Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Revised TECHNICAL CORRECTIONS
Code	po0131.1
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Bylaw - Vol. 41, No. 2

0131.1 - **TECHNICAL CORRECTIONS**

Periodically, it may be deemed necessary to make technical corrections to policies that have already been adopted through normal procedures. These technical corrections may include

(X) consolidation of sections;

(X) transfer of sections;

(X) combining or dividing sections;

(X) renumbering subsections, sections, chapters, and titles;

(X) corrections or additions for grammatical or typographical errors;

(X) alterations and omissions; and/or

(X) updating the name(s) of the individual(s) who serve as District compliance officer(s), as long as the position/title remains the same as listed in the applicable Board policy,

not affecting the constructions or meaning of those sections, subsections, chapters, titles, or policies as a whole.

Should the Governing Board choose to make such technical corrections, it may be accomplished by resolution as part of the consent agenda without going through the normal policy adoption procedure.

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Book	Policy Manual
Section	1000 Administration
Title	RETIRE/REHIRE
Code	po1544
Status	Active
Adopted	June 10, 2008

1544 – **RETIRE/REHIRE**

Employment of Retirees Receiving Benefits from a Public Employee Retirement System

It is the desire of the Board of Governors to employ the most qualified person when vacancies occur within the organization. In order to consider the largest number of available candidates, the Board needs to have the option of considering candidates who may have retired and are eligible for benefits from a public employee retirement system. This usually would pertain to the State Teachers Retirement System of Ohio, the School Employees Retirement System, or the Public Employees Retirement Systems. However it may pertain to individuals who are moving from other states or to individuals who were in positions with the federal government. This policy applies to all persons who would fit into the category of retired as a public employee.

When a retired individual is selected and recommended for employment, commonly referred to as "retire/rehire", the Board will use the Administrative Guidelines established by the administration as the contractual specifications for the position. These guidelines are to be reviewed regularly in order to comply with the rules of the various public employee retirement systems.

It is understood that the guidelines will be written to provide the administration with options and with options for the retire-rehire employee. Many of these options will be driven by the job market for the particular vacancy.

It is understood as well that the guidelines will be written to provide the organization, when possible, with some financial savings from filling the vacancy with a non-retired individual.

Whenever there is a reduction in force, the practice of the administration will be to recommend to the Board the lay-off or non-renewal of retire/rehire employees before non-retired employees.

Procedure for Re-Employment of a Retired Employee:

The procedures that must be followed by a school board before rehiring a retired employee in the same position are set forth under Ohio law.

Pursuant to Ohio law, the Board must first give public notice that the employee is or will be retired and is seeking re-employment with the Board. This notice must include the time, date, and location at which the public meeting to discuss such reemployment will take place. The notice must be given at least 60 days prior to the date the reemployment of the employee is to begin.

The next step following notice of the Board=s intent to re-employ the retired employee is to hold a public meeting on the issue of such re-employment. This public meeting may be held as part of any regular or special meeting the Board may be holding for other matters. This public meeting must be held between 15 and 30 days prior to the date the re-employment of the retired employee is to begin. A meeting of the Board is then to be held after the public meeting to vote on the re-employment and in time for the retired employee to be re-employed within the 15 to 30 days set forth above.

After the Board has re-employed the retired employee in accordance with the aforementioned procedures, it must notify STRS or SERS of such re-employment no later than the end of the month in which the re-employment action was taken. Furthermore, the Board shall certify to STRS or SERS that it has complied with the requirements for rehiring a retired employee to the same position previously held by the retired employee.

Book	Policy Manual
Section	Vol. 41, No. 2 - Tobacco - January 2023
Title	Vol. 41, No. 2 - Tobacco - January 2023 Revised TOBACCO USE PREVENTION
Code	po1615
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 23, 2023
Last Reviewed	February 23, 2023

Revised Policy - Vol. 41, No. 2

1615 - ~~**USE OF TOBACCO BY ADMINISTRATORS**~~**TOBACCO USE PREVENTION**

The Governing Board is committed to providing students, staff, and visitors with a tobacco, nicotine, vapor/aerosol, and smoke-free environment. The negative health effects of tobacco use for both users and nonusers, including the effects of secondhand smoke and vapor/aerosol exposure, ~~particularly in connection with second hand smoke,~~ are well established. Further, providing a non-smoking and ~~a~~ tobacco-free environment is consistent with the responsibilities of administrators and staff to be ~~our~~ positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco, or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other ~~lighted~~ smoking devices for burning tobacco or any other substances.

The term "tobacco" includes any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means~~,~~ including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; an e-cigarette (including, but not limited to, "JUUL", "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; ~~any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to "JUUL"s, "NJOY", "Puff Bar", etc.),~~ but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

~~In order to protect students and staff who choose not to smoke or use tobacco from an environment noxious to them, and because the Board does not condone smoking or the use of tobacco, the~~The Board prohibits the use of tobacco or tobacco substitute products by ~~administrators~~employees at all times

~~( ) (twenty-four (24) hours a day, seven (7) days a week)~~ ~~**[END OF OPTION]**~~

within any enclosed facility owned, ~~or~~ leased, or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to

(X) school grounds,

~~( ) athletic facilities, and~~

(X) any school-related event,

~~( ) on or off Board premises~~

(X) except at designated times

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

~~**[END OF OPTIONS]**~~

The Superintendent shall require the posting of signs as required by R.C. 3794.06 and as specified by the Ohio Department of Health.

~~**[ ] Advertising/Promotion**~~

~~In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.~~**[END OF OPTION]**

~~[ ] Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles, are not permitted on school grounds, in school vehicles, or at school-sponsored events.~~**[END OF OPTION]**

~~**[ ] Education and Training**~~

~~Training will be provided on this policy and associated resources. Information will be provided on cessation resources, including the free Ohio Tobacco Quit Line.~~**[END OF OPTION]**

Enforcement

Employees who violate this policy shall be subject to disciplinary action in accordance with the applicable Collective Bargaining Agreement and/or in accordance with policies of the Board.

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Legal

A.C. 3701-52

R.C. 3313.20, 3313.47, 3313.751, 3794 et seq.

20 U.S.C. 6081 et seq., 20 U.S.C. 7182

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Revised HOMEBOUND INSTRUCTION PROGRAM
Code	po2412
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

2412 - **HOMEBOUND INSTRUCTION PROGRAM**

The Governing Board may provide individual instruction to students who are unable to attend classes because of accident, illness, or disability.

Documentation of the medical condition shall be done through a physician licensed to practice in this State who shall:

A. certify existence of a medical condition requiring homebound instruction;

B. state the probable duration of the confinement.

Applications must be approved by the Superintendent/designee.

Prior to a student on an IEP being placed in the homebound instruction program under this policy, the IEP team shall meet to temporarily amend the student's IEP. The program of homebound instruction for students with disabilities shall be in accordance with the terms of the student's amended IEP. In accordance with R.C. 3323.12, five (5) hours of home instruction shall be equivalent to attendance for five (5) school days.~~IEP.~~

Teachers providing homebound instruction shall hold an Ohio teaching license appropriate for the level of instruction for which the assignment is made. Ordinarily, the Educational Service Center will provide one (1) hour of instruction for each school day that the student is participating in a homebound instruction program. The Superintendent may approve additional instructional time, on a case-by-case basis, when the circumstances warrant it.~~The amount of instructional time shall be limited to five (5) hours per week for non-disabled students, and shall be in accordance with the revised IEP for students with disabilities.~~

[X] Instruction will not be provided when:

A. **(X)** the instructor's presence in the place of a student's confinement presents a hazard to ~~his/her~~their health;

B. **(X)** a parent or other adult in authority is not at home with the student during the hours of instruction;

C. **(X)** the condition of the student is such as to preclude ~~his/her~~their benefit from such instruction.

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Legal	R.C. 3323.12

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Rescind VOLUNTEERS
Code	po3120.09
Status	Retired
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023
Retired	April 19, 2023

Rescind Policy - Vol. 41, No. 2

Legal	R.C. 109.574-7, 121.401-2, 3327.16, 3313.203, 3319.321 20 U.S.C. 1232g, 34 C.F.R. Part 99

Rescind

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Rescind VOLUNTEERS
Code	po3120.09
Status	From Neola
Adopted	June 10, 2008
Last Revised	July 14, 2009

Rescind Policy - Vol. 41, No. 2

~~3120.09 **VOLUNTEERS**~~

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

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

~~The Superintendent is to inform each volunteer that s/he:~~

A. ~~is required to abide by all Board policies and Center guidelines while on duty as a volunteer (including, but not limited to, the volunteer's obligation to keep confidential and not release or permit access to any and all student personally identifiable information to which s/he is exposed except as authorized by law);~~

B. ~~will be covered under the Center's liability policy but the Center can not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers' compensation;~~

C. ~~will be asked to sign a form releasing the Center of any obligation should the volunteer become ill or receive an injury as a result of his/her volunteer services;~~

D. ~~may not accept compensation from any third party or source, including, but not limited to booster, parent, or other Center support organizations, for the performance of his/her official duties as a volunteer on behalf of the Board.~~

~~Furthermore, the Superintendent shall inform all volunteers who work or apply to work unsupervised with children on a regular basis of the need to display appropriate behavior at all times, and that~~ **~~[NOTE: CHOOSE OPTION #1 OR #2]~~**

~~OPTION #1~~

~~( ) they may be required to provide a set of fingerprints at any time so that a criminal records check can be conducted. If a criminal records check is then conducted, it will be done as a condition of continued service as a volunteer and will be at~~

~~( ) the Board's expense.~~

~~( ) the volunteer's expense.~~

~~OPTION #2~~

~~( ) they will have to provide a set of fingerprints so that a criminal records check can be conducted~~

~~( ) at the Board's expense~~

~~( ) and that they will have to pay the costs associated with the criminal records check~~

either before they can begin their duties, or as a condition of continued service as a volunteer at the discretion of the Board.

[NOTE: END OF OPTIONS]

If a criminal records check indicates that a volunteer has been convicted of or pleaded guilty to any of the offenses listed below and/or described in R.C. 109.572 (A)(1),

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

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

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

Offenses

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

A. aggravated murder, murder, voluntary manslaughter, involuntary manslaughter

B. felonious assault, aggravated assault, assault

C. failing to provide for a functionally impaired person

D. aggravated menacing

E. patient abuse or neglect

F. kidnapping, abduction, child stealing, criminal child enticement

G. rape, sexual battery, corruption of a minor, gross sexual imposition, sexual imposition, importuning, voyeurism, public indecency, felonious sexual penetration, compelling prostitution, promoting prostitution, procuring prostitution, disseminating matter harmful to juveniles, pandering obscenity, pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, illegal use of minor in nudity-oriented material or performance

H. aggravated robbery, robbery

I. aggravated burglary, burglary

J. abortion without informed consent

K. endangering children

L. contributing to the delinquency of children

M. domestic violence

N. carrying concealed weapons, having weapons while under disability, improperly discharging firearm at or into a habitation or school

O. corrupting another with drugs

P. trafficking in drugs

Q. ~~illegal manufacture of drugs or cultivation of marijuana~~

R. ~~funding of drug or marijuana trafficking~~

S. ~~illegal administration or distribution of anabolic steroids~~

T. ~~drug possession offenses (that are not a minor drug possession offense)~~

U. ~~placing harmful objects in or adulterating food or confection~~

V. ~~( ) a felony~~

W. ~~( ) an offense of violence~~

X. ~~( ) a theft offense (as defined in R.C. 2913.01)~~

Y. ~~( ) a drug offense (as defined in R.C. 2925.01, that is not a minor misdemeanor)~~

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

20 U.S.C. 1232g, 34 C.F.R. Part 99

Book	Policy Manual
Section	3000 Professional Staff
Title	RETIRE/REHIRE
Code	po3144
Status	Active
Adopted	June 10, 2008

3144 – **RETIRE/REHIRE**

Employment of Retirees Receiving Benefits from a Public Employee Retirement System

It is the desire of the Board of Governors to employ the most qualified person when vacancies occur within the organization. In order to consider the largest number of available candidates, the Board needs to have the option of considering candidates who may have retired and are eligible for benefits from a public employee retirement system. This usually would pertain to the State Teachers Retirement System of Ohio, the School Employees Retirement System, or the Public Employees Retirement Systems. However it may pertain to individuals who are moving from other states or to individuals who were in positions with the federal government. This policy applies to all persons who would fit into the category of retired as a public employee.

When a retired individual is selected and recommended for employment, commonly referred to as "retire/rehire", the Board will use the Administrative Guidelines established by the administration as the contractual specifications for the position. These guidelines are to be reviewed regularly in order to comply with the rules of the various public employee retirement systems.

It is understood that the guidelines will be written to provide the administration with options and with options for the retire/rehire employee. Many of these options will be driven by the job market for the particular vacancy.

It is understood as well that the guidelines will be written to provide the organization, when possible, with some financial savings from filling the vacancy with a non-retired individual.

Whenever there is a reduction in force, the practice of the administration will be to recommend to the Board the lay-off or non-renewal of retire/rehire employees before non-retired employees.

Procedure for Re-Employment of a Retired Employee:

The procedures that must be followed by a school board before rehiring a retired employee in the same position are set forth under Ohio law.

Pursuant to Ohio law, the Board must first give public notice that the employee is or will be retired and is seeking re-employment with the Board. This notice must include the time, date, and location at which the public meeting to discuss such reemployment will take place. The notice must be given at least 60 days prior to the date the reemployment of the employee is to begin.

The next step following notice of the Board=s intent to re-employ the retired employee is to hold a public meeting on the issue of such re-employment. This public meeting may be held as part of any regular or special meeting the Board may be holding for other matters. This public meeting must be held between 15 and 30 days prior to the date the re-employment of the retired employee is to begin. A meeting of the Board is then to be held after the public meeting to vote on the re-employment and in time for the retired employee to be re-employed within the 15 to 30 days set forth above.

After the Board has re-employed the retired employee in accordance with the aforementioned procedures, it must notify SERS of such re-employment no later than the end of the month in which the re-employment action was taken. Furthermore, the Board shall certify to SERS that it has complied with the requirements for rehiring a retired employee to the same position previously held by the retired employee.

Book	Policy Manual
Section	Vol. 41, No. 2 - Tobacco - January 2023
Title	Vol. 41, No. 2 - Tobacco - January 2023 Revised TOBACCO USE PREVENTION
Code	po3215
Status	1) Reading and Review
Adopted	April 9, 2023
Last Revised	February 23, 2023
Last Reviewed	February 23, 2023

Revised Policy - Vol. 41, No. 2

3215 - ~~USE OF TOBACCO BY PROFESSIONAL STAFF~~**TOBACCO USE PREVENTION**

The Governing Board is committed to providing students, staff, and visitors with a tobacco, nicotine, vapor/aerosol, and smoke-free environment. The negative health effects of tobacco use for both users and nonusers, including the effects of secondhand smoke and vapor/aerosol exposure,~~particularly in connection with second-hand smoke,~~ are well established. Further, providing a non-smoking and ~~a~~ tobacco-free environment is consistent with the responsibilities of teachers and staff to be ~~our~~ positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco, nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes, and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other ~~lighted~~ smoking devices for burning tobacco or any other substances.

The term "tobacco" includes any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means~~,~~ including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; an e-cigarette (including, but not limited to, "JUUL", "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah;~~any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to "JUUL"s, "NJOY", "Puff Bar", etc.),~~ but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

~~In order to protect students and staff who choose not to smoke or use tobacco from an environment noxious to them, and because the Board does not condone smoking or the use of tobacco, the~~The Board prohibits the use of tobacco or tobacco substitute products by ~~professional staff members~~employees at all times

~~( ) (twenty-four (24) hours a day, seven (7) days a week)~~**~~[END OF OPTION]~~**

within any enclosed facility owned, ~~or~~ leased, or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to

(X) school grounds,

~~( ) athletic facilities, and~~

(X) any school-related event,

~~( ) on or off Board premises~~

(X) except at designated times

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

~~**[END OF OPTIONS]**~~

The Superintendent shall require the posting of signs as required by R.C. 3794.06 and as specified by the Ohio Department of Health.

~~**[ ] Advertising/Promotion**~~

-

~~In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.~~**[END OF OPTION]**

-

~~**[ ]** Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles are not permitted on school grounds, in school vehicles, or at school-sponsored events.~~**[END OF OPTION]**

-

~~**[ ] Education and Training**~~

-

~~Training will be provided on this policy and associated resources. Information will be provided on cessation resources, including the free Ohio Tobacco Quit Line.~~**[END OF OPTION]**

Enforcement

Employees who violate this policy shall be subject to disciplinary action in accordance with the applicable Collective Bargaining Agreement and/or in accordance with policies of the Board.

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Legal

A.C. 3701-52

R.C. 3313.20, 3313.47, 3313.751, 3794 et seq.

20 U.S.C. 6081 et seq., 20 U.S.C. 7182

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Rescind VOLUNTEERS
Code	po4120.09
Status	1) Reading and Review
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Rescind Policy - Vol. 41, No. 2

Legal	R.C. 109.574-7, 121.401-2, 3327.16, 3313.203, 3319.321 20 U.S.C. 1232g, 34 C.F.R. Part 99

Yes

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Rescind VOLUNTEERS
Code	po4120.09
Status	From Neola
Adopted	June 10, 2008
Last Revised	July 14, 2009

Rescind Policy - Vol. 41, No. 2

~~4120.09 **VOLUNTEERS**~~

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

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

~~The Superintendent is to inform each volunteer that s/he:~~

A. ~~is required to abide by all Board policies and Center guidelines while on duty as a volunteer (including, but not limited to, the volunteer's obligation to keep confidential and not release or permit access to any and all student personally identifiable information to which s/he is exposed except as authorized by law);~~

B. ~~will be covered under the Center's liability policy but the Center can not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers' compensation;~~

C. ~~will be asked to sign a form releasing the Center of any obligation should the volunteer become ill or receive an injury as a result of his/her volunteer services;~~

D. ~~may not accept compensation from any third party or source, including, but not limited to booster, parent or other Center support organizations, for the performance of his/her official duties as a volunteer on behalf of the Board.~~

~~Furthermore, the Superintendent shall inform all volunteers who work or apply to work unsupervised with children on a regular basis of the need to display appropriate behavior at all times, and that **[NOTE: CHOOSE OPTION #1 OR #2]**~~

~~**OPTION #1**~~

~~( ) they may be required to provide a set of fingerprints at any time so that a criminal records check can be conducted. If a criminal records check is then conducted, it will be done as a condition of continued service as a volunteer and will be at~~

~~( ) the Board's expense.~~

~~( ) the volunteer's expense.~~

~~**OPTION #2**~~

~~( ) they will have to provide a set of fingerprints so that a criminal records check can be conducted~~

~~( ) at the Board's expense~~

~~( ) and that they will have to pay the costs associated with the criminal records check~~

either before they can begin their duties, or as a condition of continued service as a volunteer at the discretion of the Board.

[NOTE: END OF OPTIONS]

If a criminal records check indicates that a volunteer has been convicted of or pleaded guilty to any of the offenses listed below and/or described in R.C. 109.572 (A)(1),

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

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

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

Offenses

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

A. aggravated murder, murder, voluntary manslaughter, involuntary manslaughter

B. felonious assault, aggravated assault, assault

C. failing to provide for a functionally impaired person

D. aggravated menacing

E. patient abuse or neglect

F. kidnapping, abduction, child stealing, criminal child enticement

G. rape, sexual battery, corruption of a minor, gross sexual imposition, sexual imposition, importuning, voyeurism, public indecency, felonious sexual penetration, compelling prostitution, promoting prostitution, procuring prostitution, disseminating matter harmful to juveniles, pandering obscenity, pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, illegal use of minor in nudity-oriented material or performance

H. aggravated robbery, robbery

I. aggravated burglary, burglary

J. abortion without informed consent

K. endangering children

L. contributing to the delinquency of children

M. domestic violence

N. carrying concealed weapons, having weapons while under disability, improperly discharging firearm at or into a habitation or school

O. corrupting another with drugs

P. trafficking in drugs

Q. ~~illegal manufacture of drugs or cultivation of marijuana~~

R. ~~funding of drug or marijuana trafficking~~

S. ~~illegal administration or distribution of anabolic steroids~~

T. ~~drug possession offenses (that are not a minor drug possession offense)~~

U. ~~placing harmful objects in or adulterating food or confection~~

V. ~~( ) a felony~~

W. ~~( ) an offense of violence~~

X. ~~( ) a theft offense (as defined in R.C. 2913.01)~~

Y. ~~( ) a drug offense (as defined in R.C. 2925.01, that is not a minor misdemeanor)~~

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Legal R.C. 109.574-7, 121.401-2, 3327.16, 3313.203, 3319.321
20 U.S.C. 1232g, 34 C.F.R. Part 99

Book	Policy Manual
Section	4000 Professional Staff
Title	RETIRE/REHIRE
Code	po4144
Status	Active
Adopted	June 10, 2008

4144 – **RETIRE/REHIRE**

Employment of Retirees Receiving Benefits from a Public Employee Retirement System

It is the desire of the Board of Governors to employ the most qualified person when vacancies occur within the organization. In order to consider the largest number of available candidates, the Board needs to have the option of considering candidates who may have retired and are eligible for benefits from a public employee retirement system. This usually would pertain to the State Teachers Retirement System of Ohio, the School Employees Retirement System, or the Public Employees Retirement Systems. However it may pertain to individuals who are moving from other states or to individuals who were in positions with the federal government. This policy applies to all persons who would fit into the category of retired as a public employee.

When a retired individual is selected and recommended for employment, commonly referred to as "retire/rehire", the Board will use the Administrative Guidelines established by the administration as the contractual specifications for the position. These guidelines are to be reviewed regularly in order to comply with the rules of the various public employee retirement systems.

It is understood that the guidelines will be written to provide the administration with options and with options for the retire/rehire employee. Many of these options will be driven by the job market for the particular vacancy.

It is understood as well that the guidelines will be written to provide the organization, when possible, with some financial savings from filling the vacancy with a non-retired individual.

Whenever there is a reduction in force, the practice of the administration will be to recommend to the Board the lay-off or non-renewal of retire/rehire employees before non-retired employees.

Procedure for Re-Employment of a Retired Employee:

The procedures that must be followed by a school board before rehiring a retired employee in the same position are set forth under Ohio law.

Pursuant to Ohio law, the Board must first give public notice that the employee is or will be retired and is seeking re-employment with the Board. This notice must include the time, date, and location at which the public meeting to discuss such reemployment will take place. The notice must be given at least 60 days prior to the date the reemployment of the employee is to begin.

The next step following notice of the Board=s intent to re-employ the retired employee is to hold a public meeting on the issue of such re-employment. This public meeting may be held as part of any regular or special meeting the Board may be holding for other matters. This public meeting must be held between 15 and 30 days prior to the date the re-employment of the retired employee is to begin. A meeting of the Board is then to be held after the public meeting to vote on the re-employment and in time for the retired employee to be re-employed within the 15 to 30 days set forth above.

After the Board has re-employed the retired employee in accordance with the aforementioned procedures, it must notify STRS of such re-employment no later than the end of the month in which the re-employment action was taken. Furthermore, the Board shall certify to STRS that it has complied with the requirements for rehiring a retired employee to the same position previously held by the retired employee.

Book	Policy Manual
Section	Vol. 41, No. 2 - Tobacco - January 2023
Title	Vol. 41, No. 2 - Tobacco - January 2023 Revised TOBACCO USE PREVENTION
Code	po4215
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 23, 2023
Last Reviewed	February 23, 2023

Revised Policy - Vol. 41, No. 2

4215 - ~~**USE OF TOBACCO BY CLASSIFIED STAFF**~~**TOBACCO USE PREVENTION**

The Governing Board is committed to providing students, staff, and visitors with a tobacco, nicotine, vapor/aerosol, and smoke-free environment. The negative health effects of tobacco use for both users and nonusers, including the effects of secondhand smoke and vapor/aerosol exposure,~~particularly in connection with second-hand smoke,~~ are well established. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes, and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and other ~~lighted~~ smoking devices for burning tobacco or any other substance.

The term "tobacco" includes any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means~~,~~ including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; an e-cigarette (including, but not limited to, "JUUL", "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah;~~any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to "JUUL"s, "NJOY", "Puff Bar", etc.),~~ but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

~~In order to protect students and staff who choose not to smoke or use tobacco from an environment noxious to them, and because the Board does not condone smoking or the use of tobacco, the~~The Board prohibits the use of tobacco or tobacco substitute products by ~~classified staff members~~employees at all times

~~**( )** (twenty-four (24) hours a day, seven (7) days a week)~~**[END OF OPTION]**

within any enclosed facility owned, ~~or~~ leased, or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to

(X) school grounds,

~~**( )** athletic facilities, and~~

(X) any school-related event,

~~**( )** on or off Board premises~~

(X) except at designated times

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

~~**[END OF OPTIONS]**~~

The Superintendent shall require the posting of signs as required by R.C. 3794.06 and as specified by the Ohio Department of Health.

~~**[ ] Advertising/Promotion**~~

~~In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.~~**[END OF OPTION]**

~~**[ ]** Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles are not permitted on school grounds, in school vehicles, or at school-sponsored events.~~**[END OF OPTION]**

~~**[ ] Education and Training**~~

~~Training will be provided on this policy and associated resources. Information will be provided on cessation resources, including the free Ohio Tobacco Quit Line.~~**[END OF OPTION]**

Enforcement

Employees who violate this policy shall be subject to disciplinary action in accordance with the applicable Collective Bargaining Agreement and/or in accordance with policies of the Board.

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A.C. 3701-52

R.C. 3313.20, 3313.47, 3313.751, 3794 et seq.

20 U.S.C. 6081 et seq., 20 U.S.C. 7182

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Revised HEALTH SERVICES
Code	po5310
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

5310 - **HEALTH SERVICES**

The Governing Board may require students of the Educational Service Center ~~Center~~ to submit to periodic health examinations to:

A. **(X)** protect the school community from the spread of communicable disease;

B. **(X)** verify that each student's participation in health, safety, and physical education courses meets the student's ~~his/her~~ individual needs;

C. **(X)** verify that the learning potential of each child is not lessened by a remediable physical disability.

The Center may provide or request parents to provide:

A. **(X)** dental examinations;

B. **(X)** tests for communicable disease;

C. **(X)** vision and/or audiometric screening;

D. **(X)** scoliosis tests.

The Board shall directly notify the parents of students, at least annually at the beginning of the school year, of the specific or approximate dates during the school year when any nonemergency, invasive physical examination or screening is scheduled or expected to be scheduled for students if the examination or screening is: (1) required as a condition of attendance; (2) administered by the school and scheduled by the school in advance; and (3) not necessary to protect the immediate health and safety of a specific student~~,~~ or other students.

The term "invasive physical examination" means any medical examination that involves the exposure of private body parts~~,~~ or any act during such examination that includes incision, insertion, or injection into the body~~,~~ but does not include a hearing, vision, or scoliosis screening.

Unless the physical examination or screening is permitted or required by an applicable State law, parents may refuse to allow the Board to administer a nonemergency, invasive physical examination or screening upon written notification to the Board within ten (10) days after receipt of the Board's annual public notice.

Any student who has been removed from a physical education class, ~~or~~ athletic practice, or competition~~,~~ by a teacher, coach, or referee because the student is exhibiting ~~s/he has exhibited~~ signs, symptoms, or behaviors consistent with having sustained a concussion or head injury shall not be permitted to return to any physical education class, ~~or~~ athletic practice, or competition~~,~~ for which the teacher, coach, or referee is responsible on the same day the student is removed. Thereafter, the student shall not be permitted to return to the activity for which the teacher, coach, or referee is responsible until both of the following occur: ~~until both of the following occur:~~

A. The student's condition is assessed by (1) a physician; ~~( ) or other~~(2) a licensed healthcare professional ~~healthcare provider~~ authorized by the Board, in accordance with requirements set forth in R.C. 3313.539(E)(2), to assess such a student; or (3) a licensed health care professional, each of whom must meet the minimum education requirements established by rules adopted under R.C. 3707.521 by the professional's licensing agency.

B. The student receives written clearance that it is safe to return to physical education class, ~~or~~ athletic practice, or competition~~,~~ from the physician or the licensed healthcare professional who assessed the student's condition. ~~a physician ( ) or other healthcare provider authorized by the Board, in accordance with requirements set forth in R.C. 3313.539(E)(2) to grant such a clearance.~~

A.C. 3301-35-03(D)
R.C. 2305.231, 3707.521, 3313.50, 3313.68 et seq., 3313.539
20 U.S.C. 1232(h)

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A.C. 3301-35-03(D)

R.C. 2305.231, 3707.521, 3313.50, 3313.68 et seq., 3313.539

20 U.S.C. 1232(h)

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Revised GRADUATION REQUIREMENTS
Code	po5460
Status	1) Reading and Review
Last Revised	February 17, 2023
Last Reviewed	February 17, 2103

Revised Policy - Vol. 41, No. 2

5460 - **GRADUATION REQUIREMENTS**

In order to acknowledge each student's successful completion of the instructional program, appropriate to the achievement of Educational Service Center goals and objectives as well as personal proficiency, the Governing Board awards a diploma to eligible students at a graduation ceremony.

The Governing Board shall award a regular high school diploma to every student enrolled in this Center who meets the requirements of graduation established by State law and this Board or who properly completes the goals and objectives specified in his/herthe student's individualized education program (IEP) including either the exemption from or the requirement to complete the tests required by the State Board of Education in order to graduate. In addition to earning course credits, each student must show competency and readiness.fulfill the requirements of one (1) graduation pathway that has been approved by the State. **( )** Ohio law provides two (2) additional options to earn a high school diploma for students in the Class of 2020.

Course Credits Required for Graduation

[CHOOSE OPTION #1 OR OPTION #2]

[ ] [OPTION #1]

The requirements for graduation from high school include earning _____ (___) **[minimum of twenty (20)]** units of credit in grades nine (9) through twelve (12) as established in State law and this Board and fulfilling the requirements of one (1) graduation pathway that has been approved by the State. All students must complete at least two (2) semesters of fine arts.

[END OF OPTION #1]However, no student shall be required to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early.

[OR]

[ ] [OPTION #2]

The requirements for graduation from high school include earning _____ (___) **[minimum of twenty (20)]** units of credit in grades nine (9) through twelve (12) as established in State law and this Board and fulfilling the requirements of one (1) graduation pathway that has been approved by the State. To graduate, students must earn _____ (___) **[minimum of twenty (20)]** units of credit in grades nine (9) through twelve (12) as follows:

[NOTE: Adjust "Units Required" numbers up from statutory minimum listed if Center has additional requirements.]

Subject	**Units Required**
English Language Arts **[Minimum of four (4) credits]**	_____

Health **[Minimum of one-half (1/2) credit]** _____

Physical Education **[Minimum of one-half (1/2) credit]** _____

Mathematics **[Minimum of four (4) credits]** (must include one (1) unit of algebra II or equivalent of algebra II or one (1) unit of advanced computer science. Parents must sign a written statement acknowledging that not taking algebra II might negatively impact college admissions decisions before a student may substitute advanced computer science for algebra II. Students who are enrolled in a career technical program may complete a career-based pathway math course as an alternative to algebra II or advanced computer science.) _____

Science **[Minimum of three (3) credits]** (must include one (1) unit physical sciences, one (1) unit of life sciences, and one (1) unit advanced study in one (1) or more of: chemistry, physics, other physical science, advanced biology or other life science, astronomy, physical geology, or other earth or space science, computer science.) _____

Social Studies **[Minimum of two (2) credits]** ((for students entering ninth grade after July 1, 2017,must include at least one-half (1/2) unit in world history and civilizations.)

History and Government **[Minimum of one (1) credit]** (must include one-half (1/2) unit of American history, one-half (1/2) unit of American government.) _____

Electives **[Minimum of five (5) credits]** (must include one (1) or any combination of a foreign language, computer coding, fine arts, business, career-technical education, family and consumer sciences, technology, agricultural education, a junior reserve officer training corps (JROTC) program approved by the U.S. Congress, or English Language Arts, Mathematics, Science, or Social Studies courses not otherwise required.) _____

[END OF OPTION #2]

[NOTE: END OF OPTIONS]

All students must receive instruction in economics and financial literacy during Grades 9 – 12grades nine (9) through twelve (12). Additionally, all students must receive instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator from an approved source during Grades 9-12,grades nine (9) through twelve (12) unless the student is exempted from such training due to a disability or by written request of the parent.

[NOTE: Credit requirements in State law must still be met]

Students who achieve an industry credential or license that requires an examination shall not be required to take additional technical assessments. If the student does not participate in licensure or license examination, the student shall take the applicable technical assessments. Students must attain specified scores on assessments as required to demonstrate workforce readiness on a nationally recognized job skills assessment in order to obtain a diploma. Certain students are not required to take the college and career readiness assessments administered to all eleventh (11th) grade students:

A. students who demonstrate they are remediation-free on the English, math and reading nationally-recognized assessments prior to the administration of the college and career readiness assessments;

B. students with significant cognitive disabilities who take an alternative assessment and students with intellectual disabilities in accordance with State guidance, and

C. Limited English proficient students enrolled in United States schools for less than two (2) years for whom no appropriate accommodations are available.

Students may take the assessment even if they are not required to do so.

[ ] The Board shall affix the State of Ohio Seal of Biliteracy to the diplomas of students who achieve all the requirements in an eligible language as established by the Ohio Department of Education. A student may be required to pay a fee to demonstrate proficiency in a language, which may include the cost of a standardized test.

[ ] Physical Education Waiver

Students who have participated in interscholastic athletics, marching band, show choir, or cheerleading for at least two (2) full seasons, as defined in the _____ handbook, while enrolled in grades 9nine (9) through 12twelve (12), and as documented by the _____ **[athletic director, assistant director, guidance counselor,**

etc.], may be excused from the high school physical education requirement. Students electing such an excuse shall complete one-half (1/2) unit of at least sixty (60) hours of instruction in another course of study which is designated by the Board as meeting the high school curriculum requirements. **( )** A student who has participated in the junior reserve officer training corps for at least two (2) full school years while enrolled in grades 9nine (9) through 12twelve (12) may be excused from the high school physical education requirement and may use credit for such participation to satisfy the requirement to complete one-half (1/2) unit in another course of study. **[END OF OPTION]**

Credit may be earned by:

A. completing coursework;

B. testing out of or demonstrating mastery of course content; or

C. pursuing one (1) or more educational options in accordance with the Center's Credit Flexibility Program.

Credit may be earned at an accredited postsecondary institution through College Credit Plus (CCP).

Every high school may permit students below the ninth grade to take advanced work for credit. This work shall count toward the graduation requirements if it was both:

A. taught by a person who possesses a license/certificate issued under State law that is valid for teaching high school;

B. designated by the Board as meeting the high school curriculum requirements.

No student shall be required to remain in school for any specific number of semesters or other terms if the student completes the required curriculum early.

Competency Requirements

To graduate, students must earn a "competency" score on the state Algebra I and English Language Arts II tests. Students who do not pass the test will be offered appropriate remediation and supports and will retake the test at least once. In lieu of attaining competency scores on the state tests, students can demonstrate competency by one (1) of the following:

A. Obtain a remediation-free score in the math or English subject areas on the ACT or SAT.

B. Complete two (2) of the following options, with at least one (1) of the options being a foundational option:

1. **Foundational Options:** obtain proficient scores on three (3) or more WebXams in a single career pathway, earn a twelve (12) point approved industry-recognized credential or group of credentials, or complete a pre-apprenticeship program recognized by the Ohio State Apprentice Council, a registered apprenticeship in the student's chosen career field, or show evidence of acceptance into an approved apprenticeship program restricted to participants eighteen (18) years of age or older.
2. **Supporting Options:** complete a 250-hour work-based learning experience with evidence of positive evaluations, earn the required score on WorkKeys, or earn the OhioMeansJobs Readiness Seal.

C. Enlist in the military and present evidence of a signed contract to enter a branch of the U.S. armed services upon graduation.

D. Earn credit for a college-level math and/or college-level English course in the subject(s) not passed on the state exams through the College Credit Plus Program.

State Graduation Requirements

The Center will comply with State Board of Education requirements for graduation. Students shall earn required credits for graduation in the appropriate subject areas, and achieve one (1) of the pathways as summarized below (available pathways change and are specific to each graduating class):

Class of 2019 through Class of 2022

Students who have entered ninth grade before July 1, 2019 shall earn required credits for graduation in the appropriate subject areas, and achieve one (1) of three (3) pathways:

A. ~~earning a State Board of Education approved, industry-recognized credential or group of credentials and achieve the required score on a workforce readiness assessment selected by the State; or~~

B. ~~earning a cumulative score on subject-specific end-of-course exams equal to State Board requirements for the year of graduation; or~~

C. ~~earning remediation-free scores in English language arts and math on a nationally recognized college admission exam such as ACT or SAT.~~

~~Students in the graduating classes of 2019 and 2020 may be eligible for graduation by completing two (2) additional alternative pathways.~~

A. ~~Academic Pathway. Take all end-of-course examinations and retake examinations in English Language Arts or Math at least once if the student received a score lower than a three (3), plus meet at least two (2) of the following conditions:~~

1. ~~attain an attendance rate of at least ninety-three percent (93%) during twelfth grade year (not available for students who enter ninth grade after July 1, 2016)~~
2. ~~take at least four (4) full-year or equivalent courses during twelfth grade and obtain a grade point average of 2.5 on a 4.0 scale during twelfth grade (students who entered ninth grade between July 1, 2016, and June 30, 2017, must obtain this GPA during eleventh grade as well)~~
3. ~~complete a capstone project during twelfth grade in accordance with Center administrative guidelines (capstone projects for students who entered ninth grade between July 1, 2016, and June 30, 2017, must comply with guidance to be developed by the State)~~
4. ~~complete 120 hours of work in community service in accordance with Center administrative guidelines (community service approved for students who entered ninth grade between July 1, 2016, and June 30, 2017, must comply with guidance to be developed by the State and be both approved and verified by the Center)~~
5. ~~earn three (3) or more transcripted credit hours under the College Credit Plus Program at any time during high school~~
6. ~~pass an Advanced Placement or International Baccalaureate course and receive a score of three (3) or higher for an AP examination or four (4) or higher for an International Baccalaureate examination during high school~~
7. ~~earn a level three (3) score for each of "reading for information," "applied mathematics," and "locating information" components of the job skills assessment selected by the State Board~~
8. ~~obtain an industry-recognized credential or a group of credentials equal to at least three (3) total points~~
9. ~~satisfy conditions required to receive an OhioMeans Jobs readiness seal~~

B. ~~Career Technical Pathway~~

~~Take all end-of-course examinations; complete a career-technical training program approved by ODE that includes at least four (4) career-technical courses, and meet one (1) of the following conditions:~~

1. ~~demonstrate successful workplace participation with 250 hours of workplace experience and evidence of regular, positive evaluations from the employee or supervisor and a representative of the ESC~~
2. ~~obtain an industry-recognized credential or group of credentials equal to at least twelve (12) points~~
3. ~~attain a cumulative score of at least proficient on career-technical education assessments or test modules required for the program~~

~~Class of 2023 and Beyond~~

~~Readiness Requirements~~

~~Students who enter ninth grade after July 1, 2019, must satisfy the following two (2) requirements.~~ **~~( )~~** ~~The Board permits students who enter ninth grade before July 1, 2019, to earn a diploma if they meet these requirements as an additional pathway to graduation.~~ **~~[DRAFTING NOTE: A Center has the option of permitting students to earn a~~**

diploma by meeting the requirements.]

Earn at least two (2) State diploma seals, one (1) of which must include:

Students must demonstrate readiness for graduation by earning at least two (2) diploma seals, one (1) of which must include a State-approved seal from the following list:

A. Seal of Biliteracy;

B. OhioMeansJobs-readinessReadiness Seal; or

C. State Diploma Seal in one (1) of the following areas: Industry-recognizedRecognized Credential Seal;

D. College-ready sealReady Seal;

E. Military Enlistment Seal;

F. Citizenship sealSeal;

G. Science Seal;

H. Honors Diploma Seal;

I. Technology Seal.

The Board offers the following additional seal(s) in accordance with adopted administrative guidelines: **( )** Community Service Seal; **( )** Fine/Performing Arts Seal; **( )** Student Engagement Seal. **[DRAFTING NOTE: A Center must offer at least one (1) of these seals and develop guidelines for awarding the seal(s)]**.

B. Attain a competency score on each of the Algebra I and English Language Arts II end-of-course examinations. Students who receive a proficient score on Algebra I or English Language Arts prior to entering high school will fulfill this requirement and will not be required to retake the exams. Students who fail to attain the competency score in either subject will be offered remedial support and will be required to retake the exam(s) at least once. A student who fails to achieve the competency score a second time may demonstrate competency in the failed subject area by completing one (1) of the following:

1. earn course credit through College Credit plus in that subject
2. provide evidence of enlistment in a branch of the armed services of the United States; or
3. complete two (2) of the following options, with at least one (1) of the options being a foundational option
   a. **Foundational Options**: earning a score of proficient or higher on three (3) or more State technical assessments; obtaining an industry-recognized credential; completing a pre-apprenticeship or apprenticeship in a chosen career field; providing evidence of acceptance into an apprenticeship program after high school that is restricted to participants eighteen (18) years of age or older.
   b. **Supporting Options**: completing 250 hours of a work-based learning experience with evidence of positive evaluations; obtaining an OhioMeansJobs-readiness seal; attaining a workforce readiness score selected by the State.

An honors diploma shall be awarded to any student who meets the established requirements for graduation or the requirements of his/herthe student's IEP; attains the applicable scores on the tests required by the State Board of Education to graduate; and meets any additional criteria the State Board may establish.

Participation in commencement exercises is a privilege and not a right. Commencement exercises will include only those students who have successfully completed the requirements for graduation as certified by the high school director or those students who have otherwise been deemed eligible to participate in such exercises. A student may be denied participation in the ceremony of graduation when personal conduct so warrants. However, no student who has completed the requirements for graduation shall be denied a diploma as a disciplinary measure.

The Board also shall grant a diploma of adult education to all Center residents over the age of twenty-one (21) who meet the requirements established by the State Board of Education.

~~The Superintendent shall establish whatever administrative guidelines are necessary to comply with State rules and regulations. The Center shall comply with all data reporting requirements regarding graduation and post-high school outcomes.~~

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~~A.C. 3301-41-01, 3301-13-01 to 07~~
~~R.C. 3302.03, 3301.07, 0710, 0711~~
~~R.C. 3313.60, 3313.61, 3313.603, 3313.611, 3313.614, 3313.615, 3313.617~~
~~R.C. 3313.618, 3313.647, 3313.903, 3313.6021, 3313.6111, 3323.08~~

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Legal

A.C. 3301-41-01, 3301-13-01 to 07

R.C. 3302.03, 3301.07, 0710, 0711

R.C. 3313.60, 3313.61, 3313.603, 3313.611, 3313.614, 3313.615, 3313.617

R.C. 3313.618, 3313.647, 3313.903, 3313.6021, 3313.6111, 3323.08

Book	Policy Manual
Section	Vol. 41, No. 2 - Tobacco - January 2023
Title	Vol. 41, No. 2 - Tobacco - January 2023 Revised TOBACCO USE PREVENTION
Code	po5512
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 23, 2023
Last Reviewed	February 23, 2023

Revised Policy - Vol. 41, No. 2

5512 - ~~**USE OF TOBACCO**~~**TOBACCO USE PREVENTION**

The Governing Board is committed to providing students, staff, and visitors with an indoor tobacco, nicotine, vapor/aerosol, and smoke-free environment. The negative health effects of tobacco use for both the users and nonusers, including the effects of secondhand smoke and vapor/aerosol exposure, ~~particularly in connection with second-hand smoke,~~ are well established. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco or tobacco substitutes, including cigarettes, cigars, pipe tobacco, chewing tobacco, snuff, or any other matter or substances that contain tobacco or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes, and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, or other ~~lighted~~ smoking devices for burning tobacco or any other substance.

The term "tobacco" includes any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means~~,~~ including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; an e-cigarette (including, but not limited to, "JUUL", "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; ~~any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices (including but not limited to "JUULs", "NJOY", "Puff Bar", etc.),~~ but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

~~In order to protect students and staff who choose not to use tobacco from an environment noxious to them, the~~The Board prohibits the possession, consumption, purchase or attempt to purchase, and/or use of tobacco or tobacco substitute products by students at all times

~~( ) (twenty-four (24) hours a day, seven (7) days a week)~~**~~[END OF OPTION]~~**

on Board premises, in Board-owned vehicles, within any indoor facility owned, ~~or~~ leased, or contracted for by the Board~~,~~ and/or used to provide education or library services to children, and at all Board-sponsored events.

[X] This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to~~:~~

(X) school grounds,

~~( ) athletic facilities, and~~

(X) any school-related event,

~~( ) on or off Board premises.~~

~~**[END OF OPTIONS]**~~

~~**[ ] Advertising/Promotion**~~

~~In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.~~**[END OF OPTION]**

~~[ ] Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles, are not permitted on school grounds, in school vehicles, or at school-sponsored events.~~**[END OF OPTION]**

~~**[ ] Notification**~~

~~Signage"No Tobacco" signs will be posted throughout the Center as required by R.C. 3794.06 and as specified by the Ohio Department of Health. Students will be provided notice of this policy through student handbooks.~~**[END OF OPTION]**

~~[ ] Center vehicles will display the international "No Smoking" insignia.~~**[END OF OPTION]**

~~[ ] Announcements will be made during home athletic events both before the event and during intermission, as well as at all school functions where deemed appropriate.~~**[END OF OPTION]**

~~[ ] School programs will include a written reminder of the tobacco-free policy.~~**[END OF OPTION]**

~~[ ]~~ Educational Programming

Tobacco-use prevention education shall be coordinated with the other components of the school health program~~**( ) and shall be evidence-based, age-appropriate, and culturally responsive [END OF OPTION]**~~. Staff responsible for teaching tobacco-use prevention education shall have adequate pre-service training and participate in ongoing professional development activities to effectively deliver education programming. Preparation and professional development activities shall provide basic knowledge about the effects of tobacco use and effects of peer pressure on tobacco use combined with effective instructional techniques and strategies and program-specific activities. Education will include instruction on the harmful effects of and legal restrictions against tobacco, nicotine, and electronic smoking devices, as part of the health education curriculum, including My Life My Quit Youth Cessation Program.~~**( )** Implementation may be aligned with Positive Behavioral Intervention Supports (PBIS) and incorporated with ongoing educational reinforcement as part of Tier 1 (and of subsequent tiers) PBIS strategies, as appropriate.**[END OF OPTION]**~~

Enforcement

Students who violate this policy shall be subject to disciplinary action in accordance with the Student Code of Conduct/Student Discipline Code and in accordance with policies of the Board.

R.C. 2151.87, 3313.20, 3313.47, 3313.60(A)(5), 3313.66, 3313.751
20 U.S.C. 6081 et seq., 20 U.S.C. 7182

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Legal	R.C. 2151.87, 3313.20, 3313.47, 3313.60(A)(5), 3313.66, 3313.751 20 U.S.C. 6081 et seq., 20 U.S.C. 7182

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Revised REMOVAL, SUSPENSION, EXPULSION, AND PERMANENT EXCLUSION OF STUDENTS
Code	po5610
Status	1) Reading and Review
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

~~**Revised Policy - Vol. 41, No. 2**~~

~~5610 - **REMOVAL, SUSPENSION, EXPULSION, AND PERMANENT EXCLUSION OF STUDENTS**~~

~~The Governing Board recognizes that exclusion from the educational program of the schools, whether by emergency removal, out-of-school suspension, expulsion, or permanent exclusion, is the most severe sanction that can be imposed on a student in this Educational Service Center, and one that cannot be imposed without due process. However, the Board has zero tolerance of violent, disruptive, or inappropriate behavior by its students.~~

~~No student is to be removed, suspended out-of-school, expelled, and/or permanently excluded unless his/hertheir behavior represents misconduct as specified in the Student Code of Conduct/Student Discipline Code approved by the Board. The Code shall also specify the procedures to be followed by school officials when implementing such discipline. In determining whether a student is to be suspended or expelled, Center administrators shall use a preponderance of evidence standard. In addition to the procedural safeguards and definitions set forth in this policy and the student/parent handbook, additional procedures and considerations shall apply to students identified as disabled under the IDEA, ADA, and/or Section 504 of the Rehabilitation Act of 1973. (See Policy 5605 - Suspension/Expulsion of Students with Disabilities.)~~

~~Students may be subject to discipline for violation of the Student Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but where such conduct is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a Center official or employee, or the property of such official or employee.~~

~~For purposes of this policy and the Student Code of Conduct/Student Discipline Code, the following shall apply:~~

A. ~~"Emergency removal" shall be the exclusion of a student who poses a continuing danger to Center property or persons in the Center or whose behavior presents an on-goingongoing threat of disrupting the educational process provided by the Center. (See Policy 5610.03 - "Emergency Removal")~~

B. ~~"Suspension" shall be the temporary exclusion of a student by the Superintendent, Director, assistant Directordirector, or any other administrator from the Center's instructional program for a period not to exceed ten (10) school days. Suspension shall not extend beyond the current school year, if, at the time a suspension is imposed, fewer than ten (10) days remain in the school year.~~

   ~~**[ ]** The Superintendent may instead require a student to participate in a community service program or another alternative consequence for a number of hours equal to the remaining part of the period of the suspension. The student shall be required to begin such community service program or alternative consequence during the first full week day of summer break. **[END OF OPTION]**~~

   ~~**[ ]** The Superintendent may develop a list of appropriate alternative consequences, and set forth such list in the applicable guidelines. **[END OF OPTION]**~~

   ~~In the event, the student fails to complete the required community service or the assigned alternative consequence, the Superintendent may determine the next course of action. Such course of action, however, shall not include requiring the student to serve the remaining time of the suspension at the beginning of the following year.~~

~~The procedures for suspension are set forth in the Student Code of Conduct/Student Discipline Code and Policy 5611 - Due Process Rights.~~

~~A student who is suspended shall be permitted to complete any classroom assignments missed because of the suspension, and receive at least partial credit for a completed assignment. Grade reductions on account of the student's suspension are permitted; however, no student may receive a failing grade on a completed assignment solely on account of his/herthe student's suspension.~~

~~[ ] The grade for a completed classroom assignment missed because of a suspension will be reduced by ( ) ten percent (10%) ( ) twenty-five percent (25%) ( ) _____ (__%) [END OF OPTIONS]. [Drafting Note: Such reduction cannot result in an automatic failure on an otherwise perfect score assignment]. [END OF OPTION]~~

C. ~~"Expulsion" shall be the exclusion of a student from the schools of this Center for a period not to exceed the greater of eighty (80) school days or the number of school days remaining in a semester or term in which the incident that gives rise to the expulsion takes place or for one (1) year as specifically provided in this policy and the Student Code of Conduct/Student Discipline Code. Only the Superintendent may expel a student. The procedures for expulsion are set forth in the Student Code of Conduct/Student Discipline Code and Board Policy 5611 - "Due Process Rights".~~

~~When making a determination whether or not a student will be expelled or permanently excluded under this policy, the Superintendent shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315 - Information Management (i.e. "Litigation Hold")) created and/or received as part of an investigation.~~

~~[ ] The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records. [END OF OPTION]~~

~~[ ] The documents, ESI, and electronic media (as defined in Policy 8315) shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the Center's records retention schedule. [END OF OPTION]~~

1. **~~Firearm or Knife~~**

   ~~Unless a student is permanently excluded from school, the Superintendent shall expel a student from school for a period of one (1) year for bringing a firearm or knife capable of causing serious bodily injury to a school building or on to any other property (including a school vehicle) owned, controlled, or operated by the Board, to an interscholastic competition, an extra-curricular event, or to any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, except that the Superintendent may reduce this period on a case-by-case basis in accordance with this policy. Similarly, the Superintendent shall expel a student from school for a period of one (1) year for possessing a firearm or knife capable of causing serious bodily injury at school or on any other property (including a school vehicle) owned, controlled, or operated by the Board, atan interscholastic competition, an extra-curricular event, or at any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, except the Superintendent may reduce this period on a case-by-case basis in accordance with this policy. The expulsion may extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place. The Superintendent shall refer any student expelled for bringing a firearm (as defined in 18 U.S.C. 921(a)(3)) or weapon to school to the criminal justice or juvenile delinquency system serving the Center.~~

   ~~A firearm is defined as any weapon, including a starter gun, which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or silencer, or any destructive device. A destructive device, includes, but is not limited to, any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter (1/4) ounce, mine, or other similar device.~~

   ~~A knife capable of causing serious bodily injury is defined as any weapon or cutting instrument consisting of a blade fastened to a handle; a razor blade; or any similar device (including sharp, metal martial arts weapons such as ninja throwing stars) that is used for, or is readily capable of, causing death or serious bodily injury.~~

   ~~The Superintendent may, in his/hertheir sole judgment and discretion, modify or reduce such expulsion, in~~

writing, to a period of less than one (1) year, on a case-by-case basis, upon consideration of the following:

a. Applicableapplicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student's disability);

b. Thethe degree of culpability given the age of the student and its relevance to the misconduct and/or punishment and/or evidence regarding the probable danger posed to the health and safety of others, including evidence of the student's intent and awareness regarding possession of the firearm or knife; capable of causing serious bodily injury; and/or

c. Thethe academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

2. **Violent Conduct**

If a student commits an act at school, on other school property, at an interscholastic competition, extra-curricular event, or any other school program or activity and the act:

a. would be a criminal offense if committed by an adult;

and

b. results in serious physical harm to person(s) as defined in R.C. 2901.01(A)(5), or to property as defined in R.C. 2901.01(A)(6)

the Superintendent may expel the student for a period of up to one (1) year. The Superintendent may extend the expulsion into the next school year or reduce the expulsion as necessary on a case-by-case basis as specified below. The student need not be prosecuted or convicted of any criminal act to be expelled under this provision.

The Superintendent may, in his/hertheir sole judgment and discretion, reduce such expulsion to a period of less than one (1) year, on a case-by-case basis, upon consideration of the following:

a. applicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student's disability);

or

b. other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

If at the time of the expulsion, there are fewer days remaining in the school year than the number of days of the expulsion, the Superintendent may apply any or all of the remaining period to the following school year.

3. **Bomb Threats**

If a student makes a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat, the Superintendent may expel the student for a period of up to one (1) year. The Superintendent may extend the expulsion into the next school year or reduce the expulsion as necessary on a case-by-case basis as specified below. The student need not be prosecuted or convicted of any criminal act to be expelled under this provision.

The Superintendent may, in his/hertheir sole judgment and discretion, reduce such expulsion to a period of less than one (1) year, on a case-by-case basis, for the following reasons:

a. for students identified as disabled under the IDEA, ADA, and Section 504 of the Rehabilitation Act of 1973, upon recommendation from the group of persons knowledgeable of the student's educational needs;

or

b. other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

If at the time of the expulsion, there are fewer days remaining in the school year than the number of days of the expulsion, the Superintendent may apply any or all of the remaining period to the following school year.

D. "Permanent exclusion" shall mean the student is banned forever from attending a public school in the State of Ohio. (See Policy 5610.01 - Permanent Exclusion of Nondisabled Students)

If a student is expelled for more than twenty (20) school days or for any period of time that extends into the next school year, the Superintendent shall provide the student and his/herthe student's parents with the names, addresses, and telephone numbers of those public or private agencies in the community which offer programs or services that help to rectify the student's behaviors and attitudes that contributed to the incident(s) that caused the expulsion.

Suspension or Expulsion of Students in Grades Pre-Kindergarten through 3Three (3)

[DRAFTING NOTE: Pursuant to H.B. 318, the following limitations on suspension/expulsion of students in grades pre-K through 3, will be phased in over the next three (3) school years, using data related to the 2018-2019 school year as the baseline. The phase-in works as follows to comply with Ohio law for the:

A. **2019-2020 school year, your Center must reduce the number of out-of-school suspensions and expulsions issued to students in grades pre-K through 3 for offenses not listed in paragraphs A-D below by twenty-five percent (25%), using the numbers reported for that category for the 2018-2019 school year as a baseline.**

B. **2020-2021 school year, your Center must reduce the number of out-of-school suspensions and expulsions issued to students in grades Pre-K through 3 for offenses not listed in paragraphs A-D below by fifty percent (50%), using the numbers reported for that category for the 2018-2019 school year as a baseline.**

C. **2021-2022 school year and thereafter, your Center may only issue out-of-school suspensions and expulsions to students in grades Pre-K through 3 for the offenses listed in paragraphs A-D below.]**

Beginning with the 2019-2020 school year, exceptExcept as permitted by law, suspension or expulsion proceedings shall not be initiated against a student in any of grades Pre-kindergarten through three (3) unless the student has committed the following acts:

A. The student brings a firearm or knife capable of causing serious bodily injury to a school building or on to any other property (including a school vehicle) owned, controlled, or operated by the Board, to an interscholastic competition, an extra-curricular event, or to any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, or possesses a firearm or knife capable of causing serious bodily injury at school or on any other property (including a school vehicle) owned, controlled, or operated by the Board, at an interscholastic competition, an extra-curricular event, or at any other school program or activity that is not located in a school or on property that is owned or controlled by the Board.

B. The student commits an act at school, on other school property, at an interscholastic competition, an extra-curricular event, or any other school program or activity, and the act: 1) would be a criminal offense if committed by an adult; and 2) results in serious physical harm to person(s) as defined in R.C. 2901.01(A)(5), or to property as defined in R.C. 2901.01(A)(6).

C. The student makes a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat.

D. The student engages in behavior of such a nature that suspension or expulsion is necessary to protect the immediate health and safety of the student, the student's fellow classmates, the classroom staff and teachers, and/or other school employees.

~~Prior to suspending or expelling a student in any of grades Pre-K through 3three (3), the Director shall, whenever possible, consult with a mental health professional under contract. If the events leading up to the student's suspension or expulsion from school indicate that the student is in need of additional mental health services, the student's Director or the Center's mental health professional shall assist the student's parent or guardian with locating providers or obtaining such services, including referral to an independent mental health professional, provided such assistance does not result in a financial burden to the Center or the student's school.~~

~~If a student in any of grades Pre-K through 3three (3) is suspended or expelled, the student shall be afforded the same notice and hearing, procedural, and educational opportunities as set forth in Board policy and the law. The suspension or expulsion of a student in any of grades Pre-K through 3three (3) shall not limit the Board's responsibilities with respect to the provision of special education and related services tofor such a student in accordance with Board policy and the law. Further, the Board shall not be limited in its authority to issue an in-school suspension to a student in any of grades Pre-K through 3three (3), provided that the in-school suspension is served in a supervised learning environment.~~

~~If the Superintendent determines that a student's behavior on a school vehicle violates school rules, s/hethe Superintendent may suspend the student from school bus-riding privileges for the length of time deemed appropriate for the violation and remediation of the behavior. Any such suspension must comply with due process and the Student Code of Conduct/Student Discipline Code.~~

~~The Board authorizes the Superintendent to provide for options to suspension/expulsion of a student from school which may include alternative educational options.~~

~~The Superintendent shall initiate expulsion proceedings against a student who has committed an act that warrants expulsion under Board policy even if the student withdraws from school prior to the hearing or decision to impose the expulsion. The expulsion must be imposed for the same duration it would have been had the student remained enrolled.~~

~~The Board may temporarily deny admittance to any student who has been expelled from the schools of another Ohio district or an out-of-state district, if the student's expulsion period set by the other district has not expired. The expelled student shall first be offered an opportunity for a hearing. This provision also applies to a student who is the subject of a power of attorney designating the child's grandparent as the attorney-in-fact or caretaker authorization affidavit executed by the child's grandparent and is seeking admittance into the schools of this Center in accordance with Policy 5111.~~

~~The Board may temporarily deny admittance to any student who has been suspended from the schools of another Ohio district, if the student's suspension period set by the other district has not expired. The suspended student shall first be offered an opportunity for a hearing before the Board.~~

~~When a student is expelled from this Center, the Superintendent shall send written notice to any college in which the expelled student is enrolled under Postsecondary Enrollment Optionsthe College Credit Plus Program at the time the expulsion is imposed. The written notice shall indicate the date the expulsion is scheduled to expire **( )** and that the Board has adopted a provision in Policy 2271 under R.C. 3313.613 to deny high school credit for postsecondaryCollege Credit Plus courses taken during an expulsion **[END OF OPTION]**.~~

~~If the expulsion is extended, the Superintendent shall notify the college of the extension.~~

~~**[ ]** The Superintendent may require a student to perform community service in conjunction with or in place of a suspension or expulsion. The Board may adopt guidelines to permit the Superintendent to impose a community service requirement beyond the end of the school year in lieu of applying the expulsion into the following school year.~~

~~A copy of this policy is to be posted in a central location in each school and made available to students and parents upon request. Key provisions of the policy should also be included in the parent-student handbook.~~

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Legal

R.C. 2919.222, 3313.66, 3313.534, 3313.649, 3313.661, 3313.662, 3313.663

R.C. 3313.664, 3313.668, 3321.13(B)(3) and (C), 3327.014

18 U.S.C. Section 921

20 U.S.C. 3351, 20 U.S.C. 7151, 20 U.S.C. 8921

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Revised PROCUREMENT - FEDERAL GRANTS/FUNDS
Code	po6325
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

6325 - **PROCUREMENT - FEDERAL GRANTS/FUNDS**

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or Educational Service Center matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, Governing Board policies, and administrative procedures.

The Superintendent shall have and use a procurement and contract administration system in accordance with the USDOE requirements (2 C.F.R. 200.317-.326), including affirmative steps for small and minority businesses and women's business enterprises, for the administration and management of Federal grants and Federally-funded programs. The Center shall maintain oversight that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the Center's documented general purchasing Policy 6320 and AG 6320A.

When required by Federal program legislation, all Federally-funded contracts in excess of $2,000 related to construction, alteration, repairs, painting, decorating, etc. must comply with Davis-Bacon prevailing wage requirements.

All Center employees, officers, and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts as established in Policy 1130, Policy 3113, and Policy 4113 - Conflict of Interest.

The Center will avoid acquisition of unnecessary or duplicative items. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase and, where appropriate, an analysis shall be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the Center may enter into State and local intergovernmental agreements, where appropriate, for procurement or use of common or shared goods and services.

Competition

All procurement transactions for the acquisition of property or services required under a Federal award paid for from Federal funds or Center matching funds shall be conducted in a manner that encourages full and open competition and that is in accordance with good administrative practice and sound business judgment. In order to promote objective contractor performance and eliminate unfair competitive advantage, the Center shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, invitations for bids, or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

A. unreasonable requirements on firms in order for them to qualify to do business

B. unnecessary experience and excessive bonding requirements

C. noncompetitive pricing practices between firms or between affiliated companies

D. noncompetitive contracts to consultants that are on retainer contracts

E. organizational conflicts of interest

F. specification of only a "brand name" product instead of allowing for an "or equal" product to be offered and describing the performance or other relevant requirements of the procurement

G. any arbitrary action in the procurement process

Further, the Center does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals unless 1) an applicable Federal statute expressly mandates or encourages a geographic preference; or 2) the Center is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the Center uses a pre-qualified list of persons, firms, or products to acquire goods and services that are subject to this policy, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The Center allows vendors to apply for consideration to be placed on the list continuously.

The Center shall require that all prequalified lists of persons, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to provide maximum open and free competition. The Center shall not preclude potential bidders from qualifying during the solicitation period.

Solicitation Language (Purchasing Procedures)

The Center shall have written procurement procedures that require that all solicitations made pursuant to this policy incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features that unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The Board will not approve any expenditure for an unauthorized purchase or contract.

Procurement Methods

The Center shall have and use documented procedures, consistent with the standards described above, for the following methods of procurement:

A. **Informal Procurement Methods**

When the value of the procurement for property or services under a Federal award does not exceed the simplified acquisition threshold or a lower threshold established by the State, formal procurement methods are not required. The Center may use informal procurement methods to expedite the completion of its transactions and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the simplified acquisition threshold include:

1. **Micro-Purchases**

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed $10,000 . To the maximum extent practicable, the Center should distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if the Superintendent considers the price to be reasonable based on research, experience, purchase history, or other relevant information, and documents are filed accordingly. The Center shall maintain evidence of this reasonableness in the records of all purchases made by this method.

[X] Unless otherwise defined by State or local law, Centers are responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of the risk, and its documented procurement procedures. The micro-purchase threshold used by the Center shall be authorized or not prohibited under State, local, or tribal laws or regulations. A Center which is qualified as a low-risk auditee for the most recent audit (C.F.R. 200.520) may increase the micro-purchase threshold up to $50,000. An eligible Center may self-certify the increased micro-purchase threshold on an annual basis after completing the annual internal institutional risk assessment to identify, mitigate, and manage financial risks. The self-certification, in accordance with C.F.R. 200.334, must include a justification, clear identification of the threshold, and supporting documentation of the qualifications listed above.

2. **Small Purchases**

Small purchases include the acquisition of property or services, the aggregate dollar amount of which is higher than the micro-purchase threshold but does not exceed the simplified acquisition threshold of $50,000 . Small purchase procedures require that price or rate quotations shall be obtained from **(X)** two (2) qualified sources.

Centers are responsible for determining an appropriate simplified acquisition threshold based on internal controls, an evaluation of risk, and its documented procurement procedures which must not exceed the threshold established in the Federal Acquisition Regulations (FAR). When applicable, a lower simplified acquisition threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations.

B. **Formal Procurement Methods**

When the value of the procurement for property or services under a Federal award exceeds the simplified acquisition threshold or a lower threshold established by the State, formal procurement methods are required. Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement method can be used in accordance with the standards on competition in 200.319 or non-competitive procurement. The formal methods of procurement are:

1. **Sealed Bids**

Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to more than $50,000 and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility, the cost of which will exceed $50,000.

In order for sealed bidding to be feasible, the following conditions shall be present:

a. a complete, adequate, and realistic specification or purchase description is available;

b. two (2) or more responsible bidders are willing and able to compete effectively for the business; and

c. the procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.

When sealed bids are used, the following requirements apply:

a. Bids shall be solicited in accordance with the provisions of State law and Policy 6320. Bids shall be solicited from **(X)** two (2) ~~**[OR] ( )** an adequate number of **[END OF OPTION]**~~ qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.

b. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.

c. A firm fixed-price contract award will be made in writing to the lowest responsible bidder. Where specified in bidding documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine the low bid when prior experience indicates that such discounts are usually taken.

d. The Board reserves the right to reject any or all bids for sound documented reason(s).

2. **Proposals**

Procurement by proposals is a method in which either a fixed-price or cost-reimbursement type contract is awarded. Proposals are generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method. **[Drafting Note: Federal law does not require a competitive proposal unless the procurement is for over $250,000. The State/Center may set a lower threshold for sealed bids and competitive proposals. Ohio law requires sealed bids when the Board seeks to build, repair, enlarge, improve, or demolish a school building/facility if the cost will exceed $50,000 (see Policy 6320).]**

If this method is used, the following requirements apply:

a. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall be considered to the maximum extent practical.

b. Proposals shall be solicited from **(X)** two (2) ~~**[OR] ( )** an adequate number of **[END OF OPTION]**~~ sources.

c. The Center shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients.

d. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The Center may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

3. **Noncompetitive Procurement**

Procurement by noncompetitive proposals allows for solicitation of a proposal from only one (1) source and may be used only when one (1) or more of the following circumstances apply:

a. micro-purchases

b. the item is available only from a single source

c. the public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation

d. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the Center

e. after solicitation of a number of sources, competition is determined to be inadequate

4. **(X) Noncompetitive Purchases Through Educational Service Centers (ESCs)**

Under State law, the Board may enter into a contract with an educational service center (ESC) that authorizes the ESC to make purchases for supplies, materials, equipment, and services or the delivery of services on the Center's behalf. These contracts promote operational efficiency and cost savings, and further enhance the educational experience for our students. Purchases made through such contracts are exempt from competitive bidding. ~~**[DRAFTING NOTE: This provision applies to 3313.843, 3313.844, and 3313.845 contracts. A Center with student enrollment of less than 16k must enter into a contract with an ESC in accordance with 3313.843.]**~~

The Center may apply for approval from ODE to use a noncompetitive purchasing method to procure personnel-based services from an ESC only when the following criteria are met:

a. the ESC posts a list of all services it provides, including costs of these services, on its website;

b. the ESC has been designated as "high performing" by the Ohio Department of Education; and

c. ODE as the pass-through state entity has determined that the ESC was substantially in compliance with all audit rules and guidelines during the most recent audit conducted by the Auditor of State.

The Treasurer/CFO will submit an application and any required documentation to ODE on the designated form requesting approval for use of a noncompetitive purchasing method for personnel services. Purchases will not be made until the application is approved. Notice of approval will be maintained by the Treasurer/CFO.

Domestic Preference for Procurement

As appropriate and to the extent consistent with law, the Center shall, to the extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. Such requirements shall be included in all subawards including all contracts and purchase orders for work or products under the Federal award.

Contract/Price Analysis

The Center shall perform a cost or price analysis in connection with every procurement action in excess of $250,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis are dependent on the facts surrounding the particular procurement situation; however, the Center shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the Center shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Time and Materials Contracts

The Center uses a time-and-materials type contract only 1) after a determination that no other contract is suitable, and 2) if the contract includes a ceiling price that the contractor exceeds at its own risk. A time-and-materials type contract means a contract whose cost to the Center is the sum of the actual costs of materials and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the Center sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the Center shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Suspension and Debarment

The Center will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the Center and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the Center shall consider such factors as 1) contractor integrity; 2) compliance with public policy; 3) record of past performance; and 4) financial and technical resources.

The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The Center is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 C.F.R. Part 180.

Suspension is an action taken by the Center that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. Chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 C.F.R. Part 180 Subpart G)

Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 C.F.R. Chapter 1). A person so excluded is debarred. (2 C.F.R. Part 180 Subpart H)

The Center shall not subcontract with or award subgrants to any person or company that is debarred or suspended. For contracts over $25,000, the Center shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors, at www.sam.gov; collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 C.F.R. Part 180 Subpart C)

Bid Protest

The Center maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package for resolution. Bid protests shall be filed in writing with the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest or failure to file a formal written protest within the time prescribed shall constitute a waiver of proceedings.

Maintenance of Procurement Records

The Center shall maintain records sufficient to detail the history of all procurements. These records will include, but are not necessarily limited to, the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

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2 C.F.R. 200.317 - .326, Appendix II to Part 200

2 C.F.R. 200.520

R.C. 3313.843 - 3313.846

Book	Policy Manual
Section	Vol. 41, No. 2 - Tobacco - January 2023
Title	Vol. 41, No. 2 - Tobacco - January 2023 Revised TOBACCO USE PREVENTION
Code	po7434
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 23, 2023
Last Reviewed	February 23, 2023

Revised Policy - Vol. 41, No. 2

7434 - ~~**USE OF TOBACCO ON SCHOOL PREMISES**~~**TOBACCO USE PREVENTION**

The Governing Board ~~of Education~~ is committed to providing students, staff, and visitors with a tobacco, nicotine, vapor/aerosol, and smoke-free environment. The negative health effects of tobacco use for both users and nonusers, including the effects of secondhand smoke and vapor/aerosol exposure, ~~particularly in connection with second hand smoke,~~ are well established. Further, providing a non-smoking and tobacco-free environment is consistent with the responsibilities of teachers and staff to be positive role models for our students.

For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes and/or the smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other ~~lighted~~ smoking devices for burning tobacco or any other substance.

~~[ ]~~ The term "tobacco" includes any product containing, made of, or derived from tobacco or nicotine (including synthetic nicotine) that is intended for human consumption or is likely to be consumed, whether inhaled, absorbed, or ingested by any other means~~,~~ including, but not limited to, a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus; any electronic smoking device and any substances that may be aerosolized or vaporized by such device, whether or not the substance contains nicotine; an e-cigarette (including, but not limited to, "JUUL", "NJOY," "BREEZE," "Puff Bar," etc.), e-cigar, e-pipe, vape pen, or e-hookah; ~~any product that contains tobacco, is derived from tobacco, contains nicotine, or e-cigarettes and other electronic smoking devices, regardless of nicotine content (including but not limited to "JUULs", "NJOY", "Puff Bar", etc.),~~ but does not include any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce or eliminate nicotine or tobacco dependence.

~~In order to protect students and staff who choose not to use tobacco from an environment noxious to them, and because the Board does not condone smoking and/or the use of tobacco, the~~The Board prohibits the use of tobacco, nicotine, or tobacco substitute products at all times

~~( ) (twenty-four hours a day, seven (7) days a week)~~**~~[END OF OPTION]~~**

within any enclosed facility owned, ~~or~~ leased, or contracted for by the Board, and in the areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. This prohibition extends to any Board-owned and/or operated vehicles used to transport students and to all other Board-owned and/or operated vehicles. Such prohibition also applies to~~:~~

(X) school grounds,

~~( ) athletic facilities, and~~

(X) any school-related event,

~~( ) on or off Board premises.~~

(X) except at designated times.

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

~~**[END OF OPTIONS]**~~

The Superintendent shall require the posting of signs as required by R.C. 3794.06 and as specified by the Ohio Department of Health.

~~**[ ] Advertising/Promotion**~~

~~In accordance with Policy 9700.01, tobacco advertising is prohibited on school grounds, in all school-sponsored publications, and at all school-sponsored events.~~**[END OF OPTION]**

~~**[ ]** Tobacco promotional items that promote the use of tobacco products, including clothing, bags, lighters, and other personal articles, are not permitted on school grounds, in school vehicles, or at school-sponsored events.~~**[END OF OPTION]**

~~**[ ] Notice and Postings**~~

~~Signage and other notices and postings shall be as required by R.C. 3794.06 and as provided by the Ohio Department of Health.~~**[END OF OPTION]**

~~**[ ] Enforcement**~~

~~**Violations of this policy may result in removal from school property or the school activity in accordance with Policy 9150 – School Visitors.[END OF OPTION]**~~

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A.C. 3701-52

R.C. 2923.12, 3313.20, 3313.47, 3313.751, 3794 et seq.

20 U.S.C. 6081 et seq., 20 U.S.C. 7182

U.S.D.O.E. Memorandum, 1995

Book	Policy Manual
Section	Vol. 41, No. 2 - Technology Update - January 2023
Title	Vol. 41, No. 2 - Technology Update - January 2023 Revised TECHNOLOGY
Code	po7540
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

7540 - **TECHNOLOGY**

The Governing Board is committed to the effective use of technology to both enhance the quality of student learning and the efficiency of Educational Service Center operations.

~~**[ ]** Students' use of the Center's~~Center Information & Technology Resources ~~(see definitions in Bylaw 0100) is a privilege, not a right. Students and their parents must sign and submit a *Student Technology Acceptable Use and Safety* form **( )** annually**[END OF OPTION].** (See also, Policy 7540.03)~~

The Superintendent shall develop ~~**( ),** recommend for approval by the Board, **[END OF OPTION]**~~ and implement a written Center Technology Plan (CTP). One (1) of the primary purposes of the CTP is to evaluate new and emerging technologies and how they will play a role in student achievement and success and/or efficient, effective, and secure ~~and effective~~ Center operations. **(X)** The Board will financially support, as the budget permits, the CTP, including recommendations to provide new and developing technology for students and staff**~~[END OF OPTION]~~**.

~~**[ ]** The Superintendent shall create a Technology Governance Committee (see AG 7540B) to oversee and guide the development of the DTP. The Superintendent shall appoint individuals to the Technology Governance Committee which includes representatives of all educational, administrative, and business/operational areas in the Center**[END OF OPTION].**~~

The DTP shall set forth procedures for the proper acquisition of technology. The DTP shall also provide guidance to staff and students about making safe, secure, appropriate, and ethical use of Center Information & Technology Resources, as well as inform both staff and students about disciplinary actions that will be taken if its Information & Technology Resources are abused in any way or used in an inappropriate, illegal, or unethical manner. See Policy 7540.03 and AG 7540.03 - Student Technology Acceptable Use and Safety, and Policy 7540.04 and AG 7540.04 – Staff Technology Acceptable Use and Safety.

The Superintendent **(X)**, in conjunction with the facility principals and staff, ~~**[END OF OPTION]**~~ shall review the DTP and **(X)** report ~~**( ) recommend the approval of [END OF OPTION]**~~ any changes, amendments, or revisions to the Board ~~**( ) annuallyEND OF OPTION]**~~.

This policy, along with the Student and Staff Technology Acceptable Use and Safety policies and the Student Code of Conduct, further govern students' and staff members' use of their personal communication devices (see Policy 5136 and Policy 7530.02). Users have no right or expectation of privacy when using Center Information & Technology Resources~~technology resources~~ (including, but not limited to, privacy in the content of their personal files, e-mails, and records of their online activity when using Center Information & Technology Resources)~~the Center's computer network and/or Internet connection)~~.

Further safeguards shall be established so that the Board's expenditure of public funds to acquire, operate, and maintain Center Information & Technology Resources achieves the desired benefits~~investment in both hardware and software achieves the benefits of technology~~ and inhibits negative side effects. Accordingly, students shall be educated about appropriate online behavior including, but not limited to, using social media, which is defined in Bylaw 0100, to interact with others online; communicating with other individuals in chat rooms or using other messenger apps, or through blogs, audios (e.g., podcasts), and videos~~interacting with other individuals in chat rooms or on blogs~~; and recognizing what constitutes cyberbullying, understanding cyberbullying is a violation of Board policy, and learning appropriate responses if they experience cyberbullying.

~~**[CHOOSE ONE (1) OF THE THREE (3) OPTIONS, IF DESIRED]**~~

~~**[ ] [OPTION #1]**~~

~~Staff use of Center-approved social media platforms/sites shall be consistent with Policy 7544.~~

~~Students must comply with Policy 5136, Policy 5722, Policy 7540.03, and Policy 7544 when using Center Information & Technology Resources to access and/or use Center-approved social media.~~

~~Similarly, staff must comply with Policy 7544, Policy 7540.04, and Policy 7530.02 when using Center Information & Technology Resourcestechnology resources to access and/or use Center-approved social media platforms/sites.~~

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

~~[OR]~~

~~**[ ] OPTION #2] [DRAFTING NOTE: Choose this option if the Center intends to prohibit staff and students from accessing social media using Center Information & Technology Resourcestechnology resources.]**~~

~~The Board prohibits students and staff members from using Center Information & Technology Resources to access and/or use social media.~~

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

~~**[OR]**~~

~~**[XX] [OPTION #3]**~~

The Board prohibits students from using Center Information & Technology Resources to access and/or use social media for other than instructional purposes.

Staff may use Center-approved social media platforms/sites in accordance with Policy 7544 ~~**( ) and, pursuant to Policy 7540.02, may use web content, apps, and services for one-way communication with the Center's constituents [END OF OPTION]**~~. Authorized staff may use Center Information & Technology Resources to access and use Center-approved social media platforms/sites to increase awareness of Center programs and activities, as well as to promote achievements of staff and students, provided the Superintendent approves, in advance, such access and use. Use of Center-approved social media platforms/sites for business-related purposes is subject to Ohio's public records laws and, as set forth in Policy 7544, staff members are responsible for archiving their social media and complying with the Center's record retention schedule. See Policy 8310 - Public Records and AG 8310A - Public Records.

~~**[DRAFTING NOTE: Retain the followingthis provision if the Center has chosen an option in Policy 7544 permitting staff to access social media from Center Information & Technology Resources or from personally-owned personal communication devicestechnology resources or from personal technology resources.]**~~

Staff must comply with Policy 7544, Policy 7540.04, and Policy 7530.02 when using Center Information & Technology Resources ~~( ) or personally-owned personal communication devicesWCDs~~ ~~**[END OF OPTION]**~~ to access and/or use social media for personal purposes.

~~**[END OF OPTION #3]**~~

~~[END OF OPTIONS]~~

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Book	Policy Manual
Section	Vol. 41, No. 2 - Technology Update - January 2023
Title	Vol. 41, No. 2 - Technology Update - January 2023 Revised TECHNOLOGY PRIVACY
Code	po7540.01
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

7540.01 - **TECHNOLOGY PRIVACY**

The Governing Board recognizes its staff members' right to privacy in their personal lives. This policy serves to inform staff members of the Board's position with respect to staff member privacy in the educational and workplace setting and to protect the Board's interests.

All Educational Service Center ~~Technology Resources (as defined in Bylaw 0100) are~~ Information & Technology Resources (as defined in Bylaw 0100) are considered the Board's property (whether physical objects or digital assets, including those accessible online) and~~the Board's property and are~~ intended to be used for business purposes. The Board retains the right to access and review all Information & Technology Resources (as defined in Bylaw 0100) including, but not limited to, electronic and voice mail, computer files, databases, and any other electronic transmissions contained in or used in conjunction with the Board's computer system/network, telephone system, electronic mail system, and voice mail system. Staff members shall be notified that they have no expectation that any personal information/data maintained, stored, or transmitted on or through such systems is confidential or private, regardless of whether the Board owns said systems or acquires them as a service.

Review of such information may be done by the Board with or without the staff member's knowledge. The use of passwords and/or other means of securing such information (e.g., use of multifactor authentication (MFA) tools or techniques) does not guarantee confidentiality and the Board retains the right to access information in spite of the information being protected by a password and/or other means of verifying the user's identity (e.g., MFA or biometric data)~~does not guarantee confidentiality and the Board retains the right to access information in spite of a password~~. **(X)** All passwords or security codes must be registered with the Board.~~**[END OF OPTION]**~~ A staff member's refusal to permit or otherwise facilitate such access may be grounds for discipline, up to and including discharge.

Center Information & Technology Resources are to be used **(X)** only~~**( )** primarily **[END OF OPTION]**~~ for business and educational purposes.

~~**[CHOOSE OPTION #1 OR OPTION #2]**~~

-

~~**[ ] [OPTION #1]**~~

-

~~No personal messages should be exchanged via Center Information & Technology Resources because Center Information & TechnologyBoard-owned technology. Because Center Technology Resources are to be used solely for business and educational purposes., Staffstaff members are prohibited from sending offensive, discriminatory, or harassing messages/emails, images, audios, or videoscomputer, electronic, or voice mail messages. Staff members are encouraged to keep their personal records and personal business separate and distinct from Center Information & Technology Resourcesat home.~~

-

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

[X] ~~**[OPTION #2]**~~

Personal messages/emails, images, audios, and videos sent via Center Information & Technology Resources~~via Board-owned technology~~ should be limited in accordance with the Superintendent's guidelines. Staff members are encouraged to keep their personal records and personal business separate and distinct from Center Information & Technology Resources~~at home~~. Because Center Information & Technology Resources are to be used primarily for business and educational purposes, staff members are prohibited from sending offensive, discriminatory, or harassing messages/emails, images, audios, or videos~~computer, electronic, or voice mail messages~~.

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

-

~~[END OF OPTIONS]~~

Center Information & Technology Resources must be used properly. Review of Center Technology & Information Resources~~computer files, electronic mail, and voice mail~~ will only be done in the ordinary course of business and will be motivated by a legitimate business reason. If a staff member's personal information is discovered, the contents of such discovery will not be reviewed by the Board, except to the extent necessary to determine if the files/messages/emails/voice-mails~~file/e-mail/voice mail~~ constitute a public record or if the Board's interests have been compromised. Any personal information/data~~information~~ discovered will be limited to those who have a specific need to know that information.

The administrators and supervisory staff members authorized by the Superintendent shall have the authority to search and access electronic/digital information/data maintained, stored, and/or transmitted on or through Center Information & Technology Resources~~information electronically~~.

All Center ~~Technology~~ Information & Technology Resources are considered the property of and/or under the jurisdiction~~Resources and Center Information Resources are the property~~ of the Board. Staff members shall not copy, delete, or remove any information/data contained on Center Information & Technology Resources without the express permission of the Superintendent or communicate any such information to unauthorized individuals. In addition, staff members may not download, copy, or install~~copy~~ software onto any Center Information & Technology Resources and may not bring or access software from outside sources for use on Center Information & Technology Resources without the prior approval of the Technology Manager. Such pre-approval shall include a review of any security, privacy, copyright infringements, or virus problems associated with such outside software.

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Book	Policy Manual
Section	Vol. 41, No. 2 - Technology Update - January 2023
Title	Vol. 41, No. 2 - Technology Update - January 2023 Revised WEB ACCESSIBILITY, CONTENT, APPS, AND SERVICES
Code	po7540.02
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 23, 2023
Last Reviewed	February 23, 2023

Revised Policy - Vol. 41, No. 2

7540.02 - **WEB ACCESSIBILITY, CONTENT, APPS, AND SERVICES**

A. **Creating Content for Web Pages/Sites, Apps, and Services**

The Governing Board authorizes staff members ~~**( ) and students [END OF OPTION]**~~ to create content, apps, and services (see Bylaw 0100 - Definitions) that are~~will be~~ hosted by the Board on its servers or Educational Service Center-affiliated servers (i.e., servers the Board pays to use or otherwise sanctions the use of) and/or published on the Internet.

The content, apps, and services must comply with State and Federal law (e.g., copyright laws, Children's Internet Protection Act (CIPA), Section 504 of the Rehabilitation Act of 1973 (Section 504), Americans with Disabilities Act (ADA), and Children's Online Privacy Protection Act (COPPA)) and reflect the professional image/brand of the Center, its employees, and students. Content, apps, and services must be consistent with the Board's Mission Statement, and staff-created content, apps, and services are subject to prior review and approval of the Superintendent before being published on the Internet and/or used with students.

~~**[NOTE: CHOOSE ONE, BOTH, OR NONE OF THE FOLLOWING OPTIONS.]**~~

~~**[ ]** Student-created content, apps, and services are subject to Policy 5722 - School-Sponsored Student Publications and Productions.~~

~~**[ ]** The creation of content, apps, and services by students must be done under the supervision of a professional staff member.~~

~~**[END OF OPTIONS]**~~

B. **Purpose of Content of Center Web Pages/Sites, Apps, and Services**

The purpose of content, apps, and services covered by this policy~~hosted by the Board on its servers or Center-affiliated servers~~ is to educate, inform, and communicate. The following criteria shall be used to guide the development of such content, apps, and services:

1. **Educate**

   Content should be suitable for and usable by students and teachers to support the curriculum and the Board's Objectives as listed in the Board's Strategic Plan.

2. **Inform**

   Content may inform the community about the school, teachers, students, or departments, including information about curriculum, events, class projects, student activities, and departmental policies.

3. **Communicate**

Content may communicate information about the plans, policies, and operations of the Center to members of the public and other persons who may be interested in and/or affected by Center matters.

The information contained on the Board's website(s) should reflect and support the Board's Mission Statement, Educational Philosophy, and ~~the~~ School Improvement Process.

When the content includes a photograph or personally identifiable information relating to a student, the Board will abide by the provisions of Policy 8330 - Student Records.

Under no circumstances are Center-created content, apps, and services to be used for commercial purposes, advertising, political lobbying, or to provide financial gains for any individual. Included in this prohibition is the fact no content contained on the Center's website may: (1) include statements or other items that support or oppose a candidate for public office; the investigation, prosecution, or recall of a public official; or passage of a tax levy or bond issue; (2) link to a website of another organization if the other website includes such a message; or (3) communicate information that supports or opposes any labor organization or any action by, on behalf of, or against any labor organization.

~~[ ] Under no circumstances is staff member-created content, apps, and services, including personal web pages/websites, to be used to post student progress reports, grades, class assignments, or any other similar class-related material. Employees are required to use the Board-specified website, app, or service (e.g., _____ **[Progressbook/PowerSchool/Infinite Campus]**) for the purpose of conveying information to students and/or parents. **[END OF OPTION]**~~

~~[ ] Staff members are prohibited from requiring students to go to the staff member's personal web pages/websites (including, but not limited to, their Facebook, Instagram, or Pinterest pages, or YouTube Channel(s), or TikTok sites) to check grades, obtain class assignments and/or class-related materials, and/or to turn in assignments. **[END OF OPTION]**~~

~~[ ] If a staff member creates content, apps, and/or services related to the staff member's/his/her class, it must be hosted on the Board's server or a Center-affiliated server. **[END OF OPTION]**~~

~~[ ] Unless the content, apps, and services contain student personally identifiable information, Board-sponsored websites, apps, and services that are created by students and/or staff members that are posted published on the Internet should not be password protected or otherwise contain restricted access features, whereby only employees, student(s), or other limited groups of people can access the site. Community members, parents, employees, staff, students, and other website users will generally be given full access to the Board's website(s), apps, and services. **[END OF OPTION]**~~

Web content, apps, and services should reflect an understanding that both internal and external audiences will be viewing the information.

The Center's website(s) and web pages, apps, and services must be hosted on Board-owned or Center-affiliated servers.~~School web pages/sites, apps, and services must be located on Board-owned or Center-affiliated servers.~~

The Superintendent shall prepare administrative guidelines defining the rules and standards applicable to the use of the Board's website and the creation of content, apps, and services by staff~~**( ) and studentsEND OF OPTION]**~~.

The Board retains all proprietary rights related to the design of and content for its website(s)~~content~~, apps, and services~~ that are hosted on Board-owned or Center-affiliated servers~~, absent written agreement to the contrary.

In order for a student's school work (i.e., work that is created in a class, at school, or as part of a school-sponsored extracurricular activity) to be displayed on the Board's website, the student (who is eighteen (18) years of age or older) or the student's parent (if the student is seventeen (17) years of age or younger) must provide written permission and expressly license its display without cost to the Board.~~Students who want their class work to be displayed on the Board's web site must have written parent permission and expressly license its display without cost to the Board.~~

Likewise, prior written permission from a student (who is eighteen (18) years of age or older) or the student's parent (if the student is seventeen (17) years of age or younger) is necessary for a student to be identified by name on the Board's website.~~Prior written parental permission is necessary for a student to be identified by name on the Board's web site.~~

C. **Website Accessibility**

The Center is committed to providing persons with disabilities an opportunity equal to that of persons without disabilities to participate in the Center's programs, benefits, and services, including those delivered through electronic and information technology, except where doing so would impose an undue burden or create a fundamental alteration. The Center is further

committed to ensuring persons with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as persons without a disability, with substantially equivalent ease of use; that they are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any Center programs, services, and activities delivered online, as required by Section 504 and Title II of the ADA and their implementing regulations; and that they receive effective communication of the Center's programs, services, and activities delivered online.

~~The Center adopts this policy to fulfill this commitment and affirm its~~This policy reflects the Board's commitment and intention to comply with the requirements of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, 34 C.F.R. Part 104, Title II of the Americans With Disabilities Act of 1990, 42 U.S.C. 12131, and 28 C.F.R. Part 35 in all respects.

1. **Technical Standards**

   The Center will adhere to the technical standards of compliance identified at www.moesc.net ~~**[Insert link to the Center's website]**~~. The Center measures the accessibility of online content and functionality according to the World Wide Web Consortium's (W3C's) Web Content Accessibility Guidelines (WCAG) 2.0 Level AA and the Web Accessibility Initiative - Accessible Rich Internet Applications Suite (WAI-ARIA 1.1) for web content~~( )~~ ~~_____ **[insert another acceptable standard selected by the Center – e.g., the Section 508 Information and Communication Technology Accessibility Standards published by the U.S. Access Board, which serves as the standards the Federal government uses for its own web sites [END OF OPTION]**~~.

   [DRAFTING NOTE: While OCR currently (as of December 2022) recommends WCAG 2.0 Level AA, WCAG 2.1 is gradually becoming the standard courts cite as the ADA accessibility standard that public entities should use for websites, mobile applications, and digital content compliance. Further, W3C published a working draft of WCAG 2.2 in August 2020 and a Candidate Recommendation draft of WCAG 2.2 in September 2022; a final version of WCAG 2.2 is expected to be released in early 2023. The W3C states that WCAG 2.0 and 2.1 remain its recommendation, but version 2.2 should be used to maximize future applicability of accessibility efforts. The W3C also encourages the use of the most current version of WCAG when developing or updating Web accessibility policies.]~~**[DRAFTING NOTE: While OCR currently (as of August 2022) recommends WCAG 2.0 Level AA, WCAG 2.1 is gradually becoming the standard courts cite as the ADA accessibility standard that public entities should use for websites, mobile applications, and digital content compliance. Further, W3C published a working draft of WCAG 2.2 in August 2020, and a final version of WCAG 2.2 is expected to be released in 2022. The W3C states that WCAG 2.0 and 2.1 remain its recommendation, but version 2.2 should be used to maximize future applicability of accessibility efforts.OCR recommends WCAG 2.0 Level AA.]**~~

2. **Web Accessibility Coordinator**

   The Board designates its~~( ) Section 504/ADA Compliance Coordinator(s) ( ) Technology Director~~ **(X)** Technology Manager ~~**[END OF OPTIONS]**~~as the Center's Web Accessibility Coordinator(s). **(**X**)** That individual~~**( )** Those individuals~~ **(**X**)** is~~**( )** are **[END OF OPTIONS]**~~ responsible for coordinating and implementing this policy.~~web accessibility coordinator(s). That individual(s) is responsible for coordinating and implementing this policy.~~

   ~~**[ ]** The Board commits to providing the Web Accessibility Coordinator with sufficient resources and authority to coordinate and implement this policy and any corresponding guideline(s), subject to oversight by the Superintendent and the Board.~~

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

   [X]~~**[OPTION #1]**~~

   See Board Policy 2260.01 for the Section 504/ADA Compliance Coordinator's(s') contact information.

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

   ~~**[ ] [OPTION #2]**~~

   The Center's Web Accessibility Coordinator(s)~~web accessibility coordinator(s)~~ can be reached at 419-774-5520 ~~**[Insert name or title, address, e-mail, phone]**~~.

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

3. **Third Party Content**

Links included on the Board's website(s), apps, and services~~services, and apps~~ that pertain to its programs, benefits, and/or services must also meet the above criteria and comply with State and Federal law (e.g. copyright laws, CIPA, Section 504, ADA, and COPPA). While the Center strives to provide access through its website to online content provided or developed by third parties (including vendors, video-sharing websites, and other sources of online/digital content) that is in an accessible format, it is not always feasible. The Center's administrators and staff, however, are aware of this requirement with respect to the selection of online content provided to students. The Center's Web Accessibility Coordinator(s) or~~web accessibility coordinator or his/her~~ designee(s) will vet online content available on its website, apps, and services that are~~ that is~~ related to the Center's programs, benefits, and/or services for compliance with this criteria for all new content published on the Center's website, apps, and services after adoption of this policy.~~placed on the Center's website after adoption of this policy.~~

Nothing in the preceding paragraph, however, shall prevent the Center from including links on the Board's website(s), apps, and services to:~~ to:~~

a. recognized news/media outlets (e.g., local newspapers' websites, local television stations' websites); or

b. websites, services, and/or apps that are developed and hosted by outside vendors or organizations that are not part of the Center's program, benefits, or services.

The Board recognizes that such third party websites may contain advertisements that are not age-appropriate or~~websites may not contain age appropriate advertisements that are~~ consistent with the requirements of Policy 9700.01, AG 9700B, and State and Federal law.

4. **Regular Audits**

The Center will, under the direction of the Web Accessibility Coordinator(s) or designee(s),~~web accessibility coordinator(s) or his/her/their designees,~~ at regular intervals, audit the Center's online content and measure this content against the technical standards adopted above.

~~[ ] This audit will occur ( ) at least annually ( ) no less than once every two (2) years [END OF OPTION].~~

If problems are identified through the audit, such problems will be documented, evaluated, and if necessary, remediated within a reasonable period of time.

5. **Reporting Concerns or Possible Violations**

If a person accessing the Center's website(s), apps, or services (e.g., a student, prospective student, employee, guest, or visitor) ("user") believes that the Center has violated the technical standards identified above in its online content, the user may contact a/the Web Accessibility Coordinator with any accessibility concerns. The user may also file a formal complaint utilizing the procedures set out in Board Policy 2260.01 relating to Section 504 and Title II.~~If any student, prospective student, employee, guest, or visitor believes that the Center has violated the technical standards in its online content, s/he may contact the web accessibility coordinator with any accessibility concerns. S/He may also file a formal complaint utilizing the procedures set out in Board Policy 2260 and Policy 2260.01 relating to Section 504 and Title II.~~

D. **Instructional Use of Apps and Services**

The Board authorizes the use of apps and services to supplement and enhance learning opportunities for students either in the classroom or for extended learning outside the classroom.

~~**[SELECT OPTION #1 or #2]**~~

[X]~~**[OPTION #1]**~~

The Board requires the~~ ( ) Superintendent~~ **(X) Principal or Technology Manager** ~~**[END OF OPTION]**~~pre-approve each app and/or service that a teacher intends to use to supplement and enhance student learning. To be approved, the app and/or service must have a FERPA-compliant privacy policy, as well as comply with all requirements of the COPPA and CIPA~~( ) and Section 504 and the ADA [END OF OPTION]~~.

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

~~**[ ] [OPTION #2]**~~

~~A teacher who elects to supplement and enhance student learning through the use of apps and/or services is responsible for verifying/certifying to the ( ) Superintendent ( ) _____ [END OF OPTION] that the app and/or service has a FERPA-compliant privacy policy and it complies with all requirements of the COPPA and CIPA ( ) and Section 504 and the ADA [END OF OPTION].~~

~~[END OF OPTION #2]~~

The Board further requires **(X)** the use of a Board-issued e-mail address in the login process ~~( ) prior written parental permission for a student seventeen (17) years of age or younger to use the to use a student's personal e-mail address in the login process [END OF OPTION]~~.

E. **Training**

The Center will provide ~~( ) annual~~ **(X)** periodic ~~[END OF OPTION]~~ training for its employees who are responsible for creating web content or distributing information online ~~or distributing information with online content~~ so that these employees are aware of this Policy and understand their roles and responsibilities with respect to web design and creation and/or uploading of documents and multimedia content.

~~[ ] Such training shall be facilitated by an individual with sufficient knowledge, skill, and experience to understand and employ the technical standards set forth in Board policies and administrative guidelines.~~

F. **One-Way Communication Using Center Website ~~Content~~, Apps, and Services**

The Board approves the use of its website/web pages, ~~The Center is authorized to use web pages/sites,~~ apps, and services to promote school activities and inform stakeholders and the general public about Center news and operations.

Such communications constitute public records that will be archived.

When the Board or Superintendent designates communications distributed via Center web pages/sites, apps, and services to be one-way communication, public comments are not solicited or desired, and the website, app, or service is to be considered a nonpublic forum.

If the Center uses an app and/or web service that does not allow the Center to block or deactivate public comments, ~~(e.g., Facebook, which does not allow comments to be turned off, or Twitter, which does not permit users to disable private messages or mentions/replies),~~ the Center's use of that app and web service is ~~apps and web service will be~~ subject to Policy 7544 - Use of Social Media unless the Center is able to automatically withhold all public comments.

If unsolicited public comments can be automatically withheld, the Center will retain the comments in accordance with its adopted record retention schedule (see AG 8310A – ~~Requests for~~ Public Records and AG 8310E - Record Retention and Disposal), but it will not review or consider those comments.

~~[DRAFTING NOTE: Centers are advised to adopt a new category of records that covers such "hidden public comments" on social media. Unless dictated by State law, retention periods established by the Center for such unsolicited communications should be limited.]~~

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Legal R.C. 9.03

O.A.G. Opinion No. 2002-01

Book	Policy Manual
Section	Vol. 41, No. 2 - Technology Update - January 2023
Title	Vol. 41, No. 2 - Technology Update - January 2023 Revised STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY
Code	po7540.03
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

7540.03 - **STUDENT TECHNOLOGY ACCEPTABLE USE AND SAFETY**

Technology directly affects~~has fundamentally altered~~ the ways in which information is accessed, communicated, and transferred in society. Educators are expected to~~As a result, educators are~~ continually adapt ~~adapting~~ their means and methods of instruction and the way they approach student learning to incorporate the latest technologies. The Governing Board provides Information & Technology Resources (as defined in Bylaw 0100) (collectively, "Center Information & Technology Resources")~~vast, diverse, and unique resources available through the Internet. The Governing Board provides Technology Resources (as defined in Bylaw 0100)~~ to support the educational and professional needs of its students and staff. With respect to students, Center Information & Technology Resources afford them the opportunity to acquire the skills and knowledge to learn effectively and live productively in a digital world. The Board provides students with access to the Internet for~~limited~~ educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students. The Educational Service Center's computer network and Internet system ~~does~~do not serve as a public access service or a public forum and the Board imposes reasonable restrictions on its use consistent with its stated~~limited~~ educational purpose.

The Board regulates the use of Center Information & Technology Resources in a manner~~Technology in a mannerResources by principles~~ consistent with applicable local, State, and Federal laws, the Center's educational mission, and articulated expectations of student conduct as delineated in the Student Code of Conduct. This policy and its related administrative guidelines and the Student Code of Conduct govern students' use of Center Information & Technology Resources and students' personal communication devices when they are connected to Center Information & Technology Resources, including online educational services/apps, regardless of whether such use takes place on or off school property~~the Center computer network, Internet connection, and/or online educational services/apps, or when used while the student is on Board-owned property or at a Board-sponsored activity~~ (see Policy 5136).

Students are prohibited from using Center Information & Technology Resources to engage in illegal conduct (e.g., libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, etc.) or conduct that violates this Policy and its related administrative guidelines and the Student Code of Conduct (e.g., making personal attacks or injurious comments, invading a person's privacy, etc.). Nothing herein, however, shall infringe on students' First Amendment rights. ~~Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like).~~ Because its Information & Technology Resources are not unlimited, the Board may institute~~has also instituted~~ restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.

Students ~~Users~~ have no right or expectation to privacy when using Center Information & Technology Resources (including, but not limited to, privacy in the content of their personal files, messages/e-mails, and records of their online activity).~~when using the Center's computer network and/or Internet connection).~~

While the Board uses various technologies to limit students using its Information & Technology Resources to only use/access online educational services/apps and resources that have been pre-approved for the purpose of instruction, study, and research related to the curriculum, it is impossible to prevent students from accessing and/or coming in contact with online content that has not been pre-approved for use by students of certain ages. It is no longer possible for educators and community members ~~First, the Board may not be able to technologically limit access, through its Technology Resources, to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity~~ to review and screen materials to assess their appropriateness for supporting and

enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them) when significant portions of students' education take place online or through the use of online educational services/apps.~~, access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages.~~

Pursuant to Federal law, the Board implements~~has implemented~~ technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act (CIPA). At the discretion of the Board or the Superintendent, the technology protection measures may be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor the online activity of students to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures may not be disabled at any time that students may be using Center Information & Technology Resources if such disabling will cease to protect against access to materials that are prohibited under CIPA.~~the Children's Internet Protection Act.~~ Any student who attempts to disable the technology protection measures will be ~~subject to discipline~~disciplined.

The Superintendent or Technology Manager may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material if access to such sites has been mistakenly, improperly, or inadvertently ~~inappropriately~~ blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures.

Parents are advised that a determined user may be able to gain access to online content and/or services/apps~~services and/or resources on the Internet~~ that the Board has not authorized for educational purposes. In fact, it is impossible to guarantee students will not gain access through the Internet to ~~information and communications~~content that they and/or their parents may find inappropriate, offensive, objectionable, or controversial. Parents of minors are responsible for setting and conveying the standards that their children should follow when using the Internet.

Directors are responsible for providing training so that students under their supervision are knowledgeable about this policy and its accompanying guidelines.

Pursuant to Federal law, students shall receive education about the following:

A. safety and security while using e-mail, chat rooms, social media, and other forms of direct electronic communications;

B. the dangers inherent with the online disclosure of personally identifiable information;

C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students online;~~,~~ and

D. unauthorized disclosure, use, and dissemination of personally-identifiable information regarding minors.

Staff members shall provide guidance and instruction to their students regarding the appropriate use of Center Information & Technology Resources and online safety and security as specified above. Additionally, such training shall include, but not be limited to, education concerning appropriate online behavior including interacting with others on social media, including in chat rooms, and cyberbullying awareness and response. ~~instruction for their students regarding the appropriate use of technology and online safety and security as specified above.~~ Furthermore, staff members will monitor the online activities of students while they are at school.

~~[ ] Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions; or use of specific monitoring tools to review browser history and network, server, and computer logs. **[END OF OPTION]**~~

~~Directors are responsible for providing training so that students under their supervision are knowledgeable about this policy and its accompanying guidelines. All students who use Center Technology & Information building directors are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of Center Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media, including in chat rooms and cyberbullying awareness and response. All users of Center Technology~~All students who use Center Information & Technology Resources (and their parents if they are minors) are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines. See Form 7540.03 F1.

In order to keep Center Information & Technology Resources operating in a safe, secure, efficient, effective, and beneficial manner to all users, students are required to comply with all Center-established cybersecurity procedures **(X)** including, but not limited to, the use of multi-factored authentication for which they have been trained~~**[END OF OPTION]**~~. Directors are responsible for providing such training on a regular basis and measuring the effectiveness of the training.

[X] Students will be assigned a Center-provided school email account that they are required to utilize for all school-related electronic communications, including those to staff members, peers, ~~and~~ individuals, and/or organizations outside the Center with whom they are communicating for school-related projects and assignments. **(X)** Further, as directed and authorized by their teachers, they shall use their school-assigned e-mail account when signing-up/registering for access to various online educational services/apps. ~~, including mobile applications/apps that will be utilized by the student for educational purposes.~~ **~~[END OF OPTION]~~**

Students are responsible for good behavior when using Center Information & Technology Resources – i.e., behavior comparable to that expected of students when they are in physical classrooms and school buildings and at school-sponsored events. Because communications~~classrooms, school hallways, and other school premises and school-sponsored events. Communications~~ on the Internet are often public in nature, general~~. General~~ school rules for behavior and communication apply. The Board does not approve any use of its Information & Technology Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines.

~~**[NOTE: If language about social media is added to Policy 7540, it is recommended that the following optionalthis language be added to this policy.]**~~

[X] Students may only use Center Information & Technology Resources to access or use social media if it is done for educational purposes in accordance with their teacher's approved plan for such use.

[X] Use of Artificial Intelligence/Natural Language Processing Tools For School Work

Students are required to rely on their own knowledge, skills, and resources when completing school work. In order to ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, the use of Artificial Intelligence (AI) and Natural Language Processing (NLP) tools (collectively, "AI/NLP tools") is strictly prohibited for the completion of school work. The use of AI/NLP tools, without the express permission/consent of a teacher, undermines the learning and problem-solving skills that are essential to academic success and that the staff is tasked to develop in each student. Students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI/NLP tools and they should ask their teachers when they have questions and/or need assistance. Unauthorized use of AI/NLP tools is considered a form of plagiarism and any student found using these tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct.

Notwithstanding the preceding, students can use AI/NLP tools in the school setting if they receive prior permission/consent from their teacher, so long as they use the AI/NLP tools in an ethical and responsible manner. Teachers have the discretion to authorize students to use AI/NLP tools for the following uses:

A. Research assistance: AI/NLP tools can be used to help students quickly and efficiently search for and find relevant information for their school projects and assignments.

B. Data Analysis: AI/NLP tools can be used to help students to analyze, understand, and interpret large amounts of data, such as text documents or social media posts. This can be particularly useful for research projects or data analysis assignments – e.g., scientific experiments and marketing research.

C. Language translation: AI/NLP tools can be used to translate texts or documents into different languages, which can be helpful for students who are learning a new language or for students who are studying texts written in a different language.

D. Writing assistance: AI/NLP tools can provide grammar and spelling corrections, as well as suggest alternative word choices and sentence structure, to help students improve their writing skills.

E. Accessibility: AI/NLP tools can be used to help students with disabilities access and understand written materials. For example, text-to-speech software can help students with specific learning disabilities or visual impairments to read texts and AI-powered translation tools can help students with hearing impairments understand spoken language.

As outlined above, under appropriate circumstances, AI/NLP tools can be effectively used as a supplement to and not a replacement for traditional learning methods. Consequently, with prior teacher permission/consent, students can use such resources to help them better understand and analyze information and/or access course materials. If a student has any questions about whether they are permitted to use AI/NLP tools for a specific class assignment, they should ask their teacher.

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

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of Center Information & Technology Resources that are not authorized by this policy and its accompanying guidelines.

The Board designates the Superintendent and Technology Manager as the administrator(s) responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to students' use of Center Information & Technology Resources.

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Legal

P.L. 106-554, Children's Internet Protection Act of 2000

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6777, 9134 (2003)

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended (2003)

47 C.F.R. 54.500 - 54.523

47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)

Book	Policy Manual
Section	Vol. 41, No. 2 - Technology Update - January 2023
Title	Vol. 41, No. 2 - Technology Update - January 2023 Revised STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY
Code	po7540.04
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 23, 2023
Last Reviewed	February 23, 2023

7540.04 - **STAFF TECHNOLOGY ACCEPTABLE USE AND SAFETY**

Technology directly affects ~~has fundamentally altered~~ the ways in which information is accessed, communicated, and transferred in society. Educators are expected to continually adapt~~As a result, educators are continually adapting~~ their means and methods of instruction~~,~~ and the way they approach student learning~~,~~ to incorporate the latest technologies~~vast, diverse, and unique resources available through the Internet~~. The Governing Board provides Educational Service Center ('Center') Information & Technology Resources (as defined by Bylaw 0100) (collectively, "Center Information & Technology Resources")~~Technology and Information Resources (as defined by Bylaw 0100)~~ to support the educational and professional needs of its staff and students. The Board provides staff with access to the Internet for ~~limited~~ educational purposes only and utilizes online educational services/apps to enhance the instruction delivered to its students and to facilitate the staff's work. The ~~Educational Service~~ Center's computer network and Internet system do~~does~~ not serve as a public access service or a public forum, and the Board imposes reasonable restrictions on its use consistent with its stated~~limited~~ educational purpose.

The Board regulates the use of Center Information & Technology~~Technology and Information~~ Resources by principles consistent with applicable local, State, and Federal laws, and the Center's educational mission. This policy and its related administrative guidelines ~~( ), Policy 7544 and AG 7544, **[END OF OPTION]**~~ and any applicable employment contracts and collective bargaining agreements govern staff~~the staffs'~~ use of Center~~the Center's Technology and~~ Information & Technology Resources and ~~staff's~~ personal communication devices when they are connected to the Center's Information & Technology Resources, including online educational services/apps, regardless of whether such use takes place on or off Center property~~computer network, Internet connection and/or online educational services/apps, or when used while the staff member is on Board-owned property or at a Board-sponsored activity~~ (see Policy 7530.02).

~~**[DRAFTING NOTE: Choose the option in the preceding paragraph ifabove if the Superintendent recommends and the Board adopts Policy 7544.]**~~

Staff members are prohibited from using Center Information & Technology Resources to engage in illegal conduct (e.g., libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, etc.) or conduct that violates this Policy and its related administrative guidelines (e.g., making personal attacks and injurious comments, invading a person's privacy, etc.). Nothing herein, however, shall infringe on a staff member's First Amendment rights. Because Center Information & Technology Resources are not unlimited, the Board may institute restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.~~Users are required to refrain from actions that are illegal (such as libel, slander, vandalism, harassment, theft, plagiarism, inappropriate access, and the like) or unkind (such as personal attacks, invasion of privacy, injurious comment, and the like). Because its Technology Resources are not unlimited, the Board has also instituted restrictions aimed at preserving these resources, such as placing limits on use of bandwidth, storage space, and printers.~~

Staff members~~Users~~ have no right or expectation to privacy when using Center ~~Technology and~~ Information & Technology Resources (including, but not limited to, privacy in the content of their personal files, messages/e-mails, and records of their online activity ~~when using the Center's computer network and/or Internet connection~~).

Staff members are expected to use~~utilize~~ Center ~~Technology and~~ Information & Technology Resources to promote educational excellence in our schools by providing students with the opportunity to develop the resource-sharing~~resource sharing~~, innovation, and communication skills and tools that are essential to both life and work. The Board encourages the faculty to develop the

appropriate skills necessary to effectively access, analyze, evaluate, and utilize these resources in enriching educational activities. The instructional use of the Internet and online educational services/apps will be guided by Board Policy 2520 - Selection of Instructional Materials and Equipment.

The Internet is a global information and communication network that brings incredible education and information resources to our students. ~~The Internet connects computers and users in the Center with computers and users worldwide.~~ Through the Internet, students and staff can access relevant information that will enhance their learning and the education process. Further, Center Information &Technology Resources provide students and staff with the opportunity to communicate with ~~other~~ people ~~from~~ throughout the world. Access to such an incredible quantity and diversity of information and resources brings with it, however, certain unique challenges and responsibilities.

While the Board uses various technologies to limit the use of District Information & Technology Resources to only use/access online services/apps and resources that have been pre-approved for the purpose of instruction, study, and research related to the curriculum, it is impossible to prevent users from accessing and/or coming in contact with online content that has not been pre-approved for use by students of certain ages. It is no longer possible for educators and community members~~The Board may not be able to technologically limit access, through its Technology Resources, to only those services and resources that have been authorized for the purpose of instruction, study and research related to the curriculum. Unlike in the past when educators and community members had the opportunity~~ to review and screen all materials to assess their appropriateness for supporting and enriching the curriculum according to adopted guidelines and reasonable selection criteria (taking into account the varied instructional needs, learning styles, abilities, and developmental levels of the students who would be exposed to them) when significant portions of students' education takes place online or through the use of online educational services/apps~~, access to the Internet, because it serves as a gateway to any publicly available file server in the world, opens classrooms and students to electronic information resources that may not have been screened by educators for use by students of various ages~~.

Pursuant to Federal law, the Board has implemented technology protection measures that protect against (e.g., filter or block) access to visual displays/depictions/materials that are obscene, constitute child pornography, and/or are harmful to minors, as defined by the Children's Internet Protection Act (CIPA). At the discretion of the Board or Superintendent, the technology protection measures may also be configured to protect against access to other material considered inappropriate for students to access. The Board also utilizes software and/or hardware to monitor online activity of staff members to restrict access to child pornography and other material that is obscene, objectionable, inappropriate, and/or harmful to minors. The technology protection measures~~,~~ may not be disabled at any time that students may be using ~~the~~ Center Information & Technology Resources~~,~~ if such disabling will cease to protect against access to materials that are prohibited under CIPA~~the Children's Internet Protection Act~~. Any staff member who attempts to disable the technology protection measures without express written consent of an appropriate administrator will be disciplined~~subject to disciplinary action~~, up to and including termination.

The Superintendent or Technology Manager may temporarily or permanently unblock access to websites or online educational services/apps containing appropriate material~~,~~ if access to such sites has been mistakenly, improperly, or inadvertently~~inappropriately~~ blocked by the technology protection measures. The determination of whether material is appropriate or inappropriate shall be based on the content of the material and the intended use of the material, not on the protection actions of the technology protection measures. **(X)** The Superintendent or Technology Manager may also disable the technology protection measures to enable access for bona fide research or other lawful purposes.

Directors are responsible for providing training so that staff under their supervision are knowledgeable about this policy and its accompanying guidelines.

Staff members will participate in professional development programs in accordance with the provisions of law and this policy. Training shall include:

A. the safety and security of students while using e-mail, chat rooms, social media, and other forms of direct electronic communications;

B. the inherent danger of students disclosing personally identifiable information online;

C. the consequences of unauthorized access (e.g., "hacking", "harvesting", "digital piracy", "data mining", etc.), cyberbullying, and other unlawful or inappropriate activities by students or staff online; and

D. unauthorized disclosure, use, and dissemination of personally-identifiable information regarding minors.

Staff members shall provide guidance and instruction to their students regarding the appropriate use of Center Information & Technology Resources and online safety and security as specified above. Additionally, such training shall include, but not be limited to, education concerning appropriate online behavior including interacting with others on social media, including in chat rooms, and cyberbullying awareness and response. Further, staff members shall monitor students' online activities while the students are at school.~~Furthermore, staff members shall provide instruction for their students regarding the appropriate use of technology and online safety and security as specified above, and staff members will monitor students' online activities while at school.~~

[X] Monitoring may include, but is not necessarily limited to, visual observations of online activities during class sessions~~;~~ or use of specific monitoring tools to review browser history and network, server, and computer logs.~~[END OF OPTION]~~

The disclosure of personally identifiable information about students online is prohibited.

~~Building Principals are responsible for providing training so that Internet users under their supervision are knowledgeable about this policy and its accompanying guidelines. The Board expects that staff members will provide guidance and instruction to students in the appropriate use of the Center Technology Resources. Such training shall include, but not be limited to, education concerning appropriate online behavior, including interacting with other individuals on social media including in chat rooms and cyberbullying awareness and response. All users of Center Technology~~ All staff members who use Center Information & Technology Resources are required to sign a written agreement to abide by the terms and conditions of this policy and its accompanying guidelines (see Form 7540.04 F1).

In order to keep Center Information & Technology Resources operating in a safe, secure, efficient, effective, and beneficial manner to all users, staff members are required to comply with all Center-established cybersecurity procedures **(**X **)** including, but not limited to, the use of multi-factored authentication (MFA),~~[END OF OPTION]~~ for which they have been trained. Principals are responsible for providing such training on a regular basis and measuring the effectiveness of the training.

[X] Staff will be assigned a Center-provided school e-mail address that they are required to use~~utilize~~ for all school-related electronic communications, including those to students, parents and other constituents, fellow staff members, and vendors or individuals seeking to do business with the Center.~~[END OF OPTION]~~

~~[ ] With prior approval from the Superintendent or _____, staff may direct students who have been issued school-assigned email accounts to use those accounts when signing up/registering for access to various online educational services/apps that the students will utilize, including mobile applications/apps that will be utilized by the students for educational purposes under the teacher's supervision. [END OF OPTION]~~

Staff members are responsible for good behavior when using Center Information & Technology ~~and Information~~ Resources - i.e., behavior comparable to that expected when they are in physical classrooms and school buildings and at a school-sponsored event. Because communications ~~classrooms, school hallways, and other school premises and school-sponsored events. Communications~~ on the Internet are often public in nature, general rules for professional behavior and communication apply. The Board does not approve any use of Center Information & Technology~~its Technology and Information~~ Resources that is not authorized by or conducted strictly in compliance with this policy and its accompanying guidelines **(X)** and Policy 7544 and its accompanying guideline~~[END OF OPTION]~~.

~~[DRAFTING NOTE: Choose the preceding option ifoption above if the Superintendent recommends and the Board adopts Policy 7544.]~~

-

~~[NOTE: If the use of social media is authorized by Policy 7540 and Policy 7544, choose the following appropriate option to match that language]~~

-

~~[ ] Staff members may only use Center Information & Technology Resources to access or use social media if it is done for educational or business-related purposes. [END OF OPTION]~~

-

~~[ ] Staff member' use of Center Information & Technology Resourcestechnology resources to access or use social media is to be consistent with Policy 7544 and its accompanying guideline. [END OF OPTION]~~

-

~~[DRAFTING NOTE: Choose the following option to provide further direction to staff regarding the appropriate versus inappropriate use of social media.]~~

[X] An employee's personal or private use of social media may have unintended consequences. While the Board respects its employees' First Amendment rights, those rights do not include permission to post inflammatory comments that could compromise the Center's mission, undermine staff relationships, or cause a substantial disruption to the school environment. This warning includes staff members' online conduct that occurs off school property including from the employee's personal communication device. Postings to social media should be done in a manner sensitive to the staff member's professional responsibilities.~~[END OF OPTION]~~

-

~~[END OF OPTIONS]~~

-

~~General school rules for behavior and communication apply.~~

[X] Use of Artificial Intelligence/Natural Language Processing Tools

Staff are permitted to use Artificial Intelligence and Natural Language Processing (NLP) tools (collectively, "AI/NLP tools") to accomplish their job responsibilities so long as the use is ethical, responsible, and does not violate any provisions of this policy – e.g., it does not infringe on students' or staff members' privacy rights, violate their duty to maintain confidentiality related to personally identifiable information, etc.).

With respect to students, it is the Board's policy that they are required to rely on their own knowledge, skills, and resources when completing school work. In order to ensure the integrity of the educational process and to promote fair and equal opportunities for all students, except as outlined below, students are prohibited from using AI/NLP tools to complete school work. The use of AI/NLP tools without the express permission/consent of a teacher is considered to undermine the learning and problem-solving skills that are essential to students' academic success and that the staff is tasked to develop in each student. Consequently, students are encouraged to develop their own knowledge, skills, and understanding of course material rather than relying solely on AI/NLP tools, and they are expected to ask their teachers when they have questions and/or need assistance. Students' unauthorized use of AI/NLP tools is considered a form of plagiarism and any student found using such tools without permission or in a prohibited manner will be disciplined in accordance with the Student Code of Conduct.

Notwithstanding the preceding, students are allowed to use AI/NLP tools in the school setting if they receive prior permission/consent from their teacher, so long as they use the AI/NLP tools in an ethical and responsible manner. Teachers have the discretion to authorize students to use AI/NLP tools for the following uses:

A. Research assistance: AI/NLP tools can be used to help students quickly and efficiently search for and find relevant information for their school projects and assignments.

B. Data Analysis: AI/NLP tools can be used to help students to analyze, understand, and interpret large amounts of data, such as text documents or social media posts. This can be particularly useful for research projects or data analysis assignments – e.g., scientific experiments and marketing research.

C. Language translation: AI/NLP tools can be used to translate texts or documents into different languages, which can be helpful for students who are learning a new language or for students who are studying texts written in a different language.

D. Writing assistance: AI/NLP tools can provide grammar and spelling corrections, as well as suggest alternative word choices and sentence structure, to help students improve their writing skills.

E. Accessibility: AI/NLP tools can be used to help students with disabilities access and understand written materials. For example, text-to-speech software can help students with specific learning disabilities or visual impairments to read texts, and AI-powered translation tools can help students with hearing impairments understand spoken language.

As outlined above, under appropriate circumstances, AI/NLP tools can be effectively used as a supplement to and not a replacement for traditional learning methods. Consequently, with prior teacher permission/consent, students can use AI/NLP tools to help them better understand and analyze information and/or access course materials. If a student has any questions about whether they are permitted to use AI/NLP tools for a specific class assignment, they should ask their teacher.

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

Users who disregard this policy and its accompanying guidelines may have their use privileges suspended or revoked, and disciplinary action taken against them. Users are personally responsible and liable, both civilly and criminally, for uses of Center Information & Technology~~Technology and Information~~ Resources that are not authorized by this policy and its accompanying guidelines.

The Board designates the Superintendent and Technology Manager as the administrator(s) responsible for initiating, implementing, and enforcing this policy and its accompanying guidelines as they apply to staff members' use of Center Information & Technology ~~and Information~~ Resources.

In addition, Federal and State confidentiality laws forbid schools and their employees from using or disclosing student education records without parental consent. See Policy 8330. Education records include a wide variety of information; posting personally identifiable information about students is not permitted. Staff members who violate State and Federal confidentiality ~~laws~~ and/or privacy laws related to the disclosure of student or employee personally identifiable~~confidential student or employee~~ information may be disciplined.

Staff members retain rights of communication for collective bargaining purposes and union organizational activities.

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Legal

P.L. 106-554, Children's Internet Protection Act of 2000

18 U.S.C. 1460

18 U.S.C. 2246

18 U.S.C. 2256

20 U.S.C. 6777, 9134 (2003)

20 U.S.C. 6801 et seq., Part F, Elementary and Secondary Education Act of 1965, as amended

47 C.F.R. 54.500 – 54.523

47 U.S.C. 254(h), (1), Communications Act of 1934, as amended (2003)

Book	Policy Manual
Section	Vol. 41, No. 2 - Technology Update - January 2023
Title	Vol. 41, No. 2 - Technology Update - January 2023 Revised CONTINUITY OF ORGANIZATIONAL OPERATIONS PLAN
Code	po8300
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

8300 - **CONTINUITY OF ORGANIZATIONAL OPERATIONS PLAN**

The Continuity of Organizational Operations Plan (COOP) provides the Educational Service Center with the capability of conducting its essential operations under all threats and conditions, with or without warning. Having a plan to recover from any type of disaster regardless of the severity and consequences of the emergency is critical to the recovery of operations and minimizing~~can minimize~~ the impact on the Center's teaching and learning, personnel, facilities, technology, transportation, food service, and other functional resources.

Scope of the Continuity Plan

The primary objective of the COOP is to restore the Center's critical operational functions and the learning environment as quickly as possible after a crisis or threat event occurs~~has occurred~~. A COOP contains critical and sensitive information that is confidential and exempt from public disclosure.

Planning for the continuity of operations of a school system in the aftermath of a disaster is a complex task. The current ~~changing~~ threat environment and recent emergencies, including acts of nature, accidents, technological emergencies, cyberattacks, and terrorist attacks and threats, have increased the need for viable continuity capabilities and plans that enable the Center to resume and continue the essential functions in an all-hazards environment across a full spectrum of emergencies. Such conditions have increased the importance of having continuity plans in place that provide stability of essential functions across the various levels of public government and private enterprises.

The planning and development of continuity of an organizational operations plan, as well as the ongoing review, testing, and revision of such a plan, is important for the overall Center ~~( ) and also for each school ( ) and department in the Center [END OF OPTIONS]~~.

The Center-wide plan describes how the Center will respond as a total organization to a given emergency and describes the centralized resources and how they will be organized to implement command and control necessary to function during the life cycle of the event. Individual school and department ~~departmental~~ plans contain the details related to the continuity plan for those specific sites and functional areas to prepare for an event, communicate throughout the duration of an event, assess the impact of an event on essential functions in the unit, respond to the event, and detail what will be done to recover from the event.

Preparation for, response to, and recovery from a disaster affecting administrative, educational, and support functions of the Center's operations requires the cooperative efforts of external organizations, in partnership with the functional areas supporting the business of the Center. This includes local government agencies, law enforcement, emergency management, medical services, and vendors necessary to Center operations. The COOP outlines and coordinates all efforts by the Center, in cooperation with other local and State agencies and businesses, to restore the essential functions of the Center ~~to the larger local community~~ post-disaster.

The Superintendent shall develop and recommend the COOP for Governing Board review and approval; however, the COOP shall be considered a confidential document not subject to release under State public records laws, and accordingly, no copies shall be provided for public review ~~during the adoption process~~.

The Superintendent shall conduct ~~( ) an annual~~ **(X)** a periodic ~~[END OF OPTION]~~ review of the COOP.

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Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Revised/Replacement VOLUNTEERS
Code	po8120
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised/Replacement Policy - Vol. 41, No. 2

~~3120.09~~8120 - **VOLUNTEERS**

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

The Superintendent shall be responsible for recruiting community volunteers, reviewing their capabilities, and making appropriate placements. The Educational Service Center~~S/He~~ shall not be obligated to make use of volunteers whose abilities are not in accord with Center needs.

Volunteers for Athletic Activities

Volunteers who direct, supervise, or coach a student activity program that involves athletics, routine or regular physical activity, or activities with health and safety considerations may be required to obtain a pupil activity permit issued by the Ohio Department of Education (ODE). As provided in ODE guidance, the Center shall determine which staff members need to have a permit. However, in accordance with OHSAA General Regulations, coaches, paid and/or volunteer, in grades seven (7) through twelve (12) who do not possess the Pupil Activity Program/Coaching Permit shall not be permitted to coach at any level at an OHSAA member school. Individuals who have applied for a Permit but who have not yet been issued a valid credential shall not be permitted to interact with athletes, even under the supervision of a credentialed coach, until the Pupil Activity Permit number is formally issued.

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

The cost of obtaining the permit will be ~~( ) at the Board's expense [OR]~~ **(**X**)** at the volunteer's expense ~~**[END OF OPTION]**~~.

General Requirements

The Superintendent is to inform each volunteer that they~~s/he~~:

A. are~~is~~ required to abide by all Board policies and Center guidelines while on duty as a volunteer (including, but not limited to, the volunteer's obligation to keep confidential and not release or permit access to any and all student personally identifiable information to which they are~~s/he is~~ exposed except as authorized by law);

B. will be covered under the Center's liability policy but the Center can not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers' compensation;

C. will be asked to sign a form releasing the Center of any obligation should the volunteer become ill or receive an injury as a result of their~~his/her~~ volunteer services;

D. may not accept compensation from any third party or source~~,~~ including, but not limited to, booster, parent, or other Center support organizations~~,~~ for the performance of their~~his/her~~ official duties as a volunteer on behalf of the Board.

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

~~**[NOTE: CHOOSE OPTION #1 OR #2]**~~

-

~~[ ] [OPTION #1]~~

-

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

[X] ~~**[OPTION #2]**~~

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

~~**[END OF OPTIONS]**~~

-

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~~**NOTE: END OF OPTIONS]**~~

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

> **(X)** the volunteer will be informed either that the Board is no longer interested in maintaining their~~his/her~~ volunteer service or that the volunteer will be assigned to duties for which they~~s/he~~ will not work unsupervised with children.
>
> ~~( ) that volunteer will be informed that the Board will be notifying the parents of school children that they haves/he has been convicted of one (1) of the offenses listed below and/or described in R.C. 109.572 (A)(1). Said notification of parents will identify the volunteer by name and will indicate that the Board has decided to continue to let the volunteer work with school children unsupervised on a regular basis. This notification shall be given to the parents on the date that the Board decides to continue to use the individual as a volunteer or the date when service to school children by the individual commences, whichever is later. **[NOTE: THIS CHOICE NOT RECOMMENDED]**~~

~~**[END OF OPTIONS]**~~

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

Offenses

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

A. aggravated murder, murder, voluntary manslaughter, involuntary manslaughter

B. felonious assault, aggravated assault, assault

C. failing to provide for a functionally impaired person

D. aggravated menacing

E. patient abuse or neglect

F. kidnapping, abduction, child stealing, criminal child enticement

G. rape, sexual battery, corruption of a minor, gross sexual imposition, sexual imposition, importuning, voyeurism, public indecency, felonious sexual penetration, compelling prostitution, promoting prostitution, procuring prostitution, disseminating matter harmful to juveniles, pandering obscenity, pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, illegal use of minor in nudity-oriented material or performance

H. aggravated robbery, robbery

I. aggravated burglary, burglary

J. abortion without informed consent

K. endangering children

L. contributing to the delinquency of children

M. domestic violence

N. carrying concealed weapons, having weapons while under disability, improperly discharging firearm at or into a habitation or school

O. corrupting another with drugs

P. trafficking in drugs

Q. illegal manufacture of drugs or cultivation of marijuana

R. funding of drug or marijuana trafficking

S. illegal administration or distribution of anabolic steroids

T. drug possession offenses (that are not a minor drug possession offense)

U. placing harmful objects in or adulterating food or confection

V. **(X)** a felony

W. **(X)** an offense of violence

X. **(X)** a theft offense (as defined in R.C. 2913.01)

Y. **(X)** a drug offense (as defined in R.C. 2925.01, that is not a minor misdemeanor)

A.C. 3301-27-01
R.C. 109.572, 109.574-7, 121.401-2, 3313.203, 3319.321, 3327.16
20 U.S.C. 1232g
34 C.F.R. Part 99
OHSAA Bylaw 6-1-2; General Regulation 4

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Legal

A.C. 3301-27-01

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

20 U.S.C. 1232g

34 C.F.R. Part 99

OHSAA Bylaw 6-1-2; General Regulation 4

Book	Policy Manual
Section	Vol. 41, No. 2 - Technology Update - January 2023
Title	Vol. 41, No. 2 - Technology Update - January 2023 Revised INFORMATION SECURITY
Code	po8305
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

8305 - **INFORMATION SECURITY**

The Educational Service Center collects, classifies, and retains data/information from and about students, staff, vendors/contractors, and other individuals, about programs and initiatives undertaken by the school system, and about and related to the business of the Center. This data/information may be in hard copy or digital format and may be stored in the Center or offsite with a third party provider.

~~Data/information~~Data/Information collected by the Center shall be classified as Confidential, Controlled, or Published. ~~Data/information~~Data/Information will be considered Controlled until identified otherwise.

Protecting District Information Resources (as defined in Bylaw 0100) is of paramount importance. Information security requires everyone's active participation to keep the Center's data/information secure. This includes Governing Board members, staff members/employees, students, parents, contractors/vendors, and visitors who use Center Information & Technology Resources (as defined in Bylaw 0100)~~ and Information Resources~~.

Individuals who are granted access to data/information collected and retained by the Center must follow established procedures so that the data/information is protected and preserved. Board members, administrators, and all District staff members **(X),** as well as contractors, vendors, and their employees,~~ **[END OF OPTION]**~~ granted access to data/information retained by the Center are required to certify annually that they shall comply with the established information security protocols pertaining to Center data/information. Further, all individuals granted access to Confidential Data/Information retained by the Center must certify annually that they will comply with the information security protocols pertaining to Confidential Data/Information. Completing the appropriate section of the Staff Technology Acceptable Use and Safety form (Form 7540.04 F1) shall provide this certification.

All Board members, staff members/employees, students, contractors/vendors, and visitors who have access to Board-owned or managed data/information must maintain the security of that data/information and the Center Information & Technology Resources on which it is stored.

If an individual has any questions concerning whether this Policy and/or its related administrative guidelines apply to ~~him/her~~them or how they apply to ~~him/her~~them, the individual should contact the Center's Technology Director or Information Technology Department/Office.

The Superintendent shall develop administrative guidelines that set forth the internal controls necessary to provide for the collection, classification, retention, access, and security of Center Data/Information.

Further, the Superintendent is charged with developing procedures that can~~authorized to develop procedures that would~~ be implemented in the event of an unauthorized release or breach of data/information. These procedures shall comply with the Center's legal requirements if such a breach of personally-identifiable information occurs.

The Superintendent shall require staff members to participate in training related to the internal controls applicable~~the participation of staff members in appropriate training related to the internal controls pertaining~~ to the data/information that they collect and have access to~~, to which they have access,~~ and for which they are~~would be~~ responsible for the security protocols.

Third party contractors/vendors who require access to Confidential Data/Information collected and retained by the Center will be informed of relevant Board policies that govern access to and use of Information & Technology Resources, including the duty to safeguard the confidentiality of such data/information.

Failure to adhere to this Policy and its related administrative guidelines may put data/information collected and ~~retain~~retained by the Center at risk. Employees who violate this policy and/or its related administrative guidelines may be disciplined,~~the administrative guidelines promulgated consistent with this policy may have disciplinary consequences imposed,~~ up to and including termination of employment and/or referral to law enforcement. Students who violate this Policy and/or its related administrative guidelines will be disciplined,~~AGs will be subject to disciplinary action,~~ up to and including expulsion and/or referral to law enforcement. **(**X **)** Contractors/~~vendors~~Vendors who violate this Policy and/or its related administrative guidelines~~AGs~~ may face termination of their business relationships with and/or legal action by the Center~~.END OF OPTION]~~ Parents and visitors who violate this Policy and/or its related administrative guidelines~~AGs~~ may be denied access to the Center's Information & Technology Resources.

The Superintendent shall conduct~~( ) an annual~~ **(X)** a periodic ~~[END OF OPTION]~~ assessment of risk related to the access to and security of the data/information collected and retained by the Center.

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Book	Policy Manual
Section	Vol. 41, No. 2 - Technology Update - January 2023
Title	Vol. 41, No. 2 - Technology Update - January 2023 Revised INFORMATION MANAGEMENT
Code	po8315
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

8315 - **INFORMATION MANAGEMENT**

The Governing Board recognizes its responsibility, in certain circumstances, to maintain information created, maintained, or otherwise stored by the Educational Service Center outside the "Records Retention Schedule" in AG 8310A. In such situations, a "Litigation Hold" procedure will be used~~utilized~~ to identify and preserve information relevant to a specific matter. "Information" includes both paper documents and electronically stored information ("ESI"). When implementing the "Litigation Hold," the Center will identify individuals in possession or custody of paper documents, ESI, and electronic media containing ESI, and inform them of their obligation to preserve the documents and ESI outside the "Records Retention Schedule" in AG 8310A. The Center will also identify third parties with custody or control over paper documents, ESI, or electronic media storing ESI, and request them to preserve that information. All information falling within a "Litigation Hold," which is under the control of the Center, must be preserved in a readily accessible form and cannot be disposed of under the "Records Retention and Disposal" requirements of AG 8310E. Failure to comply with a Litigation Hold notice **(X)** may~~( ) shall [END OF OPTION]~~ result in ~~disciplinary action~~discipline, up to and including possible termination.

Instances where the Board must maintain information outside the "Records Retention Schedule" in AG 8310A include:

A. when the Board has specific information and/or written notice from a parent/guardian, student, or person representing the parent/guardian or student~~an individual, parent or student~~ of an intent to file an appeal of student discipline to State court;

B. when the Board has specific information and/or written notice that litigation is imminent even though the litigation has not yet been filed in Federal or State court;

C. when the Board is served with litigation including, but not limited to, notice of a lawsuit in Federal or State court, or notice of a student disciplinary appeal to State court;

D. when the Board receives specific information and/or written notification from an employee, labor union, or other person of an intent to file a claim against the Board, its members, employees, or agents at an administrative agency such as the Equal Employment Opportunity Commission, Ohio Civil Rights Commission, State Employment Relations Board, U.S. Department of Education Office for Civil Rights, Ohio Department of Education Office for Exceptional Children or Office of Professional Conduct, State Personnel Board of Review, or a Civil Service Commission regarding a claim against the Board, its members, employees, or agents;

E. when the Board receives specific information and/or written notification from an administrative agency such as the Equal Employment Opportunity Commission, Ohio Civil Rights Commission, State Employment Relations Board, U.S. Department of Education Office for Civil Rights, Ohio Department of Education Office for Exceptional Children or Office of Professional Conduct, State Personnel Board of Review, or a Civil Service Commission regarding a claim filed against the Board, its members, employees, or agents;

F. when the Board receives written notification from a third party requesting that the Board maintain information that could be at issue in litigation or potential litigation involving~~against~~ that third party;

G. when the Superintendent recommends the termination of an employee to the Board pursuant to R.C. 3319.16 and R.C. 3319.081, R.C. Chapter 124, or a labor contract;

H. when the Board explores, contemplates, or initiates litigation.

Definitions

"Documents" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound/audio recordings, images, video recordings, ~~recordings, images~~ and other data or data compilations stored in any medium from which information can be obtained or translated if necessary.

"ESI" means any type of information that is created, used, and stored in digital form and accessible by digital means. It includes all data, digital documents or files, or other information contained on any media type (e.g., tape, hard disk drive, cloud storage, or some yet-to-be-created storage technology). Specifically, it includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound/audio recordings, images, video recordings, and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. Examples include: e-mails and their attachments, text and instant messages, communications conducted in ephemeral messaging applications or in workplace collaboration tools, word processing documents, spreadsheets, digital photographs/pictures, videos, application programs and data files, data/information stored in databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, digital scans (including TIFF files), PDF files, MPG files, JPG files, GIF files, network share files, internal websites, external websites, newsgroups, directories, security and access information, legacy data, audio recordings, voicemails, phone/call logs, faxes, internet/browser histories, caches, cookies, or logs of activity on computer systems (whether internal to the Center or external) that may have been used to process or store electronic data. ESI also includes data/information from cloud applications (e.g., educational or operational apps/services), electronic records of online activity (e.g., social media postings), and data generated or stored by devices connected to the Internet of Things (IoT).
~~"ESI" includes, but is not limited to, writings, drawings, graphs, charts, photographs, blueprints, sound recordings, images and other data or data compilations stored in any electronic media from which information can be obtained or translated if necessary. It includes, but is not limited to, e-mails, e-mail attachments, instant messages, word processing files, spreadsheets, pictures, application program and data files, databases, data files, metadata, system files, electronic calendar appointments, scheduling program files, TIFF files, PDF files, MPG files, JPG files, GIF files, network share files, internal websites, external websites, newsgroups, directories, security and access information, legacy data, audio recordings, voice mails, phone logs, faxes, internet histories, caches, cookies or logs of activity on computer systems that may have been used to process or store electronic data.~~

"Electronic media" includes, but is not limited to, computer hard drives (including portable hard disk drives "HDD's"), floppy drives, disaster recovery media, and storage media (including DVD's, CD's, floppy discs, Zip discs/drives, Jazz discs/drives, USB memory drives, jump disc/drives, flash discs/drives, keychain discs/drives, thumb discs/drives, smart cards, microfilm, backup tapes, cassette tapes, cartridges, etc.) accessed, used, and/or stored on/in/through the following locations: networks and servers, whether internal or external (including the cloud); laptop and desktop work computers; home and personal computers; other computer systems; databases; backup computers or servers, whether internal or external (including cloud storage); archives; mobile devices (e.g., mobile/cellular phones and tablet computers, personal digital assistants ("PDAs" - including Palm, Blackberry), etc.); pagers; firewalls; audit trails and logs, printers; copiers; scanners; digital cameras; photographic devices; and video cameras and devices. Electronic media also includes social media websites (e.g., Facebook, Twitter, LinkedIn) and any item containing or maintaining ESI that is obtained by the Center for Board member or employee usage or that an employee uses for such purpose (even if privately owned by the Board member or employee) from the date this policy was first adopted into the future.~~; laptop and desktop work computers; home and personal computers; other computer systems; backup computers or servers; archives; personal digital assistants ("PDAs" - including Palm, Blackberry, cellular phone, tablet PC, etc.); pagers; firewalls; audit trails and logs, printers; copiers; scanners; digital cameras; photographic devices; and video cameras and devices. Electronic media shall also include any item containing or maintaining ESI that is obtained by the Center for Board member or employee usage or that an employee uses for such purpose (even if privately owned by the Board member or employee) from the date this policy is adopted into the future.~~

Initiation and Removal of a "Litigation Hold"

The Board or the Superintendent may initiate a "Litigation Hold" under this policy. If the Superintendent initiates a "Litigation Hold," ~~s/he~~the Superintendent or the Board's legal counsel will notify the Board of the reason the Litigation Hold was instituted and its scope. When implementing a Litigation Hold, the Board or Superintendent **(X)** may ~~( ) will [END OF OPTION]~~ utilize an Electronically Stored Information Team ("ESI Team"). The Board's legal counsel shall be involved in the implementation of the "Litigation Hold Procedure" outlined in AG 8315.

A "Litigation Hold" shall remain in place until removed/withdrawn by the Board. A "Litigation Hold" may be removed when the litigation or administrative agency matter has been resolved or can no longer be initiated. Any information maintained under this policy shall fall back under the "Records Retention Schedule" in AG 8310A once the "Litigation Hold" is removed/withdrawn.

The Superintendent shall develop administrative guidelines outlining the procedures to be followed by Board members and employees when initiating and implementing a "Litigation Hold." This policy and its related administrative guidelines shall be posted and distributed in the manner described in AG 8315.

Legal	F.R.C.P. 34, 37(f)
	O.R.C.P. 34, 37(F)

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Revised ANIMALS ON EDUCATIONAL SERVICE CENTER PROPERTY
Code	po8390
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

8390 - **ANIMALS ON EDUCATIONAL SERVICE CENTER PROPERTY**

Introduction

The Governing Board recognizes that there are many occasions when animals are present on Educational Service Center property and many reasons for those animals' presence. Animals are commonly utilized by teachers during classroom presentations and are often housed in classrooms and other locations on campus. Additionally, employees, students, parents, vendors, and other members of the public may be accompanied at school by a service animal in accordance with Federal and State law and this policy.

This policy applies to all animals on Center property, including service animals.

Definitions

A. **"Animal"**: includes any living creature that is not a human being.

B. **"Service animal"**: pursuant to 28 C.F.R. Section 36.104, "means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition."

   The Americans with Disabilities Act (ADA) also defines a miniature horse as an animal that can serve as a service animal, so long as the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. To better determine whether the Board must allow for the use of a miniature horse or make modifications to buildings, the Board should refer to Section 35.136 (c) through (i) of the ADA.

C. **(X) "Emotional Support Animal"**: Emotional support animals provide comfort to individuals but are not trained to perform a specific job or tasks. This definition does not include psychiatric service animals who are properly trained and certified as a "service animal". (See 28 C.F.R 36.104)
D. **(X) "Therapy Dog"**: Therapy dogs are dogs who go with their owners to volunteer in settings such as schools, hospitals, and nursing homes for the purpose of providing support, affection, and/or comfort. A therapy dog in a school setting may serve the function of assisting students in the learning process (e.g., improving communication and/or reading skills), helping

to reduce stress, and/or providing comfort and affection to specific students or to a group of students. Therapy dogs are not service dogs and do not have the same special access as service dogs (source: American Kennel Club/AKC).

Service Animals for Students

A service animal is permitted to accompany a student with a disability to whom the animal is assigned anywhere on the school campus where students are permitted to be.

A service animal is the personal property of the student and/or parents. The Board does not assume responsibility for training, daily care, or healthcare of service animals. The Board does not assume responsibility for personal injury or property damage arising out of or relating to the presence or use of service animals on Center property or at Center-sponsored events.

A service animal that meets the definitions set forth in the ADA and this policy shall be under the control of the student with a disability, or a separate handler if the student is unable to control the animal. A service animal shall have a harness, leash, or other tether, unless either the student with a disability is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the student's control (e.g., voice control, signals, or other effective means) or under the control of a handler other than the student.

If the student with a disability is unable to control the service animal and another person serves as the animal's handler, that individual shall be treated as a volunteer and, as such, will be subject to Policy 8120.

Removing and/or Excluding a Student's Service Animal

If a service animal demonstrates that it is not under the control of the student or its handler, the Director is responsible for documenting such behavior and for determining if and when the service animal is to be removed and/or excluded from school property.

Similarly, in instances when the service animal demonstrates that it is not housebroken, the Director shall document such behavior and determine whether the service animal is to be removed and/or excluded from school property.

The Director shall notify the Superintendent when a service animal is removed and/or excluded and, immediately subsequent to such notification, document the reasons for the removal and/or exclusion.

The Director's decision to remove and/or exclude a service animal from school property may be appealed in accordance with the complaint procedure set forth in Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity.

The procedures set forth in Policy 2260 - Nondiscrimination and Access to Equal Educational Opportunity do not interfere with the rights of a student and their parents or an eligible student to pursue a complaint with the United States Department of Education's Office for Civil Rights or the Department of Justice.

Eligibility of a Student's Service Animal for Transportation

A student with a disability shall be permitted to access Center transportation with their service animal. There may also be a need for the service animal's handler, if the handler is someone other than the student, to also access Center transportation.

When a service animal is going to ride on a school bus or other Board-owned or leased vehicle, the student and the student's parents, or eligible student, and the handler, if the handler is someone other than the student, shall meet with the **(X) Principal or Student Services Director** to discuss critical commands needed for daily interaction and emergency/evacuation, and to determine whether the service animal should be secured on bus/vehicle with a tether or harness.

At the discretion of the ~~( ) Director ( ) Transportation Supervisor~~ **(X)** ~~**[OTHER]**~~ Principal or Student Services Director ~~**[END OF OPTIONS]**~~, an orientation will take place for students and staff who will be riding the bus/vehicle with the service animal regarding the animal's functions and how students should interact with the animal.

The service animal shall board the bus by the steps with the student, not a lift, unless the student uses the lift to enter and exit the bus. The service animal must participate in bus evacuation drills with the student.

While the bus/vehicle is in motion, the service animal shall remain positioned on the floor at the student's feet.

Situations that would cause cessation of transportation privileges for the service animal include:

A. the student, or handler, is unable to control the service animal's behavior, which poses a threat to the health or safety of others; or

B. the service animal urinates or defecates on the bus.

The student and the student's parents shall be informed of behaviors that could result in cessation of transportation privileges for the service animal, in writing, prior to the first day of transportation.

If it is necessary to suspend transportation privileges for the service animal for any of the above reasons, the decision may be appealed to the ~~( ) Transportation Supervisor ( ) Director~~ **(X)** ~~**[OTHER]**~~ Principal or Student Services Director ~~**[END OF OPTIONS]**~~.

Although transportation may be suspended for the service animal, it remains the Center's responsibility to transport the student. Furthermore, unless the behavior that resulted in the service animal's removal from the bus is also documented during the school day, the service animal may still accompany the student in school.

Service Animals for Employees

In accordance with Policy 1623, Policy 3123, and Policy 4123 - Section 504/ADA Prohibition Against Disability Discrimination in Employment, the Board provides qualified individuals with disabilities with reasonable accommodation(s). An employee with a disability may request authorization to use a service animal while on duty as such an accommodation. The request will be handled in accordance with the ADA-mandated interactive process.

Service Animals for Parents, Vendors, Visitors, and Others

Individuals with disabilities who are accompanied by their service animals are permitted access to all areas of the Center's facilities where members of the public, as participants in services, programs, or activities as vendors or invitees, are permitted to go. Individuals who will access any area of the Center's facilities with their service animals should notify the Director that their service animal will accompany them during their visit.

An individual with a disability who attends a school event will be permitted to be accompanied by their service animal in accordance with Policy 9160 - Public Attendance at School Events.

Non-Service Animals in Schools and Elsewhere on Center Property

Animals permitted in schools and elsewhere on Center property shall be limited to those necessary to support specific curriculum-related projects and activities, those that provide assistance to a student or staff member due to a disability (e.g., seizure disorder), or those that serve as service animals as required by Federal and State law.

Taking into consideration that some animals can cause or exacerbate allergic reactions, spread bacterial infections, or cause damage and create a hazard if they escape from confinement, the Director may permit non-service animals to be present in classrooms to support curriculum-related projects and activities only under the following conditions:

A. the staff member seeking approval to have a non-service animal in their classroom shall:
    1. provide a current satisfactory health certificate or report of examination from a veterinarian for the animal;
    2. take precautions deemed necessary to protect the health and safety of students and other staff;
    3. provide that the animal is treated humanely, keeping it in a healthy condition and in appropriate housing (e.g., a cage or tank) that is properly cleaned and maintained; and
    4. keep the surrounding areas in a clean and sanitary condition at all times;
B. other staff members and parents of students in areas potentially affected by animals have been notified in writing and adjustments have been made to accommodate verified health-related or other concerns.

Except where required by law, the presence of a non-service animal shall be disallowed if documented health concerns of a student or staff member cannot be accommodated.

[X]

Emotional Support Animals for Students

An emotional support animal is not granted the same access to school buildings and classrooms as service animals. Unless required by a student's IEP or Section 504 Plan, the Center is not required to grant a student's request that the student be permitted to bring an emotional support animal to classes or on school grounds for any purpose.

Consistent with State and Federal law, authorization for an emotional support animal to be on Center grounds may be suspended if the animal is the source of an allergic reaction, causes discomfort or distress to a student or staff member, shows aggression or disruptive behavior, relieves itself inappropriately, or otherwise interferes with the learning environment. Reinstatement of authorization for the animal to be on Center grounds requires approval by the **(X)** Principal or Student Services Director. Authorization for an emotional support animal to be on Center grounds may be withdrawn at any time by the Superintendent.

[X]

Therapy Dogs

Therapy dogs are the personal property of the handler and are specially trained to help students in the assigned classroom, program, or school. Authorization for a therapy dog to be on Center grounds may be granted by the**(**X**)** Principal or Student Services Director , provided the following conditions are met each year:

A. Documentation of certification as a therapy dog from the AKC, Intermountain Therapy Animals (R.E.A.D.), Alliance of Therapy Dogs, Bright and Beautiful Therapy Dogs, Love on a Leash, Pet Partners, Therapy Dogs International, or another certification program recognized by the AKC.

B. Documentation of an educational purpose for the therapy dog and a regular appraisal period for continuation.

C. Documentation that the therapy dog is not younger than one (1) year old and is properly licensed according to local requirements.

D. Documentation from a licensed veterinarian that the therapy dog is current on its vaccinations and immunizations, is free of fleas and ticks, is in good health, is housebroken, and does not pose a danger to the well-being of students or staff.

E. Documentation of an insurance policy that provides liability insurance for the therapy dog while on Center grounds.

F. Documentation that the handler has completed a background check consistent with Board policy and is prepared to be solely responsible for the therapy dog and the therapy dog's care, cleaning, feeding, and cleanup while on Center grounds.

G. Agreement that the therapy dog and handler will abide by school rules and any specific rules for the therapy dog's presence on Center grounds.

Authorization for a therapy dog to be on Center grounds will be suspended if the therapy dog is the source of an allergic reaction, causes discomfort or distress to a student or staff member, shows aggression or disruptive behavior, relieves itself inappropriately, or otherwise interferes with the learning environment. Reinstatement of authorization for the therapy dog to be on Center grounds requires approval by the Principal or Student Services Director. Authorization for a therapy dog to be on Center grounds may be withdrawn at any time by the Superintendent.

~~**[END OF OPTIONS]**~~

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Legal

28 C.F.R. 35.104

Section 504 of the Rehabilitation Act of 1973, as amended (Section 504)

The Americans with Disabilities Act, as amended (ADA)

The Individuals with Disabilities Education Improvement Act (IDEIA)

R.C. 955.43

R.C. 1717.01

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Revised SCHOOL SAFETY
Code	po8400
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

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~~ all school employees (including administrators, professional staff, and support staff) 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 the Center. The EMP shall be submitted on standard forms developed and made available by the Ohio Department of Public Safety (ODPS). 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, mental health providers, local health departments, school safety and security contacts, and any local divisions having county-wide emergency management), parents/guardians of students who are assigned to the building, and teachers and nonteaching employees assigned to the building (hereinafter, collectively referred to as "stakeholders"). Each EMP shall contain the name, title (if applicable), contact information, and signature of each stakeholder (i.e., person involved in development of the EMP); the signature shall affirm the stakeholder was offered the opportunity to provide feedback (it does not mean or require that the stakeholder approve 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 six (6)~~four (4)~~ parts:

A. ~~A~~The emergency operations plan shall consist of 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, infectious diseases or pandemic, severe weather, bullying, threats of violence or threats to life, and any other natural, technological, or human-caused ~~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~~consistent with the National Incident Management System (NIMS) principles.

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 providers, public health officials, 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. a threat assessment plan developed as prescribed by Ohio Revised Code Section 5502.263, including a protocol for school threat assessment teams established pursuant to Ohio Revised Code Section 3313.669; **[DRAFTING NOTE: A building may use the model policy and protocol developed by the Department of Public Safety.]**

   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 areas of improvement identified in the emergency management test and actual emergencies at the school buildings will be a source for lessons learned.

7. ~~(-) the use of temporary door lockingdoor 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.

E. Stakeholder signatures.

F. Proof of completion of an approved threat assessment training program for each member of the building's threat assessment team.

The Superintendent shall submit an electronic copy of each building's EMP to the Director of Public Safety~~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. The~~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 the Director of Public Safety and the above agencies within ten (10) calendar days after adoption of the revised EMPs.~~ODE and the above agencies within ten (10) days after s/he adopts the revised EMPs.~~

The Center's EMPs are security records and not public records. The Superintendent shall keep a copy of the Center's EMPs in a secure location.~~The EMP is not a public record.~~

The Superintendent shall annually review the Center's previously developed and adopted EMPs and certify that the plan, emergency contact information sheet, floor plan, and site plan are current and accurate. The certification shall be completed through the School Safety Plan Portal between January 1 and July 1 of each year.~~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 Superintendent shall prepare and conduct at least one (1) emergency management test each year during the three (3) year annual review cycle, in accordance with rules adopted pursuant to Ohio Revised Code Section 5502.262(F). The Emergency Management tests must meet the following requirements: (1) be a scheduled event at least two (2) of the years; one (1) actual

emergency may be used during the three (3) year plan cycle if an after-action report is produced with the involvement of stakeholders (i.e., at least one (1) representative from law enforcement, fire, EMA, EMS, and a mental health provider and public health official); (2) the type of test shall be a tabletop, functional or full-scale, as defined in O.A.C. 4501:5-1, and each type shall be used once every three (3) years; and (3) the test must include at least one (1) hazard from the hazard analysis identified in the emergency operations plan and at least one (1) functional content area. The test should include at least one (1) representative from law enforcement, fire, EMA, EMS, and a mental health provider and public health official.~~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.~~

[X] ~~**[OPTION #2]**~~

Students may participate in the emergency management test at the discretion of the Director. In deciding whether, and to what extent, to involve students in an emergency management test, the Superintendent and Director 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 Director should~~shall~~ also consider age-appropriate participation, guidance, trauma-informed best practice, 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 O.A.C 4501:5-1A.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.~~ ~~**[END OF OPTION]**~~

The Superintendent shall submit an after-action report to the Department of Public Safety~~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 providing 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 after-action report shall be submitted on standardized forms developed and made available by the Department of Public Safety.

The Superintendent shall grant access to each school building in the Center~~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 that 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 Schools.

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.~~Behavioral threat assessment is a fact-based, systematic process designed to identify, assess, and manage potentially dangerous or violent situations. The threat assessment process shall be embedded within a comprehensive multitiered system of supports (MTSS) that involves interdisciplinary, collaborative partnerships focusing on prevention. The Center will use a behavioral threat assessment model, including threat assessment teams, to address in a proactive manner the prevention of targeted violence by identifying areas of concern, gathering information, assessing the likelihood of violence, initiating appropriate interventions and violence mitigation strategies and provide ongoing evaluation to

increase positive outcomes for individuals and enhance overall school safety. The aim of the process is to emphasize the provision of interventions and supports, and not just punishment. Ultimately, the primary purpose of a threat assessment is to address concerning behavior (including prohibited behaviors), respond to concerning communications, and minimize the risk of targeted violence at school.

As dictated by the Safety and Violence Education Students (SAVE Students) Act, the Center will use a multidisciplinary decision-making process to conduct threat assessments and develop and implement interventions for students whose behavior indicates they may pose a risk of harm to the school community and/or themselves. Specifically, the Board directs the Superintendent to create a threat assessment team for each school building in the Center serving grades six (6) through twelve (12). Each team shall be multidisciplinary, when possible; the Director will ordinarily serve as the team's leader and the team may include school administrators, mental health professionals (e.g., school psychologists, school counselors, social workers), school resource officers (where appropriate), and other relevant personnel (e.g., instructional staff). Each member of a threat assessment team is required to complete an approved threat assessment training program upon appointment and once every three (3) years thereafter. As noted above, the Center shall include proof of completion of the approved training by each team member in the EMPs and annual certifications submitted to the Director of Public Safety. Per State law, threat assessment team members are not liable for damages in a civil action for injury, death, or loss to person or property allegedly arising from a team member's execution of duties related to school safety unless the team member's act or omission constitutes willful or wanton misconduct.

The Ohio School Safety Center (OSSC), which is part of the Ohio Department of Public Safety, has developed the Ohio School Behavioral Threat Assessment Model Policy and Protocol: A Guide for School Personnel and Law Enforcement. This protocol shall serve as the foundation of the Center's efforts to identify students of concern so that their behaviors can be mitigated to the point that they no longer pose a threat.

The following individuals may be subject to a behavioral threat assessment:

A. Students: current, former, and prospective

B. Employees: current, former, and prospective

C. Parents/guardians of students/non-custodial parents or relatives

D. Persons who are (or have been) in a relationship with faculty, staff, or students

E. Contractors, vendors, or other visitors

F. Unaffiliated persons

Research shows that individuals who plan to commit violent acts against schools often share their plans with someone. Consequently, the Center ~~**[DRAFTING NOTE: Select one (1) of the following options]**~~

(X) has registered with the SaferOH tip line operated by the Department of Public Safety to facilitate the receipt of anonymous reports of concerning behavior and/or communications.

~~**[OR]**~~

~~**( )** has entered into an agreement with an anonymous reporting program that meets the following requirements:~~

A. ~~operates twenty-four (24) hours per day, seven (7) days per week;~~

B. ~~forwards reported information to and coordinates with the appropriate school threat assessment teams and law enforcement and public safety agencies as required under the Center's EMPs;~~

C. ~~will be promoted in each Center school to inform students about the reporting program and its reporting methods; and~~

D. ~~complies with Ohio Revised Code Sections 149.433 and 3319.321 and the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g.~~

~~**[DRAFTING NOTE: If the Center enters into an agreement with an anonymous reporting program provider, it must specify in the agreement that the provider must annually submit a report to the Department of Public Safety and the Department of Education identifying the number of anonymous reports made through the reporting program and the method by which they were received, disaggregated by school.]**~~

The Superintendent shall comply with all reporting requirements set forth in R.C. 3313.669 related to the Center's **(X)** participation in the SaferOH tip line ~~**( )** use of an anonymous reporting program **[END OF OPTIONS]**~~.

~~[ ] The Board authorizes the Superintendent to determine whether to designate a student-led violence prevention club for each school building in the Center serving grades six (6) through twelve (12). If a student-led violence club is established in a building, it shall (1) be open to all members of the student body; (2) have at least one (1) identified adult advisor; (3) implement and sustain suicide and violence prevention and social inclusion training and awareness activities in a manner consistent with R.C. 3301.221; and (4) foster opportunities for student leadership development.~~

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 Director 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 Director 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~~self-harm or violence to others. If an inquiry indicates that there is a risk of self-harm or 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, including the threshold for law enforcement;

D. establishing assessment procedures that include practices for maintaining documentation, identifying sources of information, reviewing records, and conducting interviews; ~~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;~~.~~

H. -identifying risk management options (e.g., interventions and supports, and the imposition of disciplinary consequences, as appropriate) to enact once an assessment is complete, including creating an individualized management plan to mitigate identified risks;

I. creating and promoting a safe school climate built on a culture of safety, respect, trust, and emotional support, and one that encourages communication and empowers students to share their concerns;

J. providing training for all stakeholders, including school personnel, students, parents, and law enforcement (as applicable).

Board employees, volunteers, and other school community members, including students and parents, shall immediately report to the Superintendent or Director 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.

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 ~~**[CHOOSE ONE (1) OF THE FOLLOWING OPTIONS]**~~

~~**( )** 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 ~~**[CHOOSE ONE (1) OF THE FOLLOWING OPTIONS]**~~

(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 district is identified as persistently dangerous and there is not another school in that district, 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.

A.C. ~~3301-5-01,~~ 4501:5-1-01
R.C. ~~3313.536,~~ 3313.669, 3313.6610, 3313.6611, 5502.262, 5502.263
Ohio Department of Public Safety - Model Threat Assessment Plan
Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended
20 U.S.C. 6301 et seq.
Public Law 107-110

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A.C. 4501:5-1-01

R.C. 3313.669, 3313.6610, 3313.6611, 5502.262, 5502.263

20 U.S.C. 6301 et seq.

Ohio Department of Public Safety - Model Threat Assessment Plan

Public Law 107-110

Title IX, Section 9532 of the Elementary and Secondary Education Act, as amended

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Revised EMERGENCY SITUATIONS AT SCHOOLS
Code	po8420
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

8420 - **EMERGENCY SITUATIONS AT SCHOOLS**

The Governing Board is committed to providing a safe learning and work environment. Unfortunately, emergency situations~~natural and man-made disasters~~ do occur. Such emergencies are best met by preparedness and planning.

The Board directs that a system of emergency preparedness be developed that addresses the following goals and/or objectives:

A. **(X)** the health and safety of students and staff are safeguarded

B. **(X)** the time necessary for instructional purposes is not unduly diverted

C. **(X)** minimum disruption to the educational program occurs

D. **(X)** students are helped to learn self-reliance and trained to respond sensibly to emergency situations

All threats to the safety of Educational Service Center facilities shall be identified by appropriate personnel and responded to promptly in accordance with the applicable Emergency Management Plan (EMP).~~plan for emergency preparedness.~~

The Board also directs that fire, tornado, and school safety drills be conducted during the school year in accordance with State law.

Fire drills or rapid dismissals shall be conducted no less than six (6) times a school year at the times and frequency prescribed by the State Fire Marshal with the first emergency evacuation~~fire~~ drill being conducted within ten (10) days of the beginning of classes. However, no fire drills are required to be conducted in any month that a school safety drill is conducted. Tornado drills shall be conducted at least once a month~~on a regular basis~~ during the tornado season (i.e., from April 1 to July 31) when school is in session.~~in the spring.~~ Times and frequencies of drills must be varied. **(**X**)** The Director shall verify the school building's doors and exits are unlocked during school hours. ~~**[DRAFTING NOTE: Inclusion of this language is optional, but it is an accurate reflection of state law – R.C. 3737.73 which states: "In the case of schools, no principal or person in charge of a school shall willfully neglect to keep the doors and exits of such building unlocked during school hours." This pertains to the doors and exits being unlocked from the inside, not the outside.]**~~

In conjunction with fire drills or rapid dismissals, the Director shall instruct students on safety precautions to be taken in the case of a tornado alert or warning and shall designate appropriate locations to be used to shelter students in case of a tornado, tornado alert, or warning.

~~**[DRAFTING Note: If a school does not have smoke detectors or a sprinkler system, fire drills or rapid dismissals must be conducted a minimum ofcontinue to be conducted nine (9) times a school year. Such drills, however, may be combined with the three (3) required school safety drills, so long as at least one (1) school safety drill provides students with instruction in the procedures to follow in situations where students must be secured in the school building rather than rapidly evacuated (discussed below).]**~~

School safety drills shall be conducted at least three (3) times during each school year. During the school safety drills, students must be instructed in the appropriate procedures to follow in situations where students must be secured in their building or rapidly evacuated in response to:

A. a threat to the school involving terrorism;

B. a person in possession of a deadly weapon or dangerous ordnance on school property; and

C. other acts of violence.

At least one (1) safety drill shall include a scenario where students must be secured in the school building rather than rapidly evacuated.

School safety drills (including drills and theoretical drills) shall be conducted in conjunction with the Center's emergency management plan.

The Director must conduct at least one (1) drill or rapid dismissal or one (1) school safety drill during each month of the school year. A drill or rapid dismissal may be conducted during the same month as a school safety drill. All building occupants must participate in the drill.

Additionally, the Director shall conduct a theoretical school safety drill at least once during the school year to provide instruction to school faculty and staff regarding procedures to be followed in such situations. The theoretical drill does not need to include student participation and may be conducted at the required annual employee school safety drill training session.

Each safety drill shall be conducted in conjunction with law enforcement officials.

Prior to conducting the annual school safety drills, each Director shall:

A. provide advance written notice of each school safety drill (actual and theoretical) to the municipal or township police chief or other chief law enforcement officer (or in the absence of such officer, the county sheriff);

   Such notice shall be provided no later than seventy-two (72) hours prior to the date the drill will be held, be sent by mail, facsimile, or electronic submission, and include the address of the school and the date and time the drill will be conducted.

B. provide follow-up written certification of the date and time the drill was conducted during the previous school year, as well as the date and time each drill will be conducted during the current school year, to the municipal or township police chief or other chief law enforcement officer (or in the absence of such officer, the county sheriff);

   The certification must be submitted by mail, facsimile, or electronically by December 5th of each calendar year.

C. hold annual training sessions for school employees regarding the procedures to follow during school safety drills.

   Each Director shall keep a written record of the date and time of each drill conducted. The Director shall file a copy of any required fire drill records with the State Fire Marshall and, as applicable, the firefighting agency having jurisdiction to conduct inspections of the school building.

Procedures shall be developed for the handling of all emergency evacuations.

A.C. 1301:7-7-01, 1301:7-7-04, ~~3301-5-01~~4501:5-1-01
R.C. 3737.73

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Legal A.C. 1301:7-7-01, 1301:7-7-04, 4501:5-1-01

R.C. 3737.73

Book	Policy Manual
Section	Vol. 41, No. 2 - January 2023
Title	Vol. 41, No. 2 - January 2023 Revised STUDENT ABUSE AND NEGLECT
Code	po8462
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

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~~their 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~~**[END OF OPTION]**~~.

Each Director 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, and also will provide developmentally appropriate instruction in child sexual abuse prevention to all students in grades K-6~~**( )** annually~~. Instruction for students in grades seven (7) through twelve (12) will include developmentally appropriate instruction in sexual violence prevention education. The parents/guardians of students who receive instruction related to dating violence prevention and sexual violence prevention will be notified that it is required curriculum, that they may examine the instructional materials upon request, and that a student may be excused from the instruction at the parent's/guardian's written request.

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 program shall include training on child sexual abuse prevention presented by law enforcement officers or prosecutors who have experience in handling cases involving child sexual abuse or child sexual violence.

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 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.

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Legal R.C. 149.433, 2151.421, 3313.60, 3313.6610, 3319.073, 3319.321

20 U.S.C. 1232g

Book	Policy Manual
Section	Vol. 41, No. 2 - Tobacco - January 2023
Title	Vol. 41, No. 2 - Tobacco - January 2023 Revised PUBLIC ATTENDANCE AT SCHOOL EVENTS
Code	po9160
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 23, 2023
Last Reviewed	February 23, 2023

Revised Policy - Vol. 41, No. 2

9160 - **PUBLIC ATTENDANCE AT SCHOOL EVENTS**

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

~~[ ] No alcoholic beverage or other controlled substance may be possessed, consumed, or distributed ( ) at any function sponsored by the Center and/or ( ) at any function occurring on Board property[END OF OPTIONS].~~

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

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

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

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

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

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

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

Such prohibition also applies to~~:~~

~~( ) school grounds,~~

(X) any school-related event,

(X) except at designated times

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

~~**[END OF OPTIONS]**~~

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

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

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

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

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

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

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R.C. 955.43, 1716.02, 1716.03

28 C.F.R. Part 35

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

34 C.F.R. Part 104

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

Book	Policy Manual
Section	Vol. 41, No. 2 - Technology Update - January 2023
Title	Vol. 41, No. 2 - Technology Update - January 2023 Revised ADVERTISING AND COMMERCIAL ACTIVITIES
Code	po9700.01
Status	1) Reading and Review
Adopted	April 19, 2023
Last Revised	February 17, 2023
Last Reviewed	February 17, 2023

Revised Policy - Vol. 41, No. 2

9700.01 - **ADVERTISING AND COMMERCIAL ACTIVITIES**

The purpose of this policy is to provide guidelines for the appropriate and inappropriate use of advertising or promoting of commercial products or services to students and parents in the schools.

"Advertising" comes in many different categories and forums and is defined as an oral, written, or graphic statement made by the producer, manufacturer, or seller of products, equipment, or services which calls for the public's attention to arouse a desire to buy, use, or patronize the product, equipment, or services. This includes the visible promotion of product logos for other than identification purposes. Brand names, trademarks, logos, or tags for product or service identification purposes are not considered advertising.

~~**[ ] [OPTION #1]**~~

~~It is the policy of the Governing Board that advertising shall not be permitted in Educational Service Center facilities or on Center property and that the Center's name, students, staff members, and Center facilities shall not be used for any commercial advertising or otherwise promoting the interests of any commercial, political, nonprofit, or other non-school agency or organization, public or private.~~

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

~~**SELECTION OF THE FIRST OPTION PRECLUDES SELECTION OF THE SECOND OPTION**~~

[X] ~~**[OPTION #2]**~~

The ~~Governing~~ Board may permit advertising in Center facilities or on Center property in the following categories or forums in accordance with the guidelines set forth herein:

A. **(X) Product Sales:**

1. **(X)** product sales benefiting a district, school, or student activity (e.g., the sale of beverages or food within schools);
2. **(X)** exclusive agreements between the Center and businesses that provide the businesses with the exclusive right to sell or promote their products or services in the schools (e.g. pouring rights contracts with soda companies);
3. **(X)** fundraising activities (e.g., short-term sales of gift wrap, cookies, candy, etc.) to benefit a specific student population, club, or activity where the school receives a share of the profits.

B. **(X) Direct Advertising/Appropriation of Space:**

1. **(X)** signage and billboards in schools and school facilities;

2. **(X)** corporate logos or brand names on school equipment (e.g., marquees, message boards, or score boards);

3. **(X)** ads, corporate logos, or brand names on book covers, student assignment books, or posters;

4. **(X)** ads in school publications (newspapers and yearbooks and event programs);

5. **(X)** media-based electronic advertising (e.g., Channel One or Internet or web-based sponsorship);

6. **(X)** free samples (e.g., of food or personal hygiene products).

C. **(X) Indirect Advertising:**

1. **(X)** corporate-sponsored instructional or educational materials, teacher training, contests, incentives, grants, or gifts;

2. **(X)** the Board approves the use of instructional materials developed by commercial organizations, such as films and videos, only if the education value of the materials outweighs their commercial nature.

   The films or ~~material~~materials shall be carefully evaluated by the Director for classroom use to determine whether the films or materials contain undesirable propaganda and are in compliance with the guidelines as set forth above.

D. ~~**( ) Market Research:**~~

1. ~~**( )** surveys or polls related to commercial activities;~~
2. ~~**( )** internet surveys or polls asking for information related to commercial activities;~~
3. ~~**( )** tracking students' internet behavior and responses to questions calling for personal identification at one (1) or more websites;~~
4. ~~**( )** _____ **[other].**~~

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

It is further the policy of the Board that its name, students, staff members, and Center facilities shall not be used for any commercial advertising or otherwise promoting the interests of any commercial, political, nonprofit, or other non-school agency or organization, public or private, without the approval of the Board or its designee.

Any commercial advertising shall be structured in accordance with the General Advertising Guidelines set forth below.

General Advertising Guidelines

The following guidelines shall be followed with respect to any form of advertising on school grounds or school property **(**X **)**, including the Center's website ~~**[END OF OPTION]**~~:

A. **(X)** When working together, schools and businesses must protect educational values. All commercial or corporate involvement should be consistent with the Center's educational standards and goals.

B. **(X)** Any advertising that may become a permanent or semi-permanent part of a school requires prior approval of the Board.

C. **(X)** The Board reserves the right to consider requests for advertising in the schools on a case-by-case basis.

D. **(X)** No advertisement shall promote or contain references to alcohol, tobacco, drugs, drug paraphernalia, weapons, or lewd, vulgar, obscene, pornographic or illegal materials or activities, gambling, violence, hatred, sexual conduct or sexually explicit material, X or R rated movies, or gambling aids.

E. **(X)** No advertisement shall promote any specific religion or religious, ethnic or racial group, political candidate or ballot issue, and shall be non-proselytizing.

F. **(X)** No advertisement may contain libelous material.

G. **(X)** No advertisement may be approved which would tend to create a substantial disruption in the school environment or inhibit the functioning of any school.

H. **(X)** No advertisement shall be false, misleading, or deceptive.

I. **(X) (X)** To the extent feasible, each ~~**[END OF OPTION]**~~Each advertisement must be reviewed in advance for age appropriateness.

J. **(X)** Advertisements may be rejected by the Center if determined to be inconsistent with the educational objectives of the ESC, inappropriate, or inconsistent with the guidelines set forth in this policy.

K. **(X)** All corporate support or activity must be consistent with the Board's policies prohibiting discrimination on the basis of race, color, national origin, religion, sex, disability, or age, and must be age-appropriate.

L. **(X)** Students shall not be required to advertise a product, service, company, or industry.

M. **(X)** Advertising will not be permitted on the outside or the inside of school buses.

N. **(X)** The Superintendent or designee is responsible for screening all advertising **(**X **)** unless it is not feasible to do so, and the advertising is linked to a contract approved by the Board that expressly requires the vendor who is selecting and running the advertisement(s) to comply with these General Advertising Guidelines ~~**[END OF OPTION]**~~.

O. **(X)** The Superintendent or designee may require that samples of advertising be made available for inspection.

P. **(X)** The inclusion of advertisements in Center publications, in Center facilities, or on Center property does not constitute or imply approval and/or endorsement of any product, service, organization, or activity.

Q. **(X)** Final discretion regarding whether to advertise and the content and value of the materials will be with the Board.

In addition to the guidelines set forth in this policy, the Superintendent shall prepare administrative guidelines addressing the Criteria for Commercial Messages and the process by which advertising shall be accomplished. (See AG 9700B.)

Accounting

Advertising revenues must be properly reported and accounted for.

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