day, the attendance officer or designee for each school building shall make at least one (1) attempt to contact the parent, guardian, or other person having care of any student who is recorded as absent without legitimate excuse within 120 minutes after the beginning of each school day by a method designated by the Superintendent in accordance with Ohio law (see AG 5200).

Excessive Absences

When a student of compulsory school age is absent from school with combined nonmedical excused absences and unexcused absences in excess of thirty-eight (38) or more hours in one (1) school month, or sixty-five (65) or more hours in a school year, that student is considered excessively absent from school. The Center or school shall notify the child's parent or guardian of the child's absences, in writing, within seven (7) school days after the date of the absence that triggered the notice requirement. At the same time written notice is given, any appropriate intervention action listed herein may be taken.

The following "medical excuses" will not count toward a student's excessive absence hours: (1) personal illness; (2) illness in the family necessitating the presence of the child; (3) quarantine of the home; (4) health care provider appointments (doctor, dentist, mental health provider, etc.); (5) medically-necessary leave for a pregnant student in accordance with Policy 5751; (6) death in the family; or (7) other set of circumstances the Superintendent deems on a case-by-case basis to be a good and sufficient cause for medical absence from school. ~~**[DRAFTING NOTE: Use the last option to permit an excused medical absence for student mental health (e.g., school phobia, anxiety, emotional disability) or for students whose chronic conditions could be impacted by recognized pandemic/epidemic (COVID-19) or other causes. Document the reason for the medical excuse.]**~~

A medically excused absence occurs any time a student is out of school due to illness or medical visit (physician, dentist, mental health, etc.). A medical excuse for personal illness will be accepted in the form of doctor's note within **(X)** five (5) ~~(1)~~ school days of the absence or parent call-in on the day of the absence due to illness or doctor's visit. A student may have up to **(X)** ten

(10) ~~()~~ medically excused absences without a doctor's note, but with a phone call from a parent/guardian. For the 2020-2021 school year, medical excuse absences will be accepted through this process for students participating both in-person and remotely. This policy will be extended beyond **(X)** ten (10) ~~()~~ days if the student or someone in the student's family is in quarantine due to a recognized pandemic/epidemic (e.g., COVID-19) or experiencing symptoms of the pandemic/epidemic.

Habitually Truant

A student will be considered habitually truant if the student is of compulsory school age and absent without a legitimate excuse for thirty (30) or more consecutive hours, for forty-two (42) or more hours in one (1) school month, or for seventy-two (72) or more hours in one (1) school year.

Legitimate excuses for the absence of a student who is otherwise habitually truant include but are not limited to:

- A. the student was enrolled in another school center;
- B. the student was excused from attendance in accordance with R.C 3321.04; or
- C. the student has received an age and schooling certificate.

Absence Intervention Team

~~{DRAFTING NOTE: A school center with a chronic absenteeism percentage that is less than five percent (5%), as displayed on the center's most recent report card, and the school buildings within that center, shall be exempt from the following requirement to assign habitually truant students to an absence intervention team for the following school year and shall instead take any appropriate action as an intervention strategy listed in this policy. Should those intervention strategies fail, within sixty-one (61) days after their implementation, the attendance officer shall determine whether criteria are met to file a complaint against the student in juvenile court, and if so, shall file the complaint. The language "to the extent required by law as determined on an annual basis" refers to this exemption.}~~

To the extent required by law as determined on an annual basis, within ten (10) days of a student becoming habitually truant, the ~~() Superintendent~~ **(X)** Principal shall assign the student to an absence intervention team.

Within fourteen (14) school days after the assignment of a student to an absence intervention team, the team shall develop an intervention plan for that student in an effort to reduce or eliminate further absences. Each intervention plan shall vary based on the individual needs of the student, but the plan shall state that the attendance officer shall file a complaint not later than sixty-one (61) days after the date the plan was implemented, if the child has refused to participate in, or failed to make satisfactory progress on, the intervention plan. Within seven (7) school days after the development of the plan, reasonable efforts shall be made to provide the student's parent/guardian/custodian, with written notice of the plan.

(X) As part of the absence intervention plan, the ~~() Superintendent~~ **(X)** Principal may, in his/her discretion contact the appropriate juvenile court and ask to have a student informally enrolled in any alternative to adjudication described in R.C. 2151.27(G). **[DRAFTING NOTE: Any school that chooses this option must develop a written policy regarding the use of, and selection process for, offering alternatives to adjudication to ensure fairness.]**

Each absence intervention team may vary based on the needs of each individual student but shall include a representative from the child's building, another representative from the child's building who knows the child, and the child's parent or parent's designee, or the child's guardian, custodian, guardian ad litem, or temporary custodian. The team also may include a **(X)** school psychologist, **(X)** counselor, **(X)** social worker, or **(X)** representative of a public or nonprofit agency designed to assist students and their families in reducing absences. ~~{DRAFTING NOTE: Schools must obtain written permission to release confidential information about a student to third parties, such as a representative of an outside agency on an intervention team.}~~

The members of the absence intervention team shall be selected within seven (7) school days of the student meeting the habitually truant threshold. Within the same period of seven (7) school days, the ~~() Superintendent~~ **(X)** Principal shall make at least three (3) meaningful, good faith attempts to secure the participation of the student's parent/guardian/custodian, guardian ad litem, or temporary custodian on that team. A good faith attempt to secure the participation of the parent shall include, but not be limited to, contacting (or attempting to contact) the parent by telephone, email, or regular mail. If the student's parent responds to any of those attempts, but is unable to participate for any reason, the ~~() Superintendent~~ **(X)** Principal shall inform the parent of the parent's right to appear by designee. If seven (7) school days elapse and the student's parent/guardian/custodian, guardian ad litem, or temporary custodian fails to respond to the attempts to secure participation, the attendance officer shall investigate whether the failure to respond triggers mandatory abuse or neglect reporting to the public children services agency. At the same time, the absence intervention team shall continue to develop an intervention plan for the child notwithstanding the absence of the child's parent/guardian/custodian, guardian ad litem, or temporary custodian.

Intervention Strategies

In order to address the attendance practices of a student who is habitually truant, the intervention team may, as part of an intervention plan, take any of the following intervention actions:

- A. ☒ provide counseling to the student
- B. ☒ request or require the student's parent to attend a parental involvement program
- C. ☒ request or require a parent to attend a truancy prevention mediation program
- D. ☒ notify the Registrar of Motor Vehicles of the student's absences
- E. ☒ take appropriate legal action
- F. ☒ assignment to an alternative school ~~[DRAFTING NOTE: If the Center has established an alternative school, it must appear as an alternative intervention strategy.]~~

In the event that a student becomes habitually truant within twenty-one (21) school days prior to the last day of instruction of a school year, the ~~(-) Superintendent~~ ☒ Principal may, in his/her discretion, assign ~~the a staff member~~ a staff member ~~[one (1) school official]~~ to work with the child's parent/guardian/custodian, guardian ad litem, or temporary custodian to develop an absence intervention plan during the summer.

~~[] The plan shall be implemented not later than seven (7) days prior to the first day of instruction of the next school year.~~
OR

☒ The absence intervention process shall commence upon the first day of instruction of the next school year.

Reporting Requirements

The attendance officer shall file a complaint in the juvenile court against a student on the 61st day after the implementation of an absence intervention plan or other intervention strategies, provided that all of the following apply:

- A. The student is habitually truant.
- B. The Center or school has made meaningful attempts to re-engage the student through the absence intervention plan, other intervention strategies, and any offered alternatives to adjudication, if applicable.
- C. The student has refused to participate in or failed to make satisfactory progress on the plan, as determined by the absence intervention team, or any offered intervention strategies or alternative to adjudication.

If the student, at any time during the implementation phase of the absence intervention plan or other intervention strategies, is absent without legitimate excuse for thirty (30) or more consecutive hours or forty-two (42) or more hours in one school month, the attendance officer shall file a complaint in juvenile court against that student, unless the absence intervention team has determined that the student has made substantial progress on the absence intervention plan.

In the event that the 61st day after the implementation of the absence intervention plan or other intervention strategies falls on a day during the summer months, ☒ the absence intervention team ~~(-) the attendance officer~~ may extend the implementation of the plan and delay the filing of the complaint for an additional thirty (30) days from the first day of instruction of the next school year.

The Superintendent is authorized to establish an educational program for parents of truant students which is designed to encourage parents to ensure that their children attend school regularly. Any parent who does not complete the program is to be reported to law enforcement authorities for parental education neglect, a fourth class misdemeanor if found guilty.

Whenever any student of compulsory school age has sixty (60) consecutive hours in a single month or a total of ninety (90) hours of unexcused absence from school during the school year, s/he will be considered habitually absent under R.C. 3321.13(b)(2). The Board authorizes the Superintendent to inform the student and his/her parents, guardian, or custodian of the record of absences without a legitimate excuse as well as the Center's intent to notify the Registrar of Motor Vehicles, if appropriate, and the Judge of the Juvenile Court of the student's unexcused absences and habitually absent status. ~~[DRAFTING NOTE: The term "habitually absent" as used here refers to the level of unexcused absences that will trigger notice to the Registrar of Motor~~

~~Vehicles and Juvenile Court Judge under R.C. 3321.13(B)(2). It is not to be confused with "excessively absent" or "habitually truant" as those terms are defined above.}~~

~~{DRAFTING NOTE: A student is designated a habitual truant only through the measurement of unexcused absences. Schools must initiate intervention procedures for habitually truant students. If the interventions fail, the school must file a complaint against the habitually truant student in juvenile court. Excessive absenteeism is marked by an accumulation of both excused and unexcused absences. Intervention strategies may be implemented for students designated excessively absent, but a notice to parents is required. No further action toward the excessively absent student is required unless the student becomes habitually truant. The parent notice is purely a warning that the child has missed an excessive amount of school hours, both with and without a legitimate excuse.}~~

If a student who is habitually truant violates the order of a juvenile court regarding the student's prior adjudication as an unruly child for being a habitual truant, s/he may further be adjudicated as a delinquent child.

The Center shall report to the Ohio Department of Education, as soon as practicable, and in a format and manner determined by the Department, any of the following occurrences:

- A. when a notice that a student has been absent with or without legitimate excuse for thirty-eight (38) or more hours in one (1) school month, or sixty-five (65) or more hours in a school year is submitted to a parent/guardian/or custodian;
- B. when a child of compulsory school age has been absent without legitimate excuse from the public school the child is supposed to attend for thirty (30) or more consecutive hours, forty-two (42) or more hours in one school month, or seventy-two (72) or more hours in a school year;
- C. when a child of compulsory school age who has been adjudicated an unruly child for being a habitual truant violates the court order regarding that adjudication;
- D. when an absence intervention plan has been implemented for a child under this policy.

This policy was developed after consultation with the judge of the juvenile court of Richland County/~~Counties~~, with the parents, guardians, or other persons having care of the students attending school in the Center, and with appropriate State and local agencies.

[X.] Tracking Remote Attendance ~~for the 2020-2021 School Year~~

Consistent with the Center's remote learning plan (e.g., Blended Learning, On-Line Learning, etc.)~~Remote Learning Plan submitted to the Ohio Department of Education~~, the Center will provide a variety of instruction models, including both teacher-led remote learning and self-directed remote learning.

Student attendance in teacher-led remote learning (synchronous web-based instruction) shall be tracked in the same manner as hourly, in-person instruction. Teachers shall determine hourly attendance by evidence of student login and logoff data. ~~(-) Teachers are encouraged to verify meaningful attendance in a method selected by the teacher, such as an ungraded quiz at the close of a lesson, a survey or poll questions (unrelated to the lesson and unpredictable) at the end of the lesson, or asking students questions at random throughout a session.~~

In addition to the reasons listed at the beginning of this policy, absences from teacher-led remote learning (synchronous web-based instruction) may be considered excused under the following circumstances, with ~~(-) written [END OF OPTION]~~ notice from a parent/guardian:

- A. **(X)** temporary internet outage for individual students or households;
- B. **(X)** unexpected technical difficulties for individual students or households, such as password resets or software upgrades occurring during a teacher-led remote learning lesson;
- C. **(X)** computer/device malfunction;
- D. **(X)** malfunction of a Center-owned device for which the Center is providing technical assistance, repair, or replacement.

Attendance in self-directed remote learning (asynchronous) shall be tracked by evidence of participation, which may include, but is not limited to:

- A. daily logins to learning management systems;
- B. daily interactions with the teacher to acknowledge attendance, which may include, but are not limited to, messages, emails, telephone calls, video chats or other formats that enable teachers to engage with students; and
- C. assignment completion.

The teacher will determine the number of hours a typical student would take to complete an assignment and report those hours of attendance when the assignment is completed. A teacher (X) may ~~() should~~ adjust the number of hours of attendance based on the length of time the student actually spent on the assignment, as reported by the student, parent, or other person with knowledge. ~~[DRAFTING NOTE: If a teacher knows that a regular education student or special education student took "significantly" longer (i.e., more than a de minimis additional amount of time) than the "typical" amount of time to complete an assignment, the student should be given additional attendance "credit." The administration will need to determine how it intends to verify the amount of time the student or parent reports it took the child to complete the assignment from the time a "typical" student would be expected to take to complete the assignment.]~~

R.C. 2151.011, ~~3313.664~~3313.668, 3317.034, 3321.01 et seq., 3321.13(B)(2), 3321.19, 3321.191

R.C. 3321.22, 3321.38, 3323.041, ~~3331.05~~

A.C. 3301-35-03(~~G~~), 3301-47-01, 3301-69-02

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Legal R.C. 2151.011, 3313.668, 3317.034, 3321.01 et seq., 3321.13(B)(2), 3321.19, 3321.191
 R.C. 3321.22, 3321.38, 3323.041
 A.C. 3301-35-03, 3301-47-01, 3301-69-02

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Reissued from Special Update - March 2021 CARE OF STUDENTS WITH DIABETES
Code	po5336
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

~~5336—CARE OF STUDENTS WITH DIABETES~~

~~The Governing Board is committed to ensuring that each student enrolled in the Educational Service Center who has diabetes receives appropriate and needed diabetes care in accordance with an order signed by the student's treating physician. The diabetes care to be provided includes any of the following:~~

- ~~A. checking and recording blood glucose levels and ketone levels or assisting the student with checking and recording these levels;~~
- ~~B. responding to blood glucose levels that are outside of the student's target range;~~
- ~~C. in the case of severe hypoglycemia, administering glucagon and other emergency treatments as prescribed; () and in accordance with AG 5330.04;~~
- ~~D. administering insulin or assisting the student in self-administering insulin through the insulin delivery system the student uses;~~
- ~~E. providing oral diabetes medications;~~
- ~~F. understanding recommended schedules and food intake for meals and snacks in order to calculate medication dosages pursuant to the student's physician's order;~~
- ~~G. following the physician's instructions regarding meals, snacks, and physical activity; and~~
- ~~H. administering diabetes medication, as long as the conditions described below are satisfied.~~

~~Within fourteen (14) days after the Center receives an order signed by the student's treating physician, the Board will inform the student's parent or guardian that the student may be entitled to a Section 504 Plan regarding the student's diabetes.~~

~~{SELECT OPTION #1 or #2:}~~

~~{ } {BEGIN OPTION #1}~~

~~With regard to the administration of diabetes medication:~~

- ~~A. The diabetes medication may be administered by a school nurse, or in the absence of a school nurse, such medication can be administered by a school employee who has received training provided by the Board that complies with the Ohio Department of Education's training guidelines and complies with the following additional requirements:~~
 - ~~1. The training must be coordinated by a school nurse, or if the school does not employ a school nurse, a medical or osteopathic doctor, a registered nurse, or a licensed practical nurse with expertise in diabetes.~~
 - ~~2. The training will take place prior to the beginning of each school year or, as needed, not later than fourteen (14) days after the Board receives a physician's order related to a student with diabetes.~~
 - ~~3. Upon completion of the training, the Board will determine whether each trained employee is competent to provide diabetes care.~~

4. ~~The school nurse, medical or osteopathic doctor, registered nurse, or licensed practical nurse who provided the training will promptly provide all necessary follow-up training and supervision to an employee who receives training.~~
- B. ~~The principal of a school attended by a student with diabetes will distribute a written notice (see Form 5336 F1) to each employee containing the following information:~~
 1. ~~A statement that the school is required to provide diabetes care to a student with diabetes and is seeking employees who are willing to be trained to provide that care.~~
 2. ~~A description of the tasks to be performed.~~
 3. ~~A statement that participation is voluntary and that the school center will not take action against an employee who does not agree to provide diabetes care, including that the employee will not be penalized or disciplined for refusing to volunteer to be trained in diabetes care.~~
 4. ~~A statement that training will be provided by a school nurse, a medical or osteopathic doctor, a registered nurse, or a licensed practical nurse with expertise in diabetes to an employee who agrees to provide care.~~
 5. ~~A statement that a trained employee will not be subject to disciplinary action by the Board for providing care or performing duties to students with diabetes.~~
 6. ~~A statement that a trained employee is immune from liability for damages in a civil action for injury, death, or loss to person or property allegedly arising from providing care or performing duties (unless the act or omission constitutes willful or wanton misconduct).~~
 7. ~~The name of the individual to contact if an employee is interested in providing diabetes care.~~

~~The school nurse and/or the school employee can only administer diabetes medication as described above if the requirements of Policy 5330 are met.~~

~~[END OF OPTION #1]~~

~~[] [BEGIN OPTION #2]~~

~~Diabetes medication may be administered by a school nurse.~~

~~The school nurse can only administer diabetes medication as described above if the requirements of Policy 5330 are met.~~

~~[] [END OF OPTION #2]~~

~~[END OF SELECTION]~~

~~A student's diabetes medication will be kept in an easily accessible location.~~

~~A student with diabetes will be permitted to attend to his or her diabetes care and management, in accordance with the student's physician's order, during regular school hours and school sponsored activities only if:~~

- A. ~~the student's parent or guardian provides a written request that the student be permitted to attend to his or her diabetes care and management while at school (see Form 5330 F1); and~~
- B. ~~the student's physician has authorized such self care and determined that the student is capable of performing diabetes care tasks (see Form 5330 F1).~~

~~A student with diabetes is permitted to perform diabetes care tasks in a classroom, in any area of the school or school grounds, and at any school related activity. The student must have access to a private area for performing diabetes care tasks if the student or the student's parent or guardian makes such a request.~~

~~A student with diabetes is permitted to possess on the student's self at all times all necessary supplies and equipment to perform diabetes care tasks. If the student performs any diabetes care tasks or uses medical equipment for purposes other than the student's own care, the Board will revoke the student's permission to attend to the care and management of the student's diabetes.~~

~~[] [OPTIONAL SELECTION]~~

~~The Board will provide training in the recognition of hypoglycemia and hyperglycemia and actions to take in response to emergency situations involving these conditions, to both of the following:~~

- A. ~~a school employee who has primary responsibility for supervising a student with diabetes during some portion of the school day; and~~
- B. ~~a bus driver employed by the Board who transports a student with diabetes.~~

~~[END OF SELECTION]~~

~~[] [OPTIONAL SELECTION]~~

~~The Board authorizes the Superintendent to procure and maintain a supply of injectable or nasally administered Glucagon for use in emergency situations. In the circumstance of severe hypoglycemia, staff will follow the procedures and protocols set forth in AG 5330.04 relating to the administration of Glucagon.~~

~~{END OF SELECTION}~~

~~By December 31 of each year, the Board will report to the Ohio Department of Education the following information regarding students with diabetes:~~

- ~~A. the number of students with diabetes enrolled in the Center during the previous school year, and~~
- ~~B. the number of errors associated with the administration of diabetes medication to students with diabetes during the previous school year.~~

~~R.C. 3313.7110~~

~~R.C. 3313.7112~~

~~R.C. 3313.713~~

~~R.C. 3313.7115 (A)~~

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R.C. 3313.7110

R.C. 3313.7112

R.C. 3313.713

R.C. 3313.7115 (A)

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised STUDENT MENTAL HEALTH AND SUICIDE PREVENTION
Code	po5350
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

5350 - STUDENT MENTAL HEALTH AND SUICIDE PREVENTION

The Governing Board recognizes that mental health conditions and self-injury are problems of increasing severity among children and adolescents. A student who suffers from a mental health condition such as depression and who has attempted self-injury poses a danger both to himself/herself and to other students.

In accordance with law, the Board will provide appropriate instruction on personal safety and assault prevention to all students in grades K-6. Additionally, beginning in the 2023-2024 school year, the Center will include in health education at least one (1) hour (or a standard class period) of evidence-based instruction for students in grades 6-12 in each of the following topics:

- A. suicide awareness and prevention;
- B. safety training and violence prevention; and
- C. social inclusion.

The Board shall use a training program that is approved by the Ohio Department of Education (ODE). Instruction may be provided during student assemblies, digital learning, and homework to satisfy the instruction requirement. Upon request of a parent/guardian, a student will be excused from instruction in these areas.

All school personnel should be alert for students who exhibit signs of unusual mental health-related behavior or who threaten or attempt self-injury or suicide. Any such signs or the report of such signs from another student or staff member should be taken with the utmost seriousness.

In accordance with Policy 8462, designated staff shall receive professional development training in accordance with Board-adopted curriculum that includes the risk factors, warning signs, and resources regarding youth suicide awareness and prevention at least every two (2) years.

Additional professional development training in youth suicide risk assessment and intervention shall be provided to mental health employees, counselors, teachers, administrators, school psychologists, and school nurses.

The Board shall adopt or adapt an evidence-based awareness and prevention curriculum approved by the Ohio Department of Education (ODE), or alternatively will utilize a suicide awareness and prevention curriculum that has been developed in consultation with public or private agencies/persons involved in youth suicide awareness and prevention and that has been approved by the ODE.

The Superintendent shall develop and implement administrative guidelines whereby members of the professional staff understand how to use an intervention procedure which includes the following:

Step 1 - Stabilization

Step 2 - Assessment of the Risk

Step 3 - Use of Appropriate Risk Procedure

Step 4 - Communication with Appropriate Parties

Step 5 - Follow-up

Throughout any intervention, it is essential that Board policies and Center guidelines regarding confidentiality be observed at all times.

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Legal

R.C. 3319.073

767 F2d 651 (1985)

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised STUDENT HAZING
Code	po5516
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

5516 - STUDENT HAZING

Hazing activities of any type are inconsistent with and disruptive to the educational process, and prohibited at any time in school facilities, on school property, and/or off school property if the misconduct is connected to or associated with Governing Board-sponsored activities (e.g., extracurricular teams, clubs, or groups) or incidents that have occurred on school property. No administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of the Center shall encourage, permit, authorize, condone, or tolerate any hazing activities. The preceding prohibition includes recklessly permitting the hazing of any person associated with the Center. Additionally, no student shall plan, encourage, or engage in any hazing.

Hazing is defined as doing any act or coercing another, including the victim, to do any act of initiation into any class, team, or organization or any act to continue or reinstate membership in or affiliation with any class, team, or organization that causes or creates a substantial risk of causing mental or physical harm to any person, including coercing another to consume alcohol or a drug of abuse. No person shall recklessly participate in the hazing of another. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.

Administrators, employees, faculty members, teachers, (X) consultants, ~~alumni, or ()~~ volunteers of the ~~(X)~~ Center shall be alerted to possible situations, circumstances, or events that might include hazing. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be ordered to end all hazing activities or planned activities immediately. All hazing incidents shall be reported immediately to the Superintendent. Additionally, no administrator, employee, faculty member, teacher, consultant, alumnus, or volunteer of the Center who is acting in an official and professional capacity shall recklessly fail to immediately report the knowledge of hazing to a law enforcement agency in the county in which the victim of hazing resides or in which the hazing is occurring or has occurred. Students, administrators, employees, faculty members, and teachers who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil and criminal penalties in accordance with law. (X) Likewise, (X) consultants, ~~alumni, and ()~~ volunteers associated with the ~~(X)~~ Center who fail to abide by this policy may be prohibited from continuing their involvement and/or participation in activities associated with the Center and may be held personally liable for civil and criminal penalties in accordance with law.

The Superintendent shall distribute this policy to all students, Board employees, consultants, and volunteers, and shall incorporate it into building, staff, and student handbooks. It shall also be posted on the Center's website. This policy shall be the subject of discussion at employee staff meetings or in-service programs.

Board employees, (X) consultants, and volunteers shall not intentionally remain ignorant of hazing or potential hazing activities.

~~Hazing activities of any type are inconsistent with and disruptive to the educational process, and prohibited at any time in school facilities, on school property, and/or off school property if the misconduct is connected to activities or incidents that have occurred on school property. No administrator, faculty member, or other Board of Education employee shall encourage, permit, authorize, condone, or tolerate any hazing activities. No student shall plan, encourage, or engage in any hazing.~~

~~Hazing is defined as performing any act or coercing another, including the victim, to perform any act of initiation into any class, team, or organization that causes or creates a substantial risk of causing mental or physical harm. Permission, consent, or assumption of risk by an individual subjected to hazing shall not lessen the prohibitions contained in this policy.~~

~~Administrators, faculty members, and other employees of the Board shall be alerted to possible situations, circumstances, or events that might include hazing. If hazing or planned hazing is discovered, the students involved shall be informed by the discoverer of the prohibitions contained in this policy and shall be ordered to end all hazing activities or planned activities immediately. All hazing~~

~~incidents shall be reported immediately to the Superintendent. Students, administrators, faculty members, and other employees who fail to abide by this policy may be subject to disciplinary action and may be held personally liable for civil and criminal penalties in accordance with law.~~

~~The Superintendent shall distribute this policy to all students and Board employees, and shall incorporate it into building, staff, and student handbooks. It shall also be the subject of discussion at employee staff meetings or in service programs.~~

~~Administrators, staff members and volunteers shall not intentionally remain ignorant of hazing or potential hazing activities.~~

~~R.C.~~ 2307.44, 2903.31, 2903.311, 3313.661_

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R.C. 2307.44, 2903.31, 2903.311, 3313.661

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS AND LIMITED USE OF RESTRAINT AND SECLUSION
Code	po5630.01
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

~~5630.01 — POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS AND LIMITED USE OF RESTRAINT AND SECLUSION~~

~~The Governing Board is committed to implementation of Positive Behavior Intervention and Supports (PBIS) framework on a Center-wide basis and the establishment of a school environment focused on the care, safety, and welfare of all students and staff members. Staff are directed to work to prevent the use of physical restraint and/or seclusion. The PBIS framework shall serve as the foundation for the creation of a learning environment that promotes the use of evidence-based academic and behavioral practices aimed at enhancing academic, social, and behavioral outcomes for all students. An emphasis shall be placed on promoting positive interventions and solutions to potential crises. If a student's behavior, however, presents a threat of immediate physical harm to the student or others, staff may, as a last resort (i.e., there is no other safe and effective intervention available) and in accordance with the terms of this policy, use approved physical restraint or seclusion to maintain a safe environment.~~

~~The Governing Board is committed to the Educational Service Center wide use of Positive Behavior Intervention and Supports (PBIS) with students and the establishment of a school environment focused on the care, safety, and welfare of all students and staff members. Student Personnel shall work to prevent the need for the use of restraint and/or seclusion. PBIS shall serve as the foundation for the creation of a learning environment that promotes the use of evidence-based behavioral interventions, thus enhancing academic and social behavioral outcomes for all students. An emphasis shall be placed on promoting positive interventions and solutions to potential conflicts. PBIS emphasizes prevention of student behavior problems through the use of non-aversive techniques, which should greatly reduce, if not eliminate, the need to use restraint and/or seclusion.~~

~~Professional staff members and support staff determined appropriate by the Superintendent are permitted to physically restrain and/or seclude a student, but only when there is immediate risk of physical harm to the student and/or others, there is no other safe and effective intervention possible, and the physical restraint or seclusion is used in a manner that is age and developmentally appropriate.~~

~~(-) and protects the safety of all children and adults at school.~~

~~All physical restraint and seclusion shall only be done in accordance with this policy, which is based on the standards adopted by the State Board of Education regarding the use of student restraint and seclusion.~~

~~Training in methods of PBIS and the use of physical restraint and seclusion will be provided to all professional staff and support staff determined appropriate by the Superintendent. Training will be in accordance with the State's Standards. OAbsent an emergency, only school staff who are trained in permissible seclusion and physical restraint measures shall use such techniques.~~

~~Every use of restraint and seclusion shall be documented and reported in accordance with this policy.~~

~~The Board shall annually notify parents of this policy, which will be published and publish it on the Center's website.~~

DEFINITIONS

~~**Aversive behavioral interventions** means intervention that are an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as application of noxious, painful, and/or intrusive stimuli, including any form of noxious, painful or intrusive spray, inhalant, or taste, or other sensory stimuli such as climate control, lighting, and sound.~~

~~**Behavioral Intervention Plan ("BIP")** means a comprehensive plan for managing problem behavior by changing or removing contextual factors that trigger or maintain it, by strengthening replacement skills, teaching new skills and by providing positive behavior intervention and supports and services to address behavior.~~

~~**Chemical restraint** means a drug or medication used to control a student's behavior or restrict freedom of movement that is not:~~

- ~~A. Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under Ohio law, for the standard treatment of a student's medical or psychiatric condition; and~~

- B. Administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under Ohio law.

De-escalation techniques are interventions that are used to prevent violent and aggressive behaviors and reduce the intensity of threatening, violent and disruptive incidents. Strategically employed verbal or non-verbal interventions used to reduce the intensity of threatening behavior before a crisis situation occurs.

Functional behavior assessment (FBA) is a school-based process for students with disabilities and students without disabilities that includes the student's parent and, as appropriate, the child, to determine why a child engages in challenging behaviors and how the behavior relates to the child's environment. Consent from the parent and, as appropriate, the child (eighteen (18) years of age or older), must be obtained at the initial Functional Behavior Assessment. Collaborative problem-solving process that is used to describe the function or purpose that is served by a student's behavior. Understanding the function that an impeding behavior serves for the student assists directly in designing educational programs and developing behavior plans with a high likelihood of success.

Mechanical restraint means any method of restricting a student's freedom of movement, physical activity, or normal use of the student's body, using an appliance or device manufactured for this purpose. Mechanical restraint does not mean a device or devices used by trained Student Personnel/school personnel, or used by a student, for the specific and approved therapeutic or safety purposes for which these devices were designed and, if applicable, prescribed, including:

- A. restraints for medical immobilization;
- B. adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or
- C. vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

Parent means:

- A. a biological or adoptive parent;
- B. a guardian generally authorized to act as the child's parent, or authorized to make decisions for the child (but not the State if the child is a ward of the State);
- C. an individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent, or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare;
- D. a surrogate parent who has been appointed in accordance with Ohio Administrative Code 3301-51-05(E); or
- E. any person identified in a judicial decree or order as the parent of a child or the person with authority to make educational decisions on behalf of the child.

Physical escort means the temporary touching or holding of the hand, wrist, arm, shoulder, waist, hip, or back for the purpose of inducing a student to move to a safe location.

Physical restraint means the use of physical contact that immobilizes or reduces the ability of a student to move the student's/his/her arms, legs, body, or head freely. Physical restraint does not include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does not include brief physical contact for the following or similar purposes to:

- A. break up a fight;
- B. knock a weapon away from a student's possession;
- C. calm or comfort;
- D. assist a student in completing a task/response if the student does not resist the contact; or
- E. prevent imminent risk of injury to the student or others an impulsive behavior that threatens the student's immediate safety (e.g., running in front of a car).

Positive Behavior Intervention and Supports (PBIS) means a multi-tiered, school-wide, behavioral framework developed and implemented for the purpose of improving school-wide systematic approach to embed evidence-based practice and data-driven decision making to improve school climate and culture in order to achieve improved academic and social outcomes, and increasing/increase learning for all students. PBIS includes a decision-making framework that guides selection, integration, and implementation of evidence-based academic and behavior practices for improving academic and behavior outcomes for all students. PBIS encompasses a range of systemic and individualized positive strategies to reinforce desired behaviors, diminish reoccurrences of challenging behaviors, and teach appropriate behaviors to students.

PBIS Leadership Team means the assigned team at the Center and building level that plans, coaches and monitors PBIS implementation in the Center and buildings. The PBIS Leadership Teams may include, but is not limited to, school administrators, teacher representatives across grade level and programs, staff able to provide behavioral expertise, and other representatives identified by the Center or school such as bus drivers, food service staff, custodial staff, and paraprofessionals.

Positive Behavior Support Plan means the design, implementation, and evaluation of individual or group instructional and environmental modifications, including programs of behavioral instruction, to produce significant improvements in behavior through skill acquisition and the reduction of problematic behavior.

Prone restraint means physical or mechanical restraint while the student is in the face-down position for an extended period of time.

Seclusion means the involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier. It does not include a timeout.

Student means an individual child or adult aged three (3) to twenty one (21) enrolled in the Center;

Student Personnel means teachers, principals, counselors, social workers, school resource officers, teacher's aides, psychologists, bus drivers, related service providers, nursing staff, or other Center staff who interact directly with students;

Timeout means a behavioral intervention in which the student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers;

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS FRAMEWORK

The Center will implement PBIS on a system-wide basis in accordance with R.C. 3319.46 and A.C. 3301.35-15. The Center's PBIS framework involves comprehensive, school-wide data systems that enable monitoring of academic progress, behavioral incidents, attendance, and other critical indicators across classrooms. The administration is encouraged to use data-based decision making to select, monitor, and evaluate outcomes, practices, and systems. The PBIS framework further involves a school-wide investment in evidence-based curricula and effective instructional strategies, matched to students' needs, and data to support teachers' academic instruction. Evidence-based practices along a multi-tiered continuum of supports will be used. The Center's PBIS framework will further focus on improving staff climate and culture regarding the role of discipline in the classroom, by using positive and proactive communication and staff recognition. Finally, classroom practices shall be linked to and aligned with the school-wide system so progress monitoring can occur with fidelity and target outcomes. The PBIS framework will strive to enable accurate and sustainable implementation of practices.

As part of its implementation of the PBIS framework, the Center will provide Student Personnel with appropriate professional development, engage in explicit instruction of school-wide behavior expectation, employ consistent systems of acknowledging and correcting behavior, create teaching environments designed to eliminate behavior triggers, and promote family and community involvement.

Positive Behavior Intervention and Supports (PBIS) creates structure in the environment using a non-aversive effective behavioral system to improve academic and behavior outcomes for all students.

The PBIS framework prevention-oriented framework or approach shall apply to all students and staff, and in all settings. It shall include:

PBIS shall include:

- A. school staff trained to identify conditions such as where, under what circumstances, with whom, and why specific behaviors inappropriate behavior may occur;
- B. preventative functional behavior assessments that include:
 1. review of existing data;
 2. interviews with parents, family members, and students; and
 3. examination of previous and existing behavioral intervention plans.
- C. development and implementation of positive behavior intervention and supports preventative behavioral interventions, and the teaching of appropriate behavior, including:
 1. modification of environmental factors that escalate inappropriate behavior;
 2. supporting the attainment of appropriate behavior; and
 3. use of verbal de-escalation techniques to defuse potentially violent dangerous behavior.

PROFESSIONAL DEVELOPMENT FOR IMPLEMENTATION OF PBIS

In order to successfully implement the PBIS framework on a Center-wide basis, the Board shall provide for Student Personnel shall receive professional development as follows:

- A. the professional development will occur at least every three (3) years;
- B. the professional development must be provided by a building or Center PBIS Leadership Team or an appropriate State, regional, or national source in collaboration with the building or Center PBIS Leadership Team;
- C. the trained PBIS Leadership team will provide the professional development in accordance with the Center developed PBIS training plan, which the Superintendent will develop;
- D. the Superintendent shall retain records of completion of the professional development; and
- E. the professional development will include the following topics:
 1. an overview of PBIS;
 2. the process for teaching behavioral expectations;
 3. data collection;

4. ~~implementation of PBIS with fidelity;~~
5. ~~consistent systems of feedback to students for acknowledgment of appropriate behavior and corrections for behavior errors; and~~
6. ~~consistency in discipline and discipline referrals.~~

F. ~~the training will be appropriately modified for the intended audience.~~

The Superintendent is charged with arranging for continuous training structures to be in place to provide ongoing coaching and implementation with fidelity.

SECLUSION

~~Seclusion may be used only when a student's behavior poses an immediate risk of physical harm to the student or others and no other safe and effective intervention is available possible. Seclusion may be used only as a last resort to provide safety intervention that provides the student with an opportunity to regain control of the student's his/her actions. Seclusion must be used in a manner that is age and developmentally appropriate, for the minimum amount of time necessary for the purpose of protecting the student and/or others from physical harm, and otherwise in compliance with this policy and the Ohio Department of Education's (ODE) model corresponding policy.~~

~~Seclusion shall be implemented only by Student Personnel who are trained have been trained in accordance with this policy to protect the care, welfare, dignity, and safety of the student, including trained to detect indications of physical or mental distress that require removal and/or immediate medical assistance. Student Personnel must document their document their observations of the student during the seclusion.~~

Additional requirements for the use of seclusion:

~~If Student Personnel use seclusion, they must:~~

- A. ~~continually observe the student in seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;~~
- B. ~~use communication verbal strategies and research-based de-escalation techniques in an effort to help the student regain control (-) as quickly as possible;~~
- C. ~~remove the student from seclusion when the immediate risk of physical harm to the student and/or others has dissipated;~~
- D. ~~assess the student for injury or psychological distress after the use of seclusion, and monitor the student as needed following the incident;~~
- E. ~~conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and~~
- F. ~~complete all required reports and document their observations of the student.;~~
- G. ~~(-) ensure safety of other students and protect the dignity and respect of the student involved;~~
- H. ~~(-) combine the use of seclusion with other non-physical interventions (which are always preferred) that will diminish the need for seclusion in the future;~~
- I. ~~(-) if at any point the staff assess that the intervention is insufficient to maintain safety of all involved, contact emergency personnel;~~
- J. ~~(-) use seclusion for the last amount of time necessary.~~

Requirements for a room or area used for seclusion:

~~A room or area used for seclusion must provide for adequate space, lighting, ventilation, and clear visibility in order to allow Student Personnel to observe the student. clear visibility, and the safety of the student.~~

~~A room or area used for seclusion must not be locked or otherwise prevent the student from exiting the area should staff become incapacitated or leave the area.~~

Additional prohibited seclusion practices:

~~Seclusion shall never be used as a punishment or to force compliance.~~

~~Seclusion shall not be used:~~

- A. ~~for the convenience of staff;~~
- B. ~~as a substitute for an educational program;~~
- C. ~~as a form of discipline or punishment;~~
- D. ~~as a substitute for other less restrictive means of assisting a student in regaining control less restrictive alternatives;~~
- E. ~~as a substitute for inadequate staffing;~~
- F. ~~as a substitute for staff training in positive behavior intervention and supports framework and crisis management supports and crisis prevention and intervention;~~
- G. ~~as a means to coerce, retaliate, or in a manner that endangers a student.;~~ or
- H. ~~if it deprives the student of basic needs.~~

Seclusion of preschool-age children is prohibited, except that a preschool-age child may be separated from his or her classmates, either in the classroom or in a safe, lighted, and well-ventilated space, for an amount of time that is brief in duration and appropriate to the child's age and development, if the child is always within sight and hearing of a preschool staff member.

PHYSICAL RESTRAINT

Prone restraint, including any physical restraint that obstructs the airway of the student, or any physical restraint that impacts a student's primary mode of communication, is prohibited. Student Personnel may use physical restraint only as a last resort and in accordance with this policy and the requirements of A.C. 3301-35-15. There are different types of restraint, as defined above, including physical restraint, prone restraint, mechanical restraint, and chemical restraint. The use of restraint other than physical restraint is prohibited.

Physical restraint may be used only when the student's behavior poses an immediate risk of physical harm to the student and/or others and no other safe and/or effective intervention is available possible. The physical restraint must be implemented in a manner that is age and developmentally appropriate, does not obstruct the student's ability to breathe, does not interfere with the student's ability to communicate in the student's his/her primary language or mode of communication, and otherwise in compliance with this policy and the ODE's corresponding model policy.

Only Student Personnel trained in safe restraint techniques may implement physical restraint shall be implemented only by Student Personnel who have been trained in accordance with this policy to protect the care, welfare, dignity and safety of the student, except in the case of rare and unavoidable emergency situations when trained personnel are not immediately available. Student Personnel must be trained to protect the care, welfare, dignity, and safety of the student.

Additional requirements for the use of physical restraint:

If Student Personnel use physical restraint, they must:

- A. continually observe the student in restraint for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
- B. use communication verbal strategies and research-based de-escalation techniques in an effort to help the student regain control () as quickly as possible;
- C. remove the student from physical restraint immediately when the immediate risk of physical harm to the student and/or others has dissipated;
- D. assess the student for injury or psychological distress after the use of physical restraint, and monitor the student as needed following the incident;
- E. conduct a debriefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
- F. complete all required reports and document their observations of the student.;
- G. () implement in a manner that accommodates age and body size diversity;
- H. () ensure safety of other students and protect the dignity and safety of the student involved;
- I. () combine with other non-physical interventions (which are always preferred) that will diminish the need for physical intervention in the future;
- J. () use the least amount of force necessary for the least amount of time necessary;
- K. () if at any point the staff assesses the intervention is insufficient to maintain safety for all involved, contact emergency personnel.

Physical restraint shall not be used for punishment or discipline, or as a substitute for other less restrictive means of assisting a student in regaining control.

Prohibited Restraint Practices

The following restraint practices are prohibited under all circumstances, including emergency safety situations:

- A. prone restraint; as defined in Executive Order 2009-13 (which defines prone restraint to mean all items or measures used to limit or control the movement or normal functioning of any portion, or all, of an individual's body while the individual is in a face-down position for an extended period of time);
- B. any form of physical restraint that involves the intentional, knowing, or reckless use of any technique that:
 - 1. involves the use of pinning down a student by placing knees to the torso, head, or neck of the student;
 - 2. uses pressure point, pain compliance, or joint manipulation techniques;
 - 3. otherwise involves techniques that are used to unnecessary cause pain;

4. ~~(-) causes loss of consciousness or harm to the neck or restricting respiration in any way;~~
 5. ~~(-) involves dragging or lifting of the student by the hair or ear or any type of mechanical restraint;~~
 6. ~~(-) uses other students or untrained staff to assist with the hold or restraint;~~
 7. ~~(-) involves securing a student to another student or fixed object;~~
- C. ~~corporal punishment as defined in R.C. 3319.41;~~
 - D. ~~child endangerment as defined in R.C. 3319.41;~~
 - E. ~~deprivation of basic needs;~~
 - F. ~~physical restraint that restricts the airway of a student or obstructs the student's ability to breathe;~~
 - G. ~~physical restraint that impact the student's primary mode of communication;~~
 - H. ~~seclusion or restraint of preschool age students in violation of A.C. 3301-37-10(D) and A.C. 3301-35-15, except for holding a child for a short period of time, such as in a protective hug, so that the child may regain control;~~
 - I. ~~restraint that deprives the student of basic needs;~~
 - J. ~~restraint that unduly risks serious harm or needless pain to the student, including physical restraint that involves the intentional, knowing, or reckless use of any of the following techniques:~~
 1. ~~using any method that is capable of causing loss of consciousness or harm to the neck or restricting/obstructing respiration in any way;~~
 2. ~~pinning down the student by placing knees to the torso, head and/or neck of the student;~~
 3. ~~using pressure points, pain compliance, or joint manipulation;~~
 4. ~~dragging or lifting of the student by the hair or ear or by any type of mechanical restraint;~~
 5. ~~using other students or untrained staff to assist with the hold or restraint; or~~
 6. ~~securing the student to another student or to a fixed object.~~
 - K. ~~mechanical restraint; (that does not include devices used by trained Student Personnel, or by a student, for the specific and approved therapeutic or safety purposes for which such devices were designed and, if applicable, prescribed); or~~
 - L. ~~chemical restraint; (which does not include medication administered as prescribed by a licensed physician);~~
 - M. ~~aversive behavioral interventions; and~~
 - N. ~~seclusion in a locked room or area.~~

ADDITIONAL PROHIBITED PRACTICES

~~The following practices are prohibited under all circumstances, including emergency safety situations:~~

- A. ~~corporal punishment;~~
- B. ~~child endangerment as defined in Ohio Revised Code 2919.22; and~~
- C. ~~aversive behavioral interventions.~~

CONTACT LAW ENFORCEMENT AND/OR EMERGENCY RESPONSE PERSONNEL

~~In accordance with the Board's Emergency Management Plan (see Policy 8400), Center personnel shall contact law enforcement and/or appropriate emergency response personnel if at any point they determine that an intervention (either a physical restraint or seclusion) is insufficient to maintain the safety of all involved.~~

MULTIPLE INCIDENTS OF RESTRAINT AND/OR SECLUSION—CONDUCTING A FUNCTIONAL BEHAVIOR ASSESSMENT AND DEVELOPING A BEHAVIOR INTERVENTION PLAN

After a student's third incident of physical restraint or seclusion in a school year, a meeting must occur within ten (10) school days of the third incident as follows:

For a student who has been found eligible for special education services or has a 504 plan, the student's individualized education program or 504 team must meet to consider the need to conduct or develop a FBA or BIP, or amend an existing FBA or BIP:

- A. For all other students (i.e., students not described in the preceding paragraph), a team, consisting of the student's parent, an administrator or designee, a teacher of the student, a staff member involved in the incident (if not the teacher or administrator already invited), and other appropriate staff members must meet to discuss the need to conduct or review a FBA and/or develop a BIP.
- B. For all other students (i.e., students not described in the preceding paragraph), a team, consisting of the student's parent, an administrator or designee, a teacher of the student, a staff member involved in the incident (if not the teacher or administrator already invited), and other appropriate staff members must meet to discuss the need to conduct or review a FBA and/or develop a BIP.
- C. Nothing in this section is meant to prevent the completion of a FBA or BIP for any student who might benefit from these measures, but has fewer than three (3) incidents of restraint or seclusion.
- D. Nothing in this section is meant to prevent the Center from conducting any evaluations or other obligations the staff feel are appropriate under the Individuals with Disabilities Education Improvement Act.

If a student repeatedly engages in dangerous behavior that leads to instances of restraint and/or seclusion, Center personnel shall conduct a functional behavioral assessment to identify the student's needs and more effective ways of addressing those needs. If necessary, Center personnel shall also develop a behavior intervention plan that incorporates positive behavioral interventions.

TRAINING AND PROFESSIONAL DEVELOPMENT FOR USE OF CRISIS MANAGEMENT AND DE-ESCALATION TECHNIQUES
The Center shall provide training and professional development for the use of crisis management and de-escalation techniques that includes the use of restraint and seclusion. Specifically, the Center shall annually train an appropriate number of personnel in each building in evidence-based crisis management and de-escalation techniques, as well as the safe use of physical restraint and seclusion. At a minimum, the training will cover the following topics: as follows:

- A. proactive measures to prevent the use of seclusion or restraint;
- B. crisis management;
- C. documentation and communication about the restraint or seclusion with appropriate parties;
- D. the safe use of restraint and seclusion;
- E. instruction and accommodation for age and body size diversity;
- F. directions for monitoring signs of distress during and following physical control; and
- G. debriefing practices and procedures.

The training will occur face-to-face and allow for a simulated experience of administering and receiving physical restraint so that participants can demonstrate proficiency in the topics identified above.

The Superintendent is charged with maintaining written or electronic documentation concerning the training provided that includes the following:

- A. the name, position, and building assignment of each person who has completed training;
- B. the name, position, and credentials of each person who has provided the training;
- C. when the training was completed; and
- D. what protocols, techniques, and materials were included in training.

As part of the required training, Student Personnel shall be trained to perform the following functions:

- A. identify conditions such as: where, under what conditions, with whom and why specific inappropriate behavior may occur; and
- B. use preventative assessments that include at least the following:

1. ~~a review of existing data;~~
 2. ~~input from parents, family members, and students; and~~
- C. ~~examination of previous and existing behavior intervention plans.~~
- A. ~~All Student Personnel, as defined in this policy, shall be trained annually on the requirements of the Ohio Department of Education's Policy on Positive Behavior Intervention and Supports, and Restraint and Seclusion; Ohio Administrative Code 3301-35-15; and this policy.~~
- B. ~~The Superintendent, in consultation with each school building's principal~~
- ~~(-) and/or assistant principal~~
- ~~, shall identify which Center employees should receive additional training so that an adequate number of personnel in each building are trained in crisis management and de-escalation techniques, including the use of restraint and seclusion. Center employees who receive such additional training must keep their training current in accordance with the requirements of the provider of the training.~~
- C. ~~The Superintendent shall develop a plan to provide training to school personnel, as defined in this policy, so that Positive Behavior Intervention and Supports are implemented on a Center-wide basis.~~
- ~~[] Implementation of PBIS throughout the Center may be a multi-year process, with training taking place over several years.~~

~~The Center shall maintain written or electronic documentation on training provided and lists of participants in each training. Only individuals trained in accordance with this policy in the appropriate use of restraint and seclusion may use those techniques.~~

MONITORING AND COMPLAINT PROCEDURES

~~The Superintendent shall monitor the implementation of A.C. 3301-35-15 and this policy, and annually conduct a review of A.C. 3301-35-15 and this policy related to the use of PBIS, physical restraint, and seclusion. Additionally, the administration will annually notify parents of the Center's policy and procedures related to the requirements of PBIS, physical restraint, and seclusion, including the following complaint process.~~

~~Any parent of a child enrolled in school in the Center may submit a written complaint to the Superintendent regarding an incident of restraint or seclusion. The Superintendent shall investigate each written complaint and respond in writing to the parent's complaint within thirty (30) days of receipt of the complaint. The Superintendent will make reasonable efforts to have an in-person follow-up meeting with the parent.~~

~~[] If the parent is not satisfied with the response provided, the parent may request to meet with the Board in executive session to address the situation.~~

~~A parent may also file a complaint with local law enforcement, the county department of job and family services, or the office of integrated student supports within the Ohio Department of Education. The procedures and timeline for filing a complaint with the Ohio Department of Education are outlined in A.C. 3301-35-15(L).~~

~~[] A parent of a child with a disability (as defined by R.C. 3323.01) may file a complaint with the Ohio Department of Education, Office of Exceptional Children, in accordance with the complaint procedures available under A.C. 3301-51-05(K)(4)-(6).~~

REQUIREMENTS FOLLOWING AN INCIDENT OF SECLUSION OR PHYSICAL RESTRAINT

REQUIRED DATA AND REPORTING

~~Each use of physical restraint or seclusion shall be:~~

- A. ~~documented in writing;~~
- B. ~~reported to the building administration immediately;~~
- C. ~~reported to the parent immediately; and~~
- D. ~~documented in a written report (see Ohio Department of Education's Model Restraint and Seclusion Debriefing Form).~~

~~A copy of the written report shall be issued/made available to the student's parent or guardian within twenty-four (24) hours of the use of restraint or seclusion. The Center shall maintain the written report, including placing a copy of the written report in the student's file. A copy of the written report shall also be maintained in the student's file.~~

~~All written documentation of the use of restraint or seclusion are educational records pursuant to the Family Educational Right to Privacy Act (FERPA), and Center personnel are prohibited from releasing any personally identifiable information to anyone other than the parent, in accordance with FERPA's requirements.~~

~~The Superintendent shall develop a process for the collection of data regarding the use of physical restraint and seclusion.~~

~~The administration shall develop a support plan for substitute teachers if they need assistance with PBIS or crisis management and de-escalation (including restraint and seclusion).~~

~~The Superintendent shall report information regarding the Center's concerning the use of restraint and seclusion annually to the Ohio Department of Education in the form and manner prescribed by the Department as requested by that agency, and shall make~~

~~the Center's records concerning PBIS, restraint and seclusion available to the staff of the Ohio Department of Education upon request.~~

~~* Adapted from the Ohio Department of Education's Policy on Positive Behavior Intervention and Supports, and Restraint and Seclusion Model Policy and Procedures, issued July 2021., adopted January 15, 2013.~~

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Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Replacement SCHOOL-SPONSORED PUBLICATIONS AND PRODUCTIONS
Code	po5722
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

5722 - SCHOOL-SPONSORED PUBLICATIONS AND PRODUCTIONS

The Governing Board of Education sponsors student publications and productions as means by which students learn, under adult direction/supervision, the rights and responsibilities inherent when engaging in the public expression of ideas and information in our democratic society.

For purposes of this policy, school-sponsored student media shall include both student publications and productions. School-sponsored student media does not include student expression related to classes that are not directly associated with student publications/productions. The term publication shall include distribution, transmission, and dissemination of a student publication regardless of its medium. Student publications shall include any written materials (including, but not limited to, banners, flyers, posters, pamphlets, notices, newspapers, playbills, yearbooks, literary journals, books, and t-shirts and other school-sponsored clothing).

~~(), as well as material in electronic or on-line form (including, but not limited to, Apps and Services (as defined in Bylaw 0100, webpages/sites, web logs (Blogs), video or audio clips, () (postings of Social Media (as defined in Bylaw 0100), and newsletters of announcements transmitted by e-mail, () text, wireless broadcast, or other similar distribution/dissemination).~~

[X] The Board expressly prohibits the use of Social Media related to student publications.

The term performance shall include presentation and broadcast of a student production. ~~Student productions shall include vocal, musical, and/or theatrical performance, impromptu dramatic presentation, or any electronic media (including, but not limited to, radio and television programs, videoblogs (vlogs), podcast, () Social Media (as defined in Bylaw 0100), and other video or audio productions that are recorded for re-broadcast or broadcast in real time using any available broadcast technology).~~

~~() and other video or audio productions that are recorded for re-broadcast or broadcast in real time using any available broadcast technology). The Board expressly prohibits the use of Social Media related to student productions.~~

[DRAFTING NOTE: A Board should only select the following OPTION if it selected either or both of the first OPTIONS under student publication or student production.]

~~Only Educational Service Center approved social media (as defined in Bylaw 0100) may be used to host school-sponsored student media, in accordance with Policy 7544. School-sponsored student media must also comply with Policy 7540.02.~~

~~For purposes of this policy, school community is defined to include students, Board employees (i.e., administrators, and professional and classified staff), parent/family members~~

~~() and other individuals who are~~

~~() invited by the Superintendent~~

~~() authorized or otherwise permitted by the Superintendent~~

~~to view a performance or receive directly from the Center a publication~~

~~() and those who have been issued credentials to access the Center's secure portal.~~

The following speech is unprotected and prohibited in all school-sponsored student publications and productions: speech that is defamatory, libelous, obscene, or harmful to minors (as that term is defined in Children's Internet Protection Action (CIPA)); speech that is reasonably likely to cause substantial disruption of or material interference with school activities or the educational process; speech that infringes upon the privacy or rights of others; speech that violates copyright law; speech that promotes activities,

products or services that are unlawful (illegal) as to minors as defined by State or Federal law; and speech that otherwise violates school policy and/or State or Federal law. The Board authorizes the administration to engage in prior review and restraint of school-sponsored publications and productions to prevent the publication or performance of unprotected speech.

Student expression relates to classrooms or educational settings not otherwise directly associated with school-sponsored student publications/productions are nonpublic forums. As nonpublic forums, the content of such student expression can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of these student expressions prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker.

~~[DRAFTING NOTE: With respect to student expression related to classrooms or educational settings not otherwise directly associated with school-sponsored student publications/productions, select OPTION #1, OPTION #2, OPTION #3, OPTION #4, or OPTION #5.]~~

~~[] [OPTION #1]~~

~~[] Nonpublic forum student expression may be published/performed outside the school community (i.e., to the general public). () See Board Policy 9160—Public Attendance at School Events.~~

~~[END OF OPTION #1]~~

~~[] [OPTION #2]~~

~~[] While nonpublic forum student expression generally may be published/performed outside the school community (i.e., to the general public), the following nonpublic forum student expression may only be published/performed to members of the school community: _____ [identify] () See Board Policy 9160—Public Attendance at School Events.~~

~~[END OF OPTION #2]~~

~~[] [OPTION #3]~~

~~[] While ordinarily nonpublic forum student expression may only be published/performed to members of the school community, the Superintendent may authorize specific nonpublic forum student expression to be published/performed outside the school community (i.e., to the general public). A teacher, student, or group of students who wish to have nonpublic forum student expression published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance. () See Board Policy 9160—Public Attendance at School Events.~~

~~[END OF OPTION #3]~~

~~[] [OPTION #4]~~

~~[DRAFTING NOTE: The Board should select either OPTION #2 or OPTION #3 if it has authorized the limited use of Center-approved Social Media to publish/perform nonpublic forum student expression.]~~

~~[] While ordinarily nonpublic forum student expression may only be published/performed to members of the school community, the following nonpublic forum student expression may be published/performed outside the school community (i.e. to the general public): _____ [identify]. () See Board Policy 9160—Public Attendance at School Events.~~

~~[END OF OPTION #4]~~

~~[] [OPTION #5]~~

~~[DRAFTING NOTE: The Board should select this OPTION if it has prohibited the use of Center-approved Social Media to publish/perform nonpublic forum student media, with the exception of nonpublic forum student media that is disseminated through Center-approved Social Media that employs a secure portal that restricts access to members of the school community through the use of a User ID and Password (or other form of biometric authentication security).]~~

☒ Nonpublic forum student expression may only be published/performed to members of the school community. ☒ See Board Policy 9160 – Public Attendance at School Events.

~~[END OF OPTION #5]~~

~~[DRAFTING NOTE: PLEASE CHOOSE ONE (1) OF THE FOLLOWING FOUR (4) OPTIONS (A-D). The order in which the below four (4) OPTIONS are listed is not meant to convey a preference or recommendation. Boards should select the OPTION that best reflects their current practice or a new practice they which to henceforth follow. As they consider the following OPTIONS, Board and administrators are encouraged to consult the accompanying Toolkit for a discussion of the different types of forums—e.g., nonpublic forum and limited public forum.]~~

~~[] [OPTION A—Select if the Board intends to designate all school-sponsored student media, to be limited-purpose public forums (i.e., not subject to prior review/restraint) and allows them to be generally published/performed outside the school community. This is the most permissive of the OPTIONS.]~~

~~[] The Board designates all school-sponsored student media as limited-purpose public forums where students can address matters of concern and/or interest to their readers/viewers. All school-sponsored student media may be published/performed outside the school community. The student journalists, content creators, and/or performers involved in these publications/productions have the right to determine the content of the student media.~~

~~[] The content may address general matters of public concern and is open to the public at large for comment at the discretion of the student journalists/content creators/performers. School officials will not review or restrict the content of school-sponsored student media prior to publication/performance, except with respect to unprotected speech.~~

~~[] Each medium should provide a full opportunity for students to inquire, question, and exchange ideas.~~

~~[] Content should reflect all areas of student interest and may include topics about which there may be dissent and/or controversy. All school-sponsored student media shall contain a notice to the reader/viewer that the material, while school-sponsored, is student-directed and not subject to prior review. Given all student publications and/or productions have been designated as limited-purpose public forums, the school assumes no liability for their content. With editorial control comes responsibility. Student journalists, content creators, and performers are expected to establish and enforce standards, for their publications/productions that are consistent with professional journalism/artistic/theatrical/broadcast standards.~~

~~**{END-OF-OPTION-A}**~~

~~**[] {OPTION-B} Select if the Board intends to identify specific school-sponsored student publications/productions to be limited-purpose public forums (i.e., not subject to prior review/restraint), which may be published/performed outside the school community. School-sponsored student publications/productions not listed are considered nonpublic forums and will be subject to routine and systematic prior review and restraint. This is the second-most permissive OPTION and only permits prior review/restraint of nonpublic forums, and generally allows limited-purpose public forums to be generally published/performed outside the school community.}**~~

~~The Board designates the following official, school-sponsored student media to be limited-purpose public forums:~~

~~**{List all publications so designated:}**~~

A. _____

B. _____

C. _____

D. _____

E. _____

~~As limited-purpose public forums the student journalists, content creators, or performers associated with the above-listed publications and/or productions may address matters of concern and/or interest to their readers/viewers. The student journalists, content creators, and/or performers involved in the above-listed publications/productions have the right to determine the content of this student media.~~

~~[] The content may address general matters of public concern and is open to the public at large for comment at the discretion of the student journalists/content creators/performers.~~

~~School officials will not routinely and systematically restrict the content of the publications and/or productions listed above prior to their publication/performance, except with respect to unprotected speech.~~

~~[] Each medium should provide a full opportunity for students to inquire, question, and exchange ideas.~~

~~[] Content should reflect all areas of student interest and may include topics about which there may be dissent and/or controversy.~~

~~The above-listed publications and/or productions shall contain a notice to the reader/viewer that the material, while school-sponsored, is student-directed and not subject to prior review. Given the listed student publications and/or productions have been designated as limited-purpose public forums, the school assumes no liability for their content, with editorial control comes responsibility. Student journalists, content creators, and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/artistic/theatrical/broadcast standards.~~

~~All other school-sponsored student media including classroom and/or other curricular, co-curricular, or extra-curricular/club-related publications and/or productions, are nonpublic forums. As nonpublic forums, the content of these other student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of all school-sponsored student media except for those publications/productions listed above, prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker.~~

~~**{DRAFTING NOTE: It is critical that the school officials actually engage in prior review/restraint and not just reserve the right to engage in such review/restraint. If the school officials fail to routinely and consistently exercise this authority, a court reviewing a student challenge to a review/restraint may hold that this policy is not being implemented as written, and therefore the Board may be found to have lost the authority it attempted to preserve for its administrators. The Board shall provide school officials with guidance and training in order to implement this duty of review/restraint effectively and legally.}**~~

~~**{DRAFTING NOTE: Select OPTION-B-1, OPTION-B-2, OPTION-B-3, OPTION-B-4, or OPTION-B-5.}**~~

~~**[] {OPTION-B-1}**~~

~~**{DRAFTING NOTE: The Board should only select this OPTION if it has prohibited all nonpublic forum school-sponsored student publication/performance on Social Media, with the exception of nonpublic forum school-sponsored student media that is disseminated through Center-approved Social Media that employs a secure portal that restricts access to members of the school community through the use of a User ID and Password (or other form of biometric authentication security).}**~~

~~[] Nonpublic forum school-sponsored student media may only be published/performed to members of the school community.~~

~~**{END-OF-OPTION-B-1}**~~

~~**{DRAFTING NOTE: The Board should select either OPTION-B-2 or OPTION-B-3 if it has authorized the limited use of Center-approved Social Media to publish/perform nonpublic forum school-sponsored student media, as mentioned**~~

~~above, it is critically important that school officials routinely and consistently exercise their limited authority to engage in prior review/restraint with respect to the publication/performance of all nonpublic forum school-sponsored student media.}~~

~~[] {OPTION B-2}~~

~~[] While ordinarily nonpublic forum school-sponsored student media may only be published/performed to members of the school community, the following nonpublic forum student media may be published/performed outside the school community (i.e., to the general public): _____ [identify] () high school newspaper [could substitute with the name of the publication] () high school yearbook _____ [insert name(s) of specific school-sponsored student publication/production. () See Board Policy 9160.~~

~~{END-OF-OPTION B-2}~~

~~[] {OPTION B-3}~~

~~[] While ordinarily nonpublic forum school-sponsored student media may only be published/performed to members of the school community, the Superintendent may authorize specific nonpublic forum student media to be published/performed outside the school community (i.e., to the general public). A student or group of students who wish to have his/her/their nonpublic forum student media published/performed outside the school community must submit to the Superintendent a request for prior-written approval for such publication/performance.~~

~~{END-OF-OPTION B-3}~~

~~[] {OPTION B-4}~~

~~[] While nonpublic forum school-sponsored student media generally may be published/performed outside the school community (i.e., to the general public), the following nonpublic forum student media may only be published/performed to members of the school community: _____ [identify]. () See Board Policy 9160.~~

~~{END-OF-OPTION B-4}~~

~~[] {OPTION B-5}~~

~~[] Nonpublic forum school-sponsored student media may be published/performed outside the school community (i.e., to the general public). () See Board Policy 9160.~~

~~{END-OF-OPTION B-5}~~

~~{END-OF-OPTION B}~~

~~[] {OPTION C—Select if the Board intends to identify specific student publications/productions to be limited-purpose public forums but wants to retain the authority to engage in limited and consistent prior review/restraint on the basis of four (4) identified reasons. School-sponsored publications/productions not listed are considered nonpublic forums and will be subject to routine prior review and restraint. This is the second most restrictive and permits some prior review/restraint involving what are otherwise limited-purpose public forums.}~~

~~The Board designates the following official, school-sponsored student media to be limited-purpose public forums:~~

~~{List all publications so designated:}~~

- A. _____
- B. _____
- C. _____
- D. _____
- E. _____

~~As limited-purpose public forums the student journalist, content creators, or performers associated with the above-listed publications and/or productions may address matters of concern and/or interest to their readers/viewers. The student journalists, content creators, and/or performers involved in the above-listed publications/productions have the right to determine the content of this student media. () While designated as limited-purpose public forums, the listed publications/productions are not intended to address general matters of public concern and are not open to public comment.~~

~~School officials will not routinely and systematically restrict the content of the publications and/or productions listed above prior to their publication/performance; however, school officials may review the content and reject an article/posting/publication/production due to one (1) of the following four (4) reasons:~~

- A. ~~where poor grammar or writing is evident;~~
- B. ~~where a legitimate question of age appropriateness of the material exists;~~
- C. ~~where matters beyond the limited scope of the forum are included; and/or~~
- D. ~~where the content involves unprotected speech.~~

~~[] The above-listed school-sponsored student publications/productions, while limited-purpose public forums are not intended to address general matters of public concern and therefore are not open to public comment.~~

~~The listed publications and/or productions shall contain a notice to the reader/viewer that the material, while school-sponsored, is student-directed and subject only to limited prior review. Given the listed student publications and/or productions have been~~

designated as limited purpose public forums, the school assumes no liability for the content beyond that covered by the school officials' limited prior review, with editorial control comes responsibility. Student journalists, content creators, and performers are expected to establish and enforce standards for their publications/productions that are consistent with professional journalism/artistic/theatrical/broadcast standards.

~~{DRAFTING NOTE: Select OPTION C-1, OPTION C-2, OPTION C-3, OPTION C-4, or OPTION C-5.}~~

~~{ } {OPTION C-1}~~

~~{DRAFTING NOTE: The Board should only select this OPTION if it has prohibited all school-sponsored student publication/performance on Social Media, with the exception of school-sponsored student media that is disseminated through Center-approved Social Media that employs a secure portal that restricts access to members of the school community through the use of a User ID and Password (or other form of biometric authentication security).}~~

☒ School-sponsored student media may only be published/performed to members of the school community.

~~{END OF OPTION C-1}~~

~~{DRAFTING NOTE: The Board should select either OPTION C-2 or OPTION C-3 if it has authorized the limited use of Center-approved Social Media to publish/perform school-sponsored student media; as mentioned below, it is critically important that school officials routinely and consistently exercise their limited authority to engage in prior review/restraint with respect to the publication/performance of all school-sponsored student media.}~~

~~{ } {OPTION C-2}~~

~~{ } While ordinarily school-sponsored student media may only be published/performed to members of the school community, the following student media may be published/performed outside the school community (i.e., to the general public):~~

~~_____ {identify} () high school newspaper [could substitute with the name of the publication] () high school yearbook [could substitute with the name of the yearbook] () _____ [insert name(s) of specific school-sponsored student publications/productions]. () See Board Policy 9160.~~

~~{END OF OPTION C-2}~~

~~{ } {OPTION C-3}~~

~~{ } While ordinarily school-sponsored student media may only be published/performed to members of the school community, the Superintendent may authorize specific student media to be published/performed outside the school community (i.e., to the general public). A student or group of students who wish to have his/her/their student media published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance.~~

~~{END OF OPTION C-3}~~

~~{ } {OPTION C-4}~~

~~{ } While school-sponsored student media generally may be published/performed outside the school community (i.e., to the general public), the following student media may only be published/performed to members of the school community: _____~~

~~{identify}. () See Board Policy 9160.~~

~~{END OF OPTION C-4}~~

~~{ } {OPTION C-5}~~

~~{ } School-sponsored student media may be published/performed outside the school community (i.e., to the general public). () See Board Policy 9160.~~

~~{END OF OPTION C-5}~~

~~All other school-sponsored student publications and productions, including classroom and/or other curricular, or extra-curricular/club-related publications and/or productions, are nonpublic forums. As nonpublic forums, the content of these other student publications and productions can be regulated for legitimate pedagogical school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the content of all school-sponsored student media except those publications/productions listed above, prior to publication/performance in a reasonable manner that is neutral as to the viewpoint of the speaker. {DRAFTING NOTE: It is critical that the school officials actually engage in prior review/restraint and not just reserve the right to engage in such review/restraint. If the school officials fail to routinely and consistently exercise this authority, a court reviewing a student challenge to a review/restraint may hold that this policy is not being implemented as written, and therefore the Board may be found to have lost the authority it attempted to preserve for its administrators. The Board should provide school officials with guidance and training in order to implement this duty of review/restraint effectively and legally.}~~

~~{END OF OPTION C}~~

~~{ } {OPTION D—Select if the Board intends all school-sponsored student media (i.e., publications/productions) to be nonpublic forums—i.e., subject to routine prior review/restraint. This is the most restrictive OPTION.}~~

~~{DRAFTING NOTE: for OPTIONS D-1 through D-5: It is critical that the school officials actually engage in prior review/restraint and not just reserve the right to engage in such review/restraint. If the school officials fail to routinely and consistently exercise this authority, a court reviewing a student challenge to a review/restraint may hold that this policy is not being implemented as written, and therefore the Board will be considered to have lost the authority it attempted to preserve for its administrators. The Board should provide school officials with guidance and training in order to implement this duty of review/restraint effectively and legally.}~~

All school-sponsored student media are nonpublic forums. While students may address matters of interest or concern to their readers/viewers, as nonpublic forums, the style and content of the student publications and productions can be regulated for legitimate pedagogical, school-related reasons. School officials shall routinely and systematically review and, if necessary, restrict the type and/or content of all school-sponsored student media prior to publication/performance in a reasonable manner that is

neutral as to the viewpoint of the speaker. Legitimate pedagogical concerns are not confined to academic issues but include the teaching by example of the shared values of a civilized social order, which consists of not only independence of thought and frankness of expression but also discipline, courtesy/civility, and respect for authority. School officials may further prohibit speech that is grammatically incorrect, poorly written, inadequately researched, biased or prejudiced, vulgar, or profane, or unsuitable for immature audiences.

~~{DRAFTING NOTE: Select OPTION D-1, OPTION D-2, OPTION D-3, OPTION D-4, or OPTION D-5.}~~

~~{ } {OPTION D-1}~~

~~{DRAFTING NOTE: The Board should only select this OPTION if it has prohibited all school-sponsored student publication/performance on Social Media, with the exception of school-sponsored student media that is disseminated through Center-approved Social Media that employs a portal that restricts access to members of the school community through the use of a User ID and Password (or other form of biometric authentication security).}~~

~~{ } School-sponsored student media may only be published/performed to members of the school community.~~

~~{END OF OPTION D-1}~~

~~{DRAFTING NOTE: The Board should select either OPTION D-2 or OPTION D-3 if it has authorized the limited use of Center-approved Social Media to publish/perform school-sponsored media; as mentioned above, it is critically important that school officials routinely and consistently exercise their authority to engage in prior review/restraint with respect to the publication/performance of all school-sponsored student media.}~~

~~{ } {OPTION D-2}~~

~~{ } While ordinarily school-sponsored student media may only be published/performed to members of the school community, the following student media may be published/performed outside the school community (i.e., to the general public): _____~~

~~{identify} () high school newspaper [could substitute with the name of the publication] () high school yearbook [could substitute with the name of the yearbook] () _____ [insert name(s) of specific school-sponsored student publications/productions]. () See Board Policy 9160.~~

~~{END OF OPTION D-2}~~

~~{ } {OPTION D-3}~~

~~{ } While ordinarily school-sponsored student media may only be published/performed to members of the school community, the Superintendent may authorize specific student media to be published/performed outside the school community, (i.e., to the general public). A student or group of students who wish to have his/her/their student media published/performed outside the school community must submit to the Superintendent a request for prior written approval for such publication/performance.~~

~~{END OF OPTION D-3}~~

~~{ } {OPTION D-4}~~

~~{ } While school-sponsored student media generally may be published/performed outside the school community (i.e., to the general public), the following student media may only be published/performed to members of the school community: _____~~

~~{identify}. () See Board Policy 9160.~~

~~{END OF OPTION D-4}~~

~~{ } {OPTION D-5}~~

~~{ } School-sponsored student media may be published/performed outside the school community (i.e., to the general public). () See Board Policy 9160~~

~~{END OF OPTION D-5}~~

~~{END OF OPTION D}~~

~~{END OF OPTIONS A THROUGH D}~~

~~{NOTE: The following paragraph is OPTIONAL.}~~

~~{ } Students () Staff will monitor comments posted to social media platforms/sites that have been approved under Policy 7544 for use as school-sponsored student media. Comments will be monitored to verify the age appropriateness of the material, whether unprotected speech is involved, and whether there is compliance with posted rules for use of the forum and the platform/site's applicable terms of service. Comments that are not age appropriate for the student audience for the school-sponsored publication, constitute unprotected speech, and/or violate the posting rules for the use of the forum and/or the platform/site's applicable terms of service will be removed. The review of posted comments will be conducted in a viewpoint neutral manner, and consistent with State and Federal law.~~

~~{ } Students shall not be disciplined and/or retaliated against for exercising and/or asserting their free speech rights as defined in this policy. Nothing in this policy, however, restricts the Board's ability to impose post-publication/performance discipline related to a student engaging in the impermissible publication/performance of unprotected speech.~~

~~{DRAFTING NOTE: CHOOSE ONE (1) OF THE FOLLOWING THREE (3) OPTIONS RE: ADVERTISING.}~~

~~{ } {OPTION #1—Select if the Board intends to permit advertising in some or all school-sponsored student media but requires a school employee/official to pre-approve the advertisements.}~~

~~Advertising is permitted in~~

~~() all school-sponsored student media.~~

~~() the following school-sponsored student publications/productions: [identify publications/productions]~~

- A. _____
- B. _____
- C. _____

~~Any advertisements must be consistent with Policy 9700.01 () and AG 9700B:
Advertisements submitted for publication or inclusion in a production shall be reviewed by
() the class/activity advisor~~

~~() the building principal
() the Superintendent~~

~~() school officials
for a determination that they are appropriate for juveniles. The () Superintendent () Board retains the final authority to determine
whether an advertisement is appropriate and will be included in a publication/production. Advertisements may be rejected for
legitimate pedagogical school-related reasons unrelated to the viewpoint of the advertiser (e.g., the advertisement
encourages action that would endanger the health and safety of students).~~

~~[] [OPTION #2—Select if the Board intends to permit advertising in some or all school-sponsored student media that
are designated to be limited-purpose public forums, and the students involved in the specific publications/productions
will be responsible for accepting or rejecting the advertisements.]~~

~~Advertising is permitted in~~

~~() all school-sponsored student media that have been designated as limited-public forums;~~

~~() the following school-sponsored student media that have been designated as limited-purpose public forums: [identify
publications/productions]~~

- A. _____
- B. _____
- C. _____

~~Any advertisements must be consistent with Policy 9700.01 () and AG 9700B:~~

~~The students in the class(es)/activity(ies) associated with~~

~~() all school-sponsored student media that have been designated as limited-purpose public forums~~

~~() the above-listed student media~~

~~will determine whether to include advertisements in the publications/productions. Acceptance or rejection of specific advertisements
is within the control of the publication/production staff, which may accept those for activities, products, or services that are illegal for
students and/or that violate State or Federal law.~~

~~[] The publication/production staff is encouraged to consider the age-appropriateness of the ads they select.~~

[X] [OPTION #3—Select if the Board intends to prohibit advertisements in all student publications/productions.]

Advertising is not permitted in school-sponsored student media.

[END OF OPTIONS RE: ADVERTISING]

General Prohibitions

Regardless of their status as non-public or limited-purpose public forums, the Board prohibits publications, productions, and advertisements that:

- A. promote, favor, or oppose any candidate for election or the adOPTION of any bond issue, proposal, or question submitted at any election;
- B. ~~() fail to identify the student or organization responsible for the publication/performance;~~
- C. ~~() solicit funds for non-school organizations or institutions when such solicitation has not been approved by the Board;~~

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised COST PRINCIPLES - SPENDING FEDERAL FUNDS
Code	po6114
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

6114 - COST PRINCIPLES - SPENDING FEDERAL FUNDS

The Superintendent is responsible for the efficient and effective administration of grant funds through the application of sound management practices. Such funds shall be administered in a manner consistent with all applicable Federal, State and local laws, the associated agreements/assurances, program objectives, and the specific terms and conditions of the grant award.

Cost Principles

Except where otherwise authorized by statute, costs shall meet the following general criteria in order to be allowable under Federal awards:

- A. Be necessary and reasonable for proper and efficient performance and administration of the Federal award and be allocable thereto under these principles.

To determine whether a cost is reasonable, consideration shall be given to:

1. whether a cost is a type generally recognized as ordinary and necessary for the operation of the Educational Service Center or the proper and efficient performance of the Federal award;
2. the restraints or requirements imposed by such factors as sound business practices, arm's length bargaining, Federal, State, local, tribal, and other laws and regulations;
3. market prices for comparable goods or services for the geographic area;
4. whether the individuals concerned acted with prudence in the circumstances considering their responsibilities; and
5. whether the cost represents any significant deviation from the established practices or Governing Board policy which may unjustifiably increase the expense.

While Federal regulations do not provide specific descriptions of what satisfies the necessary element beyond its inclusion in the reasonableness analysis above, whether a cost is necessary is determined based on the needs of the program. Specifically, the expenditure must be necessary to achieve an important program objective. A key aspect in determining whether a cost is necessary is whether the Center can demonstrate that the cost addresses an existing need, and can prove it.

When determining whether a cost is necessary, consideration may be given to whether:

1. the cost is needed for the proper and efficient performance of the grant program;
2. the cost is identified in the approved budget or application;
3. there is an educational benefit associated with the cost;

4. the cost aligns with identified needs based on results and findings from a needs assessment;

5. the cost addresses program goals and objectives and is based on program data.

A cost is allocable to the Federal award if the goods or services involved are chargeable or assignable to the Federal award in accordance with the relative benefit received. This standard is met if the cost: is incurred specifically for the Federal award; benefits both the Federal award and other work of the Center and can be distributed in proportions that may be approximated using reasonable methods; and is necessary to the overall operation of the Center and is assignable to the Federal award in accordance with cost principles mentioned here.

B. Conform to any limitations or exclusions set forth in the cost principles in Part 200 or in the terms and conditions of the Federal award.

C. Be consistent with policies and procedures that apply uniformly to both Federally-financed and other activities of the Center.

D. Be accorded consistent treatment. A cost cannot be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to a Federal award as an indirect cost under another award.

E. Be determined in accordance with generally accepted accounting principles.

F. Be representative of actual cost, net of all applicable credits, or offsets.

The term applicable credits refers to those receipts or reductions of expenditures that operate to offset or reduce expense items allocable to the Federal award. Typical examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; and adjustments of overpayments or erroneous charges. To the extent that such credits accruing to or received by the State relate to the Federal award, they shall be credited to the Federal award, either as a cost reduction or a cash refund, as appropriate.

G. Be not included as a match or cost-share, unless the specific Federal program authorizes Federal costs to be treated as such.

H. Be adequately documented:

1. in the case of personal services, the Superintendent shall implement a system for Center personnel to account for time and efforts expended on grant-funded programs to assure that only permissible personnel expenses are allocated;

2. in the case of other costs, all receipts and other invoice materials shall be retained, along with any documentation identifying the need and purpose for such expenditure if not otherwise clear.

I. Be incurred during the approved budget period.

The budget period means the time interval from the start date of a funded portion of an award to the end date of that funded portion during which recipients are authorized to carry out authorized work and expend the funds awarded, including any funds carried forward or other revisions pursuant to the law. Prior written approval from the Federal awarding agency or State pass-through entity may be required to carry forward unobligated balances to subsequent budget periods, unless waived.

Selected Items of Cost

The Center shall follow the rules for selected items of cost at 2 C.F.R. Part 200, Subpart E when charging these specific expenditures to a Federal grant. When applicable, Center staff shall check costs against the selected items of cost requirements to ensure the cost is allowable. In addition, State, Center, and program-specific rules, including the terms and conditions of the award, may deem a cost as unallowable and Center personnel shall follow those rules as well.

The following rules of allowability must apply to equipment and other capital expenditures:

A. Capital expenditures for general purpose equipment, buildings, and land are unallowable as direct charges, except with the prior written approval of the Federal awarding agency or pass-through entity.

B. Capital expenditures for special purpose equipment are allowable as direct costs, provided that items with a unit cost of \$5,000 or more have the prior written approval of the Federal awarding agency or pass-through entity.

- C. Capital expenditures for improvements to land, buildings, or equipment which materially increase their value or useful life are unallowable as a direct cost except with the prior written approval of the Federal awarding agency, or pass-through entity.
- D. Allowability of depreciation on buildings, capital improvements, and equipment shall be in accordance with 2 CFR 200.436 and 2 CFR 200.465.
- E. When approved as a direct cost by the Federal awarding agency or pass-through entity under Sections A - C, capital expenditures will be charged in the period in which the expenditure is incurred, or as otherwise determined appropriate and negotiated with the Federal awarding agency.
- F. If the Center is instructed by the Federal awarding agency to otherwise dispose of or transfer the equipment, the costs of such disposal or transfer are allowable.

Cost Compliance

The Superintendent shall require that grant program funds are expended and are accounted for consistent with the requirements of the specific program and as identified in the grant application. Compliance monitoring includes accounting for direct or indirect costs and reporting them as permitted or required by each grant. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs, but may not be double charged or inconsistently charged as both.

Determining Whether a Cost is Direct or Indirect:

- A. Direct costs are those costs that can be identified specifically with a particular final cost objective, such as a Federal award, or other internally or externally funded activity, or that can be directly assigned to such activities relatively easily with a high degree of accuracy.

These costs may include: salaries and fringe benefits of employees working directly on a grant-funded project; purchased services contracted for performance under the grant; travel of employees working directly on a grant-funded project; materials, supplies, and equipment purchased for use on a specific grant; program evaluation costs or other institutional service operations; and infrastructure costs directly attributable to the program (such as long-distance telephone calls specific to the program, etc.). Direct costs may also include capital expenditures if approved by the Federal awarding agency or pass-through entity, as well as capital expenditures for special purpose equipment with a unit cost of less than \$5,000.

- B. Indirect costs are those that have been incurred for a common or joint purpose benefitting more than one (1) cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Costs incurred for the same purpose in like circumstances shall be treated consistently as either direct or indirect costs.

These costs may include: general data processing, human resources, utility costs, maintenance, accounting, etc.

Federal education programs with supplement not supplant provisions must use a restricted indirect cost rate. In a restricted rate, indirect costs are limited to general management costs. General management costs do not include divisional administration that is limited to one (1) component of the Center, the governing body of the Center, compensation of the Superintendent, compensation of the chief executive officer of any component of the Center, and operation of the immediate offices of these officers.

The salaries of administrative and clerical staff should normally be treated as indirect costs. Direct charging of these costs may be appropriate only if all of the following conditions are met:

1. Administrative or clerical services are integral to a project or activity.
2. Individuals involved can be specifically identified with the project or activity.
3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency.
4. The costs are not also recovered as indirect costs.

Where a Federal program has a specific cap on the percentage of administrative costs that may be charged to a grant, that cap shall include all direct administrative charges as well as any recovered indirect charges.

Effort should be given to identify costs as direct costs whenever practical, but allocation of indirect costs may be used where not prohibited and where indirect cost allocation is approved ahead of time by the Ohio Department of Education (ODE) or the pass-through entity (Federal funds subject to 2 C.F.R. Part 200 pertaining to determining indirect cost allocation).

Equipment and other capital expenditures are unallowable as indirect costs.

Timely Obligation of Funds

Financial obligations are orders placed for property and services, contracts and subawards made, and similar transactions that require payment. This term is used when referencing a recipient's or subrecipient's use of funds under a Federal award.

The following list illustrates when funds are determined to be obligated under the U.S. Department of Education regulations:

If the obligation is for:

- A. Acquisition of property - on the date which the Center makes a binding written commitment to acquire the property.
- B. Personal services by an employee of the Center - when the services are performed.
- C. Personal services by a contractor who is not an employee of the Center - on the date which the Center makes a binding written commitment to obtain the services.
- D. Performance of work other than personal services - on the date when the Center makes a binding written commitment to obtain the work.
- E. Public utility services - when the Center receives the services.
- F. Travel - when the travel is taken.
- G. Rental of property - when the Center uses the property.
- H. A pre-agreement cost that was properly approved by the Secretary under the cost principles in 2 C.F.R. Part 200, Subpart E - Cost Principles - on the first day of the project period.

Period of Performance

All financial obligations must occur during the period of performance. Period of performance means the total estimated time interval between the start of an initial Federal award when the Center is permitted to carry out the work authorized by the grant and the planned end date. The period of performance may include one (1) or more funded portions or budget periods. The period of performance is dictated by statute and will be indicated in the Grant Award Notification (GAN). As a general rule, State-administered Federal funds are available for obligation within the year that Congress appropriates the funds for. However, given the unique nature of educational institutions, for many Federal education grants, the period of performance is twenty-seven (27) months. This maximum period includes a fifteen (15) month period of initial availability, plus a twelve (12) month period for carryover. For direct grants, the period of performance is generally identified in the GAN.

In the case of a State-administered grant, financial obligations under a grant may not be made until the application is approved or is in substantially approvable form, whichever is later. In the case of a direct grant, a grantee may use grant funds only for obligations it makes during the grant period, unless an agreement exists with the awarding agency or the pass-through entity (e.g., ODE) to reimburse for pre-approval expenses.

If a Federal awarding agency or pass-through entity approves an extension, or if the Center extends under C.F.R. 200.308(e)(2), the Period of Performance will be amended to end at the completion of the extension. If a termination occurs, the Period of Performance will be amended to end upon the effective date of termination. If a renewal is issued, a distinct Period of Performance will begin.

For both State-administered and direct grants, regardless of the period of availability, the Center shall liquidate all financial obligations incurred under the award not later than ninety (90) days after the end of the funding period unless an extension is authorized. Any funds not obligated within the period of performance or liquidated within the appropriate timeframe are said to lapse and shall be returned to the awarding agency. Consequently, the Center shall closely monitor grant spending throughout the grant cycle.

2 C.F.R. 200.344(b), 200.403-.407, 200.413(a)-(c), 200.430(a), 200.439(b)(2), 200.431(a)

34 C.F.R. 76.707-.708(a), 75.703

2 C.F.R. 200.458

Legal

2 C.F.R. 200.344(b), 200.403-.407, 200.413(a)-(c), 200.430(a), 200.439(b)(2), 200.431(a)

34 C.F.R. 76.707-.708(a), 75.703

2 C.F.R. 200.458

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised DISPOSITION OF REAL PROPERTY/PERSONAL PROPERTY
Code	po7300
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

7300 - **DISPOSITION OF REAL PROPERTY/PERSONAL PROPERTY**

The Governing Board believes that the efficient administration of the Educational Service Center may require the disposition of real property and/or personal property that is no longer necessary to meet the educational or operational needs of the Center.

Real Property means land, including land improvements, structures and appurtenances thereto, but excludes moveable machinery and equipment.

Personal Property means tangible property other than real property. It may be tangible, having physical existence, or intangible and may include automotive vehicles, equipment, and materials.

[X] All property considered for disposition (sale) ~~(shall)~~ **(X)** may be subjected to a current, outside, professional appraisal prior to the solicitation of offers.

Disposition of Personal Property under \$10,000

Personal property, the value of which does not exceed \$10,000, shall be disposed of by the Superintendent in such a manner as will be in the public interest and benefit the School Center (see Policy 7300 - Disposition of Real Property/Personal Property and Policy 7310 - Disposition of Surplus Property). If the Board decides to trade an item of personal property as a part or an entire consideration on the purchase price of an item of similar personal property, the Board may trade the personal property upon such terms as are agreed upon by the parties.

Disposition of Real Property under \$10,000

Real property, the value of which does not exceed \$10,000, shall be disposed of by the Board in such manner as will be in the public interest and benefit to the Center and may be accomplished by private sale. If the Board identifies a parcel of real property that it determines is needed for school purposes, the Board may, upon majority vote of the members of the Board, acquire such parcel by exchanging its real property for the parcel or using the real property as part or an entire consideration for the purchase price of the identified real property. Any exchange or acquisition shall be made by conveyance executed by the President and the Treasurer of the Board.

Disposition of Personal and Real Property over \$10,000

Property, (personal and real), the value of which exceeds \$10,000, shall be sold at public auction to the highest bidder in accordance with law. The Board may offer real property for sale as an entire tract or in parcels.

A. Unless the property is being:

1. sold to an exempt entity, as defined in R.C. 3313.41(C);
2. sold and/or leased to a community school or the board of trustees of a college preparatory boarding school, or a STEM school as set forth in R.C. 3313.411 or 3313.413; or

3. exchanged for an identified parcel of real property that the Board determines it needs for school purposes or the property is being used as part or an entire consideration for the purchase price of the identified real property, pursuant to R.C. 3313.41(F); or
4. traded as a part or an entire consideration on the purchase price for a similar item of personal property upon such terms as agreed to by the parties to the trade pursuant to R.C. 3313.41(D) or

the Center shall attempt to sell the property by public auction after giving at least thirty (30) days notice of the auction by:

1. ☒ publication in a newspaper of general circulation; or
2. ~~() posting notices in five (5) of the most public places in the Center in which the property, if it is real property, is situated, or if it is personal property, in the Center of the Board that owns the property.~~

B. If, after the property has been offered once by public auction, no acceptable bids have been received, the Center may sell the property at private sale. The following procedures shall apply:

1. ☒ Regardless of how the property was offered at public auction, at a private sale, the Board shall, as it considers best, sell real property as an entire tract or in parcels. Personal property shall be sold in either a single lot or several lots.
2. ~~() All written offers on real property under consideration for disposition shall be presented as an item on the agenda of a public Board meeting. A preliminary review of offers to purchase or lease shall include: source of offer, date of offer, expiration date of offer, and intended use of property.~~
3. ~~() Written offers shall be referred to the Board Finance Committee for review and recommendations. Offers, when received, will be distributed to the members of the Board.~~
4. ~~() All property considered for lease or sale shall be reviewed by the Board prior to solicitation of offers. The solicitation of offers by the Board shall include an expiration date.~~
5. ☒ The authorized agents of the Board are to review all purchase or lease offers pertaining to sale or lease of property shall be selected by legal counsel ~~and the _____~~. The Board shall give final approval of all contracts.
6. ☒ In consideration of the best interest of the Center and of the residents and taxpayers, the Board reserves the right to reject any and all offers at its sole discretion, regardless of price and terms.
7. ☒ Potential purchasers or lessees shall demonstrate financial capability to meet the terms and conditions of their purchase or lease offer.
8. ~~() Potential purchasers shall demonstrate reasonable likelihood of obtaining necessary city/township approvals and/or compliance with city/township zoning ordinances.~~

C. If the Board decides to dispose of real property, prior to disposing of the property in the manner set forth above, the Board shall first offer the property to the governing authorities of all start-up community schools, the board of trustees of any college-preparatory boarding schools, and the governing bodies of any STEM schools located within the territory of the Center. The Board shall give priority to governing authorities of high performing community schools that are located within the territory of the Center. If more than one (1) governing authority of a high-performing community school offered the property notifies the Treasurer in writing of its intent to purchase the property within sixty (60) days after the offer is made, the Board shall conduct a public auction utilizing the process described above. If no governing authority from a high performing community school expresses an intent to purchase the property within sixty (60) days after the offer is made, the Board shall proceed with the offers from all other governing authorities of the start-up community schools and the board of trustees of any college preparatory boarding school and the governing bodies of any STEM schools located within the territory of the Center.

1. The Board shall offer the property to any community school governing authority, college preparatory boarding school board of trustees or governing body of a STEM school at a price that is not higher than the appraised fair market value of the property as determined in an appraisal of the property that is not more than one (1) year old.
2. In the event that more than one (1) community school governing authority, college preparatory boarding school board of trustees or STEM school governing body notifies the Treasurer of its intent to purchase the property within the prescribed time, the Board shall conduct a public auction utilizing the process described above.

~~{DRAFTING NOTE: The Board may dispose of the property by public auction only if no high-performing~~

~~community school, start-up community school governing authority, college preparatory boarding school board of trustees or STEM school governing body that are located within the territory of the Center accepts the Board's offer within sixty (60) days.}~~

D. Disposition of Unused School Facilities

1. Unused School Facilities means any real property that has been used by the Center for school operations, including but not limited to academic instruction or administration, since July 1, 1998, but has not been used in that capacity for one (1) year or one in which less than sixty percent (60%) of the building was used for direct academic instruction during the preceding school year.
2. The Board shall first offer any unused school facilities it owns for lease or sale to the governing authority of any community school, the board of trustees of any college preparatory boarding school, and the governing bodies of any STEM schools that are located within the territory of the Center.

The Board shall give priority to the governing authorities of high-performing community schools that are located within the territory of the Center.

At the same time the Board makes the offer to lease or sale, the Board may, but is not required to, offer the property for lease or sell to the governing authority of any community school with plans, as stated in applicable contracts, either to relocate to or add facilities in the Center.

3. If only one (1) governing board of a high-performing community school accepts the Board's offer within the prescribed time, the Board shall sell or lease the property to that party for the appraised fair market value of the property as determined in an appraisal that is not more than one (1) year old. If more than one (1) governing board of a high-performing community school offered the property accepts the Board's offer within sixty (60) days, the Board shall conduct a public auction utilizing the process described above or, in the event of a lease, the Board shall conduct a lottery to select the one (1) qualified governing authority to which the Board shall lease the property.

If no governing authority of a high-performing community school notifies the Treasurer of its intent to purchase or lease the property within the prescribed time, the Board shall then proceed with the offers from all other start-up community schools, college-preparatory boarding schools, and STEM schools that responded within the prescribed time. If more than one (1) such entity notifies the Treasurer of its intent to purchase or lease the property, the Board shall conduct a public auction or, in the event of a lease, a lottery to select the one qualified governing authority to which the Board shall lease the property.

Only the parties that notify the Board within sixty (60) days may offer a bid at the auction or participate in a lottery. The Board is not required to accept a bid that is lower than the appraised fair market value of the property as determined by an appraisal that is no more than one (1) year old.

4. Any subsequent lease or sale of the property shall proceed in accordance with law.

5. If no governing authority of any start-up community school or STEM school or board of trustees accepts the offer to lease or buy the property within sixty (60) days after the subsequent offer is made, the Board may offer the property for sale or lease to any other permissible entity.

E. Further, the Board may dispose of property upon the majority vote of the members of the Board and a concurring vote of the legislative authority of a municipal corporation, declaring that an exchange of real property held by the Center for school purposes for real estate held by the municipal corporation for municipal purposes will be mutually beneficial to both the Center and the municipal corporation. The exchange may be made by conveyances that are executed by the President and Treasurer of the Board and the Mayor and Clerk of the municipal corporation, respectively.

F. The Board President and Treasurer shall execute and deliver deeds or other necessary instruments of conveyance to complete any sale or trade under this policy.

Donation of Real or Personal Property

- A. If the Center has property that the Board, by resolution, determines is not needed for school purposes, is obsolete, or is not fit for the use for which it was acquired, the Board may donate the property if the estimated fair market value of such property is \$2,500 or less in the opinion of the Board. The property may only be donated to an eligible 501(c)(3) nonprofit organization located in the State of Ohio and exempt from Federal income taxation under 26 U.S.C. 501(a) and 501(c)(3).

B. Prior to donating the property, the Board shall adopt a resolution that contains the following:

1. a statement expressing the Board's intent to make unneeded, obsolete or unfit-for-use, Center property available to nonprofit organizations;
2. guidelines and procedures the Board considers to be necessary to implement the donation program;
3. an indication of whether the Center will conduct such program or by a representative under contract with the Board;
4. contact information for such representative, if the person is known when the resolution is adopted;
5. a requirement that any nonprofit organization desiring to obtain donated property submit a written notice to the board or its representative that includes:
 - a. evidence that the organization is a nonprofit organization that is located in the State of Ohio and exempt from Federal income taxation;
 - b. a description of its primary purposes;
 - c. a description of the type or types of property the organization needs; and
 - d. the name, address, and telephone number of a person designated by the organization to receive donated property as its agent.

C. Upon the adoption of the resolution, the Board shall publish at least twice in a newspaper of general circulation, notice of its intent to donate unneeded, obsolete, or unfit-for-use property to eligible nonprofit organizations. The notice must also include a summary of the information provided in the resolution. A similar notice must also be continually posted in the Board's office and on the Center's Internet website, if one exists. The second and subsequent notices shall be posted not less than ten (10) and not more than twenty (20) days after the previous notice.

D. The Board or its representative must maintain a list of:

1. all eligible 501(c)(3) nonprofit organizations that submit a written notice described above; and
2. a list of all real or personal property that qualifies for the program.

The list of qualifying property must be continually posted at the same locations at which the resolution creating the program must be posted.

1. An item of property on the list must be donated to the 501(c)(3) organization that first declares to the Board or its representative its desire to obtain the item unless the Board previously established in a separate and distinct resolution, a list of eligible 501(c)(3) organizations that are to be given priority for an item's donation.
2. The resolution giving priority to certain nonprofit organizations must specify the reasons for giving the organizations this priority. Such priority may be given based on a direct relationship between the purposes of the organization and specific purposes of the programs provided or administered by the Board.

E. Members of the Board must consult with the Ohio Ethics Commission and comply with R.C. Chapters 102 and 2921 when donating property to a 501(c)(3) organization of which a Board member, his/her family member(s) or a business associate(s) of a Board member is a trustee, officer, Board member, or employee.

Proceeds from the Sale of Real Property

When the Board disposes of real property pursuant to R.C. 3313.41, 3313.411, or 3313.413, the proceeds received from the sale shall be used for either of the following purposes: 1) to retire any debt that was incurred by the Center with respect to that real property - any proceeds in excess of the funds necessary to retire that debt may be paid into the Center's capital and maintenance fund and used only to pay for the costs of non-operating capital expenses related to technology infrastructure and equipment to be used for instruction and assessment; or 2) paid into a special fund for the construction or acquisition of permanent improvements.

Legal

R.C. 3313.17, 3313.40, 3313.41, 3313.411, 3313.413, 5705.10

2 C.F.R. 200.78, 200.85

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised PROPERTY INVENTORY
Code	po7450
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

7450 - **PROPERTY INVENTORY**

As steward of this Educational Service Center's property, the Governing Board recognizes that efficient management and full replacement upon loss requires accurate inventory and properly maintained property records.

The Board shall

~~() conduct a complete inventory~~

(X) maintain a continuous inventory

of all Board-owned equipment and supplies and the results reconciled with the property records at least once

~~() annually;~~

(X) every Five (5) years. ~~{specify number; Federal regulations require at least once every two (2) years}~~

~~() at such intervals as will coincide with property insurance renewal;~~

~~() and G.A.A.P. reporting requirements.~~

For purposes of this policy equipment shall mean a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles which retains its shape and appearance with use, is nonexpendable, costs at least \$5000

(X) to replace

~~() as a single unit~~

and does not lose its identity when incorporated into a more complex unit. When defining supplies for inventory purposes, no items will be counted whose total value is less than \$5,000. ~~{DRAFTING NOTE: The Federal regulation (2 CFR 200.439) allows for a \$5,000 threshold. Capital expenditures with a unit cost of \$5,000 or more require prior written approval of the Federal awarding agency or pass-through entity.}~~

It shall be the duty of the

~~() Superintendent~~

~~() Business Manager~~

(X) Executive Director

to ensure that inventories are recorded systematically and accurately and property records of equipment are updated and adjusted annually by reference to purchase orders and withdrawal reports.

~~[] Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board.~~

~~[] Property records of consumable supplies shall be maintained on a continuous inventory basis.~~

☒ The Treasurer shall maintain a system of property records, ~~which shall show, as appropriate to the item recorded, the:~~

- A. ~~() description and identification;~~
- B. ~~() manufacturer;~~
- C. ~~() year of purchase;~~
- D. ~~() initial cost;~~
- E. ~~() location;~~
- F. ~~() condition and depreciation;~~
- G. ~~() evaluation in conformity with insurance requirements.~~

Equipment acquired under a Federal award will vest upon acquisition to the Center, subject to the following conditions:

- A. The equipment shall be used for the authorized purposes of the award project during the period of performance or until the equipment is no longer needed for the purposes of the project.
- B. The equipment shall not be encumbered without the approval of the Federal awarding agency or the pass-through entity.
- C. The equipment may only be used and disposed of in accordance with the provisions of the Federal awarding agency or the pass-through entity and Policy 7300 and Policy 7310, AG 7300 and AG 7310.
- D. Property records shall be maintained that include a description of the equipment, a serial number or other identification number, the source of funding for the equipment (including the FAIN), title entity, acquisition date, cost of the equipment, percentage of Federal participation in the project costs for the award under which the equipment was acquired, the location, use, and condition of the equipment, and ultimate disposition data, including date of disposal and sale price of the equipment.
- E. A physical inventory of the property must be taken and results reconciled with property records at least once every two (2) years.
- F. A control system shall be developed to provide adequate safeguards to prevent loss, damage, or theft of the property. Any such loss, damage, or theft shall be investigated.
- G. Adequate maintenance procedures shall be implemented to keep the property in good condition.
- H. Proper sales procedures shall be established to ensure the highest possible return, in the event the Center is authorized or required to sell the equipment/property.
- I. When original or replacement equipment acquired under a Federal award is no longer needed for the original project/program or for activities currently or previously supported by a Federal awarding agency, and except as otherwise provided by Federal statutes, regulations, or Federal awarding agency disposition instructions, the Center shall request disposition instructions from the Federal awarding agency if required by the terms and conditions of the Federal award. Disposition of the equipment shall be made in accordance with the provisions of 2 C.F.R. 200.313.

2 C.F.R. 200.313, 200.439(b)(2).

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2 C.F.R. 200.313, 200.439(b)(2)

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised STUDENT RECORDS
Code	po8330
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

8330 - STUDENT RECORDS

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

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

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

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

Student records shall be available only to students and their parents, eligible students, designated school officials who have a legitimate educational interest in the information, or 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.

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

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

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

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

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

The Board authorizes the administration to:

- A. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a private or public school or school center in which a student of this Center is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:
 1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; or the Board's annual notification - Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
 2. the parent or eligible student, upon request, receives a copy of the record; and
 3. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;
 - B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a juvenile detention facility in which the student has been placed, or a juvenile court that has taken jurisdiction of the student;
 - C. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school center in which a student in foster care is enrolled;
- Such records shall be transferred within one (1) school day of the enrolling school's request.
- D. provide personally-identifiable information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
 - E. report a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
 - F. release de-identified records and information in accordance with Federal regulations;
 - G. disclose personally identifiable information from education records, without consent, to organizations conducting studies for, or on behalf of the Center for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

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

~~**[Centers without AGs should include the following paragraph] This written agreement must include: (1) specification of the purpose, scope, duration of the study, and the information to be disclosed; (2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; (3) a statement requiring the**~~

~~organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and (4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.~~

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

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

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

~~[Option A—the following sentence should be selected by centers with AGs]~~ The Center will verify that the authorized representative complies with FERPA regulations.

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

~~Under the audit exception, the Center will use reasonable methods to verify that the authorized representative complies with FERPA regulations. Specifically, the Center will verify, to the greatest extent practical, that the personally identifiable information is used only for the audit, evaluation or enforcement of a government-supported educational program. The Center will also ascertain the legitimacy of the audit or evaluation and will only disclose the specific records that the authorized representative needs. Further, the Center will require the authorized representative to use the records only for the specified purpose and not to disclose the information any further, such as for another audit or evaluation. Finally, the Center will verify that the information is destroyed when no longer needed for the audit, evaluation or compliance activity.~~

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

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

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

Only directory information regarding a student shall be released to any person or party, other than the student or 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 the Center's intent to make available, upon request, certain information known as directory information. The Board designates as student directory information: a student's name; address; telephone number; date and place of birth; major field of study; participation in officially recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; date of graduation; or awards received.

~~[The following option should be selected if the Board assigns school email accounts to students per Policy 7540.03. *This option is provided to address potential confidentiality issues presented by Policy 7540.03 and is supported by~~

~~Federal FERPA regulation 34 C.F.R. 99.37(d), R.C. 3319.321, however, does not identify student email addresses as directory information.~~

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

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

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

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

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

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

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

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

INSPECTION OF INFORMATION COLLECTION INSTRUMENT

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

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

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

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

- E. the sale by students of products or services to raise funds for school-related or education-related activities
- F. student recognition programs

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

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

The Superintendent shall also develop procedural guidelines for:

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

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

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

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

SAFE AT HOME/ADDRESS CONFIDENTIALITY PROGRAM

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

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

If a non-custodial parent presents a subpoena or court order stating that s/he should be provided with copies or access to a student's records, the Center will redact the student's confidential address and telephone number from the student's records before complying with the order or subpoena. The Center will also notify the custodial/residential parent of the release of student records in accordance with the order or subpoena.

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

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

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Legal

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

R.C. 149.11, 149.43, 1347 et seq., 3313.33, 3319.321

34 C.F.R. Part 99

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

26 U.S.C. 152

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

20 U.S.C. 7165(b)

20 U.S.C. 7908

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised SCHOOL SAFETY
Code	po8400
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

8400 - **SCHOOL SAFETY**

The Governing Board is committed to maintaining a safe and drug-free environment in all of the Educational Service Center's schools. The Board believes that school crime and violence are multifaceted problems that need to be addressed in a manner that utilizes all available resources in the community through a coordinated effort of Center personnel, law enforcement agencies, and families. The Board further believes that school administrators and local law enforcement officials must work together to provide for the safety and welfare of students while they are at school or a school-related event or are on their way to and from school. The Board also believes that the first step in addressing school crime and violence is to assess the extent and nature of the problem(s) or threat, and then plan and implement strategies that promote school safety and minimize the likelihood of school crime and violence.

Emergency Management Plan (EMP)

To that end, the Superintendent shall develop and adopt a comprehensive Emergency Management Plan ("EMP") for each building under his/her control. In developing the EMP for each building, the Superintendent shall involve community law enforcement and safety officials (including, but not limited to, law enforcement, fire, emergency medical personnel, and any local divisions having county-wide emergency management), parents of students who are assigned to the building, and teachers and nonteaching employees assigned to the building. Each EMP shall contain the name, title (if applicable), contact information, and signature of each person involved in development of the EMP.

In developing the EMP, the Superintendent shall examine the environmental conditions and operations of each building to determine potential hazards to student and staff safety. The Superintendent shall further propose operating changes to promote the prevention of potentially dangerous problems and circumstances. The Superintendent shall incorporate remediation strategies into the EMP for any building where documented safety problems have occurred.

Each EMP will consist of four (4) parts:

A. A single document to address all hazards that may negatively impact the school; including but not limited to active shooter, hostage, bomb threat, act of terrorism, bullying, and any other natural or manmade events that the Superintendent knew or should have reasonably known about that compromise the health or safety of students, employees, administrators, or property. The document will include:

1. a hazard identification and risk analysis (i.e., a process to identify hazards and assess the vulnerability associated with each);
2. an all-hazards emergency operations plan organized around five (5) mission areas: prevention, protection, mitigation, response, and recovery;

The plan shall be compliant with the National Incident Management System (NIMS).

3. the access and functional needs of the students, teachers, and staff;
4. education for students, staff, and administrators to avoid, deter, or stop an imminent crime or safety issue, threatened or actual;

5. procedures for notifying law enforcement, fire, EMS, emergency management, mental health, and other outside experts who could assist in responding to and recovering from an emergency;

The plan shall be updated and revised at least every three (3) years from the previous date of compliance to reflect lessons learned and best practices to continually improve the plan. The emergency management test and actual emergencies at the school buildings will be a source for lessons learned.

6. ☐ the use of temporary door locking devices as permitted by law.

- B. A floor plan unique to each floor of the building.
- C. A site plan that includes all building property and surrounding property.
- D. An emergency contact information sheet.

The Superintendent shall submit an electronic copy of each EMP s/he developed and adopted to the Ohio Department of Education ("ODE") not less than once every three (3) years, whenever a major modification to the building requires changes to the procedures outlined in the EMP, and whenever the information on the emergency contact information sheet changes. No later than the date prescribed by ODE, the Superintendent shall also file a copy of the current, updated EMP with the following:

- A. each law enforcement agency that has jurisdiction over the school building; and
- B. upon request, the local fire department, emergency medical service organization, and county emergency management agency serving the area in which the building is located.

The Superintendent will also file copies of updated EMPs with ODE and the above agencies within ten (10) days after s/he adopts the revised EMPs.

The EMP is not a public record.

The Superintendent shall prepare and conduct at least one (1) annual emergency management test, in accordance with rules adopted by the Ohio Department of Education (ODE). By July 1st of every year, the Superintendent shall review the EMPs s/he previously developed and adopted, and certify in writing to the ODE that the EMPs are current and accurate.

The emergency management test must be a scheduled event; an actual emergency will not satisfy this requirement, even if an after-action report is produced. The emergency management test must be a tabletop, functional, or full-scale as defined in A.C. 3301-5-01, and each type shall be used once every three (3) years. It must include at least one (1) hazard from the hazard analysis in the EMP and at least one (1) functional content area. At least one (1) representative from law enforcement, fire, EMA, EMS, and/or behavioral health should be included.

~~[SELECT OPTION #1 OR OPTION #2]~~

~~[] [OPTION #1]~~

~~Students will not participate in the emergency management test.~~

☒ [OPTION #2]

Students may participate in the emergency management test at the discretion of the Principal. In deciding whether, and to what extent, to involve students in an emergency management test, the Principal should consider what benefit student inclusion in the emergency management test may have on the student population's preparation for an emergency and to enhance the safety of students in the building. The Principal shall also consider age-appropriate participation, guidance, and training in preparation for students' participation in the test.

~~[END OF OPTIONS]~~

~~[DRAFTING NOTE: If OPTION #2 is selected, it is strongly advised that the Center select the following optional language, which is only listed as an option because A.C. 3301-5-01 does not make it mandatory—however, it does state schools should obtain parental consent if students are going to participate in the emergency management test.]~~

~~[] Parental consent is required prior to student participation in the emergency management test.~~

The Superintendent shall submit an after-action report to the ODE no later than thirty (30) days after the emergency management test documenting the following: 1) date/time/weather/length of exercise; 2) the type of discussion/operations based exercise; 3) the scenario utilized; 4) the hazard(s) utilized (including safety data sheets, as appropriate); 5) the functional content area(s) utilized;

and 6) the identification of at least three (3) strengths and at least three (3) improvement areas of the EMP discovered as a result of the emergency management test.

The Superintendent shall grant access to each school building under his/her control to law enforcement personnel and any local fire department, emergency medical service organization, and/or county emergency management agency that has requested a copy of the EMP, to enable such personnel and entities to conduct training sessions for responding to threats and emergency events affecting the school building. Such access shall be provided outside of student instructional hours and the Superintendent or designee shall be present in the building during the training sessions.

Prior to the opening day of each school year, the Superintendent shall inform each enrolled student and the student's parent/legal guardian of the procedures to be used to notify parents in the event of an emergency or a serious threat to safety. Any student enrolled in the school after the annual notification and their parent/legal guardian shall be notified upon enrollment. Also, see Policy 8420 - Emergency Situations at School.

~~{OPTION}~~

~~{}~~ Threat Assessment

The primary purpose of a threat assessment is to minimize the risk of targeted violence at school. The following threat assessment process is designed to be consistent with the process set forth in the joint U.S. Secret Service and U.S. Department of Education publication, Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates for identifying, assessing, and managing students who may pose a threat. The goal of the threat assessment process is to take appropriate preventive or corrective measures to maintain a safe school environment, protect and support potential victims, and provide assistance, as appropriate, to the student being assessed.

The threat assessment process is centered upon an analysis of the facts and evidence of behavior in a given situation. The appraisal of risk in a threat assessment focuses on actions, communications, and specific circumstances that might suggest that an individual intends to cause physical harm and is engaged in planning or preparing for that event.

The Board authorizes the Superintendent to create building-level, trained threat assessment teams. Each Team shall be headed by the Principal and may include a school counselor, school psychologist, instructional personnel, and/or the School Resource Officer, where appropriate. At the discretion of the Superintendent, a threat assessment team may serve more than one (1) school when logistics and staff assignments make it feasible.

The Team will meet when the Principal learns a student has made a threat of violence or engages in concerning communications or behaviors that suggest the likelihood of a threatening situation.

The Team is empowered to gather information, evaluate facts, and make a determination as to whether a given student poses a threat of violence to a target. If an inquiry indicates that there is a risk of violence in a specific situation, the Team may collaborate with others to develop and implement a written plan to manage or reduce the threat posed by the student in that situation.

The Board authorizes the Superintendent to create guidelines for the purpose of:

- A. identifying team participants by position and role;
- B. requiring team participants to undergo appropriate training;
- C. defining the nature and extent of behavior or communication that would trigger a threat assessment and/or action pursuant to a threat assessment;
- D. defining the types of information that may be gathered during the assessment;
- E. stating when and how parents/guardians of the student making the threat shall be notified and involved;
- F. designating the individuals (by position) who are responsible for gathering and investigating information;
- G. identifying the steps and procedures to be followed from initiation to conclusion of the threat assessment inquiry or investigation.

Board employees, volunteers, and other school community members, including students and parents, shall immediately report to the Superintendent or Principal any expression of intent to harm another person or other statements or behaviors that suggest a student may intend to commit an act of violence.

Nothing in this policy overrides or replaces an individual's responsibility to contact 911 in an emergency.

Regardless of threat assessment activities or protocols, disciplinary action and referral to law enforcement shall occur as required by State law and Board policy.

Threat assessment team members shall maintain student confidentiality at all times as required by Board Policy 8330 - Student Records, and State and Federal law.

[END-OF-OPTION]

Safe and Drug-Free Schools

As a part of the EMP, the Board shall verify that it has procedures in place for keeping schools safe and drug-free that include (see also, Form 8330 F15 entitled Checklist of Policies and Guidelines Addressing Safe and Drug-Free Schools):

- A. appropriate and effective school discipline policies that prohibit disorderly conduct, the illegal possession of weapons and the illegal use, possession, distribution, and sale of tobacco, alcohol, and other drugs by students;
- B. security procedures at school and while students are on the way to and from school;
- C. prevention activities that are designed to maintain safe, disciplined and drug-free environments;
- D. a code of conduct or policy for all students that clearly states the responsibilities of students, teachers, and administrators in maintaining a classroom environment that:
 - 1. allows a teacher to communicate effectively to all students in the class;
 - 2. allows all students in the class the opportunity to learn;
 - 3. has consequences that are fair, and developmentally appropriate;
 - 4. considers the student and the circumstances of the situation; and
 - 5. is enforced accordingly.

Persistently Dangerous Schools

The Board recognizes that State and Federal law requires that the Center report annually incidents which meet the statutory definition of violent criminal offenses that occur in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. It is further understood that the State Department of Education will then use this data to determine whether or not a school is considered persistently dangerous as defined by State policy.

Pursuant to the Board's stated intent to provide a safe school environment, the school administrators are expected to respond appropriately to any and all violations of the Student Code of Conduct, especially those of a serious, violent nature. In any year where the number of reportable incidents of violent criminal offenses in any school exceed the threshold number established in State policy, the Superintendent shall

~~(-) discuss this at the annual meeting for the purpose of reviewing the EMP so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the subsequent year.~~

~~(-) convene a meeting of the building administrator, representative(s) of the local law enforcement (-) agency (-) agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.~~

The Superintendent shall make a report to the Board about this plan of corrective action and shall recommend approval and adoption of it.

In the unexpected event that the number of reportable incidents in three (3) consecutive school years exceeds the statutory threshold and the school is identified as persistently dangerous, students attending the school shall have the choice option as provided in Policy 5113.02 and AG 5113.02.

In addition, the Superintendent shall

(X) discuss the school's designation as a persistently dangerous school at the annual meeting for the purpose of reviewing the EMP so that a plan of corrective action can be developed and implemented in an effort to reduce the number of these incidents in the

subsequent year.

~~() convene a meeting of the building administrator, representative(s) of the local law enforcement () agency () agencies, and any other individuals deemed appropriate for the purpose of developing a plan of corrective action that can be implemented in an effort to reduce the number of these incidents in the subsequent year.~~

[X] If a school in a neighboring center is identified as persistently dangerous and there is not another school in that center, the Center will admit students from that school in accordance with Board Policy 5113.02.

Victims of Violent Crime

The Board further recognizes that, despite the diligent efforts of school administrators and staff to provide a safe school environment, an individual student may be a victim of a violent crime in a school, on school grounds, on a school conveyance, or at a school-sponsored activity. In accordance with Federal and State law, the parents of the eligible student shall have the choice options provided by Policy 5113.02 and AG 5113.02.

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Legal	A.C. 3301-5-01
	R.C. 3313.536
	20 U.S.C. 6301 et seq.
	Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended
	Public Law 107-110

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised STUDENT ABUSE AND NEGLECT
Code	po8462
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

8462 - **STUDENT ABUSE AND NEGLECT**

The Governing Board is concerned with the physical and mental well-being of the students of this Educational Service Center and will cooperate in the identification and reporting of cases of child abuse or neglect in accordance with law.

Every Board official and employee who, in connection with his/her position, knows or suspects child abuse or neglect must immediately report that knowledge or suspicion to a public children's services or local law enforcement agency. Such reporting is required in every case that reasonably indicates that a child under the age of eighteen (18) or a physically or mentally disabled child under the age of twenty-one (21) has been abused (physically or mentally) or neglected or faces the threat of being abused or neglected.

[X] The Board official and employee making the report shall also notify the appropriate administrator according to the Center's Reporting Procedure for Student Abuse or Neglect.

(X) and shall secure prompt medical attention to any such injuries reported.

Each Principal should be mindful of the possibility of physical or mental abuse being inflicted on a student by an employee. Any such instances, whether real or alleged, should be dealt with in accordance with the administrative guidelines established by the Superintendent. Board officials and employees must report suspected abuse to a public children's services or local law enforcement agency even when the suspected abuser is another official or employee.

The identity of the reporting person shall be confidential, subject only to disclosure by consent or court order. Information concerning alleged child abuse of a student is confidential information and is not to be shared with any unauthorized person. A staff member who violates this policy may be subject to disciplinary action and/or civil and/or criminal penalties.

In accordance with law, the Board will provide appropriate instruction on personal safety and assault prevention to all students in grades K-6. ~~In order to develop programs that are appropriate and effective, the Superintendent is authorized to consult with public and/or private agencies or individuals involved in child abuse prevention and intervention. In addition, the Superintendent shall provide a program of in-service education for all nurses, teachers, counselors, school psychologists, mental health providers, and administrators who work in the Center's elementary, middle, and high schools and any other personnel that the Board determines appropriate. The in-service education program will include school safety, violence prevention including human trafficking content, youth suicide awareness and prevention, prevention of child abuse, substance abuse, promotion of positive youth development, and a review of Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior.~~

In addition, the Superintendent shall provide a program of in-service education for all nurses, teachers, counselors, school psychologists, mental health providers, and administrators who work in the Center's elementary, middle, and high schools and any other personnel that the Board determines appropriate. The in-service education program will include school safety, violence prevention including human trafficking content, youth suicide awareness, and prevention, prevention of child abuse, substance abuse, promotion of positive youth development, and a review of Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior.

The Board shall adopt or adapt an evidence-based awareness and prevention curriculum approved by the Ohio Department of Education (ODE), or alternatively will utilize a suicide awareness and prevention curriculum that has been developed in consultation with public or private agencies/persons involved in youth suicide awareness and prevention and that has been approved by the ODE.

{SELECT OPTION 1 OR OPTION 2}

~~[] The Board shall adopt or adapt the suicide awareness and prevention curriculum developed by the Ohio Department of Education (ODE).~~

OR

~~[] The Board shall develop the suicide awareness and prevention curriculum in consultation with public or private agencies or persons involved in youth suicide awareness and prevention programs.~~

[END OF OPTIONS]

The in-service education provided to middle and high school employees shall include training in the prevention of dating violence.

All newly-employed mental health providers, nurses, teachers, counselors, school psychologists, and administrators who work in the Center's elementary, middle, and high schools shall complete at least four (4) hours of in-service training within two (2) years of the date of employment.

Additional training must occur every two (2) years thereafter for suicide awareness and prevention, and every five (5) years thereafter for school safety, violence prevention, prevention of child abuse, prevention of substance abuse and promotion of positive youth development.

The Center shall be registered with the SaferOH tip line operated by the Department of Public Safety or shall enter into an agreement with an anonymous reporting program selected by the Board that meets the requirements set forth in law (R.C. 3313.6610).

The Center shall submit data to the Ohio Department of Education (ODE), in a manner prescribed by the Department, and to the Department of Public Safety at the end of the first full school year of the Center's participation in the anonymous reporting program, and at the end of each school year thereafter, disaggregated by the school.

The data shall be considered records and are not public records under R.C. 149.433.

The Superintendent will promote and inform students about the selected program and its reporting methods.

A law enforcement officer or children's services agency investigating child abuse or neglect may interview a student on school grounds only in accordance with Board Policy 5540.

R.C. 1149.433, 3319.321, 3313.6610

R.C. 2151.421, 3313.60, 3319.073

20 U.S.C. 1232g

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Legal

R.C. 1149.433, 3319.321, 3313.6610

R.C. 2151.421, 3313.60, 3319.073

20 U.S.C. 1232g

Book	Policy Manual
Section	Vol. 40, No. 1 - August 2021
Title	Vol. 40, No. 1 - August 2021 Revised BONDING
Code	po8740
Status	3) Approved and ready for NEOLA
Adopted	October 20, 2021
Last Revised	September 15, 2021
Last Reviewed	September 15, 2021

8740 - **BONDING**

The ~~Board of Education~~ Governing Board recognizes that prudent trusteeship of the resources of this ~~District~~ Educational Service Center dictate that employees responsible for the safekeeping of District monies

(X) and property

be bonded or alternatively be covered by an insurance policy issued by a Board-approved and accredited insurance carrier or joint self-insurance pool.

An insurance policy must cover the Board from losses caused by the fraudulent or dishonest actions of and the failure to perform a duty prescribed by law of the employee. Coverage must be equal to or greater than the amount required by the Board for a surety bond.

The ~~District~~ Educational Service Center shall be indemnified against loss of money

(X) and property

by bonding of employees holding the positions and in the amounts determined by the Board: or by providing adequate coverage through issuance of an insurance policy.

[X] All other employees handling money shall be covered under a blanket bond or insurance policy to an amount determined by the Board.

The Board shall bear the cost of insuring or bonding each employee required to be covered~~bonded~~ by this policy.

R.C. 3.061

R.C. 3313.25, 3313.83, 5705.412

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Legal	R.C. 3313.25, 3313.83, 5705.412
	R.C. 3.061

