

Book Policy Manual

Section REVISED Vol. 41, No. 1

Title Vol. 41, No. 1 - August 2022 Revised WEAPONS

Code po1617.revised

Status

Adopted November 15, 2021

## **REVISED POLICY - VOL. 41, NO. 1**

### **1617 - WEAPONS**

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

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

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

Exceptions to this policy include:

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

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

- B. handguns in the possession of **an individual who has been issued a concealed handgun license that is valid at the time of conveyance** ~~a person who has a valid concealed handgun license~~ or who is an active duty member of the armed forces with a valid military identification card and documentation of successful completion of firearms training if the handgun remains in a vehicle with the individual or is left in a locked vehicle when the person exits the vehicle;

**[DRAFTING NOTE: With the passage of S.B. 215, Ohio's concealed-carry gun laws changed significantly. The change took effect June 13, 2022 and for the first time, authorized qualified individuals to carry certain weapons without an official concealed-carry license. The revised law defines "qualifying adult" as a person who is twenty-one (21) years of age or older, is not legally prohibited from possessing or receiving a firearm under specified Federal or State law, and satisfies specified criteria necessary to obtain a concealed handgun license. Importantly, however, the law still requires an individual to have a concealed-carry permit or be an active duty member to carry a weapon onto school grounds under these limited circumstances. Permitless carriers are not allowed to carry weapons into a school safety zone. A violation of this law is still considered a felony offense in Ohio.]**

- C. ☐ weapons carried by other qualified individuals who receive written authorization by the Board as summarized below:

**Qualified Individuals with Written Authorization to Carry Weapons**

**Individuals who are not hired to serve as special police officers or security guards, or to serve in similar law enforcement or security positions, may receive written authorization from the Board to carry weapons onto school property if they meet the following requirements:**

1. **the individuals have successfully completed the curriculum and training required under State law, or alternatively have received a certificate of satisfactory completion of an approved basic peace officer training program, or are a law enforcement officer; and**
2. **the individual submits to an annual criminal background check.**

**Qualified individuals who have not completed the peace officer training program must complete initial training of up to twenty four (24) hours, as well as annual regualification training of up to eight (8) hours, which is developed and provided by the Department of Public Safety's Mobile Training Team ("MTT"). In addition to the training required under State law, the Board may require further training for individuals to become or remain eligible. Individuals must fulfill any other requirements adopted by the Department of Public Safety as well. The Board will pay all fees associated with any required training. As an alternative to requiring a designated individual to complete training provided by the MTT, the Board has the authority to develop and adopt alternate curriculum, instruction, and training that follows the private investigator and security guard firearms training guidelines. Alternate curriculum and training will be submitted and approved in advance by the Ohio School Safety and Crisis Center ("OSSCC").**

- D. ☒ objects indistinguishable from a firearm used during school safety trainings;
- E. ☒ items indistinguishable from a firearm approved by a director as part of a class or individual presentation under adult supervision if used for the purpose of and in the manner approved (working firearms and ammunition shall never be approved);
- F. ☒ theatrical props used in appropriate settings;
- G. ☒ starter pistols used in appropriate sporting events.
- H. ☐ \_\_\_\_\_.

**The Board will notify the public, using the Board's regular channels of public communication, that it has authorized one (1) or more persons to go armed within a school operated by the Board when such authorization is granted. The Board will also submit a current list of qualified individuals who have received written authorization to carry weapons to the OSSCC which is within the Department of Public Safety. Records pertaining to individuals authorized to carry weapons onto school property do not constitute public records.**

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

The Board directs the Superintendent to post notices prohibiting the carrying and possession of concealed weapons in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. The notices shall contain a statement substantially in the following form:

**"Unless otherwise authorized by law, pursuant to R.C. 2923.122, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into a school safety zone."**

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

R.C. 109.78, **149.43, 149.433**

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

**R.C. 5502.70, 5502.701, 5502.702, 5502.703**

18 U.S.C. 922

Legal

R.C. 109.78, 149.43, 149.433

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

R.C. 5502.70, 5502.701, 5502.702, 5502.703

18 U.S.C. 922



Book	Policy Manual
Section	REVISED Vol. 41, No. 1
Title	Vol. 41, No. 1 - August 2022 Revised ADOPTION OF COURSES OF STUDY
Code	po2220.revised
Status	
Adopted	December 19, 2012

### **REVISED POLICY - VOL. 41, NO. 1**

#### **2220 - ADOPTION OF COURSES OF STUDY**

The Board of Education shall provide a comprehensive instructional program to serve the educational needs of the students of this District. The Board shall periodically adopt courses of study which shall define the key components of the District's curriculum and instruction.

**No course of study shall be taught in the schools of this District unless the Board adopted it. The Board shall determine which units of the instructional program constitute courses of study and are thereby subject to the adoption procedures of the Board.**

The Superintendent shall recommend to the Board such courses of study as are deemed to be in the best interest of the students. Each course of study shall:

- A. ☒ align with the District's mission, philosophy, educational goals, and strategic plan;
- B. ☒ identify learning and performance expectations;
- C. ☒ provide a scope and sequence of knowledge and skills to be learned;
- D. ☐ ~~prescribe methods for assessment of student progress and the means for intervention;~~
- E. ☐ ~~address the developmental needs of early childhood, middle childhood, and adolescent through young adult students;~~
- F. ☒ be guided by Ohio's State-adopted academic content standards.

Each course of study is intended to provide a basic framework for instruction and learning. Within this framework, each teacher shall use the course of study in a manner best designed to meet the needs of the students for whom **the teachers** is responsible. Deviation from its content must be approved in accordance with the Superintendent's administrative guidelines.

Since one of the District's goals is to prepare students to enter the world of work, the Board directs that each course of study include as part of its learning accomplishments that students can demonstrate their willingness and ability to be punctual, to be present at the learning site each day unless absent for a legitimate reason, and to complete assignments on time and as directed. The Superintendent's guidelines should include recommendations to staff on how to instruct students in these important work ethics and how to include these learnings in the grades that students receive.

The Superintendent shall maintain a current list of all courses of study offered by this District ~~( ) and shall provide each member of the Board with a current list of all courses of study~~ **[END OF OPTION]**.

The list shall include a description of each course of study and its date of adoption.

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A.C. 3301-35-02  
R.C. 3301.07, 3313.60

Book	Policy Manual
Section	REVISED Vol. 41, No. 1
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## **REVISED POLICY - VOL. 41, NO. 1**

### **2280 - PRESCHOOL PROGRAM**

The Board of Education recognizes a need to provide a preschool program to eligible children residing in its District, including preschool children with disabilities and homeless children, and has obtained a license to operate a preschool program.

The preschool program shall be located in a facility that accommodates the enrollment of the program, supports the growth and development of children according to program objectives, and meets the requirements of State law and regulations. ~~statute.~~

The Board of Education may operate general education classrooms, integrated classrooms, and/or special education classrooms to meet the needs of students served. Definitions for each type of classroom are as follows:

- A. General education classrooms are those in which no more than fifty percent (50%) of enrolled students are children with disabilities and there is a maximum of eight (8) students with disabilities served. General education classes are taught by a general education teacher or dual-licensed teacher who meets the lead teacher qualifications prescribed by the State. General education classrooms may also include a co-taught class model that is taught by both a licensed general education teacher and licensed intervention specialist who are assigned to the classroom for the full duration of each class session. General education teachers in this type of classroom may not serve as the intervention specialist of record or IEP case manager for any children with disabilities.
- B. Integrated classrooms are those in which no more than fifty percent (50%) of students in the class are children with disabilities. Integrated classes are taught by a general education or dual-licensed teacher who meets the lead teacher qualifications prescribed by the State. Integrated classroom teachers may serve as the intervention specialist of record or IEP case manager for students with disabilities enrolled in the class if they are properly licensed.
- C. Special education classrooms are those in which at least fifty-one percent (51%) of the students enrolled in the class are children with disabilities. The lead teacher is responsible for specially designed instruction for one (1) or more children with IEPs enrolled in the class.

A child is eligible for entrance into preschool if ~~the child/s/he~~ attains the age of 3 on or before August 1 of the year in which ~~the child/s/he~~ applies for entrance and has not yet obtained the age at which ~~the child/s/he~~ will be admitted in ( x ) kindergarten ( -> ) first grade [check only if there is no kindergarten in District]. Children participating in the preschool program shall have been immunized in accordance with the requirements of the State Board of Education to prevent the spread of communicable disease.

Parents of children enrolled in the program shall be permitted access to the school during its hours of operation, in accordance with District procedures, to contact their children, evaluate the care provided by the program, the premises, or for other purposes approved by the director. Upon entering the premises, parents shall report to the school office. Parents are expected to follow all visitation rules and security protocols while on campus.

### **Tuition and Fees**

☒ Tuition and fees may be charged to parents of preschool students, according to a schedule adopted by the Board. Tuition and fees may be graduated in proportion to family income or waived in case of hardship.

### **Transportation**

☒ Transportation (~~→~~ shall ☒ shall not [END OF OPTIONS] be provided for preschool students. **[If not providing transportation for preschool students:]** Transportation shall be provided to disabled students as required by law.

Preschool program field trips shall be planned in accordance with Policy 2340 and AG 2340A, AG 2340B, AG 2340C, AG 2340D, AG 2340E, and AG 2340F. Overnight trips will not be approved.

The Superintendent shall establish written guidelines for the preschool program addressing the following:

- A. staff (AG 2280)
- B. cumulative records and student information (AG 2280.01)
- C. program and curriculum (AG 2280.02)
- D. health and safety requirements (AG 2280.03)
- E. admission and attendance (AG 2280.04)
- F. behavior management and discipline (AG 2280.05)
- G. management of communicable diseases (AG 2280.03)
- H. ☒ facility (AG 2280.06)
- I. ☒ food services (AG 2280.07)
- J. ☒ equipment and supplies (AG 2280.08)

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                                  R.C. 3313.646, 3301.53

Book	Policy Manual
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Last Reviewed	November 18, 2019

### **REVISED POLICY - VOL. 41, NO. 1**

#### **2413 - CAREER ADVISING**

This policy has been developed as prescribed in R.C. 3313.6020 and the State Board of Education's Model Policy. This policy shall be updated at least once every two (2) years. The policy shall be made available to students, parents/guardians/custodians, and local postsecondary institutions, residents of the District, and shall be posted on the District website.

Career advising is an integrated process that helps students understand how their personal interests, strengths, and values might predict satisfaction and success in school and related career fields, as well as how to tie these interests and strengths to their academic and career goals. Students need to have access to comprehensive resources and support to prepare for their future success. Through relevant classroom instruction, career-related learning experiences, and a program of counseling and advising, students can discover their interests and explore academic and career pathway options.

The District's Career Advising Plan shall include:

A. Grade-level examples that link students' schoolwork to one (1) or more career fields ( ) by initially implementing the Career Connections Learning Strategies offered by the Ohio Department of Education **[END OF OPTION]**.

B. Career advising to students in grades K-12, which includes age-appropriate activities and also includes creating and maintaining a Student Success Plan beginning in grade six (6).

**[X]** Advisors will meet with students at least once ~~annually~~~~each semester~~ to explore, evaluate, and plan academic and career pathways.

C. Additional interventions and career advising for students who are identified as at risk of dropping out of school.

**[X]** These may include:

1. Identifying students who are at risk of dropping out of school using a local research-based method, such as the Early Warning System offered by the Ohio Department of Education, with input from teachers, school counselors, and other appropriate school staff.
2. Developing a Student Success Plan for each at-risk student that addresses the student's academic and career pathway to successful graduation and the role of career-technical education, competency-based education, and experiential learning, when appropriate.
3. Before developing a Student Success Plan, District staff will invite the student's parent/guardian/custodian to assist. If that adult does not participate in the plan development, the District will provide the adult with a copy of the plan, a statement of the importance of a high school diploma, and a listing of the pathways to graduation available to the student.
4. **After the Student Success Plan is developed, the District will provide career advising to the student that is aligned with the Student Success Plan and the District's career advising plan.**

D. Training for employees on how to advise students on career pathways, including training on advising students using the tools available in OhioMeansJobs K-12.



(x) This may also include training on other online tools provided that offer resources for discovering career interests, exploring and researching career and education options, and supporting the development of a Student Success Plan.

E. Multiple academic and career pathways through high school that students may choose to earn a high school diploma, including opportunities to earn industry-recognized credentials and postsecondary course credit.

F. Information on courses that can award students both traditional academic and career-technical credit.

G. Information regarding career fields that require an industry-recognized credential, certificate, associate's degree, bachelor's degree, graduate degree, or professional degree.

H. Information about ways to offset the costs of a postsecondary education including:

1. the reserve officer training corps;
2. the College Credit Plus (CCP) Program;
3. the Ohio Guaranteed Transfer Pathways Initiative; and
4. joint academic programming or dual enrollment opportunities with state universities and community colleges.

( ) Informational materials developed by the Chancellor of Higher Education illustrate cost savings estimates for each of these options and will be made available to students.

I. Documentation on career advising is provided for review by the student, the student's parent, guardian, or custodian, and schools the student may attend in the future.

(x) This may include activities that support the student's academic, career, and social/emotional development, such as those saved to a student's OhioMeansJobs K-12 Backpack.

J. The supports necessary for students to have successful transitions from high school to their postsecondary destinations including interventions and services for students in need of remediation in mathematics and English language arts.

R.C. 3301.079, 3313.6020, 3333.16, 3333.168, Chapter 3365

Ohio Model Policy on Career Advising (ODE) (~~April 2015~~December 2014)

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R.C. 3301.079, 3313.6020, 3333.16, 3333.168, Chapter 3365

Ohio Model Policy on Career Advising (ODE) (April 2015)



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Status	
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Last Revised	June 19, 2017

### **REVISED POLICY - VOL. 41, NO. 1**

#### **2430 - DISTRICT-SPONSORED CLUBS AND ACTIVITIES**

The Board of Education believes that the goals and objectives of this District are best achieved by a diversity of learning experiences, including those that are not conducted in a regular classroom but are directly related to the curriculum.

The purpose of curricular-related activities shall be to enable students to explore a wider range of individual interests than may be available in the District's courses of study but are still directly related to accomplishing the educational outcomes for students as adopted by the Board in Policy 2131.

For purposes of this policy, curricular-related activities are defined as those activities in which:

- A. the subject matter is actually taught or will be taught in a regularly offered course;
- B. the subject matter concerns the District's composite courses of study;
- C. participation is required for a particular course;
- D. participation results in academic credit.

No curricular-related activity shall be considered to be under the sponsorship of this Board unless it meets one (1) or more of the criteria stated above and has been approved by the Superintendent.

Such activities, along with extra-curricular activities (not directly related to courses of study), may be conducted on or off school premises by clubs, associations, and organizations of students sponsored by the Board and directed by a staff advisor.

**[Note: Selection of the first option precludes selection of the second option]**

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

~~The Board expressly declines to create a limited open forum for clubs and activities, initiated by students, that cannot meet one (1) of the four (4) criteria stated above.~~

#### **☒ [OPTION #2]**

The Board shall allow nondistrict-sponsored, student clubs and activities during noninstructional time, in accordance with the provisions in Policy 5730 - Equal Access For Nondistrict-Sponsored, Student Clubs and Activities.

#### **[END OF OPTIONS]**

~~[ ] Noncurricular student activities that are initiated by parents or other members of the community may be allowed under the provisions of Policy 7510 - Use of District Facilities. The Board, however, will not:~~

- A. ~~( ) assume any responsibility for the planning, conducting, or evaluating of such activities;~~

B. ~~( ) provide any funds or other resources;~~

C. ~~( ) allow any member of the District's staff to assist in the planning, conducting, or evaluating of such an activity during the hours the staff members/he is functioning as a member of the staff.~~

No nondistrict sponsored organization may use the name of the School District or any other name which would associate an activity with the District.

In order to be eligible for any co-curricular, interscholastic, and noninterscholastic extra-curricular activity, a student ~~( )~~ must have maintained at least a \_\_\_\_\_ grade point average ~~( )~~ must not have received a failing grade in any course ~~[END OF OPTION]~~ for the ~~( )~~ semester(s) ~~( )~~ grading period ~~[END OF OPTION]~~ prior to the ~~( )~~ semester ~~( )~~ grading period ~~[END OF OPTION]~~ in which the students/he wishes to participate. Students who are educated at home or enrolled in nonpublic schools are eligible to participate in accordance with Policy 9270. Students attending community or STEM schools may participate in extra-curricular activities in accordance with Policy 2430.02.

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

If a student who becomes ineligible under these standards improves their/his/her grade point average during the current ~~( )~~ semester ~~( )~~ grading period ~~[END OF OPTION]~~ enough to meet the eligibility standard, the students/he may be reinstated ~~( )~~ at the beginning of the next ~~( )~~ semester ~~( )~~ grading period ~~[OR]~~ ~~( )~~ after \_\_\_\_\_ (~~\_\_\_~~) more ~~( )~~ semester(s) ~~( )~~ grading period(s) with an acceptable grade point average ~~( )~~ and no failing grades ~~[END OF OPTION]~~.

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

Whenever a student becomes a member of a District established student group or national organization, such as the National Honor Society, in order to remain a member, the students/he must continue to meet all of the eligibility criteria and abide by the principles and practices established by the group or organization.

~~[ ] Any student who has not made a passing score on all required sections of State mandated tests after \_\_\_\_\_ (~~\_\_\_~~) attempts shall be ineligible to participate in any extra-curricular activity, including athletics.~~

**~~[Note: The following should be selected, if at all, only if the District provides intervention programs to help students pass the proficiency tests at times that would conflict with participation in the extra-curricular activity.]~~**

~~[ ] The Board believes a student who has not passed these tests would be better served using the time that the students/he would be participating in their/his/her interscholastic or non interscholastic extra-curricular activity to participate in one (1) or more of the District's intervention programs for assisting students to pass the required tests.~~

~~[ ] However, if a parent believes that their/his/her child may be unduly affected by the child's/his/her lack of participation in a particular interscholastic or noninterscholastic extra-curricular activity, the parents/he may come to the school and sign a waiver that will release the student from this proficiency test eligibility rule and allow the student/him/her to participate in an activity. The parent shall be informed, prior to signing the waiver, that State law does not allow a student to receive a high school diploma unless the students/he has passed all State testing requirements.~~

The Athletic Director and/or Director shall require that each student athlete who participates in either an interscholastic or intramural sport submits Form 2431 F1 and Form 2431 F2 signed by the student and the student's/his/her parent or guardian or by a person having care or charge of the student, affirming that each has received the Ohio Department of Health's concussion and head injury information sheet. The forms shall be signed and submitted on an annual basis. No student may practice or compete in interscholastic or intramural athletics until Form 2431 F1 and Form 2431 F2 are received by the Athletic Director or Director. No student will be denied the opportunity to participate in interscholastic athletics offered by a school in the District because the student has or is participating in the college credit plus program, as long as the student fulfills all academic, nonacademic, and financial requirements.

Students shall be fully informed of the curricular related and extra-curricular activities available to them and of the eligibility standards established for participation in these activities. Students will be further informed that participation in these activities is a privilege and not a right, and that they may be prohibited from all or part of their participation in such activities by authorized school personnel without further notice, hearing, and/or appeal rights (see Policy 5610.05 Prohibition from Extra-Curricular Activities). District sponsored activities shall be available to all students who elect to participate and who meet eligibility standards.

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

The Superintendent shall prepare administrative guidelines to implement a program of curricular-related clubs and activities and of extra-curricular activities. Such guidelines should ensure that the needs and interests of the students are properly assessed and procedures are established for continuing evaluation of each club and activity.

A.C. 3301-35-03

R.C. 3313.53, 3313.537, 3313.539, 3313.664, 3313.5314, 3313.5317, 3315.062

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A.C. 3301-35-03

R.C. 3313.53, 3313.537, 3313.539, 3313.664, 3313.5314, 3313.5317, 3315.062



Book Policy Manual

Section REVISED Vol. 41, No. 1

Title Vol. 41, No. 1 - August 2022 Revised INTERSCHOLASTIC ATHLETICS

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Status

## **REVISED POLICY - VOL. 41, NO. 1**

### **2431—INTERSCHOLASTIC ATHLETICS**

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

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

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

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

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

~~[ ] The Board shall approve annually a program of interscholastic athletics.~~

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

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

~~In addition to the eligibility requirements established by the Ohio High School Athletic Association, to be eligible for any interscholastic extra-curricular activity, a student must have maintained at least a \_\_\_\_\_ grade point average and ( ) must not have received a failing grade in any course. ( ) may have received a failing grade in a course [END OF OPTION] for the grading period previous to the one in which the student's/he wishes to participate.~~

**[DRAFTING NOTE: The Board also may adopt rules that include additional standards for determining the eligibility of students to participate in interscholastic extracurricular activities, requirements for attaining reeligibility in interscholastic extracurricular activities]**

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

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

~~If a student who becomes ineligible under these standards improves their his/her grade point average during the current ( ) semester ( ) grading period [END OF OPTION] to meet the eligibility standard, the student's/he may be reinstated ( ) at the beginning of the next ( ) semester ( ) grading period ( ) after \_\_\_\_\_ more ( ) semester(s) ( ) grading period(s) with an acceptable grade point average ( ) and no failing grades [END OF OPTIONS].~~

**[ ] Restoration of an "Incomplete" Grade**



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

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

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

**[DRAFTING NOTE: This exception only applies where an "incomplete" has been issued and not a letter grade that is subsequently changed as a result of the extended time/additional work. In order to be considered for this exception, specific documentation as listed in OHSAA Bylaw 4-4-1 (See AG-2431) must be provided to the OHSAA. The student may have his/her eligibility restored by the Executive Director's office once the "incomplete" has been changed to a passing letter grade. If the District does NOT have a Board Policy on the Restoration of an Incomplete to a Grade or did not have a policy when this exception was requested, the student shall not be able to avail him/herself of this exception.]**

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

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

~~[ ] Any student who has not made a passing score on all required sections of the State mandated tests after \_\_\_\_\_ (\_\_\_\_) attempts shall be ineligible to participate in athletics.~~

**[Note: The following should be selected, if at all, only if the District provides intervention programs to help students pass the proficiency tests at times that would conflict with practice.]**

~~[ ] The Board believes a student who has not passed these tests would be better served by using the time that **the students/he** would be participating in **their/his/her** interscholastic sport to participate in one **(1)** or more of the District's programs for assisting students to pass the required tests.~~

~~[ ] However, if a parent believes that **their/his/her** child may be unduly affected by **the child's/his/her** lack of participation in a particular sport, **the parents/he** may come to the school and sign a waiver that will release the student from this proficiency test eligibility rule and allow **the student/him/her** to participate in a particular sport. The parent shall be informed, prior to signing the waiver, that State law does not allow a student to receive a high school diploma unless **the students/he** has passed all State testing requirements.~~

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

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

No student shall be excused from a class or supervised study for an extended period of time to participate in interscholastic athletics.

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

- A. ~~( )~~ maintained a satisfactory academic record;

- B. ~~( ) attended school regularly;~~
- C. ~~( ) demonstrated good citizenship and responsibility;~~
- D. ~~( ) returned all school and athletic equipment;~~
- E. ~~( ) refrained from participation in a contest on a noninterscholastic team, or as an individual in the same sport during the school's season.~~

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

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

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

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

- A. ~~( ) Prior to enrolling in the sports;~~
  - 1. ~~( ) each participant shall submit to a thorough physical examination by a District approved physician;~~
  - 2. ~~( ) parents shall report any past or current health problems along with a physician's statement that any such problems have or are being treated and pose no threat to the student's participation.~~
- B. ~~( ) Any student who is found to have a health condition which may be life threatening to self or others shall not be allowed to participate until the situation has been analyzed by a medical review panel that has determined the conditions under which the student may participate. The District shall assume no liability for any student with a health condition who has been authorized to play by the parents and their physician but not by the District.~~
- C. ~~( ) Any student who incurs an injury requiring a physician's care is to have the written approval of a physician prior to the student's return to participation.~~
- D. ~~( ) Any student practicing for or competing in an interscholastic event who exhibits signs, symptoms, or behaviors consistent with having sustained a concussion or head injury shall be removed from the practice or competition by the student's coach (and/or the referee serving during the practice or competition).~~

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

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

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

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



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

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

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

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

~~No student will be denied the opportunity to participate in interscholastic athletics offered by a school in the District because the student has or is participating in a college credit plus program as long as the student fulfills all academic, nonacademic, and financial requirements.~~

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

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

R.C. 3313.5311, 3313.5312, **3313.5317**, 3313.5341, 3315.062

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

R.C. 3313.5311, 3313.5312, 3313.5317, 3313.5341, 3315.062

Ohio High School Athletic Association

Book	Policy Manual
Section	REVISED Vol. 41, No. 1
Title	Vol. 41, No. 1 - August 2022 Revised EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES
Code	po3120.08.revised
Status	
Adopted	December 19, 2012
Last Revised	April 20, 2020
Last Reviewed	March 16, 2020

### **REVISED POLICY - VOL. 41, NO. 1**

#### **3120.08 - EMPLOYMENT OF PERSONNEL FOR CO-CURRICULAR/EXTRA-CURRICULAR ACTIVITIES**

The Board of Education may employ professional staff for co-curricular/extra-curricular activities. However, the Board may find it necessary to employ, on a part-time basis, coaches or activity sponsors who are not members of the professional staff. Such part-time employees ( ☒ ) may be members of the District's ( ☒ ) classified staff ( ☒ ) support staff ( ☒ ) or individuals from the community or nearby areas. **[END OF OPTIONS]**.

The Board authorizes the Superintendent ( ☐ ) ~~to recommend candidates for employment by the Board~~ ( ☒ ) to act for the Board in employing such part-time staff. **[END OF OPTION]**.

**Pursuant to R.C. 3319.303 and accompanying regulations, an individual who does not hold a valid educator license is required to obtain a Pupil Activity Permit issued by the State Board of Education to serve as a coach or activity sponsor, regardless of whether the activity involves athletics, regular physical activity, or any special health and safety considerations.**

**To be employed by the Board, each coach or activity sponsor shall hold a valid Pupil Activity Program Permit as required by law.** ~~Each coach or activity sponsor shall hold a valid Pupil Activity Program Permit issued by the State Board of Education under R.C. 3319.303(A),~~ have any other necessary qualifications, have been properly interviewed, and shall sign an employment contract which includes the conditions of employment, compensation arrangements, and contract termination procedures. An employee must submit a copy of an active Pupil Activity Program Permit to both the Treasurer/CFO and the Superintendent before the Board will pay any compensation.

In accordance with Policy 3120, no staff member, coach, or activity sponsor employed in a position for which licensure or permit is required may be paid until evidence of such appropriate licensure or permit valid for the effective dates of such services has been received by the Superintendent and transmitted to the Treasurer.

~~[ ] The Board will not allow any prospective coach or activity sponsor to engage in supervision and/or coaching activities until such time that a valid Pupil Activity Permit for that individual is filed with the District.~~

Personnel must also pass a background check performed by the Bureau of Criminal Identification and Investigation and the Federal Bureau of Investigation (see Policy 3121).

The Board may renew the contract of any nonlicensed individual, currently employed by the Board for one (1) or more years, without first offering the position held by that individual to employees of the District who are licensed individuals or advertising the position as available to any qualified licensed individuals who are not currently employed by the Board unless otherwise prohibited by a collective bargaining agreement.

No individual employed by the Board for any co-curricular or extra-curricular activity may accept compensation from any third party or source including, but not limited to, booster, parent, or other District support organizations for the performance of ~~their~~ **his/her** official duties or as a supplement to ~~their~~ **his/her** compensation from the Board.



No individual serving as a volunteer for co-curricular/extra-curricular activities may accept compensation from any third party or source including, but not limited to, booster, parent, or other District support organizations for the performance of ~~their~~<sup>his/her</sup> official duties as a volunteer on behalf of the Board.

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A.C. 3301-27-01, Ohio Ethics Commission Advisory Opinion 2008-01

R.C. 3313.53, 3313.539, 3319.36, 3319.39, 3319.303

Book	Policy Manual
Section	REVISED Vol. 41, No. 1
Title	Vol. 41, No. 1 - August 2022 Revised WEAPONS
Code	po3217.revised
Status	
Adopted	December 19, 2012
Last Revised	November 15, 2021

## **REVISED POLICY - VOL. 41, NO. 1**

### **3217 - WEAPONS**

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

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

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

Exceptions to this policy include:

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

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

- B. handguns in the possession of **an individual who has been issued a concealed handgun license that is valid at the time of conveyance** ~~a person who has a valid concealed handgun license~~ or who is an active duty member of the armed forces with a valid military identification card and documentation of successful completion of firearms training if the handgun remains in a vehicle with the individual or is left in a locked vehicle when the person exits the vehicle;

**[DRAFTING NOTE: With the passage of S.B. 215, Ohio's concealed-carry gun laws changed significantly. The change took effect June 13, 2022, and for the first time, authorized qualified individuals to carry certain weapons without an official concealed-carry license. The revised law defines "qualifying adult" as a person who is twenty-one (21) years of age or older, is not legally prohibited from possessing or receiving a firearm under specified Federal or State law, and satisfies specified criteria necessary to obtain a concealed handgun license. Importantly, however, the law still requires an individual to have a concealed-carry permit or be an active duty member to carry a weapon onto school grounds under these limited circumstances. Permitless carriers are not allowed to carry weapons into a school safety zone. A violation of this law is still considered a felony offense in**

**Ohio.]**

- C. ~~( ) weapons carried by other qualified individuals who receive written authorization by the Board as summarized below:~~

**Qualified Individuals with Written Authorization to Carry Weapons**

~~Individuals who are not hired to serve as special police officers or security guards, or to serve in similar law enforcement or security positions, may receive written authorization from the Board to carry weapons onto school property if they meet the following requirements:~~

- ~~1. the individuals have successfully completed the curriculum and training required under State law, or alternatively have received a certificate of satisfactory completion of an approved basic peace officer training program, or are a law enforcement officer; and~~
- ~~2. the individual submits to an annual criminal background check.~~

~~Qualified individuals who have not completed the peace officer training program must complete initial training of up to twenty four (24) hours, as well as annual regualification training of up to eight (8) hours, which is developed and provided by the Department of Public Safety's Mobile Training Team ("MTT"). In addition to the training required under State law, the Board may require further training for individuals to become or remain eligible. Individuals must fulfill any other requirements adopted by the Department of Public Safety as well. The Board will pay all fees associated with any required training. As an alternative to requiring a designated individual to complete training provided by the MTT, the Board has the authority to develop and adopt alternate curriculum, instruction, and training that follows the private investigator and security guard firearms training guidelines. Alternate curriculum and training will be submitted and approved in advance by the Ohio School Safety and Crisis Center ("OSSCC").~~

- D. ~~(x)~~ objects indistinguishable from a firearm used during school safety trainings;
- E. ~~(x)~~ items indistinguishable from a firearm approved by a director as part of a class or individual presentation under adult supervision if used for the purpose of and in the manner approved (working firearms and ammunition shall never be approved);
- F. ~~(x)~~ theatrical props used in appropriate settings;
- G. ~~(x)~~ starter pistols used in appropriate sporting events.
- H. ~~(-)~~ \_\_\_\_\_.

**The Board will notify the public, using the Board's regular channels of public communication, that it has authorized one (1) or more persons to go armed within a school operated by the Board when such authorization is granted. The Board will also submit a current list of qualified individuals who have received written authorization to carry weapons to the OSSCC which is within the Department of Public Safety. Records pertaining to individuals authorized to carry weapons onto school property do not constitute public records.**

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

The Board directs the Superintendent to post notices prohibiting the carrying and possession of concealed weapons in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. The notices shall contain a statement substantially in the following form:

**"Unless otherwise authorized by law, pursuant to R.C. 2923.122, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into a school safety zone."**

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

R.C. 109.78, **149.43, 149.433**

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

**R.C. 5502.70, 5502.701, 5502.702, 5502.703**

Legal

R.C. 109.78, 149.43, 149.433

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

R.C. 5502.70, 5502.701, 5502.702, 5502.703

18 U.S.C. 922



Book	Policy Manual
Section	REVISED Vol. 41, No. 1
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Status	
Adopted	December 19, 2012
Last Revised	November 15, 2021

## **REVISED POLICY - VOL. 41, NO. 1**

### **4217 - WEAPONS**

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

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

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

Exceptions to this policy include:

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

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

- B. handguns in the possession of **an individual who has been issued a concealed handgun license that is valid at the time of conveyance** ~~a person who has a valid concealed handgun license~~ or who is an active duty member of the armed forces with a valid military identification card and documentation of successful completion of firearms training if the handgun remains in a vehicle with the individual or is left in a locked vehicle when the person exits the vehicle;

**[DRAFTING NOTE: With the passage of S.B. 215, Ohio's concealed-carry gun laws changed significantly. The change took effect June 13, 2022 and for the first time, authorized qualified individuals to carry certain weapons without an official concealed-carry license. The revised law defines "qualifying adult" as a person who is twenty-one (21) years of age or older, is not legally prohibited from possessing or receiving a firearm under specified Federal or State law, and satisfies specified criteria necessary to obtain a concealed handgun license. Importantly, however, the law still requires an individual to have a concealed-carry permit or be an active duty member to carry a weapon onto school grounds under these limited circumstances. Permitless carriers are not allowed to carry weapons into a school safety zone. A violation of this law is still considered a felony offense in**

Ohio.]

- C. ~~(-) weapons carried by other qualified individuals who receive written authorization by the Board as summarized below:~~

Qualified Individuals with Written Authorization to Carry Weapons

~~Individuals who are not hired to serve as special police officers or security guards, or to serve in similar law enforcement or security positions, may receive written authorization from the Board to carry weapons onto school property if they meet the following requirements:~~

- ~~1. the individuals have successfully completed the curriculum and training required under State law, or alternatively have received a certificate of satisfactory completion of an approved basic peace officer training program, or are a law enforcement officer; and~~
- ~~2. the individual submits to an annual criminal background check.~~

~~Qualified individuals who have not completed the peace officer training program must complete initial training of up to twenty-four (24) hours, as well as annual regualification training of up to eight (8) hours, which is developed and provided by the Department of Public Safety's Mobile Training Team ("MTT"). In addition to the training required under State law, the Board may require further training for individuals to become or remain eligible. Individuals must fulfill any other requirements adopted by the Department of Public Safety as well. The Board will pay all fees associated with any required training. As an alternative to requiring a designated individual to complete training provided by the MTT, the Board has the authority to develop and adopt alternate curriculum, instruction, and training that follows the private investigator and security guard firearms training guidelines. Alternate curriculum and training will be submitted and approved in advance by the Ohio School Safety and Crisis Center ("OSSCC").~~

- D. ☒ objects indistinguishable from a firearm used during school safety trainings;
- E. ☒ items indistinguishable from a firearm approved by a director as part of a class or individual presentation under adult supervision if used for the purpose of and in the manner approved (working firearms and ammunition shall never be approved);
- F. ☒ theatrical props used in appropriate settings;
- G. ☒ starter pistols used in appropriate sporting events.
- H. ~~(-) \_\_\_\_\_.~~

The Board will notify the public, using the Board's regular channels of public communication, that it has authorized one (1) or more persons to go armed within a school operated by the Board when such authorization is granted. The Board will also submit a current list of qualified individuals who have received written authorization to carry weapons to the OSSCC which is within the Department of Public Safety. Records pertaining to individuals authorized to carry weapons onto school property do not constitute public records.

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

The Board directs the Superintendent to post notices prohibiting the carrying and possession of concealed weapons in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. The notices shall contain a statement substantially in the following form:

**"Unless otherwise authorized by law, pursuant to R.C. 2923.122, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into a school safety zone."**

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

R.C. 109.78, 149.43, 149.433

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

R.C. 5502.70, 5502.701, 5502.702, 5502.703

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R.C. 109.78, 149.43, 149.433

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

R.C. 5502.70, 5502.701, 5502.702, 5502.703

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Book Policy Manual

Section REVISED Vol. 41, No. 1

Title Vol. 41, No. 1 - August 2022 Revised CARE OF STUDENTS WITH CHRONIC HEALTH CONDITIONS

Code po5335.revised

Status

Adopted December 19, 2012

### **REVISED POLICY - VOL. 41, NO. 1**

#### **5335 - CARE OF STUDENTS WITH CHRONIC HEALTH CONDITIONS**

Students with chronic health conditions will be provided with a free appropriate public education. If their impairment does not require specially designed instruction for them to benefit educationally, they will be eligible for accommodations/modifications/interventions of the regular classroom, curriculum, or activity (i.e. the school setting) so that they have the same access to an education as students without disabilities. Such accommodations/modifications/interventions will be provided pursuant to a Section 504 Plan (Form 2260.01 F13).

Chronic health conditions, for the purposes of this policy, shall include:

- A. ☒ ~~"peanut" and other~~ food allergies including, but not limited to, peanut allergies;
- B. ☒ non-food-based allergies;
- C. ☒ asthma;
- D. ☒ diabetes;
- E. ☐ \_\_\_\_\_; and
- F. ☐ \_\_\_\_\_ **[END OF OPTIONS]**.

All information regarding student identification, health care management, and emergency care shall be safeguarded as personally identifiable information in accordance with Policy 8330 and Policy 8350.

The District will coordinate school health practices for management of a chronic health condition and shall provide for:

- A. ☒ identification of individuals with chronic health conditions;
- B. ☐ ~~development of individual health care action plans;~~
- C. ☒ coordination of health care management activities by school staff;
- D. ☒ communication among school staff who interact with children with chronic health conditions;
- E. ☒ development of protocols to prevent exposure/episodic reactions;
- F. ☒ awareness and training of school staff regarding Board policy on acute and routine management of chronic health conditions, information on signs and treatment of chronic health conditions, medication and administration, and emergency protocols for dealing with reactions in "unusual" situations such as field trips;
- G. ☐ \_\_\_\_\_;
- H. ☐ \_\_\_\_\_ **[END OF OPTIONS]**.

School health practices shall provide students with chronic health conditions the opportunity for:



- A. ☒ full participation in physical activities when students are well;
- B. ☒ modified activities as indicated by the student's ~~health care action plan~~, 504 plan, or Individualized Education ~~Program~~**Plan** (IEP);
- C. ☒ access to preventative medications before activity (as prescribed by their medical providers) and immediate access to emergency medications during activity;
- D. ☒ communication regarding student health status between parents, physicians, teachers (particularly physical education teachers), and coaches;
- E. ☐ \_\_\_\_\_;
- F. ☐ \_\_\_\_\_ **[END OF OPTIONS]**.

Healthcare management activities shall include:

- A. ☐ ~~procedures to obtain, maintain, and utilize written health care action plans, signed by the child's parents and physician, for each student with a chronic health condition;~~
- B. ☒ a standard emergency protocol in place for students experiencing a distress reaction if they do not have a written health care action plan on site;
- C. ☒ established communication strategies for students to use to tell an adult they may be having a health-related problem;
- D. ☒ procedures for students to have immediate access to medications in accordance with Policy 5330 and AG 5330 that allow students to self-care and self-administer medications, inhalers, and Epi-pens, as prescribed by a medical professional and approved by parents/guardians;
- E. ☒ prevention strategies to avoid causal elements;
- F. ☒ case management for students with frequent school absences, school health office visits, emergency department visits, or hospitalizations due to chronic health conditions;
- G. ☒ management and care of the student's chronic health condition in the classroom, in any area of the school or school grounds, or at any school-related activity or event;
- H. ☐ \_\_\_\_\_;
- I. ☐ \_\_\_\_\_ **[END OF OPTIONS]**.

Staff will be trained about chronic health conditions and their control ( ) at least annually **[END OF OPTION]** in each school in which there is a student with a chronic health condition.

#### **[OPTIONAL LANGUAGE]**

~~[ ] The Superintendent shall provide training for all staff members ( ) and age appropriate instruction for students in grades kindergarten through twelve (12) [END OF OPTION] on food allergies and ways in which to assist an individual experiencing an allergic reaction. Such training shall include instruction in:~~

- A. ~~( ) food allergies;~~
- B. ~~( ) signs and symptoms of anaphylaxis;~~
- C. ~~( ) prevention of allergic reactions;~~
- D. ~~( ) management and administration of epinephrine; and~~
- E. ~~( ) follow up and reporting procedures.~~

~~Board offered training that staff complete concerning the preceding topics shall qualify as a professional development activity for the renewal of educator licenses in addition to activities approved by local professional development committees;~~

~~In accordance with Ohio law, the Board, its members, employees, and contractors, a licensed health professional authorized to prescribe drugs who personally furnishes or prescribes epinephrine autoinjectors ("Epi-Pens"), consults with the Superintendent or issues a protocol, and an anaphylaxis training organization and its personnel where leadership includes a duly licensed physician who is board-certified in allergy and immunology shall not be liable in damages in a civil action for injury, death, or loss to person or property that allegedly arises from an act or omission associated with the above-described training unless the act or omission constitutes willful or wanton misconduct.~~

**[END OF OPTIONAL LANGUAGE]**

☒ Designated staff who have responsibility for specialized services, such as giving inhaler treatments or injections, or conducting glucose and/or ketone tests, shall be provided training specific to the procedures ☒, at least annually, **[END OF OPTION]** by a licensed health professional.

☒ The ☒ school nurse ( ) Director **[END OF OPTIONS]** shall maintain a copy of the training program and the records of training completed by school employees.

~~As prescribed by R.C. 3313.719, this policy has been developed in consultation with parents, school nurses and other school employees, school volunteers, students, and community members.~~

~~☐ Administrative guidelines shall provide guidance for the implementation of this policy.~~

**R.C. 3313.719**

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R.C. 3313.719

Book	Policy Manual
Section	REVISED Vol. 41, No. 1
Title	Vol. 41, No. 1 - August 2022 Revised CARE OF STUDENTS WITH DIABETES
Code	po5336.revised
Status	
Adopted	June 15, 2015
Last Revised	November 15, 2021

## **REVISED POLICY - VOL. 41, NO. 1**

### **5336 - CARE OF STUDENTS WITH DIABETES**

The Board of Education is committed to ensuring that each student enrolled in the District who has diabetes receives appropriate and needed diabetes care in accordance with an order signed by the student's treating ~~practitioner~~ **physician**.

The diabetes care to be provided includes any of the following:

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

Within fourteen (14) days after the District receives an order signed by the student's treating ~~practitioner~~ **physician**, the Board will inform the student's parent, ~~guardian, or other person having care or charge of the student or guardian~~ that the student may be entitled to a Section 504 Plan regarding the student's diabetes. **The Board will use the 504 plan information sheet developed by the Ohio Department of Education to provide such notification.**

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

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

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

- A. ~~The diabetes medication may be administered by a school nurse, or in the absence of a school nurse, such medication can be administered by a school employee who is trained in diabetes care. Such training must comply~~ **has received training provided by the Board that complies** with the Ohio Department of Education's training guidelines, **which address the following issues: and complies with the following additional requirements:**

1. **recognizing the symptoms of hypoglycemia and hyperglycemia;**



2. ~~the appropriate treatment for a student who exhibits the symptoms of hypoglycemia or hyperglycemia;~~
3. ~~recognizing situations that require the provision of emergency medical assistance to a student;~~
4. ~~understanding the appropriate treatment for a student, based on an order issued by the student's treating practitioner, if the student's blood glucose level is not within the target range indicated by the order;~~
5. ~~understanding the instructions in an order issued by a student's treating practitioner concerning necessary medications;~~
6. ~~performing blood glucose and ketone tests for a student in accordance with the student's treating practitioner's order and recording the results of those tests;~~
7. ~~administering insulin, glucagon, or other medication to a student in accordance with the student's treating practitioner's order and recording the results of the administration; and~~
8. ~~understanding the relationship between the diet recommended in a student's treating practitioner's order and actions that may be taken if the recommended diet is not followed.~~

The training must also comply with the following additional requirements:

1. The training must be coordinated by a school nurse, or if the school does not employ a school nurse, a licensed health care professional (e.g., a medical or osteopathic doctor, a registered nurse, advanced practice registered nurse, a licensed practical nurse, or physician's assistant) with expertise in diabetes who is approved by the District to provide the training. ~~medical or osteopathic doctor, a registered nurse, or a licensed practical nurse with expertise in diabetes.~~
  2. The training will take place prior to the beginning of each school year or, as needed, not later than fourteen (14) days after the Board receives an order signed by the treating practitioner of a student with diabetes. ~~a physician's order related to a student with diabetes.~~
  3. Upon completion of the training, the Board will determine whether each trained employee is competent to provide diabetes care.
  4. The school nurse ~~or approved licensed health care professional with expertise in diabetes care,~~ medical or osteopathic doctor, registered nurse, or licensed practical nurse who provided the training will promptly provide all necessary follow up training and supervision to an employee who receives training.
- B. The Director of a school attended by a student with diabetes will distribute a written notice (see Form 5336-F1) to each employee containing the following information:
1. A statement that the school is required to provide diabetes care to a student with diabetes and is seeking employees who are willing to be trained to provide that care.
  2. A description of the tasks to be performed.
  3. A statement that participation is voluntary and that the School District will not take action against an employee who does not agree to provide diabetes care, including that the employee will not be penalized or disciplined for refusing to volunteer to be trained in diabetes care.
  4. A statement that training will be provided by a licensed health care professional ~~school nurse, a medical or osteopathic doctor, a registered nurse, or a licensed practical nurse~~ with expertise in diabetes to an employee who agrees to provide care.
  5. A statement that a trained employee will not be subject to disciplinary action by the Board for providing care or performing duties to students with diabetes.
  6. A statement that a trained employee is immune from liability for damages in a civil action for injury, death, or loss to person or property allegedly arising from providing care or performing duties under this Policy (unless the act or omission constitutes willful or wanton misconduct).
  7. The name of the individual to contact if an employee is interested in providing diabetes care.

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

~~[END OF OPTION #1]~~

☒ [BEGIN OPTION #2]

Diabetes medication may be administered by a school nurse.

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

~~[END OF OPTION #2]~~

[END OF SELECTION]

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

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

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

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

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

~~[ ] [OPTIONAL SELECTION]~~

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

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

~~[END OF SELECTION]~~

~~[ ] [OPTIONAL SELECTION]~~

~~The Board authorizes the Superintendent to procure and maintain a supply of injectable or nasally administered glucagon for use in emergency situations. In procuring injectable or nasally administered glucagon, the Board will accept donations of glucagon from wholesale distributors of dangerous drugs or manufacturers of dangerous drugs, as well as donations of money from any person to purchase the drug. The Superintendent shall report to the Ohio Department of Education ("ODE"), in the form and manner determined by the ODE, each procurement of injectable or nasally administered glucagon and each occurrence in which a dose of the drug is used from the District's supply. Glucagon for use in emergency situations. In the circumstance of severe hypoglycemia, staff will follow the procedures and protocols set forth in AG-5330.04 relating to the administration of Glucagon.~~

~~In the circumstance of severe hypoglycemia, staff will follow the procedures and protocols set forth in AG-5330.04 relating to the administration of glucagon.~~

~~[END OF SELECTION]~~

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



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

In accordance with Ohio law, the Board and its members and school employees shall not be liable for damages in a civil action for injury, death, or loss to person or property that allegedly arises from providing care or performing duties under this Policy unless the act or omission constitutes willful or wanton misconduct. Additionally, a school nurse or other licensed health care professional shall be immune from disciplinary action by the Board of Nursing or any other regulatory board for providing care or performing duties under this Policy if the care provided or duties performed are consistent with applicable professional standards.

R.C. ~~3313.7110~~, 3313.7112, 3313.713, 3313.7115~~(A)~~

R.C. 4723.4811, 4730.437, 4731.92

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Legal R.C. 3313.713, 3313.7112, 3313.7115  
R.C. 4723.4811, 4730.437, 4731.92



Book	Policy Manual
Section	REVISED Vol. 41, No. 1
Title	Vol. 41, No. 1 - August 2022 Revised DIPLOMA DEFERRAL
Code	po5460.01.revised
Status	

## **REVISED POLICY - VOL. 41, NO. 1**

### **5460.01 - DIPLOMA DEFERRAL**

Social graduation is an opportunity for students with individualized education programs ("IEPs") to participate in high school graduation ceremonies without obtaining an official diploma. Students with IEPs who have completed all academic requirements for high school graduation, but could benefit, as determined by their IEP teams, from continued work on the student's ~~who have not yet completed their~~ transition-related IEP goals, may be eligible for social graduation. Students may participate in social graduation only upon the recommendation of their respective IEP teams. If social graduation is recommended, the student may engage in all aspects of the graduation celebration (e.g., wearing a cap and gown; sitting with the graduating class; having the student's~~his/her~~ name printed in the program and read aloud at the ceremony; walking across the stage to receive a faux diploma). Instead of receiving an official diploma, however, the student will receive an unsigned diploma or a certificate of participation.

Ordinarily, the~~The~~ determination of whether social graduation is recommended for any particular student will be done on an individual basis during the first semester of any year in which the student's chronological peer group is eligible to receive a high school diploma. The IEP team may raise the issue or the student and/or the student's~~his/her~~ parent may raise the issue. The IEP team members should consider whether social graduation is appropriate to further the student's progress with regard to IEP goals. The team may also consider any objectives the student will be required to accomplish before the students~~he~~ is eligible to participate. Finally, the team should determine additional arrangements or preparations, if any, that will need to be made to enable the student to participate in the ceremony. If the team determines that social graduation is recommended, the Superintendent or designee shall be notified. The IEP team makes the final decision with regard to social graduation in accordance with the student's IEP goals, ~~and~~ Federal and State laws and regulations, and local Board policies. Students for whom participation in graduation ceremonies is precluded for disciplinary issues (when the discipline was not a manifestation of the student's disability) or nonpayment of school fines may not participate in social graduation.

After participating in the ceremony, the student is expected to continue working on the student's~~his/her~~ IEP transition-related ~~IEP~~ goals and objectives. The student will also continue to receive services to address the student's~~his/her~~ transitional, vocational, and/or independent living skills as delineated in the student's~~his/her~~ IEP. An official high school diploma will be granted to the student when the IEP team determines that the student has made sufficient progress on the student's transition-related IEP goals and/or the student reaches the age of twenty-two (22), whichever occurs first~~transition goals have been met.~~

[☒] When the student turns twenty-two (22) during the school year, the students~~he~~ will be permitted to complete the current ~~quarter~~ (☒ ) semester [END OF OPTION] before services cease.

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Book	Policy Manual
Section	REVISED Vol. 41, No. 1
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Code	po6550.revised
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Adopted	January 15, 2015
Last Revised	June 20, 2016

### **REVISED POLICY - VOL. 41, NO. 1**

#### **6550 - TRAVEL PAYMENT & REIMBURSEMENT/RELOCATION COSTS**

Travel expenses incurred for official business travel on behalf of the Board of Education shall be limited to those expenses necessarily incurred by the employee in the performance of a public purpose authorized, in advance, in accordance with administrative guidelines.

Payment and reimbursement rates for per diem meals, lodging, and mileage shall be approved by the Board annually. The Board shall establish mileage rates **(x)** in accordance with ~~( )~~ **not exceeding [END OF OPTION]** the Federal IRS prescribed mileage rate.

Employees are expected to exercise the same care incurring travel expenses that a prudent person would exercise if traveling on personal business and expending personal funds. Unauthorized costs and additional expenses incurred for personal preference or convenience will not be reimbursed.

Unauthorized expenses include, but are not limited to, alcohol, movies, fines for traffic violations, and the entertainment/meals/lodging of spouses or guests.

**[x]** Commercial airfare costs in excess of the basic least expensive unrestricted accommodations class offered by commercial airlines are unallowable except when such accommodations would (1) require circuitous routing; (2) require travel during unreasonable hours; (3) excessively prolong travel; (4) result in additional costs that would offset the transportation savings; or (5) offer accommodations not reasonably adequate for the traveler's medical needs. Instances of commercial airfare cost in excess of the basic least expensive unrestricted accommodations class must be justified and documented on a case-by-case basis.

~~[ ] Temporary dependent care costs (as dependent is defined in 26 U.S.C. 152) above and beyond regular dependent care that directly results from travel to conferences are allowable provided that (1) the costs are a direct result of the individual's travel for the Federal award; (2) the costs are consistent with the District's documented administrative guidelines for all entity travel; and (3) are only temporary during the travel period. Travel costs for dependents are unallowable, except for travel of a duration of six (6) months or more with prior approval of the Federal awarding agency.~~

**[DRAFTING NOTE: This draft policy includes the Federal rules for commercial airfare and temporary dependent care costs. Based on State or local laws and policies, school districts may decide that all temporary dependent care costs or commercial airfare costs in excess of the basic least expensive unrestricted accommodations class are unallowable under any circumstance.]**

#### **[ ] Relocation Cost Reimbursement**

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

**Relocation costs are costs incident to the permanent change of duty assignment (for an indefinite period or for a stated period of not less than twelve (12) months) of an existing employee or upon recruitment of a new employee. Relocation costs are allowable and reimbursable, subject to the limitations of 2 C.F.R. 200.464 and any other conditions or limits approved by the Board in advance.**

##### **[OR]**

**[x] [OPTION 2]****The Board does not reimburse for relocation costs.****[END OF OPTIONS]**

Travel payment and reimbursement provided from Federal funds must be authorized in advance and must be reasonable and consistent with the District's travel policy and administrative guidelines. For travel paid for with Federal funds, the travel authorization must include documentation that demonstrates that (1) the participation in the event by the individual traveling is necessary to the Federal award; and (2) the costs are reasonable and consistent with the District's travel policy.

All travel shall comply with the travel procedures and rates established in the administrative guidelines. All costs incurred with Federal funds must meet the cost allowability standards within Board Policy 6114.

To the extent that the District's policy does not establish the allowability of a particular type of travel cost, the rates and amounts established under 5 U.S.C. 5701-11 ("Travel and Subsistence Expenses; Mileage Allowances") or by the Administrator of General Services or by the President (or **the President's his/her** designee) must apply to travel under Federal awards.

**2 C.F.R. 200.464**

2 C.F.R. 200.474

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Legal                      2 C.F.R. 200.464  
                                 2 C.F.R. 200.474



Book	Policy Manual
Section	REVISED Vol. 41, No. 1
Title	Vol. 41, No. 1 - August 2022 Revised FAIR LABOR STANDARDS ACT (FLSA)
Code	po6700.revised
Status	
Adopted	December 19, 2012
Last Revised	June 19, 2017

### **REVISED POLICY - VOL. 41, NO. 1**

#### **6700 - FAIR LABOR STANDARDS ACT (FLSA)**

It is the Board of Education's policy to comply with the provisions of the Fair Labor Standards Act (FLSA) and its implementing regulations. The Board shall pay at least the minimum wage required by the FLSA and Ohio law ☒ and local municipal law/ordinance/regulation to all covered, non-exempt employees, unless an employee's individual contract or the terms of an applicable collective bargaining agreement provide for greater benefits than mandated by Federal, State, or local law.

Non-exempt employees are hourly employees or salaried employees who do not qualify for a professional, administrative, executive, computer, or any other exemption under the FLSA.

Non-exempt employees who work (i.e., perform work on behalf of or for the benefit of the Board) more than forty (40) hours during a given work week will receive overtime pay in accordance with the FLSA for all hours worked in excess of forty (40). **[CHOOSE ONE (1) OF THE FOLLOWING:]** ☒ ~~Work week is defined as a fixed and regularly recurring period of 168 hours (i.e., seven (7) consecutive twenty four (24) hour periods).~~ ☐ ~~Work week is defined as the seven (7) day period of time beginning on ( ) Sunday at 12:00 a.m. and continuing to the following Saturday at 11:59 p.m. ( ) Monday at 12:00 a.m. and continuing to the following Sunday at 11:59 p.m.~~ **Work Week is defined as the seven (7) day period of time beginning Saturday at 12:00 AM and continuing to the following Friday at 11:59 pm.** **[END OF OPTION]**

The Superintendent shall determine the necessity and availability of overtime work. ☒ Overtime may be authorized only by a supervisor and will be used primarily to address circumstances of an emergency or temporary nature. **[END OF OPTION]** Non-exempt employees who work overtime without prior approval from the Superintendent or a supervisor may be subject to disciplinary action, up to and including termination.

Exempt employees are individuals who are exempt from the FLSA minimum wage and overtime provisions. These employees include, but are not limited to, persons employed in bona fide executive, administrative, and professional positions, and certain computer employees. To qualify for the exemption, employees generally must meet certain tests regarding their job duties and be paid a minimum per week salary as established by the Department of Labor. The salary requirement does not apply to teachers. Exempt computer employees must also meet a minimum per week or per hour salary established by the Department of Labor. Being paid on a "salary basis" means an employee regularly receives a predetermined amount of compensation each pay period on a weekly, or less frequent, basis. Additionally, the predetermined amount cannot be reduced because of variation in the quality or quantity of the employee's work. Subject to the exceptions listed below, an exempt employee must receive the full salary for any work week in which the employee performs any work, regardless of the number of days or hours worked.

Deductions may be made to an otherwise exempt employee's salary in certain circumstances without jeopardizing the employee's exempt status. Deductions may occur under the following circumstances:

- A. the employee is absent from work for one (1) or more full days for personal reasons other than sickness or disability
- B. the employee is absent from work for one (1) or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy, or practice of providing compensation for salary lost due to illness
- C. to offset amounts employees receive as jury or witness fees, or for military pay
- D. for unpaid disciplinary suspensions of one (1) or more full days imposed in good faith for workplace conduct rule infractions

E. for penalties imposed in good faith for infractions of safety rules of major significance

In addition to the foregoing, exempt employees who accrue personal leave and sick leave may have their pay reduced or may be placed on unpaid leave for absences due to personal reasons of less than one (1) full day when leave is not used by the employee because:

- A. permission to use leave has not been sought or permission has been sought and denied;
- B. the employee's accrued leave has been exhausted;
- C. the employee chooses to use leave without pay.

Deductions from an exempt employee's pay for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

The Board shall also not be required to pay the full salary in the initial or terminal week of employment if the employee does not work the entire week, or for weeks in which an exempt employee takes unpaid leave under the Family & Medical Leave Act.

The Board recognizes that with limited legally permissible exceptions as described, no deductions should be taken from the salaries of exempt employees. If an exempt employee believes that an improper deduction has been made to the exempt employee's his/her salary, the employee should immediately report this information to the ( ) Superintendent, ( ) Business Manager, (x) Treasurer, [END OF OPTION] or the employee's his/her immediate supervisor. Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, the employee will be promptly reimbursed for any improper deduction made, and the Board will make a good faith commitment to avoid any recurrence of the error.

This policy shall be distributed to employees upon initial hire and to all employees on an annual basis.

**[DRAFTING NOTE: Job titles do not determine exempt status, nor does receipt of a particular salary. If an employee does not meet all of the applicable criteria for a specific exemption, the employee will be covered by the FLSA and entitled to overtime if s/he works more than forty (40) hours in a week, regardless of whether the individual is paid a salary. Under the standard duties test, an employee's primary duty (i.e., principal, main, major, or most important duty) - based on all of the facts in a particular case - must be that of an exempt executive, administrative or professional employee, or an exempt computer employee.**

**Executive Exemption:** 1) the employee's primary duty must be managing the enterprise in which the employee is employed, or managing a customarily recognized department or subdivision of the enterprise; 2) the employee must customarily and regularly direct the work of at least two (2) or more other full-time employees of their equivalent (for example, one (1) full-time and two half-time employees are equivalent to two full-time employees); 3) the employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion, or any other change of status of other employees must be given particular weight.

**Administrative Exemptions:** 1) the employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and 2) the employee's primary duty must include the exercise of discretion and independent judgment with respect to matters of significance.

**Additionally, academic administrative personnel whose primary duty is performing administrative functions directly related to academic instruction or training in an educational institution, such as principals/directors and vice-principals/assistant directors responsible for the operation of an elementary or secondary school, academic counselors who perform work such as administering school testing programs, assisting students with academic problems, and advising students concerning degree requirements, and others with similar responsibilities, are eligible for a special alternative salary level that does not apply to white collar employees outside of an educational institution. Specifically, these academic administrative personnel are exempt from the FLSA's minimum wage and overtime requirements if they are paid at least as much as the entrance salary for teachers in the District.**

**Computer employee exemption:** 1) the employee must be employed as a computer systems analyst, computer programmer, software engineer, or other similarly skilled worker in the computer field; and 2) the employee's primary duty must consist of: (a) the application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software, or system functional specifications; (b) the design, development, documentation, analysis, creation, testing, or modification of computer systems or programs, including prototype, based on and related to user or system design specifications; (c) the design, documentation, testing, creation or

modification of computer programs related to machine operating systems; or (d) a combination of the aforementioned duties, the performance of which requires the same level of skills.]

### **Reasonable Break Time for Nursing Mothers**

**As required by Federal law, the District shall take steps necessary to support staff members who decide to breastfeed their infants by providing additional unpaid reasonable break time, as necessary, for a qualified employee to express breast milk for their nursing child for one (1) year after the child's birth on District premises.**

**Prior to returning to work from maternity leave, it shall be the employee's responsibility to notify their supervisor of their intent to continue breastfeeding their infant(s) and of their need to express milk during work hours. Further, it shall be the responsibility of the employee to keep their supervisor informed of their needs in this regard throughout the period of lactation.**

**The building administrator shall designate a private area, other than a restroom, where an employee can express breast milk. The designated area shall be a space where intrusion from coworkers, students, and the public shall be prevented, and one where an employee who is using this area can be shielded from view.**

**An employee shall be enabled to express milk during regularly scheduled break periods. The Director or the employee's supervisor shall make an accommodation if the time of regular breaks needs to be adjusted or if additional and/or longer breaks are needed. In the event that more breaks are needed or the break(s) need to be longer than legally required, the additional time required shall be unpaid and the employee's work schedule or work day shall, therefore, be modified accordingly. The Director or the employee's supervisor shall work with the employee to make these necessary modifications.**

**[DRAFTING NOTE: An employer that employs less than fifty (50) employees shall not be subject to the requirements of this subsection if such requirements would impose an undue hardship by causing the employer significant difficulty or expense when considered in relation to the size, financial resources, nature, or structure of the employer's business.]**

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29 C.F.R. Part 541

29 U.S.C. 201 et seq.

R.C. Chapter 4111



Book	Policy Manual
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Code	po7217.revised
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Adopted	December 19, 2012

## **REVISED POLICY - VOL. 41, NO. 1**

### **7217 - WEAPONS**

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

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

The Superintendent shall immediately refer a visitor who violates this policy to law enforcement officials and may take any necessary steps to exclude the visitor from Board property and Board-sponsored events, regardless of whether such visitor possesses a valid concealed weapon license.

Exceptions to this policy include:

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

~~[DRAFTING NOTE: Districts should consult with legal counsel to confirm eligibility requirements under current law before designating an employee to carry a concealed weapon onto school property.]~~

- B. handguns in the possession of an individual who has been issued a concealed handgun license that is valid at the time of conveyance ~~a person who has a valid concealed handgun license~~ or who is an active duty member of the armed forces with a valid military identification card and documentation of successful completion of firearms training if the handgun remains in a vehicle with the individual or is left in a locked vehicle when the person exits the vehicle;

[DRAFTING NOTE: With the passage of S.B. 215, Ohio's concealed-carry gun laws changed significantly. The change took effect June 13, 2022 and for the first time, authorized qualified individuals to carry certain weapons without an official concealed-carry license. The revised law defines "qualifying adult" as a person who is twenty-one (21) years of age or older, is not legally prohibited from possessing or receiving a firearm under specified Federal or State law, and satisfies specified criteria necessary to obtain a concealed handgun license. Importantly, however, the law still requires an individual to have a concealed-carry permit or be an active duty member to carry a weapon onto school grounds under these limited circumstances. Permitless carriers are not allowed to carry weapons into a school safety zone. A violation of this law is still considered a felony offense in Ohio.]

- C. ~~(-) weapons carried by other qualified individuals who receive written authorization by the Board as summarized below:~~

~~Qualified Individuals with Written Authorization to Carry Weapons~~

~~Individuals who are not hired to serve as special police officers or security guards, or to serve in similar law~~

enforcement or security positions, may receive written authorization from the Board to carry weapons onto school property if they meet the following requirements:

1. the individuals have successfully completed the curriculum and training required under State law, or alternatively have received a certificate of satisfactory completion of an approved basic peace officer training program, or are a law enforcement officer; and
2. the individual submits to an annual criminal background check.

Qualified individuals who have not completed the peace officer training program must complete initial training of up to twenty four (24) hours, as well as annual regualification training of up to eight (8) hours, which is developed and provided by the Department of Public Safety's Mobile Training Team ("MTT"). In addition to the training required under State law, the Board may require further training for individuals to become or remain eligible. Individuals must fulfill any other requirements adopted by the Department of Public Safety as well. The Board will pay all fees associated with any required training. As an alternative to requiring a designated individual to complete training provided by the MTT, the Board has the authority to develop and adopt alternate curriculum, instruction, and training that follows the private investigator and security guard firearms training guidelines. Alternate curriculum and training will be submitted and approved in advance by the Ohio School Safety and Crisis Center ("OSSCC").

- D. ☒ objects indistinguishable from a firearm used during school safety trainings;
- E. ☒ items indistinguishable from a firearm approved by a director as part of a class or individual presentation under adult supervision if used for the purpose of and in the manner approved (working firearms and ammunition shall never be approved);
- F. ☒ theatrical props used in appropriate settings;
- G. ☒ starter pistols used in appropriate sporting events.
- H. ☐ \_\_\_\_\_.

The Board will notify the public, using the Board's regular channels of public communication, that it has authorized one (1) or more persons to go armed within a school operated by the Board when such authorization is granted. The Board will also submit a current list of qualified individuals who have received written authorization to carry weapons to the OSSCC which is within the Department of Public Safety. Records pertaining to individuals authorized to carry weapons onto school property do not constitute public records.

The Board directs the Superintendent to post notices prohibiting the carrying and possession of concealed weapons in a school safety zone, including schools and school buildings, on school premises and school buses, and at school activities. The notices shall contain a statement substantially in the following form:

"Unless otherwise authorized by law, pursuant to Ohio Revised Code 2923.122, no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordnance into a school safety zone."

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

R.C. 109.78, 149.43, 149.433

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

R.C. 5502.70, 5502.701, 5502.702, 5502.703

18 U.S.C. 922

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Legal

R.C. 109.78, 149.43, 149.433

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

R.C. 5502.70, 5502.701, 5502.702, 5502.703

18 U.S.C. 922

Book	Policy Manual
Section	REVISED Vol. 41, No. 1
Title	Vol. 41, No. 1 - August 2022 Revised FACILITY SECURITY
Code	po7440.revised
Status	
Adopted	December 19, 2012

### **REVISED POLICY - VOL. 41, NO. 1**

#### **7440 - FACILITY SECURITY**

Facilities and equipment constitute a major financial investment by the District. It is in the best interest of the Board of Education to protect the District's investment adequately.

The Superintendent shall develop and supervise a program for the security of the District's students, staff, visitors, school buildings, school grounds, and school equipment in compliance with State and Federal law. Such a program may include the use of video surveillance and electronic monitoring equipment in appropriate public areas in and around the schools and other District facilities, and on school buses.

Every effort shall be made to apprehend those who knowingly cause serious physical harm to students, staff, visitors, and Board property and to require prosecution of those who bring harm to persons and/or property. The Board will seek repair to rectify the damage or payment of a fee to cover repairs. A reward may be offered for apprehending such persons.

☒ Appropriate authorities may be contacted in the case of serious offenses.

☒ The Superintendent is authorized to install metal detectors and video surveillance/electronic monitoring equipment on school property in order to protect the health, welfare, and safety of students, staff, visitors, and Board property, and other security devices that would assist in the detection of guns and dangerous weapons ☐ **and/or other unauthorized objects (e.g., vape pens and other prohibited equipment/devices) [END OF OPTION]** ☐ in school buildings ☐; on District property ☐; and at Board-sponsored/controlled events **[END OF OPTIONS]**.

☐ ~~The Superintendent shall report to the Board, no later than the next regular Board meeting, any significant incident involving vandalism, theft, personal safety, or other security risk and the measures being taken to address the situation.~~

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Legal	A.C. 3301-35-03
	R.C. 2909.05, 3313.173, 3313.642



Book	Policy Manual
Section	REVISED Vol. 41, No. 1
Title	Vol. 41, No. 1 - August 2022 Revised (Add Legal Citation) SMALL UNMANNED AIRCRAFT SYSTEMS
Code	po7440.03.revised
Status	
Adopted	December 16, 2019

### **REVISED POLICY (ADD LEGAL CITATION) - VOL. 41, NO. 1**

#### **7440.03 - SMALL UNMANNED AIRCRAFT SYSTEMS**

##### **[ ] {OPTION 1}**

~~The Board of Education prohibits the operation of small Unmanned Aircraft Systems (sUAS) at any time on property owned or leased or contracted for by the Board by any individual whether the individual is employed by the District or not. Small Unmanned Aircraft Systems are commonly known as drones.~~

~~The Board also prohibits the operation of sUAS on property owned or leased or contracted for by the Board during District-sponsored contests (including scrimmages and previews), practices, tournaments, and activities under the auspices of the Ohio High School Athletic Association (OHSAA). District officials may deny admission or entry to anyone attempting to use a sUAS until the event has been completed. Any exceptions to this prohibition must be approved in advance by the Superintendent.~~

~~Any individual who violates this policy ( ) may be ( ) shall be [END OF OPTION] referred to local law enforcement and/or subjected to discipline, if an employee or student.~~

##### **{END OF OPTION 1}**

##### **[OR]**

##### **[x] [OPTION 2]**

The Board prohibits the operation of small Unmanned Aircraft Systems (sUAS) at any time by any individual who is not expressly authorized to do so by the Superintendent on property owned or leased or contracted for by the Board. Small Unmanned Aircraft Systems are commonly known as drones.

The Board also prohibits the operation of sUAS on property owned or leased or contracted for by the Board during District-sponsored contests (including scrimmages and previews), practices, tournaments, and activities under the auspices of the Ohio High School Athletic Association (OHSAA). District officials may deny admission or entry to anyone attempting to use an sUAS until the event has been completed. Any exceptions to this prohibition must be approved in advance by the Superintendent.

To be authorized to operate a sUAS on property owned or leased or contracted for by the Board, a staff member, administrator, or other individual (agent) under contract with the Board must have a Remote Pilot Certificate issued by the Federal Aviation Administration (FAA). Further, the sUAS must be registered with the FAA and properly marked in accordance with 14 C.F.R. Part 107.

A staff member, administrator, or agent of the Board authorized to operate a sUAS on property owned or leased or contracted for by the Board, must also comply with all rules set forth in 14 C.F.R. Part 107. (See AG 7440.03)

Failure to adhere to all rules set forth in 14 C.F.R. Part 107 and AG 7440.03 may result in loss of authorization to operate a sUAS to operate on property owned or leased or contracted for by the Board, referral to local law enforcement, and/or further disciplinary action, up to and including termination for an employee and expulsion for a student.

##### **[END OF OPTIONS]**

14 C.F.R. Part 107

**86 FR 4314**

Legal                    14 C.F.R. Part 107  
                                 86 FR 4314

Book	Policy Manual
Section	REVISED Vol. 41, No. 1
Title	Vol. 41, No. 1 - August 2022 Revised SCHOOL CALENDAR
Code	po8210.revised
Status	
Adopted	December 19, 2012
Last Revised	June 19, 2017

## **REVISED POLICY - VOL. 41, NO. 1**

### **8210 - SCHOOL CALENDAR**

**~~{NOTE: H.B. 59 (2013) changes the way minimum school years are calculated moving from a school calendar that provides for schools to be in session for a specified number of school days, to a school calendar that provides for the schools to be in session for instructional purposes with students in attendance for a total minimum number of hours. This change, however, does not apply to any collective bargaining agreements executed prior to July 1, 2014. Any collective bargaining agreement or renewal executed after July 1, 2014, has to comply with the mandated new minimum school year requirements based upon hours of instruction.}~~**

The Board of Education recognizes that the preparation of a calendar for the instructional program of the schools is necessary for orderly educational planning and for the efficient operation of the District.

The Board shall determine (x) annually ( ) biannually **[END OF OPTION]** the total number of hours when the schools will be in session for instructional purposes with students in attendance - including scheduled classes, supervised activities and approved education options. When recommending a school calendar to the Board for its consideration and approval, the Superintendent shall analyze and address the factors identified in AG 8210, and specify the total number of hours in a school year, length of school day, and beginning and end dates of instruction. "School day" means the time during a calendar day that a school is open for instruction pursuant to the Board-adopted schedule.

The Superintendent shall also analyze any change proposed by a city, exempted village, or local school district to the hours or days in which its high school is open for instruction. Such proposed change requires a written agreement between the Board and the board of education of the city, exempted village, or local school district that prescribes reasonable accommodations to meet the scheduling needs of the District prior to implementing the change. The Board authorizes the Superintendent to negotiate the terms of any written agreement prior to making a recommendation to the Board for its consideration and approval.

When establishing the school calendar, the Board requires that an observance be scheduled each year on or about Veterans Day to convey the meaning and significance of that day to all students and staff. The observance shall be at least one (1) hour, or, in schools that schedule class periods of less than one (1) hour, at least one (1) standard class period. The Board will determine the specific activities that constitute the observance in each school in the District after consultation with the school administrators.

While the Superintendent may close schools due to disease, epidemic, hazardous weather conditions, law enforcement emergencies, damage to a school building, utility failure **rendering the school building unfit for school use**, or inoperability of school buses or other equipment needed for school operations (collectively, "a calamity"), the schools nevertheless must be in session with students in attendance for at least the minimum number of hours required by Ohio law.

**[x]** The Superintendent is authorized to develop and implement a plan to require students to access and complete classroom lessons posted on the District's web portal or website in order to make up hours in that school year on which it is necessary to close school due to a calamity. The maximum number of hours that may be made up in this manner is the number of hours that are the equivalent to three (3) school days. The plan must include the written consent of the teachers' union, and address all of the requirements set forth in R.C. 3313.482. The plan may also include distribution of "blizzard bags," which are paper copies of the lessons posted online. **The plan must be approved by the Board by August 1st of each school year.**

**[x]** **In addition to the make-up of three (3) days utilizing online lessons, the Superintendent may also include in the plan other options to make up any number of additional hours missed as a result of one (1) or more of the schools of its member city, exempted village, or local school districts being closed due to calamities. Available options include additional online lessons, planned student internships, student projects, or other options specified in the plan.**



**[DRAFTING NOTE: Senate Bill 89, which became effective March 2, 2021, authorized joint vocational school boards to incorporate other options to make up any number of additional hours in which an affiliate school district is closed due to a calamity. This option is not available to local, exempted village, or city school districts.]**

**[x ]** The school calendar and the number of hours of student instruction shall be consistent with the provisions of the collective bargaining agreements between the District and its employees.

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Legal

R.C. 3313.48, 3313.62, 3313.63, 3313.482, 3313.602, 3317.01(B)

Book	Policy Manual
Section	REVISED Vol. 41, No. 1
Title	Vol. 41, No. 1 - August 2022 Revised PERSONNEL FILES
Code	po8320.revised
Status	
Adopted	December 19, 2012
Last Revised	June 19, 2017

## **REVISED POLICY - VOL. 41, NO. 1**

### **8320 - PERSONNEL FILES**

It is necessary for the orderly operation of the School District to prepare a personal information system for the retention of appropriate files bearing upon an employee's duties and responsibilities to the District and the District's responsibilities to the employee.

The Board of Education requires that accurate, necessary, and relevant records exist concerning an employee's qualifications for the job held, compliance with Federal, State, and local benefit programs, conformance with District rules, and job performance including, but not limited to, completed evaluations of the employee. Such records will be kept in compliance with the laws of the State of Ohio.

The Board delegates the maintenance of an employee personal information system to the ☒ Superintendent (~~→~~ ~~Business Manager~~ (~~→~~ ~~Assistant Superintendent for Personnel~~ ☒ Treasurer **[END OF OPTIONS]**.

A single central file shall be maintained, and subsidiary records shall be maintained for ease in data gathering only.

Employees asked to supply information for a personnel file shall be informed whether the requested information is legally required. If it is not, the employees~~/he~~ may decline to supply the information.

~~[ ] Only that information which pertains to the professional role of the employee may be placed in an employee's official record file by duly authorized Board personnel.~~

~~[ ] (~~→~~) A copy of each such entry shall be given to the employee upon request.~~

~~[ ] (~~→~~) A copying cost will be charged for each copy given to the employee at the employee's~~his/her~~ request at the rate determined by the \_\_\_\_\_.~~

☒ The employee shall have access to their~~his/her~~ file upon request.

Personnel records are predominantly public records and to that extent must be made available for inspection and copying in accordance with State and Federal laws pertaining to same. In accordance with the Federal Privacy Act and case law, the Board shall refrain from disclosing an employee's social security number when releasing personnel records. Further, if an employee presents to the District a valid confidentiality program authorization issued by the Secretary of State certifying that the employee~~information to the District certifying that s/he~~ is a participant in the Safe at Home/Address Confidentiality Program ~~administered by the Secretary of State~~, the Board shall refrain from including the employee's actual/confidential residential address in any personnel records, personnel files, or staff directories (including electronic records and files) or disclosing the employee's actual/confidential residential address when releasing personnel records. The Board shall only list the address designated by the Secretary of State to serve as the employee's address in any personnel records, personnel files, or staff directories. Further, the Board shall use the employee's designated address for any and all communications and correspondence between the Board and the employee. The employee's actual/confidential residential address shall be maintained in a separate confidential file that is not accessible to the public or any employees without a legitimate purpose. Additionally, if applicable, the employee's school, institution of higher education, business, or other place of employment (as specified on an application to be a program participant or on a notice of change of name or address) shall be maintained in a confidential manner. The intentional disclosure of an employee's actual/confidential residential address is prohibited. Any violations could result in disciplinary action or criminal prosecution.

Personnel records shall be monitored regularly to assure compliance with this policy and the law. Records deemed no longer accurate, relevant, or necessary under this policy may be submitted to the District Records Commission for disposal in accordance with law.

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#### Legal

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

R.C. 149.41, 149.43, 1347 et seq.

Federal Privacy Act, 5 U.S.C. Section 552a note

State ex rel. Beacon Journal Publishing Company v. City of Akron (1994)

70 Ohio St. 3d, 640 N.E. 2d 164



Book	Policy Manual
Section	REVISED Vol. 41, No. 1
Title	Vol. 41, No. 1 - August 2022 Revised STUDENT RECORDS
Code	po8330.revised
Status	
Adopted	December 19, 2012
Last Revised	November 15, 2021

## **REVISED POLICY - VOL. 41, NO. 1**

### **8330 - STUDENT RECORDS**

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

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

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

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

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

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

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

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

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

The above-identified outside parties must (a) perform institutional services or functions for which the Board would otherwise use its employees, (b) be under the direct control of the Board with respect to the use and maintenance of education records, and (c) be

subject to the requirements of 34 C.F.R. 99.33(a) governing the use and re-disclosure of PII from education records.

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

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

The Board authorizes the administration to:

- A. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a private or public school or school district in which a student of this District is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, upon condition that:
  1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; or the Board's annual notification - Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
  2. the parent or eligible student, upon request, receives a copy of the record; and
  3. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;
- B. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a juvenile detention facility in which the student has been placed, or a juvenile court that has taken jurisdiction of the student;
- C. forward student records, including disciplinary records with respect to suspensions and expulsions, upon request to a public school or school district in which a student in foster care is enrolled;

Such records shall be transferred within one (1) school day of the enrolling school's request;

- D. provide personally-identifiable information to appropriate parties, including parents of an eligible student, whose knowledge of the information is necessary to protect the health or safety of the student or other individuals, if there is an articulable and significant threat to the health or safety of a student or other individuals, considering the totality of the circumstances;
- E. report a crime committed by a child to appropriate authorities, and, with respect to reporting a crime committed by a student with a disability, to transmit copies of the student's special education and disciplinary records to the authorities for their consideration;
- F. release de-identified records and information in accordance with Federal regulations;
- G. disclose personally identifiable information from education records, without consent, to organizations conducting studies for, or on behalf of, the District for purposes of developing, validating or administering predictive tests, administering student aid programs, or improving instruction;

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

**[Districts without AGs should include the following paragraph]** This written agreement must include: (1) specification of the purpose, scope, duration of the study, and the information to be disclosed; (2) a statement requiring the organization to use the personally identifiable information only to meet the purpose of the study; (3) a statement requiring the organization to prohibit personal identification of parents and students by anyone other than a representative of the organization with legitimate interests; and (4) a requirement that the organization destroy all personally identifiable information when it is no longer needed for the study, along with a specific time period in which the information must be destroyed.

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

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

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

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

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

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

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

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

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

Only directory information regarding a student shall be released to any person or party, other than the student or **the student's his/her** parent, without the written consent of the parent; or, if the student is an eligible student, without the written consent of the student, except to those persons or parties stipulated by the Board's policy and administrative guidelines and/or those specified in the law.

## **DIRECTORY INFORMATION**

Each year, the Superintendent shall provide public notice to students and their parents of the District's intent to make available, upon request, certain information known as directory information. The Board designates as student directory information: a student's name; address; telephone number; date and place of birth; major field of study; participation in officially-recognized activities and sports; height and weight, if a member of an athletic team; dates of attendance; date of graduation; or awards received.

**[The following option should be selected if the Board assigns school email accounts to students per Policy 7540.03. \*This option is provided to address potential confidentiality issues presented by Policy 7540.03 and is supported by Federal FERPA regulation 34 C.F.R. 99.37(d). R.C. 3319.321, however, does not identify student email addresses as directory information.]**



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

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

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

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

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

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

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

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

#### **INSPECTION OF INFORMATION COLLECTION INSTRUMENT**

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

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

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

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

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

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

The Superintendent shall also develop procedural guidelines for:

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

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

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

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

#### **SAFE AT HOME/ADDRESS CONFIDENTIALITY PROGRAM**

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

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

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

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

~~2021 Solomon Amendment: Subtitle C- General Service Authorities and Correction of Military Records SEC. 521.~~ **[moved to legal references below]**

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#### Legal

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

R.C. 149.41, 149.43, 1347 et seq., 3313.33, 3319.321

34 C.F.R. Part 99

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

26 U.S.C. 152

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

20 U.S.C. 7165(b)

20 U.S.C. 7908

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