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SECTION J: STUDENT
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STUDENT POLICIES GOALS

The Board advocates the following goals to:

1. enhance equal educational opportunities for all students;
2. instill in all students the ability to be critical thinkers and to strive for life-long learning;
3. promote consistent attendance;
4. ensure that the Constitutional rights of all students as citizens in a democracy have practical meaning and application;
5. develop in students a deep sense of personal responsibility for their actions;
6. attend vigorously to matters of student safety, health and welfare;
7. deal justly and constructively with all students in matters of discipline and
8. help all students feel that they are valued as individual persons in the school environment.

[Adoption date: October 11, 2004]

LEGAL REFS.: Ohio Const. Art. II
ORC 3313.20; 3313.48

EQUAL EDUCATIONAL OPPORTUNITIES

All students of the District have equal educational opportunities.

Students have the right to be free from discrimination on the basis of race, color, national origin, citizenship status, religion, sex, economic status, marital status, pregnancy, age, disability or military status in all decisions affecting admissions; membership in school-sponsored organizations, clubs or activities; access to facilities; distribution of funds; academic evaluations or any other aspect of school-sponsored activities. Any limitations with regard to participation in a school-sponsored activity are based on criteria reasonably related to that specific activity.

[Adoption date: October 11, 2004]

[Revision date: September 22, 2008]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Civil Rights Act, Title VI; 42 USC 2000d et seq.
Civil Rights Act, (Amended 1972), Title VII; 42 USC 2000e et seq.
Executive Order 11246, 1965, amended by Executive Order 11375
Education Amendments of 1972, Title IX, Pub. L. No. 92-318 (1972)
Individuals with Disabilities Education Act; 20 USC 1400 et seq.
Americans with Disabilities Act; 42 USC 12101 et seq.
Vocational Rehabilitation Act of 1973, Section 504
ORC 9.60 through 9.62
 Chapter 4112
 5903.01(G)
OAC 3301-35-02; 3301-35-04

CROSS REFS.: AC, Nondiscrimination
ACA, Nondiscrimination on the Basis of Sex
ACB, Nondiscrimination on the Basis of Disability
GBA, Equal Opportunity Employment
IGBA, Programs for Students with Disabilities
IGBB, Programs for Gifted and Talented Students
IGBI, English as a Second Language (Limited English Proficiency)
IGBJ, Title I Programs

JECAA, Admission of Homeless Students
JFA, Student Due Process Rights

SCHOOL ATTENDANCE AREAS

The Board determines attendance areas for the various schools of the District. The Superintendent recommends boundary lines, taking into consideration the best use of school facilities, the equalization of enrollments in classrooms, natural barriers and traffic hazards and patterns. Except as the foregoing factors influence boundary lines, the area established should permit each student to attend the school nearest his/her place of residence.

Students are expected to attend the schools in the areas in which they live; individual exceptions may be made within Board policy or may be made in the best interests of the student and/or the schools.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 3313.48; 3313.97
3319.01

CROSS REFS.: IGBJ, Title I Programs
JECB, Admission of Nonresident Students
JECBA, Admission of Exchange Students
JECBB, Admission of Interdistrict Transfer Students
JECBD, Intradistrict Open Enrollment
JECC, Assignment of Students to Schools
JFCL, Unsafe Schools (Persistently Dangerous Schools)

SCHOOL CENSUS

The Department of Student Services maintains a list of all students currently enrolled within the attendance area of the District.

The principal maintains school enrollment information for each student currently enrolled and forwards a duplicate copy to the Director of Student Services.

1. The report is made within the first two weeks at the beginning of each school year and corrected with the entry of items prescribed by the State Board of Education within the first week of each subsequent quarter of the year.
2. Nothing in this section requires any person to release, or to permit access to, public school records in violation of the Ohio Revised Code.
3. A student residing in the District receiving home schooling approved by the Superintendent/designee is included in the school census.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 3319.321
3321.07

COMPULSORY ATTENDANCE AGES

Children between the ages of six and 18 are of compulsory school age. Every person of compulsory school age must attend a school which conforms to the standards prescribed by the State Board of Education until one of the following occurs.

1. The person receives a diploma or a GED granted by the Board or other governing authority indicating such student has successfully completed all state and local requirements.
2. The person receives an age and schooling certificate (work permit) and enrolled in a GED program.
3. The person is excused from school under standards adopted by the State Board of Education pursuant to State law.

The parent(s) of any person that is of compulsory school age must send such person to school unless he/she is exempt as listed above.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 3313.61
3321.01 et seq.
3331.02
OAC 3301-35-04
3301-41

CROSS REFS.: IGBG, Home-Bound Instruction
JEB, Entrance Age (Mandatory Kindergarten)
JEG, Exclusions and Exemptions from School Attendance
JFE, Pregnant Students

ENTRANCE AGE
(Mandatory Kindergarten and Early Entrance to Kindergarten)

Each child who is five years of age on or before September 30 shall be eligible to enroll in kindergarten. Each child who is six years of age on or before September 30 and who has successfully completed kindergarten shall be eligible to enroll in the first grade.

The District policy requiring successful completion of kindergarten may, upon written parental request to the Department of Learning, be waived upon recommendation of the acceleration evaluation committee. This committee shall be comprised as set forth in the Ohio Revised Code.

When a request for early entrance to kindergarten is received, the building principal notifies the Department of Learning to convene the acceleration evaluation committee. The child's fifth birthday must fall between October 1 and December 31 of the year requested for early entrance. The acceleration evaluation committee will make a recommendation concerning early entrance to kindergarten based on evaluation of the following areas:

1. Reading and Language Arts Development
2. Mathematical Thinking
3. Problem Solving and Reasoning Skills
4. Classroom Learning Skills
5. Motor Development
6. Social-Emotional Maturity

A parent or legal guardian of the referred student may appeal the decision of the evaluation committee to the Superintendent/designee. The appeal must be in writing.

[Adoption date: October 11, 2004]

[Revision date: August 28, 2006]

LEGAL REFS.: ORC 3321.01
OAC 3301-35-04(F)

CROSS REF.: IKEB, Acceleration
JEA, Compulsory Attendance Ages
JEBA, Early Entrance to Kindergarten

Middletown City School District, Middletown, Ohio

SCHOOL ADMISSION

The District provides free education to District residents between the ages of five through 21 who do not possess a diploma. Students who do not legally qualify as residents may be required to pay tuition as established by law and Board policy.

A student is considered a resident of the District if he/she resides with a parent or a person or government agency with legal custody whose place of residence is within the boundaries of the District.

New entrants at all grade levels are required to present at the time of enrollment a birth certificate or other document as evidence of birth, a certified copy of any child custody order or decree, proof of having received or being in the process of receiving required immunizations and copies of those records pertaining to him/her which are maintained by the school most recently attended.

In addition, students released from the Department of Youth Services (DYS) just prior to requesting admission to the District, may not be admitted until the Superintendent has received all required documents provided by DHS. Forwarded documents are:

1. an updated copy of the student's transcript;
2. a report of the student's behavior in school while in DHS custody;
3. the student's current individualized education program (IEP), if developed, and
4. a summary of the institutional record of the student's behavior.

DYS has 14 days to send the documents to the Superintendent.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 2152.18(D)(4)
3109.52; 3109.53; 3109.65; 3109.66
3313.48; 3313.64; 3313.67; 3313.671; 3313.672
3317.08
3321.01
OAC 3301-35-04(F)

CROSS REFS.: AFI, Evaluation of Educational Resources
IGBA, Programs for Students with Disabilities
JECB, Admission of Nonresident Students

Middletown City School District, Middletown, Ohio

JEE, Student Attendance Accounting (Missing and Absent Children)
JHCB, Inoculations of Students
JO, Student Records

ADMISSION OF HOMELESS STUDENTS

The Board believes that all school-aged students, including homeless students, have a basic right to admission in the District schools and equal educational opportunities. Accordingly, the District must enroll each homeless student in the District in the school determined to be in the student's best interest. A homeless student or individual is defined as an individual who lacks fixed, regular and adequate nighttime residence including:

1. a "doubling up" or sharing the housing with another family due to loss of housing, economic hardship or a similar reason;
2. living in a motel, hotel or campground due to the lack of alternative adequate accommodations;
3. living in emergency or transitional shelters;
4. abandonment in hospitals;
5. awaiting foster care placement;
6. living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings and
7. migratory students.

In compliance with the McKinney-Vento Homeless Assistance Act, the District must make school placement determinations on the basis of the best interest of the student. To the extent feasible, homeless students are kept in the school of origin unless doing so is contrary to the wishes of the student's parent or guardian.

To the extent feasible, the District complies with a request made by a parent(s) regarding school placement regardless of whether the student lives with the homeless parent(s) or is temporarily residing elsewhere.

The Board ensures that:

1. it reviews and revises Board policies and regulations to eliminate barriers to the enrollment, retention and success in school of homeless students;
2. the District does not segregate homeless students into separate schools or separate programs within a school based on the student's status as homeless;
3. it appoints a District liaison who ensures that homeless students enroll and succeed in school and
4. homeless students are provided with education, nutrition and transportation services that are at least compatible to the service provided to nonhomeless students.

The liaison ensures compliance with the sub grant and coordinates services for homeless students with local social service agencies and programs, including those funded under the Runaway and Homeless Youth Act.

A student who ceases to be homeless may continue to receive services until the end of the period of time for which the service was originally intended to be provided, which may be the end of the school year or the end of a program cycle.

The District complies with the Ohio Department of Education's plan and State and Federal law for the education of homeless students.

[Adoption date: October 11, 2004]

[Revision date: August 27, 2007]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
42 USC Sections 11431 et seq.
ORC 9.60 through 9.62
3313.64(F)(13)
OAC 3301-35-02; 3301-35-04; 3301-35-06

CROSS REFS.: AC, Nondiscrimination
JB, Equal Educational Opportunities

ADMISSION OF NONRESIDENT STUDENTS

In order to be eligible for a free public education in the District's schools, a student must be the child of a resident of the District. If legal or permanent custody or legal guardianship of the student has been granted by a court to a resident of the District or a government agency within the District, the student is entitled to attend District schools and tuition is paid in compliance with State law.

In compliance with State law and Board policy, students are exempt from paying tuition when:

1. an adult resident of the District submits a sworn statement that he/she has begun legal custody proceedings for the student (maximum 60 days permitted);
2. the student is at least 18 but not yet 22 years of age and resides in the District, lives apart from his/her parent(s), supports himself/herself by his/her own labor and does not possess a high school diploma;
3. the student is under 18 years of age, resides in the District and is married, regardless of the residence of the parent(s);
4. the student has a medical condition which may require emergency attention and his/her parent is employed in the District;
(The parent(s) of such child must submit to the Board a statement from the child's physician certifying that the child's medical condition may require emergency medical attention.)
5. the student resides with a person other than his/her parent(s) and such student has a parent serving outside Ohio in the U.S. Armed Services;
(The student's parent(s) must file an affidavit with the Superintendent stating (1) that the parent is serving outside the state in the U.S. Armed Services, (2) that the parent intends to reside in the District upon returning to the state, and (3) the name and address of the person with whom the student is living while the parent is outside the state. This tuition exemption may be granted only for a period of up to 12 months.)
6. the student resides with a parent who is planning to either have a home built or has purchased a home in the District and is waiting for the closing date of the mortgage loan;
(The student's parent(s) must provide the Superintendent with a sworn statement revealing the location of the house and the parent(s)' intention to reside there. The parent(s) must also provide a statement from a homebuilder, real estate broker or bank officer confirming that the house construction is planned or is awaiting approval of the mortgage loan. The period for tuition-free attendance in these cases may extend up to 90 days.)

7. the student's parent is a full-time employee of the District;
(Any such policy shall take effect on the first day of the school year and the effective date of any amendment or repeal may not be prior to the first day of the subsequent school year. The policy shall be uniformly applied to all such children and shall provide for the admission of any such student upon request of the parent(s). No student may be admitted under this policy after the first day of classes of any school year.)
8. the student resides with his/her parent(s) under the care of a shelter for victims of domestic violence;
9. the student is not a resident of the District, does not require special education and resides with his/her grandparent(s), provided that the Board and the board of education of the district in which the student's parent(s) reside enter into a written agreement showing good cause for the student to be admitted to the District;
(The grandparent(s) are required to sign all consent forms required by the District, even if the student would remain in the legal custody of the parent(s).)
10. the student is under the age of 22 and his/her parent(s) moved from the District, but within the county, after the first full week of October, for the remainder of the school year,
11. the student is under the age of 22 and his/her parent(s) moved from the District following the commencement of classes during the student's senior year, for the remainder of the school year and for one additional semester,
12. the student is under the age of 22 and because of the death of a parent resides in a new school district;
(The student is entitled to finish the current school year in the District upon approval of the Board.)
13. the student is under the age of 22 and the superintendent of the district in which the student is entitled to attend (the student's district of origin) enters into a contract with the Superintendent of this District (the district into which the student wishes to enroll) consenting to the attendance of the student in this District or the Superintendent of this District specifies that the purpose of such attendance is to protect the student's physical or mental well-being or to deal with other extenuating circumstances deemed appropriate by the Superintendent.
14. the student whose parent is a full-time employee of an educational service center may be admitted tuition free to the schools of the district where the parent's job is primarily located, pursuant to the admission policy of that district.

The Board does not waive the payment of tuition, except:

1. when agreements have been established with other boards of education to serve their students in vocational or special education classes on a cooperative basis, as permitted by law;
2. when foreign exchange students, sponsored under an approved exchange program, reside in the District temporarily or

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3. for adult residents or support staff employees of the District who meet the criteria established by the Board.

In all cases, specific Board permission to waive tuition must be obtained for each individual case.

The District may temporarily deny admittance to any student who is otherwise entitled to be admitted to the District, if the student has been expelled from the schools of another district and if the period of expulsion has not expired. The student and parent(s) will have an opportunity for a hearing before the Superintendent/designee to determine the admittance or nonadmittance of the student.

Tuition Students

Applications from nonresidents to attend the schools on a tuition basis may be considered if space is available. The amount of tuition is set annually by the state, based on a per-student cost determined in compliance with State law.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 2152.18(D)(4)
3109.52; 3109.53; 3109.65; 3109.66
3311.211
3313.64; 3313.644; 3313.645; 3313.65; 3313.672; 3313.90
3317.08
3319.01
3323.04
3327.04; 3327.06
OAC 3301-35-04
3301-42-01

CROSS REFS.: JECAA, Admission of Homeless Students
JECBA, Admission of Exchange Students
JECBB, Admission of Interdistrict Transfer Students
JO, Student Records

CONTRACT REFS.: Teachers' Negotiated Agreement
Support Staff Negotiated Agreement

ADMISSION OF ECXHANGE STUDENTS

The Board believes that one of the most effective vehicles for improving international understanding is communications among the individuals of various nations. Accordingly, the Board endorses the involvement of high school students and their families in recognized foreign exchange student programs. The Superintendent and administrative staff are responsible for developing regulations to direct the involvement of the high school with such programs.

Exchange students are not responsible for tuition if sponsored under an approved exchange program while temporarily residing in the District with a host family. Exchange students must meet the same requirements and expectations required of resident student including immunization requirements.

Exchange students are encouraged to participate in all student activities, provided they meet the academic requirements.

The Board reserves the right to limit the number of exchange students in any given year.

Foreign exchange students not enrolled in a state-approved educational or exchange program must be legally adopted by a resident of the District in order to be eligible for athletics.

[Adoption date: October 11, 2004]

[Revision date: September 22, 2008]

LEGAL REFS.: 3313.20; 3313.535; 3313.615; 3313.64

CROSS REFS.: IGD, Cocurricular and Extracurricular Activities
IGDJ, Interscholastic Athletics
IDGK, Interscholastic Extracurricular Eligibility
IKFB, Graduation Ceremonies
JECB, Admission of Nonresident Students
JHCB, Inoculations of Students

ADMISSION OF EXCHANGE STUDENTS

The following regulations shall be observed in administering the foreign exchange student program:

1. Exchange students must be associated with an organized foreign exchange program that is approved by the Board. Such programs must maintain either an office or a representative in Ohio.
2. The sponsoring parents and/or representatives of the approved sponsoring organization must contact the designated coordinator.
3. The Board reserves the right to restrict the number of foreign exchange students in any given academic year.
4. The school reserves the right to deny enrollment to foreign exchange students if approval by the high school guidance office has not been given by July 1 preceding the year of desired enrollment.
5. In order to provide a quality education and to minimize potential disruption, the high school will not accept foreign exchange students after the school year has begun. However, students who were accepted before the July 1 deadline will not be denied enrollment due to late arrival.
6. Exchange students must be full-time student carrying a full academic classload. Enrollment eligibility shall be determined on an annual basis. Exchange students shall receive pass/fail grades only for purposes of class GPA ranking. The coordinator shall keep a record of the student's actual grades for permanent records.
7. Exchange students will not be accepted on a part-time basis. Part-time is defined as less than a full school day or school year.
8. Priority for enrollment will be granted to students enrolling in a level other than grade 12.
9. Exchange students completing grade 12 will receive an honorary diploma or certificate of attendance.

To receive a regular diploma, the exchange student must successfully complete a program of study developed by the principal/designee and fulfill all other requirements for graduation including passing all sections of the Ohio Graduation Test (OGT). However, exchange students are not eligible for an honors diploma.

Exchange students that wish to qualify for graduation under alternative testing conditions are required to pass the OGT in social studies in order to graduate.

Exchange students who complete the program of study will be permitted to participate in graduation ceremonies with expenses borne by the student or sponsoring parent.

10. Exchange students are expected to share their cultural heritage to the fullest extent possible including topics such as government, economics, historical understanding and language.

11. Exchange students are subject to the same policies, rules, fees, fines and regulations of the Board that apply to all high school students.

[Approval date: October 11, 2004]

[Revision date: September 22, 2008]

ADMISSION OF INTERDISTRICT TRANSFER STUDENTS

The Board permits any student from any other district in the state to apply and enroll in the District schools free of any tuition obligation, provided that all procedures as outlined in the administrative regulations are met. Requirements include:

1. Application procedures, including deadlines for application and notification of students and the Superintendents of other districts whenever another district's student's application is approved;
2. Procedures for admission;
3. District capacity limits by grade level, school building and educational program are determined;
4. No requirements of academic, athletic, artistic or any other skills or proficiency;
5. No limitations on admitting students with disabilities, unless services required in an IEP are not available in the District;
6. No requirement that the student be proficient in the English language; and
7. No rejection of any applying student because the student has been subject to disciplinary proceedings, except an applicant who has been suspended or expelled by another district for 10 consecutive days or more in the term for which admission is sought or in the term immediately preceding the term for which admission is sought..

Students are ineligible for athletics for one year when they transfer from one school district to another without changing residency. There are exceptions to the ineligibility provisions contained in the Ohio High School Athletic Association bylaws.

[Adoption date: October 11, 2004]

[Revision date: March 27, 2006]

LEGAL REFS.: ORC 3313.64;3313.65; 3313.97; 3313.983
Chapter 3327

File: JECBB

OAC 3301-48-02 3301-61

CONTRACT REF.: Teachers' Negotiated Agreement

ADMISSION OF INTERDISTRICT TRANSFER STUDENTS

Guidelines for the transfer of students, based upon criteria established by the District's administration and in conjunction with a recommendation from officials of the Ohio Department of Education, are listed below. These guidelines are consistent with State law.

1. Any application for an interdistrict transfer must be submitted to the Student Services office beginning on the first of April through April 30. Applications are acted upon by June 15. Parents and principals are notified by the Director of Student Services of the applicant's acceptance or rejection. Parents are notified by mail. Copies of the application and approval are provided to the Superintendent's office of the student's district of residence.
2. One application must be submitted for each student who requests an Interdistrict transfer.
3. Requests will be considered based on:
 - A. the number of students already assigned to the appropriate grade level and program, and established class size limitations; and
 - B. an appropriate racial balance is maintained.
4. Enrollment levels determine annual approval. Parents must reapply each forthcoming school year.
5. Students native to the Middletown City School District and students whose parents are full-time employees of the District will be selected first for available openings. Selection will be based on the number of years a student has previously attended the school being requested. Once students have been grouped by previous years of attendance, a lottery selection process will be used. If the number of students requesting open enrollment exceeds the number of spaces available at a particular grade level, the lottery will determine a waiting list for possible future openings for that school year.

Once students native to the District have been placed, students from outside the District will be selected following the steps outlined above.

6. No student, once accepted by the receiving district, will be displaced during that school year.

7. A student may be denied enrollment in the District if, as an open enrolled student:
 - A. he/she has been suspended twice within the year;
 - B. he/she has been expelled or recommended for expulsion;
 - C. his/her grade point average is less than 1.5 or
 - D. he/she is identified as a habitual truant according to Board policy. (A habitual truant has five consecutive days of unexcused absences, seven days of unexcused absences within one month or 12 or more days of unexcused absences for the school year.)
8. No student is accepted if he/she has been suspended or expelled for 10 or more consecutive days in the school year in which admission is sought or the school year immediately preceding the term in which admission is sought.
9. Enrollment in programs such as Job Training (vocational), Gifted and Talented Enrichment, Specific Learning Disabilities, Emotional Disturbance Developmentally Disabled, etc., dictate which building a student must attend. The District is not required to institute any special education programs to serve transfer students. Enrollment limits per special education unit shall not be exceeded.
10. Students who have been accepted from another district who have been suspended or expelled are not permitted to return to their district of residence during the time of the suspension or expulsion. Students must comply with the school rules of the district in which they are enrolled. Failure to comply with school rules during the first month of enrollment constitutes a student's return to his/her home district.
11. OHSAA athletic eligibility guidelines and District athletic policies are in effect. Interdistrict applicants must have a 1.55 GPA in order to participate in extracurricular activities.
12. The parent/guardian is responsible for providing transportation to and from the regularly assigned bus stops or pick-up points of the District.

(Approval date: October 11, 2004)

(Revision date: March 27, 2006)

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File: JECBB-R

(Revision date: August 14, 2007)

(Revision date: January 12, 2009)

INTERDISTRICT OPEN ENROLLMENT APPLICATION

Date Received _____ Time Received _____

Student's Name _____ Date of Birth _____

Social Security Number _____

Student's Address _____ Telephone _____

Parent's/Guardian's Name _____ Telephone _____

Parent's/Guardian's Address _____ Work Number _____

School District Student is Currently Attending _____

Address _____ Telephone _____

School Building Student Wishes to Attend _____

(1. If for specific high school courses, please list desired course.)

(2. If for vocational programs, please list courses and levels.)

Current Grade _____ Grade for Upcoming School Year _____

If this building is not available, do you have a second choice? [] Yes

[] No

If yes, which building is your second choice?

It will be the responsibility of the parent/guardian to provide transportation to the designated building or bus stop.

Please check only if your child is currently receiving the following special services:

_____ Preschool Program

_____ Speech and Language Therapy

_____ SLD Tutoring

_____ Adapted Physical Education

_____ CD Services

_____ Occupational Therapy

_____ MD Services

_____ Physical Therapy

_____ OHI Services

_____ Gifted and Talented Program

_____ ED Services

_____ Job Training/Vocational Programs

Parent/Guardian Signature

Date

Director of Student Services

Date

Approved
 Rejected

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File: JECBB-E

This application must be returned to the Student Services office beginning on the first Monday in May. Applications will be accepted for two weeks. Requests will be acted upon by the end of the third week in August. Parents will be notified of approval or nonapproval.

RETURN TO: Director of Student Services, 1515 Girard Avenue, Middletown, OH 45044

ADMISSION OF STUDENTS
FROM NONCHARTERED OR HOME SCHOOLING

Students seeking admission into the District's schools who have been enrolled in nonchartered schools or home schooling programs may be required to take competency examinations. The purpose of these examinations is to determine the proper grade placement for these students.

In making a placement decision, the Superintendent/designee may consider:

1. the student's most recent annual academic assessment report;
2. whether to require the student to take any or all of the nationally normed standardized achievement tests that are regularly scheduled for District students of similar age and
3. other evaluation information that may include interviews with the student and the parent.

High Schools (Grades 9-12)

Students are placed according to the number of credits acceptable to the public school program. The record of each student is evaluated by the Coordinator of Secondary Education and/or the Assistant Superintendent for Learning. In non-laboratory subjects, a full credit is given for subjects having 120 hours of instruction, one-half credit for 60 hours of instruction. In laboratory subjects, one full credit is given for subjects having 150 hours of instruction, one-half credit for 75 hours of instruction. No more than two credits are transferable for the subjects of religion and philosophy. These credits are counted as Social Studies credit.

Admission of Students from Home School Part-Time

Children excused from school attendance by the Superintendent may enroll part-time in District special area classes in grades K-6 or academic courses in grades 7-12. However, students must be enrolled full-time in order to participate in cocurricular or extracurricular activities.

Regulations are approved by the Board.

[Adoption date: October 11, 2004]

[Revision date: August 22, 2005]

File: JECBC

CROSS REFS.: IGBG, Home-Bound Instruction
IGCF, Home Instruction
IGD, Cocurricular and Extracurricular Activities

ADMISSION OF STUDENTS
FROM NONCHARTERED OR HOME SCHOOLING

Procedures for Part-Time Enrollment

1. The parent/guardian of the child requesting part-time enrollment must be a legal resident of the District, residing in the attendance zone of the school where part-time enrollment is requested or completing the requirements for requesting an alternate school of choice. If legal residence is not maintained, enrollment shall be terminated pursuant with State law.
2. Part-time enrollment is permitted in grades K-6 in a maximum of two special subject areas (art, vocal music, instrumental music, physical education or other special area for which scheduled instruction is provided).
3. Part-time enrollment is permitted in grades 7-12 in a maximum of two credit-generating courses. For courses normally requiring a prerequisite, e.g., Spanish III or Calculus, part-time enrolling students are asked to provide the most recent assessment report pertinent to the area in which enrollment is sought. Parents/guardians of children seeking part-time enrollment are responsible for prerequisite study and/or experiences.
4. Consideration for part-time enrollment is subject to the building capacity and class or program size and limitations. The final decision regarding admission and location of part-time enrolled students rests with the Superintendent/designee.
5. Part-time enrollment does not qualify a student for the postsecondary enrollment option.
6. Part-time enrollment is allowed one time each school year and is expected to be for the remainder of that school year. Attendance must begin within the first week of the school semester or program or within one week of the date on which the child's parent/guardian becomes a legal resident of the District.
7. Part-time enrollment is allowed without regard for the child's status as home educated and the District assumes no responsibility for the education of the child enrolled part-time except for the courses in which the child is enrolled.
8. The child's parent/guardian must complete the normal enrollment process and forms required by the District and/or building for enrollment of all children.
9. The parent/guardian shall provide written notice to withdraw a child from part-time enrollment. An exit interview with the parent/guardian may be requested upon withdrawal.

10. Grade level placement is at the direction of the building principal. Placement is based on:
 - A. age of the child;
 - B. recent assessment of standardized achievement tests, if provided, compared to District students of similar age;
 - C. results of standardized achievement tests, if provided, compared to District students of similar age;
 - D. interviews with the child or parent/guardian and/or
 - E. other evaluative methods used with the consent of the parent/guardian to determine preparation and prerequisites for the courses or grade level requested.
11. A part-time enrolled child is entitled to special education and related services under IDEA, classroom accommodation under Section 504 of the Rehabilitation Act and/or District Intervention Assistance Team services subject to applicable eligibility requirements and parental consent.
12. During classes or other school activities, children are under the direct supervision of a professional staff member of the District.
13. Transportation of a child enrolled part-time is the responsibility and obligation of the parent/guardian.
14. Attendance for activities outside the regular school day which may be required for children enrolled in curricular programs is the responsibility of the child/parent/legal guardian.
15. The child enrolled part-time is subject to all Board policies (including those pertaining to enrollment, immunization, grading, attendance, fees, conduct) and to all procedures (including those pertaining to medical emergency information, program eligibility, reporting absence, consequences imposed for discipline) of the school and the District. Attendance, ethnic and performance data for each child enrolled in public schools in the state are collected for building, District and state reports.
16. A child enrolled part-time is required to take the state assessments required for all students at the grade level at which enrolled unless the child is excused under provisions of State law.

(Approval date: October 11, 2004)

INTRADISTRICT OPEN ENROLLMENT

Students should be permitted to attend their school of choice within the District. The Board permits students to apply for attendance at their school of choice based upon criteria established by the school administration. The specific criteria are consistent with State law and include application procedures, including deadlines for application and notification to students and principals of alternative schools, when a student's application is accepted or rejected (if applicable). Only students wishing to attend a school other than their assigned school need apply.

[Adoption date: October 11, 2004]

[Revision date: February 27, 2006]

LEGAL REFS.: ORC 3313.64; 3313.65; 3313.97
OAC 3301-48-01

CROSS REFS.: IE, Organization of Facilities for Instruction
IGBJ, Title I Programs
JECC, Assignment of Students to Schools

INTRADISTRICT ENROLLMENT

All students enrolled in the District are assigned to the school or special education program serving their attendance area. Students wishing to attend a school of choice must complete and submit an intradistrict enrollment request form in accordance with the following provisions:

1. On or before April 1 of each school year, via the local media, the Director of Student Services shall inform the general public and the parent(s) of each student enrolled in the District of the intradistrict open enrollment policy and application procedures.
2. Application forms are available upon request in the office of the Director of Student Services, as well as in the principal's office in each school.
3. Application forms must be completed by the parent(s) and returned to the Director of Student Services (1515 Girard Avenue) by April 30.
4. Requests to be assigned to a District building or program, other than the one serving a student's attendance area, will be considered based on:
 - A. the number of students already assigned to the appropriate grade level and program, and established class size limitations; and
 - B. an appropriate racial balance is maintained.
5. Students native to the Middletown City School District and students whose parents are full-time employees of the District will be selected first for available openings. Selection will be based on the number of years a student has previously attended the school being requested. Once students have been grouped by previous years of attendance, a lottery selection process will be used within each grade level grouping. If the number of students requesting open enrollment exceeds the number of spaces available at a particular grade level, the lottery will determine a waiting list for possible future openings for that school year.

Once students native to the District have been placed, students from outside the District will be selected following the steps outlined above.

6. To prevent any disruption of a student's education and to maintain

continuity students accepted for the purpose of school choice will remain in the new school for the entire school year.

7. Once a child has been granted permission to attend a school of choice for a particular school year, parents must reapply each forthcoming school year.
8. Parents and principals are notified by the Director of Student Services of the applicant's acceptance or rejection by June 15. Parents are notified by mail.
9. The Board is not required to provide transportation for a student enrolled in another attendance area unless the student can be picked up and dropped off at a regular school bus stop in accordance with the Board's transportation

(Approval date: October 11, 2004)

(Revision date: February 27, 2006)

(Revision date: August 14, 2007)

(Revision date: January 12, 2009)

INTERDISTRICT OPEN ENROLLMENT APPLICATION

Date Received _____ Time Received _____

Student's Name _____ Date of Birth _____

Social Security Number _____

Student's Address _____ Telephone _____

Parent's/Guardian's Name _____ Telephone _____

Parent's/Guardian's Address _____ Work Number _____

School District Student is Currently Attending _____

Address _____ Telephone _____

School Building Student Wishes to Attend _____

What choice of programs do you prefer? (i.e. vocational or academic) _____

Current Grade _____ Grade for Upcoming School Year _____

If this building is not available, do you have a second choice? [] Yes [] No

If yes, which building is your second choice? _____

It will be the responsibility of the parent/guardian to provide transportation to the designated building or bus stop.

Please check only if your child is currently receiving the following special services:

- | | |
|-------------------------|------------------------------------|
| _____ Preschool Program | _____ Speech and Language Therapy |
| _____ SLD Services | _____ Adapted Physical Education |
| _____ CD Services | _____ Occupational Therapy |
| _____ MD Services | _____ Physical Therapy |
| _____ OHI Services | _____ Gifted and Talented Program |
| _____ ED Services | _____ Chapter I Services (Reading) |

Parent/Guardian Signature Date

Director of Student Services

Date

Approved
 Rejected

File: JECBD-E

This application must be returned to the Student Services office beginning on the first Monday in May. Applications will be accepted for two weeks. Requests will be acted upon by the end of the third week in August. Parents will be notified of approval or nonapproval.

RETURN TO: Director of Student Services, 1515 Girard Avenue, Middletown, OH 45044

ASSIGNMENT OF STUDENTS TO SCHOOLS

The Board approves attendance areas. Students attend the school that serves the attendance area in which their parents reside or, upon acceptance, the student may attend another school pursuant to the District's intradistrict open enrollment policy.

The Superintendent has authority to assign students to schools. The Superintendent or his/her designee is authorized to make exceptions on the basis of hardship and student need and to assign a student to a school outside his/her own attendance area.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 3313.49; 3313.64; 3313.65; 3313.97
3319.01

CROSS REFS.: JC, School Attendance Areas
JECBD, Intradistrict Open Enrollment

STUDENT WITHDRAWAL FROM SCHOOL
(Loss of Driving Privileges)

When the Superintendent receives information that a student of compulsory school age has withdrawn from school, the Superintendent/designee must, within two weeks after the withdrawal, notify the registrar of motor vehicles and the county juvenile judge of the student's withdrawal from full-time enrollment or withdrawal from an approved program to obtain a diploma or its equivalent. Notification is not necessary if a student has withdrawn from school because of a change of residence; or the student is holding an age and schooling certificate (work permit), is regularly employed and enrolled part-time in and attending, an approved program to obtain a diploma or its equivalent.

Notification to the registrar of motor vehicles must be given in a manner required by the registrar and notice to the county juvenile judge must be given in writing.

After receiving such information from the Superintendent, the registrar of motor vehicles is required to suspend the temporary instruction permit or driver's license of the student who is the subject of the notice. If a temporary permit or license has not been issued to that student, the registrar is prohibited from issuing a temporary permit or a license. Any denial of driving privileges would remain in effect until the student reaches 18 or until the denial of driving privileges is terminated for another reason allowable under State law.

In compliance with State law, a student whose driving privileges have been denied can file a petition seeking his/her reinstatement with the juvenile court in whose jurisdiction he/she resides.

[Adoption date: October 11, 2004]

[Revision date: December 7, 2009]

LEGAL REFS.: Family Educational Rights and Privacy Act; 20 USC 1232g
ORC 3319.321
3321.13
331.01; 3331.02; 3331.04; 3331.06 through 3331.09
4507.061

CROSS REFS.: JED, Student Absences and Excuses
JEDA, Truancy
JEG, Exclusions and Exemptions from School Attendance
JK, Employment of Students

Middletown City School District, Middletown, Ohio

STUDENT ABSENCES AND EXCUSES

Regular attendance by all students of the District is very important. In many cases, irregular attendance is the major reason for poor school work. Therefore, all students are expected to make doctor appointments, do personal errands and so forth, outside of school hours.

Reasons for which absences may be excused include but are not limited to:

1. Personal illness - the approving authority may require a certificate of a physician if he/she deems it advisable.
2. Illness in the family - shall not apply to children under fourteen years of age.
3. Quarantine to the home - limited to the length of the quarantine as fixed by the proper authorities.
4. Vacation - any trip taken as a vacation if the school has been notified one week or more in advance.
5. Educational trips paid for by parents or a sponsor or school or class-sponsored trips.
6. Death of a relative is limited to a period of three days unless a reasonable cause may be shown by the applicant for granting a longer period of absence.
7. Observance of a religious holiday or instruction of any religious faith is excused if the student's absence was for the purpose of observing a religious holiday consistent with his/her creed or belief.

The Board permits students to be released from school for religious instruction consistent with law. Absence during the school day for religious instruction is permitted provided the student's parents or guardians submit a written request to the building principal.

Regular classroom instruction missed as a result of a student's absence for religious instruction will not be made up. The District neither aids, assists or enforces attendance in a religious instruction program, nor discriminates against students who participate in such a program.

Each student who is absent must immediately upon return to school make arrangements with his/her teacher(s) to make up work missed. Students who are absent from school for reasons not permitted by the Board may or may not be permitted to make up work. Each case is considered on its merit by the principal and the respective teacher(s). Students are required to bring a note to school after each absence explaining the reason for the absence or tardiness.

1. Each day a student is absent from school, the parent(s)/guardian(s) must notify school personnel unless previous notification has been given in accordance with established procedures for excused absences.

2. In the absence of notifications, the building principal/designee notifies the parent/guardian or other person having care or charge of a student by telephone, if possible, or written notice is mailed on or before the third day that the student is absent.

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The Board discourages students from taking nonemergency trips out of the District during the school year. Parents must not expect any work missed by their child to be retaught by the teacher; however, if the school is notified in advance of such a trip, every effort will be made to prepare a general list of assignments for the child to do while he/she is absent.

After more than 10 days of unexcused absence, appropriate authorities may be contacted.

[Adoption date: October 11, 2004]

LEGAL REFS.: U.S. Const. Amend. I
ORC 3313.609
3321.01; 3321.03; 3321.04; 3321.13; 3321.19; 3321.38
4507.061
OAC 3301-51-13

CROSS REFS.: IGAC, Teaching About Religion
JEDB, Student Dismissal Precautions
JHC, Student Health Services and Requirements

STUDENT ABSENCES AND EXCUSES

Regulations Governing Excuses from Future Attendance and Past or Present Absence from School

1. The Director of Student Services may excuse a child from attendance for any part of the remainder of the current school year upon satisfactory showing of either of the following facts:
 - A. That his/her physical or mental condition does not permit his/her attendance at school or a special education program during such period; this fact is certified in writing by a licensed physician or, in the case of a mental condition, by a licensed physician, a licensed psychologist, licensed school psychologist or a certificated school psychologist; provision is made for appropriate instruction of the child, in accordance with the Ohio Revised Code;
 - B. That he/she is being instructed at home by a person qualified to teach the branches in which instruction is required, and such additional branches in which instruction is required, and such additional branches as the advancement and needs of the child may, in the opinion of the Director of Student Services, require. A copy of the excuse shall show how the inability of the child to attend school or a special education program or the qualifications of the person instructing the child at home were determined. All such excuses shall become void and subject to recall upon removal of the disability of the child or the cessation of proper home instruction, and thereupon the child or his/her parents may be proceeded against after due notice whether such excuse be recalled or not.
2. Work in the home due to the absence of parents or guardians. Any absences arising because of this condition shall not extend for a period longer than the parents or guardians are absent. A child over 14 years of age may be excused from attendance for a future limited period for the purpose of performing necessary work directly and exclusively for his/her parents or legal guardians.
3. The Superintendent or his/her designee may, in the rules governing the discipline in schools, prescribe the authority by which and the manner in which any child may be excused for absence from such school for good and sufficient reasons.
4. Students may be excused by the principal to accompany parents/guardians or a person designated by the parent on vacation trips during the school year. Parents or guardians shall contact the principal one week or more in advance of the school absences in order to give the student the opportunity to keep up with the class assignments. In order for a student to obtain credit, the work missed must be made up satisfactorily within two weeks.

5. Personal illness - After seven days of absence for personal illness in a school year, the school shall require a physician's documentation. Extenuating circumstances may be taken into consideration by the administration when deemed necessary.

6. Illness in the family - The absence under this condition shall not apply to children under 14 years of age.
7. Quarantine to the home - The absence arising from this condition is limited to the length of the quarantine as fixed by the proper authorities.
8. Death of a relative or death in the immediate family - The absence arising from this condition is limited to a period of three days unless a reasonable cause may be shown by the applicant for a longer period of absence.
9. Observance of a religious holiday - Any child of any religious faith shall be excused if his/her absence was for the purpose of observing a religious holiday consistent with his/her creed or belief.
10. Students are permitted up to three days of absence during the school year to visit a college/university. A parent note must be brought in to the attendance office before going in order to pre-excuse the absence. Seniors may not apply for a college visit after May 1. Verification of a college visit must be provided to the attendance office upon return.
11. Educational trips paid for by parents or a sponsor or school- or class-sponsored trips.

Additionally, a student may be excused from physical education class for an extended period of time upon presentation of a written statement from the family physician, provided there is an acceptable reason given for the request and that the length of time for which the student is to be excused is clearly stated. The school reserves the right to call the physician issuing the statement for the student's involvement in other school activities which might affect his/her health.

All excused absences provided for in (1) through (11) above shall be in writing, signed by the parent or guardian, and filed with the person designated to approve or disapprove absences or excuses. Explanations of past absences shall be provided within 48 hours or on the day the student returns to school.

(Approval date: October 11, 2004)

TRUANCY

The Board endeavors to reduce truancy through cooperation with parents, diligence in investigating the causes of absence and use of strict guidelines in regard to tardiness and unexcused absence.

When the Board determines that a student has been truant and that the parent, guardian or other person having care of a child has failed to ensure the child's attendance at school, State law authorizes the Board to require the parent to attend a specified educational program.

This program has been established according to the rules adopted by the State Board of Education for the purpose of encouraging parental involvement in compelling the child's attendance at school.

On the request of the Superintendent, or when it comes to the attention of the school attendance officer or other appropriate officer of the District, the designated officer must investigate any case of supposed truancy within the District and must warn the child, if found truant, and the child's parent in writing of the legal consequences of being a "habitual" or a "chronic" truant.

A "habitual truant" is any child of compulsory school age who is absent without a legitimate excuse for five or more consecutive school days, seven or more school days in one month or 12 or more school days in a school year.

A "chronic truant" is any child of compulsory school age who is absent without legitimate excuse for seven or more consecutive school days, 10 or more school days in one month or 15 or more school days in a school year.

The parent is required to have the child attend school immediately after notification. If the parent fails to get the child to attend school, the attendance officer or other appropriate officer, if directed by the Superintendent or the Board, must send notice requiring the child's parent to attend a parental education program.

For the correction of the "habitually truant" unruly child, the courts may now order the Board to require the child to attend an alternative school if one has been established.

The courts may order the "habitually truant" child not to be absent without legitimate excuse from school for five or more consecutive days, seven or more school days in one school month or 12 or more school days in a school year.

Regarding "habitual truants," the Board must take as an intervention strategy any appropriate action contained in the Board policy, or the Board may file a complaint in juvenile court jointly against the child and the parent. The complaint must state that the child is an "unruly child" by virtue of being a "habitual truant" and that the child's parent violated the School Attendance Law.

Regarding “chronic truants,” if the parent fails to get the child to attend school and the child is considered a “chronic truant,” the Board must file a complaint in the juvenile court jointly against the child and the parent. The complaint must state that the child is a “delinquent child” by virtue of being a “chronic truant,” and that the parent has violated the School Attendance Law.

The Board directs the administration to develop intervention strategies that may include the following:

1. providing a truancy intervention program for a habitual truant;
2. providing counseling for a habitual truant;
3. requesting or requiring a parent having control of a habitual truant to attend parental involvement programs;
4. requesting or requiring a parent of a habitual truant to attend truancy prevention mediation programs;
5. notification to the registrar of motor vehicles or
6. taking appropriate legal action.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 3321.03 through 3321.04; 3321.07 through 3321.09; 3321.19;
3321.191; 3321.22; 3321.38
3313.663

CROSS REF.: JED, Student Absences and Excuses

TRUANCY

1. Every effort will be used to encourage parents to send their child to school every day.
2. Each school will make every effort to remedy a truancy problem and document these attempts before a referral is made to the attendance technician.
3. The building principal should be the person to contact the attendance technician.
4. If an economic problem exists, such as the need for appropriate clothing, the principal will make the proper referral.
5. If a medical problem exists, the principal will make a referral to the school nurse.
6. If a long-term medical problem is evident, the child will be placed on home instruction after the parent/physician have completed the necessary forms.

Truancy Procedures

Once a student has accumulated three unexcused absences from school:

1. A warning letter will be sent to the parent/guardian.
2. A home visit or phone call will be made if the student continues to be truant.
3. Appropriate action may be taken according to the Code of Student Conduct.

Once a student has accumulated five unexcused absences from school:

1. A mandatory conference with the parent/guardian and student will be scheduled with the school resource staff.
2. The attendance technician will be notified if the parent/guardian fails to attend the conference.
3. A home visit will be made if necessary.
4. Appropriate action may be taken according to the Code of Student Conduct.

Once a student has accumulated seven unexcused absences from school:

1. A second warning letter will be sent to the parent/guardian.
2. A complaint may be filed in juvenile court against the parent and student.

3. Appropriate action may be taken according to the Code of Student Conduct.

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Once a student has accumulated 10 unexcused absences from school:

1. A complaint will be filed with juvenile court against the parent/guardian and student.
2. The parent/guardian must accompany their child to court.
3. Appropriate action may be taken according to the Code of Student Conduct.

Once a student has accumulated 13 days of unexcused absences from school:

1. A second conference will be held by the school resource staff.
2. Children's Services may be notified.
3. For high school students: a warning of possible loss of driver's license.

Once a student has accumulated 15 days of unexcused absences from school:

1. File additional complaint in juvenile court against parent/guardian and student.
2. He/She will be suspended out-of-school for 10 days with recommendation for expulsion.
3. Notify Bureau of Motor Vehicles regarding denial of driving privileges.

Students Habitually Absent – Loss of Driving Privileges

When the Superintendent receives information that a student of compulsory school age has been absent without legitimate excuse for more than 10 consecutive days or a total of at least 15 days in any term or semester, the following procedure applies.

1. The Superintendent notifies, in writing, the student and his/her parent(s) and states that information regarding the student's absences has been provided to the Superintendent, and, as a result of that information, the student's driving privileges are denied. This notification also states that the student and his/her parent(s) may appear before the Superintendent/designee to challenge the information provided to the Superintendent.
2. The notice from the Superintendent to the student includes the scheduled time, place and date of the hearing, which is scheduled between three and five days after the notification is given. Upon the request of the student or parent(s), an extension may be granted by the Superintendent. The Superintendent must then notify the student and the parent(s) of the new hearing time, place and date.
3. At the hearing before the Superintendent/designee, the student has an opportunity to present evidence that he/she has not been habitually absent without legitimate excuse.

State law defines “legitimate excuses” for absence from school to include, but not be limited to:

- A. enrollment in another school or school district in Ohio or another state;

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- B. possession of an age and schooling certificate (work permit);
 - C. a bodily or mental condition that prohibits attendance or
 - D. participation in a home instruction program.
4. If a habitually absent student does not appear at a hearing before the Superintendent or designee, or if the student does not convince the Superintendent or designee that the absences were legitimate, the Superintendent must notify the registrar of motor vehicles and the juvenile judge. Such notification must be given to the registrar and the juvenile judge within two weeks of the receipt of the information regarding habitual absences or, if the hearing for the student is held, within two weeks after the hearing.

Notification to the registrar of motor vehicles and the county judge must comply with State and Federal law.

The registrar of motor vehicles is required to suspend the temporary instruction permit or driver's license of the student who is the subject of the notice. If a temporary permit or license has not been issued for that student, the registrar is prohibited from issuing a temporary permit or a license.

Denial of privileges remains in effect until the student reaches age 18 or until the denial is terminated for another reason allowed by State law. In accordance with State law, a student whose driving privileges have been denied can file a petition seeking their reinstatement.

(Approval date: October 11, 2004)

STUDENT DISMISSAL PRECAUTIONS

Permission for a student to leave school when school is in session requires approval by the principal or a person specifically designated by him/her to exercise that authority. In evaluating requests for this permission, he/she gives primary consideration to the best interests of the student and/or public welfare. Requests are not approved without a parent's permission. When a request originates from a person other than the parent(s), the school official in authority contacts the parent(s) to obtain permission. An exception may be made in the case of the student who is 18 years of age or older, who may make requests on his/her own behalf.

[Adoption date: October 11, 2004]

LEGAL REF.: ORC 3313.20

CROSS REFS.: JED, Student Absences and Excuses
JEE, Student Attendance Accounting (Missing and Absent Children)

STUDENT DISMISSAL PRECAUTIONS

Authority to release students during school hours is permitted under the following circumstances:

1. If a parent or legal guardian calls the school to request the release of a student, and if the principal recognizes the parent or legal guardian, the child is released to his/her parent or legal guardian.
2. When separated or divorced, a student is released to either parent or legal guardian, unless evidence of single custody is presented. In this case, the principal is guided by the decision of the court or refers the matter to the Director of Student Services.
3. When persons other than parents call for students and request that they be released from school, the principal or delegated person shall obtain approval of a parent or legal guardian before releasing the student.
4. If a parent or legal guardian telephones a request that a student be sent home, sent to another place or delivered to the custody of a person not the parent or legal guardian, the principal terminates the conversation and then calls back to verify that the request is legitimate.
5. No teacher or other employee shall give permission for a student to be dismissed from school before the regular dismissal hour without the knowledge and approval of the principal.
6. A student may be excused from school to the parent, guardian or legal custodian on an irregular basis for medical appointments and religious obligations.
7. The names of students permitted to leave school during the hours when school is in session is entered upon a record which is kept in the office of each school.

The name of the departure, the reason for the student's leaving school, the fact that a parent or legal guardian does not have knowledge of the student's leaving school, and the time of the return if the student returns while school is in session also is entered on the record.

8. Students 18 years of age and older must sign out when leaving school and indicate whether or not a parent or legal guardian has knowledge of his/her leaving.

(Approval date: October 11, 2004)

STUDENT ATTENDANCE ACCOUNTING
(Missing and Absent Children)

The Board believes in the importance of trying to decrease the number of missing children; therefore, efforts are made to identify missing children and to notify the proper adults or agencies.

At the time of initial entry into school, a student shall present to the person in charge of admission an official copy of a birth certificate and copies of those records pertaining to him/her which were maintained by the school which he/she most recently attended. In lieu of a birth certificate, birth documentation may include:

1. a passport or attested transcript thereof filed with a registrar of passports at a point of entry of the United States showing the date and place of birth of the child;
2. an attested transcript of the certificate of birth;
3. an attested transcript of the certificate of baptism or other religious record showing the date and place of birth of the child;
4. an attested transcript of a hospital record showing the date and place of birth of the child or
5. a birth affidavit.

If the student does not present copies of the required documents, the principal shall call the school from which the student transferred and request the information. If that district has no record on file of the student or if that district does not send the records within 14 days, the principal shall notify the law enforcement agency having jurisdiction in the area where the student resides of the possibility that the student might be a missing child.

The primary responsibility for supervision of a student resides with his/her parent(s). The staff provides as much assistance as is reasonable to parents with this responsibility.

Parents must notify the school on the day a student is absent unless previous notification has been given in accordance with school procedure for excused absences. The principal or his/her designee is also required to notify a student's parent(s) when the student is absent from school. The parent(s) or other responsible person shall be notified by telephone or written notice, which is mailed on the same day that the student is absent. Parents or other responsible persons shall provide the school with their current home and/or work telephone numbers, home addresses and any emergency telephone numbers.

The Board shall designate the Superintendent to disseminate information to students, parents and community members relative to the subject of missing children.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 109.65
2901.30
3313.205; 3313.672; 3313.96
3319.321; 3319.322
3321.12
3705.05

CROSS REFS.: JEC, School Admission
JEDB, Student Dismissal Precautions
JHF, Student Safety

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

A child of compulsory school age residing in the District may be legally excused from public school attendance by:

1. holding a full-time age and schooling certificate (work permit) and being regularly employed;
2. receiving approved home schooling;
3. attending a private or parochial school or
4. having received a diploma from an approved high school or a GED.

The District may temporarily deny admittance to any student who is otherwise entitled to be admitted to the District if the student has been suspended or expelled from the schools of another district in the state of Ohio or an out-of-state district and if the period of suspension or expulsion has not expired. The student and parent(s) will have an opportunity for a hearing before the Superintendent/designee to determine the admittance or nonadmittance of the student.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 3313.66
3321.02; 3321.03; 3321.04; 3321.07
OAC 3301-51-13

CROSS REFS.: IGCF, Home Instruction
JEA, Compulsory Attendance Ages
JECE, Student Withdrawal from School (Loss of Driving Privileges)
JEGA, Permanent Exclusion
JK, Employment of Students

PERMANENT EXCLUSION

The Board may seek the permanent exclusion of a student 16 years of age or older who is either convicted in criminal court or adjudicated delinquent by a juvenile court of any of the following offenses that occur on school grounds or at a school function:

1. illegal conveyance or possession of a deadly weapon or dangerous ordnance, carrying a concealed weapon, aggravated trafficking, trafficking in drugs, trafficking involving the possession of a bulk amount of a controlled substance or the sale of a controlled substance and/or
2. aggravated murder, murder, voluntary or involuntary manslaughter, felonious or aggravated assault, rape, gross sexual imposition or felonious sexual penetration, if the victim is a District employee.

In addition, complicity in any of the above acts may be the basis for permanent exclusion.

Any building administrator witnessing, or having knowledge of, one of these acts must report the incident to the Superintendent within 24 hours, whether or not the student is over 16 years of age.

If the Superintendent receives notification that a student has been found guilty of or is adjudicated delinquent for any of the listed offenses, a determination must be made whether the student's continued attendance endangers the health and safety of other students or employees or whether the student's attendance poses a danger of disruption to the graded course of study. If the Superintendent determines that either danger exists, he/she may recommend that the Board adopt a resolution requesting the State Superintendent of Public Instruction to permanently exclude the student from attendance in any Ohio school. Written notice of the Superintendent's recommendation for permanent exclusion is provided to the student and his/her parent(s).

The Board acts upon the Superintendent's recommendation within 14 days. Among the items the Board considers is information on:

1. academic and extracurricular activity record of the student;
2. disciplinary record of the student;
3. social history of the student;
4. response to prior discipline and sanctions;
5. seriousness of the offense and any aggravating circumstances;
6. any mitigating circumstances;

7. evidence regarding the possible danger to other students and employees if the student remains in the District;

8. evidence regarding the probable disruption of the graded course of study and
9. availability of less serious sanctions that would permit the student to stay in the District without conflict with either (7) or (8).

The Board may allow for the hearing of witnesses and the presentation of additional evidence.

If the Board adopts the resolution to permanently exclude the student, the Board:

1. forwards the written resolution, together with the adjudication or conviction and a copy of the student's entire school record, to the State Superintendent;
2. promptly designates a representative to present the District's case for permanent exclusion to the State Superintendent and
3. forwards a copy of the resolution to the student and his/her parent(s).

If the State Superintendent rejects the resolution, the student shall be re-admitted to the District's schools.

No employee shall knowingly admit, or cause by inaction to be admitted, any student who has been permanently excluded.

Re-Admission

If the Superintendent determines that a permanently excluded student no longer represents a danger to the health and safety of other students or staff, the Superintendent may recommend that the student be re-admitted.

On the recommendation of the Superintendent, the Board considers a resolution requesting the State Superintendent to revoke the permanent exclusion. If the Board adopts the resolution, it is forwarded to the State Superintendent, together with the reasons for the resolution and any relevant information.

Probationary Admission Following Permanent Exclusion

Under State law, a student permanently excluded from school may request probationary admission for a period not to exceed 90 days in any public school district.

If a student requests consideration of probationary admission into this District, the Superintendent may enter into discussions with the student and his/her parent(s) to develop a probationary admission plan designed to meet the educational needs of the child and the disciplinary requirements of the District.

If a satisfactory plan is developed, the Superintendent recommends that the Board allow the student to attend classes according to the terms of the plan. The Board acts on the recommendation within 14 days.

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If a student violates the terms of the re-admission plan, the Superintendent may immediately remove the student, pending action by the Board. The Board's action must take place within five days from receipt of the Superintendent's recommendation to revoke the re-admission.

A student in compliance with his/her probationary re-admission plan may request either an extension of the plan for an additional 90 days or for the Superintendent to recommend that the permanent exclusion be revoked.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

CROSS REFS.: JFCJ, Weapons in the Schools
JGD, Student Suspension
JGE, Student Expulsion

STUDENT RIGHTS AND RESPONSIBILITIES

Students, like all citizens, have civil rights guaranteed by the Constitution of the United States. The First Amendment, which ensures the freedom of religion, speech, press, assembly and petition and the Fourteenth Amendment, which guarantees due process and equal protection, apply in school environments.

The rights of an individual are preserved only by the protection and preservation of the rights of others. A student is responsible for the way rights are exercised and must accept the consequences of actions and recognize the boundaries of rights. Each exercise of an individual's rights must demonstrate respect for the rights of others.

These statements set forth the rights of students and the responsibilities which are inseparable from these rights, which include the right to:

1. equal educational opportunity and freedom from discrimination and the responsibility not to discriminate against others;
2. attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school;
3. due process of law with respect to suspension and expulsion;
4. free inquiry and expression and the responsibility to observe rules regarding these rights and
5. privacy, which includes privacy with respect to the student's school records.

As part of the educational process, students should be made aware of their legal rights and of the legal authority of the Board to make rules and delegate authority to its staff to make rules necessary for the orderly operation of the schools.

A copy of the school discipline code is posted in each of the schools and given to each student. This code describes in detail the offenses such as truancy, tardiness, property damage, etc., for which disciplinary action may be taken. Copies of the code are available to any parent in the principal's office.

[Adoption date: October 11, 2004]

LEGAL REFS.: U.S. Const. Amend. I
U.S. Const. Amend. XIV, Section 1
ORC 3313.20; 3313.66; 3313.661; 3313.662

CROSS REFS.: ABC, Student Involvement in Decision Making (Also JFB)
JFC, Student Conduct (Zero Tolerance)
JFG, Interrogations and Searches
Student Handbooks

STUDENT DUE PROCESS RIGHTS

The Board and school officials have the legal authority to deal with disruptive students and student misconduct. Due process, in the context of administrative proceedings carried out by school authorities, does not mean that the procedures used by the courts in juvenile proceedings must be followed. The Ohio and Federal Rules of Evidence do not apply.

Students have clearly established means by which administrative due process is available for the protection of his/her rights.

Due process procedures are:

1. applied equally to all and
2. enforced in a manner which involves:
 - A. adequate and timely notice and opportunity to prepare a defense;
 - B. an opportunity to be heard at a reasonable time and in a meaningful manner and
 - C. the right to a timely and impartial hearing on the merits of the case.

In cases of student suspension or expulsion, the specific due process procedures set by the Board's policy are followed.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC Chapter 2506
3313.66; 3313.661; 3313.662

CROSS REFS.: JB, Equal Educational Opportunities
JFC, Student Conduct (Zero Tolerance)
JFCA, Student Dress Code
JFCC, Student Conduct on School Buses (Also EEACC)
JFCEA, Gangs
JFCF, Hazing
JFCG, Tobacco Use by Students
JFCH, Alcohol Use by Students
JFCI, Student Drug Abuse
JFCJ, Weapons in the Schools
JFCK, Use of Electronic Communications Equipment by Students
JFCL, Unsafe Schools (Persistently Dangerous Schools)

JGD, Student Suspension
JGE, Student Expulsion
Student Handbooks

STUDENT INVOLVEMENT IN DECISION MAKING

Students share responsibility for developing a climate in the school which is conducive to learning. Through participation in the decision-making process, students can be an important resource for the improvement of the school, the educational system and the community. Periodically, students may be asked to review school policies, rules and regulations. Final authority for all decisions rests with the Board.

[Adoption date: October 11, 2004]

LEGAL REF.: OAC 3301-35-04

CROSS REFS.: BCE, Board Committees
BCF, Advisory Committees to the Board
JF, Student Rights and Responsibilities
JFA, Student Due Process Rights
JFC, Student Conduct (Zero Tolerance)
Student Handbooks

STUDENT CONDUCT
(Zero Tolerance)

Students are expected to conduct themselves in such a way that they respect and consider the rights of others. Students of the District must conform with school regulations and accept directions from authorized school personnel. The Board has “zero tolerance” of violent, harassing, intimidating, bullying or any other inappropriate behavior by its students.

A student who fails to comply with established school rules or with any reasonable request made by school personnel on school property and/or at school-related events is subject to approved student discipline regulations. The Superintendent/designee develops regulations which establish strategies ranging from prevention to intervention to address student misbehavior, and provides continuing instruction in dating violence prevention in health education courses in grades 7 through 12.

Student and parents receive, at the beginning of each school year or upon enrolling in the District schools during the year, written information on the rules and regulations to which they are subject while in school or participating in any school-related activity or event. The information includes the types of conduct which are subject to suspension or expulsion from school or other forms of disciplinary action. The Board directs the administration to make all students aware of the Code of Student Conduct and the fact that any violations of the Code of Student Conduct are punishable. The rules also apply to any form of student misconduct directed at a District official or employee or the property of a District official or employee, regardless of where the misconduct occurs.

If a student violates this policy or the Code of Student Conduct, school personnel, students or parents should report the student to the appropriate principal. The administration cooperates in any prosecution pursuant to the criminal laws of the state of Ohio and local ordinances.

A student may be expelled for up to one year if he/she commits an act that inflicts serious physical harm to persons or property if it was committed at school, on other school property or at a school activity, event or program.

The superintendent is authorized to expel a student from school for a period not to exceed one year for making a bomb threat to a school building, or to any premises at which a school activity is occurring at the time of the threat. Any expulsion under this provision extends, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

Matters which might lead to a reduction of the expulsion period include the student’s mental and/or physical characteristics or conditions, the age of the student and its relevance to the punishment, the prior disciplinary history of the student and/or the intent of the perpetrator.

The Code of Student Conduct is made available to students and parents and is posted in a central location within each building.

[Adoption date: October 11, 2004]

[Revision date: April 25, 2005]

[Revision date: April 6, 2010]

LEGAL REFS.: Gun-Free Schools Act; 20 USC 8921
The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Children's Internet Protection Act; (P.L. 106-554, HR 4577, 2000, 114
Stat 2763)
ORC 3313.20; 3313.534; 3313.66; 3313.661; 3313.662; 3313.66

CROSS REFS.: ABC, Student Involvement in Decision Making (Also JFB)
AC, Nondiscrimination
EBC, Emergency Plans
ECAB, Vandalism
EDE, Computer/on-Line Services (Acceptable Use and Internet Safety)
JFCA, Student Dress Code
JFCEA, Gangs
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating
Violence)
JFCJ, Weapons in the Schools
JFCK, Use of Electronic Communication Equipment by Students
JG, Student Discipline
JGA, Corporal Punishment
JGD, Student Suspension
JGDA, Emergency Removal of Students
JGE, Student Expulsion
Student Handbooks

STUDENT DRESS CODE

School dress should not threaten the health, welfare and safety of the members of the student body and enhance a positive image of the students and the District. Any form of dress or grooming which attracts undue attention, prompting a disruption of the learning environment or violating the previous statement, is unacceptable.

Requirements include the following.

1. Dress and grooming standards require cleanliness in the interest of health, sanitary conditions and safety requirements.
2. When a student is participating in school activities, his/her dress and grooming must not disrupt his/her performance or that of other students or constitute a health threat to himself/herself or other students.
3. Dress and grooming are not such as to disrupt the teaching/learning process.

Uniforms

The Board supports a voluntary uniform dress code for all students enrolled in the District.

A building dress code committee is comprised of the building principal, two teachers, a District designee and parent representatives from an organized parent group.

The building dress code committee initiates a six calendar month period for parents and staff members to offer suggestions and comments, establish a uniform building dress code and designate a school-wide uniform. Students may wear:

1. attire that is part of the student's religious practice and
2. a uniform of a nationally recognized youth organization such as Boy Scouts or Girl Scouts on regular meeting days.

More than 60% of the parents/guardians of the building must vote in favor of the uniform dress code for that building. One vote per household is permitted.

No student is denied attendance at school or penalized for failing to wear a uniform. Any student eligible for reduced or free lunches or waiver of student fees is eligible for financial assistance toward the purchase of school uniforms. The building dress code committee develops a procedure for parent(s)/guardian(s) to request financial assistance. District funds may not be used to provide this assistance.

[Adoption date: October 11, 2004]

LEGAL REFS.: U.S. Const. Amend. I
ORC 3313.20; 3313.665

CROSS REFS.: JFC, Student Conduct
JFCEA, Gangs
Student Handbooks

SCHOOL UNIFORMS

The Board of Education shall support a voluntary uniform dress code for all students enrolled in the Middletown City Schools.

A building dress code committee shall be comprised of the building principal, two teachers, a district designee, and parent representatives from an organized parent group.

The building dress code committee shall initiate a six calendar month period for parent and staff members to offer suggestions and comments, establish a uniform building dress code, and designate a school-wide uniform. Students may:

1. Wear attire that is part of the student's religious practice; and
2. Wear a uniform of a nationally recognized youth organization such as Boy Scouts or Girl Scouts on regular meeting days.

More than 60% of the parents/guardians of the building must vote in favor of the uniform dress code for that building. One vote per household will be permitted.

No student shall be denied attendance at school or penalized for failing to wear a uniform. Any student eligible for reduced or free lunches, or for a waiver of student fees, is eligible for financial assistance toward the purchase of school uniforms. The building dress code committee shall develop a procedure for parent(s)/guardian(s) to request financial assistance. District funds may not be used to provide this assistance.

[Adoption date: October 25, 1999]

LEGAL REFS.: ORC 3313.665; 3313.661; 3313.20

STUDENT CONDUCT ON SCHOOL BUSES

The Board furnishes transportation in compliance with State law. This fact does not relieve parents of students from the responsibility of supervision until such time as the student boards the bus and after the student leaves the bus at the end of the school day.

Students on a bus are under the authority of, and directly responsible to, the bus driver. The driver has the authority to enforce the established regulations for bus conduct. Disorderly conduct or refusal to submit to the authority of the driver is sufficient reason for refusing transportation services or suspending transportation services to any student once proper procedures are followed.

The Board authorizes the Superintendent or other administrators to suspend a student from school bus riding privileges only for a period of up to one school year. The only due process required is notice to the student of an intended bus riding suspension and an opportunity to appear before the administrator considering the suspension before it happens. The administrator's decision is final.

The Board's policy regarding bus riding privileges and conduct must be posted in a central location in each school building and students transportation vehicle and made available to all and students parents.

After Board approval, regulations regarding conduct on school buses, as well as general information about the school transportation program, are available to all parents and students.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 3327.01; 3327.014
OAC 3301-83-08

CROSS REFS.: JFC, Student Conduct (Zero Tolerance)
JGA, Corporal Punishment
Student Handbooks

GANGS

The Board believes gangs or gang activity create an atmosphere where violations of policies, regulations and State laws may occur. Gangs that initiate, advocate or promote activities which threaten the safety or well-being of persons or which are disruptive to the school environment are not tolerated by the District.

Incident involving initiations, hazings, intimidations and/or related activities of such group affiliations which are likely to cause bodily danger, physical harm, personal degradation or disgrace resulting in physical or mental harm are prohibited.

The Board directs the administration to establish regulations to ensure that any student wearing, carrying or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership or causing and/or participating in activities which intimidate or affect the attendance of another student is subject to disciplinary action. This includes all forms and instruments of harassment and bullying, including electronic communications devices.

To provide increased awareness of the threat to the safety of students, staff and school property which gang-related activity poses, training is provided by security on an as-needed basis. Presentations provide training in current identification symbols used by those involved in gang-related activity and include things such as the identification of hand signals, apparel, jewelry and/or any other pertinent gang-related information.

[Adoption date: October 11, 2004]

[Revision date: April 25, 2005]

LEGAL REFS.: ORC 3313.20; 3313.66; 3313.661

CROSS REFS.: AC, Nondiscrimination
EDE, Computer/On-Line Services (Acceptable Use and Internet Safety)
JFC, Student Conduct (Zero Tolerance)
JFCA, Student Dress Code
JFCF, Hazing
JFCK, Use of Electronic Communications Equipment by Students
JGD, Student Suspension
JGE, Student Expulsion
Student Handbooks

GANGS

Definition

A "gang" is defined as any group of two or more persons whose purposes include the commission of illegal acts or which supports the commission of illegal acts by its members.

A "school-sponsored activity" includes any activity in which the Board may be legally liable for the safety and welfare of those participating or attending, including, but not limited to, interscholastic or intramural athletic events, school social events such as dances and proms, theater productions and variety shows, vocal and instrumental competitions and any other interscholastic competitions, club meetings, club activities, class trips, field trips and any other event sponsored, approved, organized or paid for, in whole or in part, by the District.

Prohibited Activity

1. No student on, or about, school property or at any school-sponsored activity shall wear, possess, use, distribute, display or sell any clothing, medallions or other jewelry, emblem, badge, patch, symbol, insignia, sign, tattoo (whether permanent or temporary), scar or mark, haircut, or other things that identify a gang or which are evidence of membership or affiliation in any gang or which otherwise disrupt the academic process.

Any student who wears, possesses or displays any article in violation of this policy will be immediately removed from school grounds or activities until the offensive article is removed or disposed of or until the tattoo, scar or other mark is removed or appropriately covered with clothing or otherwise so as not to be visible. Students must return to school or the school activity immediately after the offensive article, mark or similar item is removed. Students who distribute or sell any item mentioned in this policy may be suspended or expelled.

2. No students on, or about, school property or at any school-sponsored activity shall engage in conduct, or use any speech, whether verbal or nonverbal (gestures, hand signals, handshakes, etc.), showing membership or affiliation in a gang when the conduct or speech is intended to cause disruption or when one knows or has reason to know that the conduct or speech arouses fear, alarm, resentment, anger, hostility or violence.

Any student who violates this section of the policy shall be immediately removed from the school or school-sponsored activity and subject to the discipline procedures set forth in the Code of Student Conduct. A repeat violation of this section shall result in immediate suspension or expulsion.

3. No student on, or about, school property or at any school-sponsored activity shall use any speech or commit any act or omission which is disruptive, intimidating or

threatening or which tends to arouse fear, alarm, resentment, anger, hostility or violence, including, but not limited to, the following gang-related activity:

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- A. soliciting or recruiting others for membership in any gang or soliciting others for participation in gang activities;
- B. requesting any person to pay for protection or intimidating or threatening any person;
- C. assaulting any student, school employee or visitor (whether during school or a school-sponsored activity) or inciting others to act with physical violence;
- D. distributing or copying any gang-related materials on school property or at school-sponsored activities;
- E. marching, congregating, massing together with the intent to disrupt or intimidate or when one has reason to believe that the conduct arouses fear, alarm, resentment, anger, hostility or violence. Such meetings or congregations are contrary to the purposes of the educational institution and considered trespassing. Trespassers are subject to discipline in accordance with the procedures set forth in the Code of Student Conduct and may be prosecuted;
- F. placing any gang-related graffiti on the school or school property or on the property of others during school-sponsored activities or
- G. committing any other illegal act or other violations of District policies

Students who violate any of the provisions of this section of the policy are subject to disciplinary action up to and including suspension or expulsion. A repeat violation may result in expulsion. Furthermore, students will be prosecuted to the fullest extent of the law for any criminal conduct, including, but not limited to, any trespassing, vandalism or assault in violation of this policy.

Extracurricular and Curricular Activities

Any student who violates this policy is barred from representing the school as a member of any athletic team or as a participant in any extracurricular or cocurricular activities for up to 90 school days following the violation.

Severability

In the event that any portion of this policy and regulation is found to be in violation of Federal, State or local law, or otherwise unenforceable, the remainder of the policy and regulation continues in full force and effect.

(Approval date: October 11, 2004)

HAZING AND BULLYING

Hazing means doing any act or coercing another, including the victim, to do any act of intimidation or harassment to any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.

Bullying, harassment and intimidation is an intentional written, verbal or physical act that a student has exhibited toward another particular student more than once. The intentional act also includes violence within a dating relationship, and the behavior causes both mental or physical harm to the other student and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student. This behavior is prohibited on school property or at a school-sponsored activity.

Permission, consent or assumption of risk by an individual subjected to hazing, bullying and/or dating violence does not lessen the prohibition contained in this policy.

The District includes, within the health curriculum, age-appropriate instruction in dating violence prevention education in grades 7 to 12. This instruction includes recognizing warning signs of dating violence and characteristics of healthy relationships.

Prohibited activities of any type including those activities engaged in via computer and/or electronic communications devices are inconsistent with the educational process and are prohibited at all times. No administrator, teacher or other employee of the District shall encourage, permit, condone or tolerate any hazing and/or bullying activities. No student, including leaders of student organizations, may plan, encourage or engage in any hazing and/or bullying.

Administrators, teachers and all other District employees are particularly alert to possible conditions, circumstances or events which might include hazing, bullying and/or dating violence. If hazing and/or bullying or planned hazing and/or bullying is discovered, involved students are informed by the discovering school employee of the prohibition contained in this policy and are required to end all hazing and/or bullying activities immediately. All hazing, bullying and/or dating violence incidents are reported immediately to the Superintendent/designee and the appropriate discipline is administered.

The Superintendent/designee must provide the Board President with a semiannual written report of all reported incidents of bullying and post the report on the District's website.

The administration provides training on the District's hazing and bullying policy to District employees and volunteers who have direct contact with students. Additional training is provided to elementary employees in violence and substance abuse prevention and positive youth development.

District employees, students and volunteers are provided with qualified civil immunity for damages arising from reporting an incident of hazing and/or bullying.

Administrators, teachers and other employees and students who fail to abide by this policy may be subject to disciplinary action and may be liable for civil and criminal penalties in compliance with State law.

No one shall retaliate against an employee or student because he/she files a grievance or assists or participates in an investigation, proceeding or hearing regarding the charge of hazing and/or bullying of an individual.

Regulations for this policy require Board approval

[Adoption date: October 11, 2004]

[Revision date: April 25, 2005]

[Revision date: May 14, 2007]

[Revision date: February 11, 2009]

[Revision date: April 6, 2010]

LEGAL REFS.: ORC 117.53
2307.44
2903.31
3301.22
3313.666; 3313.667
3314.03
3319.073

CROSS REFS.: AC, Nondiscrimination
EDE, Computer/On-Line Services (Acceptable Use and Internet
Safety)
IIBH, District Web Site Publishing
JFC, Student Conduct, (Zero Tolerance)
JFCEA, Gangs
JFCK, Use of Electronic Communications Equipment by Students
JHG, Reporting Child Abuse
Student Handbooks

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Middletown City School District, Middletown, Ohio

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HAZING AND BULLYING

Hazing means doing any act or coercing another, including the victim, to do any act of intimidation or harassment to any student or other organization that causes or creates a substantial risk of causing mental or physical harm to any person.

Bullying, harassment and intimidation is an intentional written, verbal or physical act that a student has exhibited toward another particular student more than once. The intentional act also includes violence within a dating relationship. The behavior causes both mental or physical harm to the other student and is sufficiently severe, persistent or pervasive that it creates an intimidating, threatening or abusive educational environment for the other student. This behavior is prohibited on school property or at a school-sponsored activity.

The prohibition against hazing, dating violence, harassment, intimidation or bullying is publicized in student handbooks and in the publications that set the standard of conduct for schools and students in the District. In addition, information regarding the policy is incorporated into employee handbooks and training materials.

School Personnel Responsibilities and Intervention Strategies

Harassing, hazing, intimidating, bullying behavior and/or dating violence by any student/school personnel in the District is strictly prohibited, and such conduct may result in disciplinary action, including suspension and/or expulsion from school. Harassment, hazing, intimidation and/or bullying means any intentional written, verbal, graphic or physical acts, including electronically transmitted acts, either overt or covert, by a student or group of students toward other students/school personnel with the intent to haze, harass, intimidate, injure, threaten, ridicule or humiliate. Such behaviors are prohibited on or immediately adjacent to school grounds, at any school-sponsored activity; in any District publication; through the use of any District-owned or operated communication tools, including but not limited to District e-mail accounts and/or computers; on school-provided transportation or at any official school bus stop.

Hazing, harassment, intimidation, bullying and/or dating violence can include many different behaviors. Examples of conduct that could constitute prohibited behaviors include, but are not limited to:

1. physical violence and/or attacks;
2. threats, taunts and intimidation through words and/or gestures;
3. extortion, damage or stealing of money and/or possessions;

4. exclusion from the peer group or spreading rumors;
5. repetitive and hostile behavior with the intent to harm others through the use of information and communication technologies and other web-based/online sites (also known as “cyber bullying”), such as the following:
 - A. posting slurs on web sites, social networking sites, blogs or personal online journals;
 - B. sending abusive or threatening e-mails, web site postings or comments and instant message;
 - C. using camera phones to take embarrassing photographs or videos of students and/or distributing or posting the photos or videos online and
 - D. using web sites, social networking sites, blogs or personal online journals, e-mails or instant messages to circulate gossip and rumors to other students.
6. excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

In evaluating whether conduct constitutes hazing or bullying, special attention is paid to the words chosen or the actions taken, whether such conduct occurred in front of others or was communicated to others, how the perpetrator interacted with the victim and the motivation, either admitted or appropriately inferred.

Teachers and Other School Staff

Teachers and other school staff, who witness acts of harassment, hazing, intimidation, bullying and/or dating violence as defined above, promptly notify the building principal/designee of the event observed, and promptly file a written incident report concerning the events witnessed.

Teachers and other school staff who receive student or parent reports of suspected hazing, harassment, intimidation, bullying and/or dating violence promptly notify the building principal/designee of such report(s). If the report is a formal, written complaint, the complaint is forwarded to the building principal/designee no later than the next school day. If the report is an informal complaint by a student that is received by a teacher or other professional employee, he/she prepares a written report of the informal complaint which is forwarded to the building principal/designee no later than the next school day.

Complaints

1. Formal Complaints

Students and/or their parents or guardians may file reports regarding suspected hazing, harassment, intimidation, bullying and/or dating violence. The reports should be written. Such written reports must be reasonably specific including person(s) involved; number of times and places of the alleged conduct; the target of suspected harassment, intimidation and/or bullying and the names of any potential student or staff witnesses. Such reports may be filed with any school staff member or administrator. They are promptly forwarded to the building principal/designee for review and action.

2. Informal Complaints

Students, parents or guardians and school personnel may make informal complaints of conduct that they consider to be harassment, intimidation and/or bullying by verbal report to a teacher, school administrator or other school personnel. Such informal complaints must be reasonably specific as to the actions giving rise to the suspicion of hazing, harassment, intimidation and/or bullying, including person(s) involved, number of times and places of the alleged conduct, the target of the prohibited behavior(s) and the names of any potential student or staff witness. The school staff member or administrator who receives the informal complaint promptly documents the complaint in writing, including the above information. This written report by the school staff member and/or administrator is promptly forwarded to the building principal/designee for review and action.

3. Anonymous Complaints

Students who make informal complaints as set forth above may request that their name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. The anonymous complaint is reviewed and reasonable action is taken to address the situation, to the extent such action (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of harassment, hazing, intimidation, bullying and/or dating violence.

School Personnel Responsibilities and Intervention Strategies

1. Teachers and Other School Staff

In addition to addressing both informal and formal complaints, school personnel are encouraged to address the issue of harassment, hazing, intimidation, bullying and/or dating violence in other interactions with students.

School personnel may find opportunities to educate students about harassment, hazing, intimidation and bullying and help eliminate such prohibited behaviors through class discussions, counseling and reinforcement of socially appropriate behavior. School personnel should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, humiliating or intimidating another student/school personnel, even if such conduct does not meet the formal definition of harassment, hazing, intimidation or bullying.

2. Administrator Responsibilities

A. Investigation

The principal/designee is notified of any formal or informal complaint of suspected harassment, hazing, intimidation or bullying. Under the direction of the building principal/designee, all such complaints are investigated promptly. A written report of the investigation is prepared when the investigation is complete. The report includes findings of fact, a determination of whether acts of harassment, hazing, intimidation, bullying and/or dating violence were verified, and, when prohibited acts are verified, a recommendation for intervention, including disciplinary, action is included in the report. Where appropriate, written witness statements are attached to the report.

Notwithstanding the foregoing, when a student making an informal complaint has requested anonymity, the investigation of such complaint is limited as is appropriate in view of the anonymity of the complaint. Such limitation of the investigation may include restricting action to a simple review of the complaint (with or without discussing it with the alleged perpetrator), subject to receipt of further information and/or the withdrawal by the complaining student of the condition that his/her report be anonymous.

B. Nondisciplinary Interventions

When verified acts of harassment, hazing, intimidation, bullying and/or dating violence are identified early and/or when such verified acts do not reasonably require a disciplinary response, students may be counseled as to the definition of the behavior, its prohibition and their duty

to avoid any conduct that could be considered harassing, hazing, intimidating and/or bullying.

If a complaint arises out of conflict between students or groups of students, peer mediation may be considered. Special care, however, is warranted in referring some cases to peer mediation. A power imbalance may make the process intimidating for the victim and therefore inappropriate. The victim's communication and assertiveness skills may be low and could be further eroded by fear resulting from past intimidation and fear of future intimidation. In such cases, the victim should be given additional support. Alternatively, peer mediation may be deemed inappropriate to address the concern.

C. Disciplinary Interventions

When acts of harassment, intimidation and bullying are verified and a disciplinary response is warranted, students are subject to the full range of disciplinary consequences. Anonymous complaints that are not otherwise verified, however, cannot provide the basis for disciplinary action.

In and out-of-school suspension may be imposed only after informing the accused perpetrator of the reasons for the proposed suspension and giving him/her an opportunity to explain the situation.

Expulsion may be imposed only after a hearing before the Board of Education, a committee of the Board or an impartial hearing officer designated by the Superintendent in accordance with Board policy. This consequence is reserved for serious incidents of harassment, intimidation or bullying and/or when past interventions have not been successful in eliminating prohibited behaviors.

Allegations of criminal misconduct are reported to law enforcement, and suspected child abuse is reported to Child Protective Services, per required timelines.

Report to the Parent or Guardian of the Perpetrator

If, after investigation, acts of harassment, intimidation and bullying by a specific student are verified, the building principal/designee notifies the parent or guardian of the perpetrator, in writing, of that finding. If disciplinary consequences are imposed against such student, a description of such discipline is included in such notification.

Reports to the Victim and his/her Parent or Guardian

If, after investigation, acts of bullying or hazing against a specific student are verified, the building principal/designee notifies the parent/guardian of the victim of the finding. In providing such notification, care must be taken to respect the statutory privacy rights of the perpetrator.

Bullying matters, including the identity of both the charging party and the accused, are kept confidential to the extent possible. Although discipline may be imposed against the accused upon a finding of guilt, retaliation is prohibited.

School administrators shall notify both the parents of a student who commits acts of harassment, intimidation, bullying and/or dating violence and the parents or guardians of students against whom such acts were committed, and shall allow access to any written reports pertaining to the incident, to the extent permitted by law.

Police and Child Protective Services

In addition to, or instead of, filing a complaint through this policy, a complainant may choose to exercise other options including, but not limited to, filing a complaint with outside agencies or filing a private lawsuit. Nothing prohibits a complainant from seeking redress under any other provision of the Ohio Revised Code or common law that may apply.

The District must also investigate incidents of harassment, hazing, intimidation, bullying and/or dating violence for the purpose of determining whether there has been a violation of District policy or regulations, even if law enforcement and/or the public children's services are also investigating. All District personnel must cooperate with investigations by outside agencies.

(Approval date: February 11, 2008)

(Revision date: April 6, 2010)

TOBACCO USE BY STUDENTS

Health professionals have determined that the use of tobacco products can be detrimental to one's health. The Board wishes to encourage good health practices among the students of this District. Therefore, the Board prohibits the smoking, use or possession of tobacco in any form including, but not limited to, cigarettes, cigars, clove cigarettes, chewing tobacco, snuff and any other forms of tobacco by any student in any area under the control of the District or at any activity supervised by any school within the District. State law also prohibits the distribution or possession of tobacco products to or by any person under 18 years of age.

Students and parents are given copies of the standards of conduct and statement of disciplinary sanctions, and notified that compliance with the standards of conduct is mandatory. Disciplinary measures taken against students for violations of this policy comply with the requirements of State law and related District policies.

[Adoption date: October 11, 2004]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Goals 2000: Educate America Act; 20 USC 6081-6084
ORC 3313.66; 3313.661; 3313.751
OAC 3301-35-02; 3301-35-04

CROSS REFS.: JFA, Student Due Process Rights
JFC, Student Conduct (Zero Tolerance)
JGD, Student Suspension
JGE, Student Expulsion
Student Handbooks

ALCOHOL USE BY STUDENTS/DRUG ABUSE BY STUDENTS

The Board recognizes its share of the responsibility for the health, welfare and safety of the students who attend the District's schools. The Board is concerned about the problems of alcohol and drug abuse and recognizes that illegal or inappropriate use of alcohol, narcotic drugs, depressants or other controlled substances is wrong and harmful and constitutes a hazard to the positive development of all students.

The Board does not permit any student to possess, transmit, conceal, offer for sale, consume, show evidence of having consumed or used any alcoholic beverages, illegal drugs, unprescribed drugs, look-alike drugs or any mind-altering substance while on school grounds or facilities; at school-sponsored events; in other situations under the authority of the District or in school-owned or school-approved vehicles. Included in this prohibition are any substances represented as a controlled substance, nonalcoholic beers, steroids, tobacco and tobacco products and drug paraphernalia.

The Board wishes to emphasize the following.

1. A student is required to obey existing laws on school grounds and while involved in school activities. School authorities have the same responsibility as any other citizen to report violations of the law. The final disposition of any problem, however, is determined by the building principal with due consideration of the welfare of the student and of any other relevant factors involved.
2. Discipline is imposed independent of court action. Students are subject to immediate suspension or expulsion proceedings for possession or use of illegal drugs or alcoholic beverages.
3. Parents and students are given a copy of the standards of conduct and the statement of disciplinary sanctions and are notified that compliance with the standards of conduct is mandatory.
4. If conditions warrant, the administration refers the student for prosecution and offers full cooperation in a criminal investigation.
5. A reduction in penalty may be considered if the student receives professional assistance at parent/guardian expense. Professional assistance may include but not be limited to an alcohol/drug education program; assessment with follow-through based on the assessment findings, counseling, outpatient treatment or inpatient treatment.

The Superintendent establishes and the Board considers for approval detailed procedures for dealing with students who may have a drug or alcohol problem. These procedures are in compliance with all applicable laws and observed by all staff members. It is the desire of the Board for students with problems to feel secure enough to ask for help from their teachers or

counselors without fear of reprisal. Confidentiality shall be maintained within the limits of the law. The long-range welfare of the student is paramount.

1 of 2

[Adoption date: October 11, 2004]

LEGAL REFS.: Drug-Free Campus and Schools Act; 20 USC 3224(a)
ORC 2925.01; 2925.11; 2925.14; 2925.37
3313.66; 3313.661
3719.011; 3719.41

CROSS REFS.: IGAG, Drugs, Alcohol and Tobacco Education
JFC, Student Conduct (Zero Tolerance)
JHCD, Administering Medicines to Students
Code of Student Conduct
Student Handbooks

WEAPONS IN THE SCHOOLS

The Board is committed to providing the students of the District with an educational environment which is free of the dangers of firearms, knives and other weapons.

The definition of a firearm is any weapon (including a starter gun) which 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 firearm silencer or any destructive device (as defined in 18 U.S.C.A. Section 921), which includes any explosive, incendiary or poisonous gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the devices described above. A knife is defined as a cutting instrument having a sharp blade.

Unless a student is permanently excluded, the Superintendent shall expel a student from school for a period of one year for bringing a firearm or knife to a school within the District or onto any other property owned or controlled by the Board, or for possessing a firearm or knife at a school or on any other property owned or controlled by the Board, which firearm or knife was initially brought onto school property by another person, except that the Superintendent may reduce this requirement on a case-by-case basis in accordance with this policy. Any such expulsion shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

Matters which might lead to a reduction of the expulsion period include the student's mental and/or physical characteristics or conditions, the age of the student and its relevance to the punishment, the prior disciplinary history of the student and/or the intent of the perpetrator.

A student may be expelled for up to one year for firearm-related or knife-related incidents occurring off school property while at a school-sponsored interscholastic competition, extracurricular event or other school-sponsored activity.

A student suspended, expelled, removed or permanently excluded from school for misconduct involving a firearm or knife also loses his/her driving privileges. The District must notify the county juvenile judge and registrar of motor vehicles within two weeks of the suspension, expulsion or permanent exclusion.

The Board prohibits students from knowingly possessing an object on school premises, in a school or a school building, at a school activity or on a school vehicle if both of the following apply.

1. The object is indistinguishable from a firearm, whether or not the object is capable of being fired.
2. The person indicates that the person possesses the object and that it is a firearm, or the person knowingly displays or brandishes the object and indicates that it is a firearm.

As defined by State law and for purposes of this policy, an “object that is indistinguishable from a firearm” means an object made, constructed or altered so that, to a reasonable person without specialized training in firearms, the object appears to be a firearm.

Students found in violation of numbers 1 and 2 above may be reported to the local law enforcement authority and may be prosecuted under State criminal statutes, as well as disciplined in accordance with the provisions of the District’s Code of Student Conduct and State law.

The Superintendent is authorized to expel a student from school for a period not to exceed one year for making a bomb threat to a school building, or to any premises at which a school activity is occurring at the time of the threat. Any expulsion under this provision extends, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

[Adoption date: October 11, 2004]

LEGAL REFS.: 18 USC 921
20 USC 2701 et seq., Title IX 9001-9005
Gun-Free Schools Act; 20 USC 8921
ORC 2923.122
3313.66; 3313.661; 3313.662
3321.13

CROSS REFS.: JEGA, Permanent Exclusion
JFC, Student Conduct (Zero Tolerance)
JFCL, Unsafe Schools (Persistently Dangerous School)
JGD, Student Suspension
JGDA, Emergency Removal of Student
JGE, Student Expulsion
Code of Student Conduct

USE OF ELECTRONIC COMMUNICATIONS EQUIPMENT BY STUDENTS

Students may have cellular telephones and other electronic communications devices while on school property as long as such devices are turned off during scheduled class time, unless otherwise directed by the teacher for instructional purposes. Students are permitted such communication devices after school activities or events.

First time violators of this policy are reported to the principal, who may confiscate the device and hold it in his/her office until the end of the school day. Subsequent violations may result in confiscation, loss of privilege and/or forfeiture of the device to the District.

The District assumes no liability if these devices are broken, lost or stolen. Notice of this policy appears in the student handbook.

[Adoption date: October 11, 2004]

[Revision date: April 25, 2005]

[Revision date: March 7, 2011]

LEGAL REFS.: AC, Nondiscrimination

EDE, Computer/On-Line Services (Acceptable Use and Internet Safety)

JFC, Student Conduct (Zero Tolerance)

JFCEA, Gangs

JFCF, Hazing

Student Handbooks

UNSAFE SCHOOLS
(Persistently Dangerous Schools)

The Board complies with State and Federal law in adopting a policy on persistently dangerous schools.

A student attending a “persistently dangerous” school in this District or who becomes a victim of a “violent criminal offense,” “as determined by State law”, anywhere on District “grounds” or during school-sponsored activities is allowed to attend another school in the District that is not persistently dangerous that offers instruction at the student’s grade level. However, there is no transfer option if there is no other school in this District that offers instruction at the student’s grade level.

A “persistently dangerous” school is defined by State law as a school that has two or more violent criminal offenses in or on school grounds, per 100 students, in each of two consecutive school years. In schools with 300 or fewer students enrolled, six or more violent criminal offenses must occur. Likewise, if a school has 1350 or more students enrolled, 27 or more violent criminal offenses must occur in each of two consecutive school years.

“Violent criminal offense” refers to any violent criminal offense set forth and defined in State law as violent in nature.

“As determined by State law” means that the student has been identified as the victim and the perpetrator has pled guilty to, been adjudicated or convicted of a violent criminal offense in an Ohio court.

“Grounds” includes school bus transportation to and from school and school-sponsored activities and designated bus stops.

[Adoption date: October 11, 2004]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
OAC 3301-35-02; 3301-35-04

CROSS REFS.: JECBD, Intradistrict Open Enrollment
JFC, Student Conduct (Zero Tolerance)
JFCJ, Dangerous Weapons in the Schools
Student Handbooks

PREGNANT STUDENTS

The Board affirms the right of a pregnant student to continue her participation in the educational program.

As soon as the pregnancy is medically confirmed, the Board recommends that the student consult with a member of the student personnel staff or the principal to plan her educational program.

With the staff member involved, the student may elect any of the following educational plans or suggest alternatives.

1. She may remain in her present school program, with modifications as necessary until the birth of her baby is imminent or until her physician states that continued participation would be detrimental to her health or that of the baby.
2. When information has been obtained from the student's physician indicating that the student is unable to attend school, home-bound instruction is available at school expense until her physician states that she is physically able to return to school.
3. With Board approval, she may temporarily withdraw from school and enroll in an approved educational program in which she can continue her education.

Efforts are made to ensure that the educational program of the student is disrupted as little as possible and that she receives health and counseling services, as well as instruction. Students under the age of 18 are still subject to compulsory education requirements. Students 18 or older are encouraged to return to school after delivery and complete requirements for graduation.

[Adoption date: October 11, 2004]

LEGAL REFS.: Education Amendments of 1972, Title IX; 20 USC 1681 et seq.
ORC 3321.01; 3321.04
OAC 3301-69-06

CROSS REFS.: JB, Equal Educational Opportunities
JEA, Compulsory Attendance Ages

INTERROGATIONS AND SEARCHES

The District has responsibility for the control and management of students during the school day and hours of approved extracurricular activities. While discharging its responsibility, the administration is to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. The administration has developed regulations to be followed in the case of searches and interrogations.

The right to inspect students' school lockers or articles carried upon their persons and to interrogate an individual student is inherent in the authority granted school boards. All searches are conducted sparingly and only when such search is reasonably likely to produce tangible results to preserve discipline and good order and the safety and security of persons and their property within the area of the school's responsibility.

Student lockers are the property of the District, and since random searches have a positive impact on reducing drugs and other criminal activity, it is the policy of the Board to permit the building administrator to search any locker and its contents as the administrator believes necessary. Such notice will be posted at or near the entrance to the school grounds and at the main entrance to each school building.

The Board directs the Superintendent to authorize the use of dogs trained in detecting the presence of drugs. The dogs may be used to patrol the school facilities and grounds, including the lockers and parking areas. Use of dogs may be unannounced and random. If a trained canine alerts to a particular vehicle, locker or other container, it shall create reasonable suspicion to search that vehicle, locker or container in accordance with this policy.

Interrogations of students by law enforcement agencies and other authorities outside the District are extremely disruptive to a student's educational process. Additionally, such interrogations may impact student and/or parental rights. Therefore, a determination as to the conditions under which interrogations are conducted are made by school administrators on a case-by-case basis.

[Adoption date: October 11, 2004]

LEGAL REFS.: U.S. Const. Amend. IV
ORC 3313.20

CROSS REFS.: JF, Student Rights and Responsibilities
JHG, Reporting Child Abuse

INTERROGATIONS AND SEARCHES

Searches of School Property Assigned to a Student

The following rules apply to the search of school property assigned to a student (locker, desk, etc.) and the seizure of items in his/her possession.

1. General housekeeping inspection of school property may be conducted with reasonable notice. Random searches of lockers may be conducted.
2. A search of a desk or other storage space may be conducted when there exists reasonable cause for school authorities to believe that the area being searched contains evidence of a crime or violation of school rules.
3. Search of an area assigned to a student should be for a specifically identified item and should be conducted in his/her presence and with his/her knowledge, whenever possible. If a student is truant, unavailable, or has withdrawn, a locker search/removal of personal items is to be completed by an administrator with a staff member as a witness.
4. Items, the possession of which constitutes a crime or violation of school rules, or any other possessions reasonably determined to be a threat to the safety or security of others may be seized by school authorities at any time.

Searches of a Student's Person or Personal Property by School Personnel

Principals/designees are permitted to search the person and personal property (purse, backpack, gym bag, etc.) of a student where there is reason to believe that evidence will be obtained indicating the student's violation of either the law or school rules. The following rules apply in such cases.

1. There should be reasonable cause to believe that the search will result in obtaining evidence which indicates the student's violation of the law or school rules.
2. Searches of a student's person are conducted by a member of the same gender as the student.
3. Searches are conducted in the presence of another administrator or staff member.
4. Parents of a minor student who is the subject of a search are notified of the search and are given the reason(s) for the search as soon as feasible after completion of the search.
5. When evidence is uncovered indicating that a student may have violated the law, law enforcement officials shall be notified.

6. Strip searches by staff members are prohibited. In cases in which school officials believe a strip search is necessary, law enforcement officials are called to make the final determination of the necessity of a search and to conduct the search per police department guidelines.

Search of a Student's Automobile

When a school official has plain view of drugs, weapons or contraband, it may be seized from a student's automobile that is parked on school property. The contraband should be seized with at least one administrator and the student driver present and/or two administrators/staff members as witnesses.

Searches of Student Property by Police

A law enforcement agency is required to produce a warrant prior to conducting any search of a student's personal property kept on school premises; however, when the police have reason to believe that any item which might pose an immediate threat to the safety or security of others is kept in a student locker, desk or other storage space, searches may be conducted without a previously issued warrant.

Interrogations by Police

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to try to protect each student under its control; therefore:

1. The questioning of students by law enforcement agencies is limited to situations where parental consent has been obtained or the school official has made an independent determination that reasonable grounds exist for conducting an interrogation during school hours.
2. Whenever possible, police officers should contact and/or question students out of school. When it is absolutely necessary for an officer to make a school contact with a student, the school authorities will bring the student to a private room and the contact is made out of the sight of others as much as possible.
3. The school principal must be notified before a student may be questioned in school or taken from a classroom.
4. If possible, a parent or legal guardian of the student to be interviewed should be notified by the police before the student is questioned so that the parent(s) may be present if they so desire.
5. To avoid possible criticism, a school official will request to be present when an interrogation takes place within the school.
6. When the police feel it is necessary to remove a child from school, the police should first obtain parental consent or produce a warrant, court order, or other legal document which would give them authority to remove the child without parental consent. If the circumstances make it impossible for the police to make this notification to the parents, the principal/designee should do so.

An emergency removal of a student from the school may be made by the police without a parent's consent only if attempts to notify a parent fail and/or if having the student remain in school creates a threat to the safety and security of others in the building. In this case, the principal should contact the parent as soon as possible.

7. Law enforcement officials should always be notified by the school principal whenever a student is involved in any type of criminal activity. When the principal learns of this involvement, he/she should notify the juvenile officer or detective bureau of the law enforcement agency. The school should not attempt to handle matters which are properly in the realm of a law enforcement agency.

(Approval date: October 11, 2004)

STUDENT DISCIPLINE

Effective discipline, which requires respect for the rights of others, is necessary if all students are to attain a quality education. The Board delegates to school officials the authority to enforce District policies, regulations and school rules governing student conduct.

A complete statement governing or describing all the relationships and processes involved in student discipline would be very extensive. The most important part of such a statement would be the relationship of the teacher and the principal in matters of discipline. Teachers must feel free to consult and work closely with the building principal in dealing with any problem with which the teacher might need guidance. This working relationship is one key to desirable discipline and a quality instructional environment.

The Board also believes that the teacher-student relationship in the classroom, halls and on school property is important and should be one of mutual respect at all times. The teacher is recognized as the person in authority at all times in the classroom, halls, buildings, school grounds and at school-related events.

Each case of unsatisfactory behavior by a student is handled individually. The classroom teacher may take the steps which he/she believes are justified in each case. If the student does not respond to these measures, the teacher then refers the student to the principal.

In terms of the relationship of the teacher and principal in discipline matters, the Board expects that whenever a discipline problem appears to extend beyond the classroom, the teacher discusses the problem with the principal. The teacher(s) and the principal work together in attempting to control or correct the problem.

A student's failure to comply with the requirements for conduct outlined in the student handbooks may result in the student's being disciplined. The student may lose all rights to participate in school-related social events or extracurricular activities for a period of time determined by the principal. Depending on the seriousness of the offense committed by the student, suspension or expulsion may also result. Discipline is always administered in a reasonable manner.

If several methods of discipline have been used in an effort to solve a problem and it appears necessary, in the judgment of the principal and Superintendent, to discipline or withdraw privileges from a large group, this action may be taken. Any punishment technique involving an entire class or large group is used only as a last resort.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 3313.20; 3313.66; 3313.661; 3313.662
3319.41

CROSS REFS.: ECAB, Vandalism
IGD, Cocurricular and Extracurricular Activities
JFC, Student Conduct (Zero Tolerance)
JG, Student Discipline
JGA, Corporal Punishment
JGD, Student Suspension
JGDA, Emergency Removal of Students
JGE, Student Expulsion
Student Handbooks

CORPORAL PUNISHMENT

The Ohio Revised Code allows boards of education to ban the use of corporal punishment and this Board does not believe such punishment to be suitable. Corporal punishment is prohibited and shall not be used as a form of discipline in the District. The Board expects the administration, faculty and staff to use other forms of discipline, counseling and referral, including communication and meetings with the parents to promote appropriate, positive behavior.

A student who fails to comply with established school rules or with any reasonable request made by school personnel on school property and/or at school-related events is dealt with according to approved student discipline regulations.

Teachers, principals, administrators and support staff are authorized by law to use, within the scope of their employment, such amount of force and restraint as is reasonable and necessary to quell a disturbance threatening physical injury to others, to obtain possession of weapons or other dangerous objects, for the purpose of self-defense, or for the protection of persons or property.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 3313.20
3319.41

CROSS REFS.: ECAB, Vandalism
JG, Student Discipline
Code of Student Conduct
Student Handbooks

DETENTION OF STUDENTS

Detention with adequate supervision at noon recess and at the close of the school day shall not exceed 30 minutes for grades 1-6 or 45 minutes for grades 7-12.

In case an elementary student is detained at the end of the day, the parent is notified prior to the serving of the detention. Written notification is sent home at least one day in advance of the day set for detention. Parents are notified that they are responsible for coming after the student.

Detention of students is used with discretion. When it is assigned, students should thoroughly understand the reasons for the detention. As a usual procedure, detention should begin on the day following the incident in order that parents may be apprised of the fact that the student will be detained after school hours.

[Adoption date: October 11, 2004]

CROSS REFS.: JFC, Student Conduct (Zero Tolerance)
JG, Student Discipline
Student Handbooks

STUDENT SUSPENSION

The Superintendent, principals, assistant principals and other administrators may suspend a student from school for disciplinary reasons outlined in the Student Code of Conduct. No period of suspension is for more than 10 school days. Suspensions may extend beyond the current school year if, at the time a suspension is imposed, fewer than 10 days remain in the school year. The Superintendent/designee may apply any or all of the period of suspension to the following year.

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

The guidelines listed below are followed for all out-of-school suspensions.

1. The student is informed in writing of the potential suspension and the reasons for the proposed action.
2. The student is provided an opportunity for an informal hearing to challenge the reason for the intended suspension and explain his/her actions.
3. An attempt is made to notify the parent(s) by telephone if a suspension is issued.
4. Within 24 hours, a letter is sent to the parent(s) stating the specific reasons for the suspension and including notice of the right to appeal such action.
5. Notice of this suspension is sent to the:
 - A. Superintendent;
 - B. Treasurer and
 - C. student's school record (not for inclusion in the permanent record).
6. Permanent Exclusion - If the offense is one for which the District may seek permanent exclusion, the notice contains that information.

Appeal Procedure

Should a student or a student's parent(s) choose to appeal the suspension, he/she must do so, in writing to the Superintendent or designee, within 10 calendar days of the notice of suspension. Unless otherwise directed by the Board, the Superintendent or designee is the authorized hearing officer. At the request of the student or of the student's parent(s) or attorney, the meeting may be held in executive session. All witnesses are sworn and a verbatim record is kept of the hearing. The decision of the Superintendent or designee shall be acted upon at a public meeting. The student may be excluded from school during the appeal process.

Appeal to the Court

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

[Adoption date: October 11, 2004]

[Revision date: June 9, 2008]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

CROSS REFS.: IGCI, Community Service
JEGA, Permanent Exclusion
JFC, Student Conduct (Zero Tolerance)
JFCEA, Gangs
JFCJ, Weapons in the Schools
JG, Student Discipline
JGE, Student Expulsion

STUDENT SUSPENSION

1. No student may be suspended unless the Superintendent, principal, assistant principal or other administrators gives prior written notice to the student of the intention to suspend him/her, setting out the reasons for such proposed suspension. The term "other administrator" means any employee in a position for which the Board requires a license designated for being an administrator, other than a superintendent, assistant superintendent, principal or assistant principal.
2. The written notice shall also set a reasonable time and place at which the student may appear at an informal hearing before the principal or an assistant principal and given an opportunity to challenge the reasons for the proposed suspension or to otherwise explain his/her actions.
3. The written notice may be sent by first class mail two days prior to a scheduled P.M. hearing date or three days prior to a scheduled A.M. or P.M. hearing date.
4. If suspension occurs after the hearing, within 24 hours thereafter, the Superintendent, principal, assistant principal or other administrators must give notice in writing to the student's parent, guardian or legal custodian and to the Treasurer, which notice shall include:
 - A. reason(s) for the suspension;
 - B. a statement as to the right of the student, parent, guardian or legal custodian to appeal the suspension to the Board or its designee and
 - C. a statement of the student's right to be represented at the appeal hearing and to have the appeal heard in a public or private session by the hearing officer for the Board.
5. A suspension may extend beyond the current semester, but not more than 10 school days.
6. When under suspension from school, a student is ineligible for all school activities, which also include all cocurricular and extracurricular activities, both at home and away. A student cannot attend school functions as a participant or as an observer or be on school property.
7. The days missed are considered unexcused absences and the hearing officer determines whether or not a student can make up work.

(Approval date: October 11, 2004)

EMERGENCY REMOVAL OF STUDENT

If a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process, the Superintendent, principal, assistant principal or personnel employed to direct, supervise or coach a student activity program may remove the student from the premises.

If either suspension or expulsion is contemplated, a due process hearing is held within three school days after the removal is ordered. Written notice of the hearing and the reason for removal and any intended disciplinary action is given to the student as soon as practicable prior to the hearing. The student has the opportunity to appear at an informal hearing before the principal, assistant principal and Superintendent/designee and has the right to challenge the reasons for the removal or otherwise explain his/her actions. The person who ordered or requested the removal is present at the hearing. Within one school day of the decision to suspend, written notification is given to the parent(s) of the student and the Treasurer of the Board. This notice includes the reasons for the suspension and the right of the student or parent(s) to appeal to the Superintendent/designee.

If the Superintendent or principal reinstates a student prior to the hearing for emergency removal, the teacher may request, and is given, written reasons for the reinstatement. The teacher cannot refuse to reinstate the student.

In an emergency removal, a student can be kept from class until the matter of the alleged misconduct is disposed of either by reinstatement, suspension or expulsion.

In all cases of normal disciplinary procedures in which a student is removed from a curricular or extracurricular activity for less than 24 hours and is not subject to further suspension or expulsion, due process requirements do not apply.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

CROSS REFS.: ECAB, Vandalism
JFCJ, Weapons in the Schools
JG, Student Discipline
JGD, Student Suspension
JGE, Student Expulsion

STUDENT EXPULSION

At times, the behavior of a student can be considered so serious as to justify total removal from the educational program for a prolonged period of time. Actions meriting expulsion are outlined in the Student Code of Conduct. Only the Superintendent may expel a student. Expulsion is the removal of a student for more than 10 days, but not more than one year. An expulsion can extend beyond the end of the school year if there are fewer school days than expulsion days remaining. The Superintendent/designee may apply any remaining part or all of the period of the expulsion to the following school year.

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

The Superintendent/designee shall give the student and parent(s) written notice of the intended expulsion, including reasons for the intended expulsion. The student and parent(s) or representative have the opportunity to appear on request before the Superintendent/designee to challenge the action or to otherwise explain the student's actions. This notice shall state the time and place to appear, which must not be fewer than three days nor more than five days after the notice is given.

Within 24 hours of the expulsion, the Superintendent/designee shall notify the parent(s) of the student and the Treasurer of the Board.

The notice shall include the reasons for the expulsion, the right of the student or parent(s) to appeal to the Board or its designee, the right to be represented at the appeal and the right to request that the hearing be held in executive session.

The Superintendent/designee will initiate expulsion proceedings against a student who has committed an act that warrants expulsion even if the student withdraws from school before the Superintendent/designee has held the hearings or made the decision to expel the student.

Permanent Exclusion

If the offense is one for which the District may seek permanent exclusion, the notice shall contain that information.

Appeal to the Board

A student or a student's parent(s) may appeal the expulsion by the Superintendent or designee to the Board or its designee. The expulsion appeal must be within 14 calendar days after the notice of intent to expel was provided to the student, parent, guardian or custodian. The appeal request shall be in writing to the Superintendent or designee. At the request of the student or of the student's parent(s) or attorney, the appeal hearing may be held in executive session. The student may be represented in all such appeal proceedings and is granted a hearing before the Board or its designee. All witnesses are sworn and a verbatim record is kept of the hearing. The decision of the Board, Superintendent or designee shall be acted upon at a public meeting. The student may be excluded from school during the appeal process.

Appeal to the Court

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

Any student who is expelled from school for more than 20 days or into the following semester or school year is referred to an agency, which works towards improving the student's attitudes and behavior. The Superintendent/designee provides the student and his/her parent(s) with the names, addresses and telephone numbers of the public and private agencies providing such services. Any such services are at the parent/guardian expense.

[Adoption date: October 11, 2004]

[Revision date: June 9, 2008]

LEGAL REFS.: ORC Chapter 2506
3313.66; 3313.661; 3313.662

CROSS REFS.: ECAB, Vandalism
IGCI, Community Service
JFC, Student Conduct (Zero Tolerance)
JEGA, Permanent Exclusion
JFCJ, Weapons in the Schools
JG, Student Discipline
JGD, Student Suspension
JGDA, Emergency Removal of Student

STUDENT EXPULSION

1. No student may be expelled unless the Superintendent/designee gives prior written notice to the student and his/her parent, guardian or legal custodian of the intention to expel the student, setting out the reason(s) for the proposed expulsion.
2. The written notice shall also set a time and place at which the student and his/her parent, guardian, legal custodian or representative may appear before the Superintendent/designee to challenge the reasons for the proposed expulsion.
3. The hearing shall be held not less than three days or more than five days after the notice is given unless the Superintendent/designee grants an extension of time at the request of the student or his/her parent, guardian, legal custodian or representative. If the time is thus extended, the Superintendent/designee must notify the student and his/her parent, guardian, legal custodian or representative of the new time and the place to appear.
4. If expulsion occurs after the hearing, within 24 hours thereafter, the Superintendent/designee must give notice in writing to the student's parent, guardian or legal custodian and to the Treasurer. The notice shall include:
 - A. reason(s) for the expulsion:
 - B. a statement as to the right of the student, parent, guardian or legal custodian to appeal the expulsion to the hearing officer for the Board and
 - C. a statement of the student's right to be represented at the appeal hearing and to have the appeal heard in a public or private session by the hearing officer of the Board.
5. A student may be expelled for a period of up to one calendar year, which may extend beyond the current school year.
6. The Director of Student Services must be notified immediately of a request for a hearing on a proposed expulsion.
7. When under expulsion from school, a student is ineligible for all school activities, which also includes all cocurricular and extracurricular activities, both at home and away. A student cannot attend school functions as a participant or as an observer or be on school property.
8. Days missed are considered unexcused absences and the hearing officer determines whether or not a student can make up work.

(Approval date: October 11, 2004)

STUDENT HEALTH SERVICES AND REQUIREMENTS

The Board recognizes the responsibility of the schools to help protect the health of students. Health services are an integral part of comprehensive school improvement, assisting all students to increase learning, achievement and performance. Health services coordinate and support existing programs to assist each student in achievement of an optimal state of physical, mental and social well-being. Student health services ensure continuity and create linkages between school, home and community service providers. The District's comprehensive school improvement plan, needs and resources determine the linkages. The principal is responsible for the administration of the health program in his/her school.

Of necessity, school health services must be limited to the prevention and detection of health problems, referral of problems through parents to the family physicians or community health agencies and emergency care.

Each school shall have on file for each student an emergency medical authorization form providing information from the parent(s) on how they wish the school to proceed in the event of a health emergency involving the student and authorization for the school in case emergency action must be taken.

Annually, the District will notify parents of physical exams or screenings conducted on students except for vision, hearing or scoliosis.

[Adoption date: October 11, 2004]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Health Insurance Portability and Accountability Act; 29 USC 1181 et seq.
42 U.S.C. Sec. 12101 et seq. (1997)
20 U. S.C. 1232 g Sec. 1400 6301 et seq. (1997)
29 U.S.C. Sec 794(a)(1988)
ORC 3313.50; 3313.67-3313.73
OAC 3301-35-04; 3301-35-06

CROSS REFS.: IGBA, Programs for Students with Disabilities
JED, Student Absences and Excuses
JHCB, Inoculations of Students
JHCD, Administering Medicines to Students
JHG, Reporting Child Abuse

PHYSICAL EXAMINATIONS OF STUDENTS

The District requires health records of students under the following circumstances.

1. Kindergarten and first grade students entering school for the first time must have a completed health record before being admitted to school.
2. Health records are requested for all students transferring into the District. If the previous school does not forward a record or if it is incomplete, it is the parents' responsibility to comply with health requirements for students.
3. Students must have physical examinations prior to their participation in interscholastic athletic programs.

Parents have the right to refuse to allow their child to participate in nonemergency invasive physical examinations or screenings. Invasive physical exam is defined as 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 exam."

The District notifies parents, on an annual basis, of the administration of health and physical screenings and examinations and, thereby, gives parents the opportunity to exclude their children.

[Adoption date: October 11, 2004]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
ORC 3313.50; 3313.671; 3313.673; 3313.68; 3313.73

CROSS REF.: JHCB, Immunizations of Students

IMMUNIZATIONS OF STUDENTS

In order to minimize the spread of preventable illnesses in schools and provide students with a healthier learning environment, the Board require immunizations in compliance with State law and the Ohio Department of Health for each student unless the parent(s) file an objection. The Board may also require tuberculosis examinations in compliance with law.

Students eligible for kindergarten and students new to the District (transfers from within the state, other states and other countries) must present written evidence of similar immunizations or written evidence to indicate that they are in process of receiving such immunizations, to be completed no later than the day of entrance. Students failing to complete immunizations within 14 days after entering are not permitted to return to school.

[Adoption date: October 11, 2004]
(Revision date: September 20, 2010)

LEGAL REFS.: ORC 3313.67; 3313.671; 3313.71; 3313.711
3701.13

CROSS REFS.: JEC, School Admission
JEG, Exclusions and Exemptions from School Attendance
JHCA, Physical Examinations of Students

HIV/AIDS
(Human Immunodeficiency Virus/
Acquired Immune Deficiency Syndrome)

General Principles

The Board recognizes that the human immunodeficiency virus (HIV) and the condition of acquired immune deficiency syndrome (AIDS), which is caused by the HIV infection, are significant medical, legal, educational and social issues. The Board desires to protect the rights of all students and does not discriminate against students who are HIV-infected. The Board works cooperatively with state and local health organizations in assessing the needs of HIV-infected students and keeping updated on current educational information to be included in the District's educational plan.

Current medical information available indicates that HIV cannot be transmitted from one individual to another by casual contact, i.e., the type of contact that occurs in the school setting, such as shaking hands, sharing an office or a classroom, coughing, sneezing or the use of drinking fountains. Students who are infected with HIV are entitled to all rights, privileges and services accorded to other students. Decisions about any changes in the educational program of an HIV-infected student shall be made on a case-by-case basis, relying on the best available scientific evidence and medical advice.

Evaluating Students Who Are Infected with HIV

The Supervisor of Nursing is the designee regarding all HIV incidences. When an individual is found to be infected with HIV, the Supervisor of Nursing shall attempt to ascertain, in consultation with the infected individual, whether he/she has a secondary infection such as tuberculosis that constitutes a recognized risk of transmission in the school setting. This is a medical question that can only be determined by the infected person's physician. The Superintendent shall also attempt to determine ways that the District may help anticipate and meet the needs of the student infected with HIV.

If there is no secondary infection that constitutes a medically recognized risk of transmission in the school setting, the Supervisor of Nursing shall not alter the education program of the infected person. The Supervisor of Nursing shall periodically review the case with the infected person (and the parent(s) of the student) with the medical advisors described above.

If there is a secondary infection that constitutes a medically recognized risk of transmission in the school setting, the Supervisor of Nursing shall consult with the physician, public health official and the infected person (and the parent(s) of the student). If necessary, they will develop an individually tailored plan for the student. Additional persons may be consulted, if this is essential for gaining additional information, with the consent of the infected student's parent(s). The Supervisor of Nursing should consult with the school attorney to make sure that any official action is consistent with State and Federal law. When the Supervisor of Nursing makes a decision about the case, there shall be a fair and confidential process for appealing the decision.

If an individually tailored plan is necessary, it shall have a minimal impact on education. It must be medically, legally, educationally and ethically sound. The Supervisor of Nursing periodically reviews individual cases and oversees implementation of the plan in accordance with local, State and Federal law.

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Confidentiality

Information regarding a student infected with HIV is classified, by law, as confidential. Those individuals who have access to the proceedings, discussions or documents must treat such information as confidential. Only with the written consent of the student's parent(s) shall other school personnel, individuals and agencies be informed of the situation/condition. All information pertaining to the case shall be kept by the Director of Student Services in a locked file; access to this file is granted only to those people who have the written consent of the infected student's parent(s).

HIV Education Program

The Board directs the administration, to develop a program for educating persons regarding HIV. The program should provide a plan for making information about HIV available to students as a part of the health curriculum. HIV education should be developmentally appropriate to the grade level.

The Board directs the administration to develop an educational plan to inform students about HIV-related issues and safety. In developing such programs, it is expected that information from sources such as the National Centers for Disease Control, the Ohio Department of Health and the Ohio Department of Education is utilized.

The educational program should ensure that, at a minimum, students are informed in a consistent manner about:

1. the nature of HIV infection, including how it is and is not transmitted according to current scientific evidence;
2. District guidelines related to students with diseases such as HIV infection;
3. resources within the District and the surrounding community for obtaining additional information or assistance and
4. procedures to prevent the spread of all communicable diseases at school.

[Adoption date: October 11, 2004]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.
ORC 3313.67; 3313.68; 3313.71
3319.13; 3319.141; 3319.321
3701.13; 3701.14
3707.06; 3707.08; 3707.20; 3707.21; 3707.26
3709.20; 3709.21
OAC 3301-35-06

CROSS REFS.: AC, Nondiscrimination
ACB, Nondiscrimination on the Basis of Disability
EBBC, Bloodborne Pathogens
GBA, Equal Opportunity Employment
GBE, Staff Health and Safety
GBL, Personnel Records
JB, Equal Educational Opportunities
JO, Student Records
Staff and Student Handbooks

PEDICULOSIS

One of the goals of the District is to increase academic achievement. Consistent attendance is critical to the accomplishment of this goal. Current research on head lice does not support the conclusion that enforced exclusion policies result in reduced transmission of head lice. The primary goal of identification of lice infestation in the school setting is to ensure the child receives safe and effective treatment. Parents or guardians have this responsibility. Head lice are classified as a nuisance condition and are not known to transmit infectious disease person to person.

The District emphasizes prevention and education as primary measures to control head lice in the school setting. The school nurse assumes the major teaching role in educating parents, teachers and students about the transmission and treatment of head lice.

Guidelines for school attendance after a student has been identified with head lice:

1. Children identified with head lice infestation (nits) and no observable live lice should be allowed to remain in school for the remainder of the day. The teacher and child should be told of the infestation. Parents should be notified by phone and instructed to pick up their child if live lice are present. If parents cannot be immediately contacted, students with live lice will not return to the classroom and further efforts to contact the parents shall be made.
2. Verbal and/or written instructions regarding pediculosis control will be given to the parent or guardian.
3. Students are readmitted to school as soon as proof of treatment is provided to the school and no active infestation is identified. This can be accomplished overnight, allowing readmission the following day. The parent or guardian should accompany the student to school the day following identification. The student will be examined by a school staff member trained in the procedure, and examined again 7-10 days later. Active infestation is defined as presence of live lice or no progress in nit removal as determined by school personnel. Safe, effective treatment options are considered prescription or over the counter pediculicides, alternative treatment measures identified on a handout provided by the nurse on manual removal of bugs and eggs.
4. If a student is found to have active infestation live bugs or no progress in nit removal the parent will take the student home for further treatment. Further verbal and/or written instructions regarding pediculosis control is provided to the parent.
5. If a parent or guardian is not compliant with treatment options and the student has missed more than one day of school, the following measures may be implemented:
 - A. review of attendance policy and truancy guidelines;

- B. conference at school or home with the school nurse, principal, assistant principal, or social worker with a plan developed for treatment and return or
- C. further investigation includes referral to an outside agency.

Regulations are Board approved.

[Adoption date: October 11, 2004]

PEDICULOSIS

Procedure for Pediculosis Screening

1. At the beginning of each school year, the school nurses screen a percentage of students at elementary schools for head lice. Appropriate case finding and follow-up are carried out by the school nurse based on the results of the screening.
2. In addition to annual initial screenings, subsequent potential or suspected occurrences of head lice result in an inspection by the school nurse in a private setting.
3. Positive finds require that the remaining members of the classroom, siblings and other suspected contacts be screened. This may require communication to other schools where siblings or close contacts are attending.
4. Notification of any findings are reported to the principal, classroom teacher and family.
5. Children identified with head lice infestation (nits) and no observable live lice are allowed to remain in school for the remainder of the day. Treatment instructions are sent home with the child.
6. Children identified with live infestations (live bugs) are sent home with exclusion form and instruction for treatment.
7. Students are readmitted to school as soon as proof of treatment is provided to the school and no active infestation, as defined by policy, is identified. A written permission from the school nurse/designee allows student admittance to class.
8. Parents who notify the school of identified and treatment lice in their children will follow the same admittance procedure.
9. Children infested and identified with head lice are rechecked in seven to 10 days by the school nurse after returning to school.

(Approval date: October 11, 2004)

ADMINISTERING MEDICINES TO STUDENTS

Many students are able to attend school regularly only through effective use of medication in the treatment of disabilities or illnesses that do not hinder the health or welfare of others. If possible, all medication should be given by the parent(s)/guardian(s) at home. If this is not possible, it is done in compliance with the following:

1. The school nurse or an appropriate person appointed by the Board supervises the secure and proper storage and dispensation of medications. The drug must be received in the container in which it was dispensed by the prescribing physician or others licensed to prescribe medication. The child's name, physician's name, medication, dosage and time of administration should be on the container.
2. Written permission must be received from the parent(s)/guardian(s) of the student requesting that the school nurse or an appropriate person comply with the physician's order.
3. The school nurse or other designated individual must receive and retain a statement that complies with State law and is signed by the physician who prescribed the drug or other person licensed to prescribe medication.
4. The parent(s)/guardian(s) must agree to submit a revised statement, signed by the physician or other licensed individual who prescribed the drug, to the nurse or other designated individual if any of the information originally provided by the physician or licensed individual changes.
5. No employee who is authorized by the Board to administer a prescribed drug and who has a copy of the most recent statement is liable in civil damages for administering or failing to administer the drug, unless he/she acts in a manner which would constitute "gross negligence or wanton or reckless misconduct."
6. The Board shall not require an employee to administer a drug to a student if the employee objects, on the basis of religious convictions, to administering the drug.
7. Administration of any medication without the order of the physician and the permission of the parent/guardian could be interpreted as practicing medicine and is prohibited by law.
8. Only District employees who are licensed health professionals, or who have completed a drug administration training program conducted by a licensed health professional and considered appropriate by the District are allowed to administer prescription drugs to students.

The Board authorizes the Superintendent to give building principals the right to designate the employees responsible for administering medications. The names of staff members from each building are presented for Board approval each school year.

Employees designated by the principal to give medication shall record the time, date and their initials on the medication record administration form each time medication is given. The school nurse is responsible for monitoring this record; therefore, he/she should be notified of any new medications being given.

In the event a student has a handicapping condition, medical procedures are performed in accordance with State law. Persons performing these tasks are trained and monitored by medical personnel. This includes, but is not limited to, catheterization, gastrotube feeding, suctioning, etc.

Inhalers for Asthma and Epinephrine Autoinjectors

Students have the right to possess and use a metered-dose inhaler or a dry-powder inhaler to alleviate asthmatic symptoms or before exercise to prevent the onset of asthmatic symptoms, and/or carry and use an epinephrine autoinjector (epi-pen) to treat anaphylaxis (severe allergic reactions). This right applies at school or at any activity, event or program sponsored by or in which the student's school is a participant.

In order for a student to possess an inhaler or an epi-pen, he/she must have written approval from the prescriber of the medication and his/her parent/guardian. Written approval must be on file with the principal and the school nurse. In addition, the principal or school nurse must receive a backup dose of medication from the parent or student.

[Adoption date: October 11, 2004]

[Revision date: August 27, 2007]

[Revision date: June 20, 2010]

LEGAL REFS.: ORC 2305.23; 2305.231
3313.712; 3313.713; 3313.716

CROSS REFS.: EBBA, First Aid
JFCH, Alcohol Use by Students
JFCI, Student Drug Abuse

ADMINISTERING MEDICINES TO STUDENTS

Students needing medication are encouraged to receive the medication at home, if possible.

1. The person or persons designated to administer medication receives a written request, signed by the parent(s) having care or charge of the student, that the drug be administered to the student.
2. Each person designated to administer medication receives a statement, signed by the physician or other person licensed to prescribe medication, which includes all of the following information:
 - A. the name, birthdate and address of the student;
 - B. school and class in which the student is enrolled;
 - C. parent's signature and telephone numbers;
 - D. name of the drug and the dosage to be administered;
 - E. times or intervals at which each dosage of the drug is to be administered;
 - F. date on which the administration of the drug is to begin;
 - G. date on which the administration of the drug is to cease;
 - H. any severe adverse reactions which should be reported to the physician and one or more telephone numbers at which the person who prescribed the medication can be reached in case of an emergency and
 - I. special instructions for administration of the drug, including sterile conditions and storage.
3. The parent(s)/guardian(s) agree to submit a revised statement signed by the physician who prescribed the drug to the person designated to administer medication if any of the information provided by the person licensed to prescribe medication as described above changes.
4. The person authorized to administer the drug receives a copy of the statement described above.
5. The drug is received by the person authorized to administer the drug to the student for whom the drug is prescribed in the container in which it was dispensed by the prescribing physician or other licensed professional.

The person designated by the Board establishes a location in each school building for the storage of drugs to be administered. All such drugs shall be stored in that location in a locked storage place. Drugs which require refrigeration may be kept in a refrigerator in a place not commonly used by students.

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No person who has been authorized by the Board to administer a drug and has a copy of the most recent statement which was given to him/her prior to administering the drug is liable for administering or failing to administer the drug, unless such person acts in a manner which constitutes "gross negligence or wanton or reckless misconduct."

A person employed by the Board is not required to administer a prescribed drug to a student unless a Board regulation establishes a requirement; furthermore, the Board shall not require an employee to administer a drug to a student if the employee objects, on the basis of religious convictions, to administering the drug.

Board policy and regulations regarding administering of medication must be formally adopted by the Board and may be changed, modified or revised only by action of the Board.

Inhalers

In order for a student to possess and use an inhaler, he/she must have written approval from the student's physician and parent or other caretaker. The principal and/or the school nurse must have received copies of these required written approvals.

The physician's written approval must specify the minimum following information:

1. the student's name and address;
2. the name of the medication contained in the inhaler;
3. the date the administration of the medication is to begin;
4. the date, if known, that the administration of the medication is to cease;
5. written instructions which outline the procedures school personnel should follow in the event that the asthma medication does not produce the expected relief from the student's asthma attack;
6. any severe adverse reactions that may occur to the student using the inhaler that should be reported to the physician;
7. any severe reactions that may occur to another student for whom the inhaler is not prescribed, should he/she receive a dose of the medication;
8. at least one emergency telephone number for contacting the physician;
9. at least one emergency telephone number for contacting the parent, guardian or other person having care or charge of the student in an emergency and
10. any other special instructions from the physician.

In no circumstances will the District, any member of the Board or any Board employee be liable for injury, death or loss of person or property when a District employee prohibits a student from using an inhaler because the employee believes, in good faith, that the required written approvals have not been received by the principal. Additionally, liability cannot accrue because the employee permits the use of an inhaler when the employee believes, in good faith, that the written approval(s) have been received by the appropriate authority.

(Approval date: October 11, 2004)

Middletown City School District, Middletown, Ohio

STUDENT SAFETY

The Board believes that students have the right to be protected in all facets of the education program and directs the Superintendent/designee to develop and maintain a safety instruction program for all students. The Safety program in the District includes staff training and instruction for students where appropriate to age and course or activity, including but not limited to:

1. establishing appropriate safety rules;
2. learning how to practice safety and prevent accidents;
3. learning how to safely use and properly care for tools and equipment so as to reduce the potential for accidents;
4. developing habits of good housekeeping, proper storage and handling of materials, and sanitation;
5. becoming familiar with personal protection devices and the proper clothing to be worn for safety purposes and
6. learning how to cooperate with others in the promotion and operation of a safety program in the schools, on school grounds and in school vehicles.
7. instructing students not to accept gifts or automobile rides from strangers. Students are also instructed to tell staff members, parents, or law enforcement officials of any suspicious strangers in or around school property.
8. providing instruction in personal safety and assault prevention in grades kindergarten through 6. Upon the written request of a parent, a student shall be excused from such instruction and
9. providing age-appropriate instruction in dating violence prevention in grades 7 through 12.

In an attempt to further ensure student safety, staff members:

1. shall not send students on errands that would require the student to leave school property and/or drive a vehicle;
2. shall not attempt to counsel, assess, diagnose or treat a student's

personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance;

3. shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background and
4. shall immediately report any suspected signs of child abuse or neglect.

In addition to instruction in safety, buildings are inspected annually to detect and remedy health and safety hazards. Staff members shall immediately report to the building administrator any accident or safety hazard he/she detects. The Superintendent is authorized and directed to develop appropriate means for the implementation of this policy.

[Adoption date: October 11, 2004]
[Revision date: November 1, 2010]

LEGAL REFS.: ORC 3313.60; 3313.643; 3313.96
3705.05
3737.73
OAC 3301-35-06

CROSS REFS.: AFI, Evaluation of Educational Resources
EB, Safety Program
EBD, Crisis Management
GBH, Staff-Student Relations (Also JM)
IGAE, Health Education
JEE, Student Attendance Accounting (Missing and Absent Children)
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)
JFCH, Alcohol Use by Students
JFCI, Student Drug Abuse
JHG, Reporting Child Abuse
JHH, Notification About Sex Offenders
JO, Student Records

REPORTING CHILD ABUSE

All employees of the District who know or have reasonable cause to suspect that a child under 18 years of age or a disabled child under 21 years of age has suffered, is suffering or faces a threat of suffering any type of abuse or neglect are required to immediately report such information to the public children services agency or the local law enforcement agency.

To ensure prompt reports, procedures for reporting are made known to the school staff. A person who participates in making such reports is immune from any civil or criminal liability, provided the report is made in good faith.

The Board directs the Superintendent/designee to develop a program of in-service training in child abuse prevention for all school nurses, teachers, counselors, psychologists and administrators. This program is developed in consultation with public or private agencies or persons involved in child abuse prevention or intervention programs.

Each person employed by the Board to work as a school nurse, teacher, counselor, psychologist and administrator shall complete at least four hours of in-service training in child abuse prevention, violence and substance abuse, school safety and the promotion of positive youth development within two years of commencing employment with the district, and every five years thereafter.

In addition, middle and high school employees who work as teachers, counselors, school nurses, psychologists and administrators must receive training in dating violence prevention. The curriculum for training in dating violence prevention is developed by the Superintendent/designee and training must occur within two years of commencing employment and every five years thereafter.

Conversely, public children's services agencies must notify the Superintendent of any allegations of child abuse and neglect reported to them involving the District, as well as the disposition of the investigation.

[Adoption date: October 11, 2004]
[Revision date: January 28, 2008]
[Revision date: December 21, 2009]
[Revision date: April 6, 2010]

LEGAL REFS.: ORC 2151.011; 2151.421
3313.662; 3313.666
3319.073

CROSS REFS.: EB, Safety Program
EBC, Emergency/Safety Plans
IGAE, Health Education
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating
Violence)
JHF, Student Safety

NOTIFICATION ABOUT SEX OFFENDERS

Megan's Law requires certain sexual predators and sex offenders to register with the sheriff in the county of their residence. In some circumstances the sheriff notifies the Superintendent that a sexual predator or habitual sex offender has moved into the area.

If the Superintendent receives information from the sheriff concerning a sexual predator or habitual sex offender subject to community notification, the Superintendent disseminates the information regarding the sexual predator or habitual sex offender to employees whose duties include supervision of or responsibility for students. Employees who receive the information are instructed to promptly notify the Superintendent if the sexual predator or habitual sex offender is observed in the vicinity of the school. The Superintendent notifies the local law enforcement agency if, in the judgment of the Superintendent, the presence of the sexual predator or habitual sex offender appears to be without a legitimate purpose or otherwise creates concern for the safety of the students. The law enforcement agency evaluates the situation and takes whatever action it deems appropriate. The law enforcement agency informs the Superintendent of any action taken and may provide advice regarding any additional action which the Superintendent should consider taking.

If the Superintendent receives information from the sheriff concerning a sexual predator or habitual sex offender subject to community notification, the Superintendent may inform parents, guardians and adult students that he/she has received notice that a sexual predator or habitual sex offender is residing within the District and that certain information concerning the offender is public record and is open to inspection at the office of the sheriff with whom the offender has registered.

With juvenile sex offenders, the Superintendent's notification duties are the same as with adult offenders. The Superintendent provides a copy of the county sheriff's sexual offender notice to his/her staff so that they are aware of the juvenile offender's information and photograph. The Superintendent must then notify parents that the school has received notice that a juvenile sex offender is attending school (or if an adult offender, working or attending school) in the District, and direct parents who want more information to the county sheriff's office.

If the Superintendent receives information from the sheriff concerning a sexual predator or habitual sex offender subject to community notification, he/she shall not release any other information and shall direct any inquiries to the office of the sheriff with whom the offender has registered.

[Adoption date: October 11, 2004]

LEGAL REFS.: 42 USC 14071
ORC Chapter 2950, Section 149.43
2151.02; 2151.355; 2152.83; 2152.84

Middletown City School District, Middletown, Ohio

OAC Chapter 109:5-2

CROSS REF.: GBQ, Criminal Record Check

STUDENT AWARDS AND SCHOLARSHIPS

The Board values excellence and wishes to encourage students to do their best in all endeavors. The Board directs the Superintendent to maintain a set of criteria and procedures for presenting letters or other suitable awards to students for academic accomplishment, as well as for distinguished service to the District through community service and/or cocurricular and extracurricular participation. Examples include, but are not limited to, the following:

1. academic excellence
2. community service (includes service to the school)
3. perfect attendance
4. cocurricular participation (band, choir, etc.)
5. extracurricular participation (athletics, intramural activities, other groups or clubs, etc.)

Each school may submit to the Superintendent recommendations for special recognition of any student or group of students who demonstrate accomplishments that benefit the District or the community.

Any person or organization desiring to give a gift, or make a grant or bequest, for special recognition of any student or group of students must contact the Superintendent, who submits the request to the Board.

Donations may be offered to the District in order to provide scholarship awards to students, provided the conditions of acceptance do not remove any portion of the control of the District from the Board.

[Adoption date: October 11, 2004]

LEGAL REFS.: ORC 9.20
3313.17; 3313.20; 3313.36

CROSS REFS.: JO, Student Records
KH, Public Gifts to the Schools

EMPLOYMENT OF STUDENTS

Students' school responsibilities are to take precedence over nonschool-related jobs. If students need to work while attending school, they are cautioned against assuming work commitments which interfere with their studies and achievement in school. Opportunities for employment are provided through work-experience programs and as noted below.

Work Permits

In compliance with law, the Superintendent is responsible for processing requests for and issuing work permits as necessary. Employment must meet all legal requirements pertaining to jobs suitable for minors.

In-School Employment

Part-time and summer jobs may be open to students commensurate with their abilities and the needs of the school for student help. The Board also authorizes the District to provide cooperative work-experience programs.

The Board approves appointments and establishes pay rates. These rates comply with requirements of the minimum wage law.

[Adoption date: October 11, 2004]

LEGAL REFS.: 48 USC 1324a et seq.
ORC 3313.56; 3313.93
3321.08 through 3321.11
3331.01 through 3331.14
Chapter 4109
4111.02

CROSS REF.: JEG, Exclusions and Exemptions from School Attendance

STAFF-STUDENT RELATIONS

The relationship between the District's staff and students must be one of cooperation, understanding and mutual respect. Staff members have a responsibility to provide an atmosphere conducive to learning and to motivate each student to perform at high levels.

Staff members should strive to secure individual and group discipline, and should be treated with respect by students at all times. By the same token, staff members should extend to students the same respect and courtesy that they, as staff members, have a right to expect.

Although it is desired that staff members have a sincere interest in students as individuals, partiality and the appearance of impropriety must be avoided. Excessive informal and/or social involvement with individual students is prohibited. Such conduct is not compatible with professional ethics and, as such, will not be tolerated.

Staff members are expected to use good judgment in their relationships with students both inside and outside of the school context including, but not limited to, the following guidelines.

1. Staff members shall not make derogatory comments to students regarding the school and/or its staff.
2. Staff to student gift giving, while not prohibited, must be limited to appropriate situations and guided by professional judgment.
3. Staff-sponsored parties at which students are in attendance, unless they are a part of the school's extracurricular program and are properly supervised, are prohibited.
4. Staff members shall not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
5. Dating between staff members and students is prohibited.
6. Staff members shall not use insults or sarcasm against students as a method of forcing compliance with requirements or expectations.
7. Staff members shall maintain a reasonable standard of care for the supervision, control and protection of students commensurate with their assigned duties and responsibilities.
8. Staff members shall not send students on personal errands.
9. Staff members shall, pursuant to law and Board policy, immediately report any suspected signs of child abuse or neglect to the appropriate authorities.

10. Staff members shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships. Staff members must refer the student to the appropriate individual or agency for assistance.
11. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background.
12. Staff shall use professional judgement in all written and verbal communications with students and parents and/or legal guardians.
13. Any claims of harassment must be investigated and followed up per Board policy.

[Adoption date: October 11, 2004]

CROSS REFS.: ACAA, Sexual Harassment
GBCA, Staff Conflict of Interest
GBCB, Staff Conduct
GBI, Staff Gifts and Solicitations
JHG, Reporting Child Abuse
JO, Student Records
KBA, Public's Right to Know

CONTRACT REFS.: Teachers' Negotiated Agreement
Support Staff Negotiated Agreement

STUDENT FEES, FINES AND CHARGES

Materials Fees

Students enrolled in District schools are furnished basic textbooks without cost. However, a fee for consumable materials and supplies used in the instructional program is established at the beginning of each school year and may vary as the cost of materials and supplies fluctuates. Such fees are to be deposited in the rotary operating funds of the Board to defray the cost of the materials and supplies.

The District does not charge students eligible for free lunch under the national school Lunch Act or Child Nutrition Act a fee for any materials needed to participate fully in a course of instruction. This exception only applies to recipients of free lunch, not students who receive reduced-price lunch. A waiver of confidentiality (free/reduced lunch program form) must be completed before a student's fee will be waived. This provision does not apply to extracurricular activities and student enrichment programs that are not a course of instruction.

Fines

When school property, equipment or supplies are damaged, lost or taken by individuals, a fine is assessed. The fine is reasonable, seeking only to compensate the school for the expense or loss incurred. Free lunch eligibility does not exempt a student from paying fines for damage to school property.

The late return of borrowed books or materials from the school libraries is subject to appropriate fines.

All fines collected are sent to the Treasurer for deposit in the general fund of the Board.

Collection of Student Fees and Fines

The administration may establish regulations for the collection of student fees and fines.

Grades and credits are not made available to any student, graduate or to anyone requesting same on his/her behalf until all fees and fines for that student have been paid in full. Participation in extracurricular field trips will not be permitted unless payment has been received.

[Adoption date: October 11, 2004]

[Revision date: October 18, 2010]

LEGAL REFS.: National School Lunch Act of 1946, 42 USC 1751
Child Nutrition Act of 1966, 42 USC 1771
ORC 3313.642
3329.06

STUDENT RECORDS

In order to provide students with appropriate instruction and educational services, it is necessary for the District to maintain extensive educational and personal information. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parent(s) or the student in compliance with law, and yet be guarded as confidential information.

The Superintendent is responsible for the proper administration of student records in keeping with State law and federal requirements and the procedures for the collection of necessary information about individual students throughout the District.

Upon request, all records and files included in the student's cumulative file are available to parent(s) or the student (if he/she is over 18 years of age). This request must be in writing and is granted within seven calendar days. No records are to be removed from the school. A principal, teacher or other qualified school personnel must be present to explain any of the tests or other material.

All rights and protections given to parents under law and this policy transfer to the student when he/she reaches age 18 or enrolls in a postsecondary school. The student then becomes an "eligible student."

The District provides notice to parents and eligible students annually, in accordance with the procedures set forth under administrative regulations, of the rights held by parents and eligible students under law and this policy. It is the intent of the District to limit the disclosure of information contained in the student's education records except:

1. by prior written consent;
2. as directory information and
3. under other limited circumstances, as enumerated under administrative regulations.

The following rights exist:

1. the right to inspect and review the student's education records;
2. the right, in accordance with administrative regulations, to seek to correct parts of the student's education records, including the right to a hearing if the school authority decides not to alter the records according to the parent(s)' or eligible student's request;
3. the right of any person to file a complaint with the U.S. Department of Education if the District violates relevant Federal law, specifically the Family Educational Rights and Privacy Act (FERPA) and

4. the right to acquire information concerning the procedure which the parent(s) or eligible student should follow to obtain copies of this policy, the locations from which these copies may be obtained, as well as any fees to be charged for such copies. *(See administrative regulations.)

The District proposes to designate the following personally identifiable information contained in a student's education records as "directory information."

1. student's name
2. participation in officially recognized activities and sports
3. student's achievement awards or honors
4. student's weight and height, if a member of an athletic team
5. date of graduation

The above information is disclosed without prior written consent, except when the request is for a profit-making plan or activity. Student records that consist of "personally identifiable information" generally are exempt from disclosure. Student directory information, however, is released unless the parents have affirmatively withdrawn their consent to release in writing.

Administrative regulations set forth a procedure for annual notification to parents and eligible students of the District's definition of directory information. Parents or eligible students then have two weeks in which to advise the District, in accordance with such regulations, of any or all items which they refuse to permit as directory information about that student.

To carry out their responsibilities, school officials have access to student education records for legitimate educational purposes. The District uses the criteria set forth under administrative regulations to determine who are "school officials" and what constitutes "legitimate educational interests."

Other than requests as described above, school officials release information from, or permit access to, a student's education records only with the prior written consent of a parent or eligible student, except that the Superintendent or a person designated in writing by the Superintendent may permit disclosure in certain limited circumstances outlined under administrative regulations (e.g., transfers to another school district or to comply with judicial order or subpoena or where warranted, in a health or safety emergency, etc.).

The District maintains, in accordance with administrative regulations, an accurate record of all requests to disclose information from, or to permit access to, a student's education records and of information disclosed and access permitted.

[Adoption date: October 11, 2004]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
Family Educational Rights and Privacy Act; 20 USC Section 1232g
Health Insurance Portability and Accountability Act; 29 USC 1181 et seq.
ORC 149.41; 149.43
1347.01 et seq.
3317.031
3319.32; 3319.321; 3319.33
3321.12; 3321.13
3331.13

CROSS REFS.: AFI, Evaluation of Educational Resources
KBA, Public's Right to Know
KKA, Recruiters in the Schools

STUDENT RECORDS

1. Each student's official school records include the following.
 - A. Records to be retained permanently
 - 1) name and address of parent(s)
 - 2) verification of date and place of birth
 - 3) dates and record of attendance
 - 4) course enrollment and grades
 - 5) test data
 - 6) date of graduation or withdrawal
 - B. Records of verifiable information to be retained during the student's school career
 - 1) medical/health data
 - 2) individual psychological evaluation (gathered with written consent of parent(s))
 - 3) individual intelligence tests, tests for learning disabilities, etc. (counselor/psychologist-administered)
 - 4) other verifiable information to be used in educational decision making
2. Maintaining student records
 - A. Transcripts of the scholastic record contain only factual information. The District confines its recordkeeping to tasks with clearly defined educational ends.
 - B. Items listed under 1-A are retained for 100 years. Those listed under 1-B are retained during the student's enrollment and destroyed after graduation unless the school code imposes other restrictions.
 - C. Teacher and staff comments on student records are confined to matters related to student performance. Value judgments are excluded from the record.
 - D. Student records are considered as current educational and/or therapeutic tools and are available for use as such.

The following definitions of terms pertain to this statement of policy.

Student — any person who attends or has attended a program of instruction sponsored by the Board.

Eligible student — a student or former student who has reached age 18 or is attending a postsecondary school.

Parent — either natural parent of a student, unless his/her rights under the FERPA have been removed by a court order, a guardian or an individual acting as a parent or guardian in the absence of the student's parent(s).

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Dates of attendance — means the period of time during which a student attends or attended an educational agency or institution. Examples of dates of attendance include an academic year, a spring semester or a first quarter. The term does not include specific daily records of a student's attendance at an educational agency or institution.

Education records — any records (in handwriting, print, tapes, film or other medium) maintained by the District, an employee of the District or an agent of the District which are related to a student, except:

1. a personal record kept by a school staff member that meets the following tests:
 - A. it is in the sole possession of the individual who made it;
 - B. used only as a personal memory aid and
 - C. information contained in it has never been revealed or made available to any other person, except the maker's temporary substitute;
2. an employment record which is used only in relation to a student's employment by the District (employment for this purpose does not include activities for which a student receives a grade or credit in a course) and
3. alumni records which relate to the student after he/she no longer attends classes provided by the District and the records do not relate to the person as a student.

Personal identifier — any data or information which makes the subject of a record known, including the student's name, the student's address, the student's social security number, a student number, a list of personal characteristics or any other information which would make the student's identity known.

ANNUAL NOTIFICATION

Within the first three weeks of each school year, the District publishes in a notice to parents and eligible students their rights under State and Federal law and under this policy. The District also sends home with each student a bulletin listing these rights; the bulletin is included with a packet of material provided to parents or eligible students when the students enroll during the school year.

The notice includes the:

1. right of a parent(s) or eligible student to inspect and review the student's education records;
2. intent of the District to limit the disclosure of information contained in a student's education records, except: (1) by the prior written consent of the student's parent(s) or

the eligible student, (2) as directory information or (3) under certain limited circumstances, as permitted by law;

3. right of a student's parent(s) or an eligible student to seek to correct parts of the student's education records which he/she believes to be inaccurate, misleading or in

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violation of student rights; this right includes a hearing to present evidence that the records should be changed if the District decides not to alter them according to the parent(s)' or eligible student's request;

4. right of any person to file a complaint with the Department of Education if the District violates the FERPA and
5. procedure that a student's parent(s) or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

An administrator arranges to provide translations of this notice to non-English-speaking parents in their native language.

LOCATIONS OF EDUCATION RECORDS

TYPES	LOCATION	CUSTODIAN
<u>Cumulative School Records</u>	Principals' Offices	Principals
<u>Cumulative School Records</u> (Former Students)	Central Office	Director of Student Services
<u>Health Records</u>	Principals' Offices	Principals
<u>Speech Therapy Records</u> <u>Psychological Records</u>	Principals' Offices	Principals
<u>School Transportation Records</u>	Vehicle Service Center	Supervisor of Transportation
<u>Special Test Records</u>	Principals' Offices	Principals
<u>Occasional Records</u> (Student education records not identified above; such as those in Superintendent's office, in the school attorney's office, or in the personal possession of teachers)	Principals' Offices	Principals

PROCEDURE TO INSPECT EDUCATION RECORDS

Parents or eligible students may inspect and review education records to which they are entitled to have access upon request. In some circumstances, it may be mutually more convenient for the record custodian to provide copies of records. (See the schedule of fees for copies.)

Since a student's records may be maintained in several locations, the school principal may offer to collect copies of records or the records themselves from locations other than a student's school, so that they may be inspected at one site. If parents and eligible students wish to inspect records where they are maintained, school principals accommodate their wishes.

Parents or eligible students should submit to the student's school principal a written request which identifies as precisely as possible the record or records which he/she wishes to inspect.

The principal (or other custodian) contacts the parent(s) of the student or the eligible student to discuss how access is best arranged (copies, at the exact location or records brought to a single site).

The principal (or other custodian) makes the needed arrangements as promptly as possible and notifies the parent(s) or eligible student of the time and place where the records may be inspected. This procedure must be completed within 45 days or earlier after the receipt of the request for access.

If for any valid reason such as working hours, distance between record location sites or health, a parent(s) or eligible student cannot personally inspect and review a student's education records, the District arranges for the parent(s) or eligible student to obtain copies of the records. (See information below regarding fees for copies of records.)

When records contain information about students other than a parent(s)' child or the eligible student, the parent(s) or eligible student may not inspect and review the records of the other students.

FEES FOR COPIES OF RECORDS

The District does not deny parents or eligible students any rights to copies of records because of the following published fees. When the fee represents an unusual hardship, it may be waived, in part or entirely, by the records custodian. The District reserves the right to make a charge for copies, such as transcripts, which it forwards to potential employers or to colleges and universities for employment or admissions purposes. The District may deny copies of records (except for those required by law) if the student has an unpaid financial obligation to the District.

Federal law requires the District to provide copies of records for the following reasons:

1. when the refusal to provide copies effectively denies access to a parent(s) or eligible student;
2. at the request of the parent(s) or eligible student when the District has provided the records to third parties by the prior consent of the parent(s) or eligible student or
3. at the request of the parent(s) or eligible student when the District has forwarded the records to another district in which the student seeks or intends to enroll.

The fee for copies provided under Federal law may not include the costs for search and retrieval. This fee is 10 cents per page (actual copying cost less hardship factor).

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The fee for all other copies such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience is \$10.00 plus 25 cents per page (actual search, retrieval, copying cost and postage, if any).

Currently enrolled students are charged \$1.50 per transcript. Graduated students are charged \$3.00 per transcript.

DIRECTORY INFORMATION

The District proposes to designate the following personally identifiable information contained in a student's education record as "directory information"; it discloses that information without prior written consent, except that directory information is not released for a profit-making plan or activity. Such information includes:

1. student's name
2. participation in officially recognized activities and sports
3. student's achievement awards or honors
4. student's weight and height, if a member of an athletic team
5. date of graduation

Within the first three weeks of each school year, the District publishes the above list, or a revised list, of the items of directory information which it proposes to designate as directory information. For students enrolling after the notice is published, the list is given to the student's parent(s) or to the eligible student at the time and place of enrollment.

After the parents or eligible students have been notified, they have two weeks in which to advise the District in writing (a letter to the Superintendent's office) of any or all of the items which they refuse to permit the District to designate as directory information about that student.

At the end of the two-week period, each student's records are appropriately marked by the record custodians to indicate the items which the District designates as directory information about that student. This designation remains in effect until it is modified by the written direction of the student's parent(s) or the eligible student.

USE OF STUDENT EDUCATION RECORDS

To carry out their responsibilities, school officials have access to student education records for legitimate educational purposes. The District uses the following criteria to determine who are school officials. An official is a person:

1. duly elected to the Board;
2. certificated by the state and appointed by the Board to an administrative or supervisory position;
3. certificated by the state and under contract to the Board as an instructor;

4. employed by the Board as a temporary substitute for administrative, supervisory or teaching personnel for the period of his/her performance as a substitute or

5. employed by, or under contract to, the Board to perform a special task such as a secretary, a Treasurer, Board attorney or auditor for the period of his/her performance as an employee or contractor.

School officials who meet the criteria listed above have access to a student's records if they have a legitimate educational interest in those records. A "legitimate educational interest" is the person's need to know in order to perform:

1. an administrative task required in the school employee's position description approved by the Board;
2. a supervisory or instructional task directly related to the student's education or
3. a service or benefit for the student or the student's family such as health care, counseling, student job placement or student financial aid.

The District releases information from or permits access to a student's education records only with a parent's or an eligible student's prior written consent, except that the school Superintendent or a person designated in writing by the Superintendent may permit disclosure under the following conditions:

1. when students seek or intend to enroll in another school district or a postsecondary school (upon the condition that the student's parents be notified of the transfer, receive a copy of the record and have an opportunity for a hearing to challenge the content of the record);
2. when certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the District;
3. when parties who provide, or may provide, financial aid to students need the information to:
 - A. establish the student's eligibility for the aid;
 - B. determine the amount of financial aid;
 - C. establish the conditions for the receipt of the financial aid or
 - D. enforce the agreement between the provider and the receiver of financial aid;
4. if a State law adopted before November 19, 1974 required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials;
5. when the District has entered into a written agreement or contract for an organization to conduct studies on the District's behalf to develop tests, administer student aid or improve instruction;

6. when accrediting organizations need those records to carry out their accrediting functions;
7. when parents of eligible students claim the student as a dependent;
8. when it is necessary to comply with a judicial order or lawfully issued subpoena; the District makes a reasonable effort to notify the student's parent(s) or the eligible student before making a disclosure under this provision and
9. if the disclosure is an item of directory information and the student's parent(s) or the eligible student has not refused to allow the District to designate that item as directory information for that student.

The District permits any of its officials to make the needed disclosure from student education records in a health or safety emergency if:

1. the official deems it is warranted by the seriousness of the threat to the health or safety of the student or other persons;
2. the information is necessary and needed because of the emergency;
3. the persons to whom the information is to be disclosed are qualified and in positions to deal with the emergency or
4. time is an important and limiting factor in dealing with the emergency.

District officials may release information from a student's education records if the student's parent(s) or the eligible student gives his/her prior written consent for the disclosure. The written consent must include at least:

1. a specification of the records to be released;
2. the reasons for the disclosure;
3. the person or the organization or the class of persons or organizations to whom the disclosure is to be made;
4. the parent(s) or student's signature and
5. the date of the consent and, if appropriate, a date when the consent is to be terminated.

The student's parent(s) or the eligible student may obtain a copy of any records disclosed under this provision.

The District does not release information contained in a student's education records, except directory information, to any third parties, except its own officials, unless those parties agree that

the information is not redisclosed, without the parent(s)' or eligible student's prior written consent.

RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

The District maintains an accurate record of all requests for it to disclose information from, or to permit access to, a student's education records and of information it discloses and access it permits, with some exceptions listed below. This record is kept with, but is not a part of, each student's cumulative school records. It is available only to the record custodian, the eligible student, the parent(s) of the student or to federal, state or local officials for the purpose of auditing or enforcing federally supported educational programs.

The record includes:

1. the name of the person who or agency which made the request;
2. the interest which the person or agency has in the information;
3. the date on which the person or agency made the request and
4. whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

The District maintains this record as long as it maintains the student's education record.

The records do not include requests for access or information relative to access which has been granted to parent(s) of the student or to an eligible student, requests for access or access granted to officials of the District who have a legitimate educational interest in the student; requests for, or disclosures of, information contained in the student's education records if the request is accompanied by the prior written consent of a parent(s) or eligible student or if the disclosure is authorized by such prior consent or for requests for, or disclosures of, directory information designated for that student.

PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

Parents of students or eligible students have a right to seek to change any part of the student's records which they believe is inaccurate, misleading or in violation of student rights.

For the purpose of outlining the procedure to seek to correct education records, the term "incorrect" is used to describe a record that is inaccurate, misleading or in violation of student rights. The term "correct" is used to describe a record that is accurate, not misleading and not in violation of student rights. Also, in this section, the term "requester" is used to describe the parent(s) of a student or the eligible student who is asking the District to correct a record.

To establish an orderly process to review and correct the education records for a requester, the District may make a decision to comply with the request for change at several levels in the procedure.

First-level decision. When a parent of a student or an eligible student finds an item in the student's education records which he/she believes is inaccurate, misleading or in violation of student rights, he/she should immediately ask the record custodian to correct it. If the records are incorrect because of an obvious error and it is a simple matter to make the record change at this level, the records custodian makes the correction. If the records are changed at this level, the method and result must satisfy the requester.

If the custodian cannot change the records to the requester's satisfaction, or the records do not appear to be obviously incorrect, he/she:

1. provides the requester a copy of the questioned records at no cost;
2. asks the requester to initiate a written request for the change and
3. follows the procedure for a second-level decision.

Second-level decision. The written requests to correct a student's education records through the procedure at this level should specify the correction which the requester wishes the District to make. It should at least identify the item the requester believes is incorrect and state whether he/she believes the item:

1. is inaccurate and why;
2. is misleading and why and/or
3. violates student rights and why.

The request is dated and signed by the requester.

Within two weeks after the records custodian receives a written request, he/she:

1. studies the request;
2. discusses it with other school officials; (the person who made the record or those who may have a professional concern about the District's response to the request)
3. makes a decision to comply or decline to comply with the request and
4. completes the appropriate steps to notify the requester or moves the request to the next level for a decision.

If, as a result of this review and discussion, the records custodian decides the records should be corrected, he/she effects the change and notifies the requester in writing that he/she has made the change. Each such notice includes an invitation for the requester to inspect and review the student's education records to make certain that the records are in order and the correction is satisfactory.

If the custodian decides the records are correct, he/she makes a written summary of any discussions with other officials and of his/her findings in the matter. He/She transmits this summary and a copy of the written request to the Superintendent.

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Third-level decision. The Superintendent reviews the material provided by the records custodian and, if necessary, discusses the matter with other officials such as the school attorney or the Board (in executive session). He/She then makes a decision concerning the request and completes the steps at this decision level. Ordinarily, this level of the procedure should be completed within two weeks. If it takes longer, the Superintendent notifies the requester in writing of the reasons for the delay and indicates a date on which the decision will be made.

If the Superintendent decides the records are incorrect and should be changed, he/she advises the record custodian to make the changes. The record custodian advises the requester of the change as he/she would if the change had been made at the second level.

If the Superintendent decides the records are correct, he/she prepares a letter to the requester which includes:

1. the District's decision that the records are correct and the basis for the decision;
2. a notice to the requester that he/she has a right to ask for a hearing to present evidence that the records are incorrect and that the District grants such a hearing;
3. advice that the requester may be represented or assisted in the hearing by other parties, including an attorney at the requester's expense and
4. instructions for the requester to contact the Superintendent or his/her designee to discuss acceptable hearing officers, convenient times and a satisfactory site for the hearing. (The District is not bound by the requester's positions on these items but may, as far as feasible, arrange the hearing as the requester wishes.)

Fourth-level decision. After the requester has submitted (orally or in writing) his/her wishes concerning the hearing officer, the time and place for the hearing, the Superintendent, within a week, notifies the requester when and where the District will hold the hearing and who it has designated as the hearing officer.

At the hearing, the hearing officer provides the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education records are incorrect as shown in the requester's written request for a change in the records (second level).

Within one week after the hearing, the hearing officer submits to the Superintendent a written summary of the evidence submitted at the hearing. Together with the summary, the hearing officer submits his/her recommendation, based solely on the evidence presented at the hearing, that the records should be changed or remain unchanged.

The Superintendent prepares the District's decision within two weeks of the hearing. That decision is based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. The District's decision is based solely on the evidence presented at the hearing. The Superintendent may overrule the hearing officer if he/she believes the hearing

officer's recommendation is not consistent with the evidence presented. As a result of the District's decision, the Superintendent takes one of the following actions.

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1. If the decision is that the District changes the records, the Superintendent instructs the records custodian to correct the records. The records custodian corrects the records and notifies the requester as in the context of the second-level decision.
2. If the decision is that the District does not change the records, the Superintendent prepares a written notice to the requester which includes:
 - A. the District's decision that the records are correct and will not be changed;
 - B. a copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the District's decision and
 - C. advice to the requester that he/she may place in the student's education records an explanatory statement which states the reasons why he/she disagrees with the District's decision and/or the reasons he/she believes the records are incorrect.

Final administrative step in the procedure. When the District receives an explanatory statement from a requester after a hearing, it maintains that statement as part of the student's education records as long as it maintains the questioned part of the records. The statement is attached to the questioned part of the records and whenever the questioned part of the records is disclosed, the explanatory statement is also disclosed.

(Approval date: October 11, 2004)

STUDENT SURVEYS

The Board recognizes the importance of maintaining student records and preserving their confidentiality. Student records containing personally identifiable information are kept confidential at collection, storage, disclosure and destruction stages. Boards that receive funds under any applicable program must provide reasonable notice to parents at least annually at the beginning of the school year that their children may be involved in Board-approved third party surveys. The school must also give the parents the opportunity to opt their child out of the activity. A student shall not be required, as part of any applicable program, to submit to a survey, analysis or evaluation that reveals information concerning:

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family, "potentially embarrassing to the student or family";
3. sex behavior or attitudes;
4. illegal, antisocial, self-incriminating or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers;
7. religious practices, affiliations or beliefs of the students or student's parent, or
8. income (other than that required by law to determine eligibility for participation in a program and/or for receiving financial assistance under such program).

Parents have a right to inspect a survey created by a third party before that survey is administered by the school to students. Parents are notified by the school when a survey is to be administered and will have at least two weeks to review the materials.

In order to protect student privacy rights when a school survey is to be administered that contains one of the prohibited eight items identified in this policy, parents have the right to inspect the survey. If parents do not want their child to be a participant in the survey, they must notify the school.

The collection, disclosure or use of student personal information for the purpose of marketing or selling that information, or providing the information to others for that purpose, is prohibited. This does not include personal information collected for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions such as:

1. postsecondary institutions or military recruiters;
2. book clubs, magazines and programs providing access to low-cost literary products;

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3. curriculum and instructional materials used by K-12 schools;
4. tests and assessments used by grades K-12 to provide cognitive, evaluative, diagnostic, clinical, aptitude or achievement information about students, or to generate other statistically useful data for the purpose of securing these tests and assessments, and the subsequent analysis and public release of the aggregate data from these tests and assessments;
5. the sale by students of products or services to raise funds for school or education-related activities or
6. student recognition program.

For specific events, the school must notify the parents annually of the projected or approximate dates of the following activities:

1. the collection, disclosure or use of student personal information for the purpose of marketing or selling that information, or providing the information to others for that purpose;
2. the administration of a survey containing any of the eight items identified in this policy and
3. annually, the District will notify parents of physical exams or screenings conducted on students except for vision, hearing or scoliosis.

[Adoption date: October 11, 2004]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.
USA Patriot Act, Sec. 507, P.L. 107-56
Family Educational Rights and Privacy Act; 20 USC Sec. 1232g
ORC 149.41; 149.43
1347.01 et seq.
3317.031
3319.32; 3319.321; 3319.33
3321.12; 3321.13
3331.13
OAC 3301-35-04; 3301-35-07

