

# Lorain City Schools 2019-2020

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## *Code of Conduct*



**Lorain Administration Center**

2601 Pole Avenue, Lorain, Ohio 44052

440-233.2271



# Lorain City Schools 2019-20 Calendar

## Professional Collaboration Days

August 2019				
Mon.	Tues.	Wed.	Thur.	Fri.
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

September 2019				
Mon.	Tues.	Wed.	Thur.	Fri.
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30				

### August

- 1 10 Month Staff Return
- 12 Teachers Return/Professional Development
- 21 **Students Begin**

### September

- 2 **No School - Labor Day**

October 2019				
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30	31	

November 2019				
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

### October

- 8 **No Students - Professional Collaboration Day**
- 11 **No School - NEOEA**
- 18 **End of 1st Grading Period**

### November

- 5 **No Students - Professional Collaboration Day**
- 27 **No School - Parent/Teacher Conference**
- 27-29 **No School - Thanksgiving Break**

December 2019				
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

January 2020				
		1	2	3
<del>6</del>	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

### December

- 20 **End of 2nd Grading Period**
- 23-31 **No School - Winter Break**

### January

- 1 **No School - Winter Break**
- 2 **No Students - Parent/Teacher Conference**
- 3 **No Students - Professional Collaboration Day**
- 6 **No Students - Professional Collaboration/Records Day**
- 20 **No School - MLK Jr. Day**

February 2020				
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28

March 2020				
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

### February

- 11 **No Students - Professional Collaboration Day**
- 17 **No School - President's Day**

### March

- 10 **No Students - Professional Collaboration Day**
- 13 **End of 3rd Grading Period**
- 30-31 **No School - Spring Break**

April 2020				
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	

May 2020				
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

### April

- 1-3 **No School - Spring Break**
- 10 **No School - Good Friday**

### May

- 20 **Last Day for Students**
- 20 **End of 4th Grading Period**
- 21 **Last Day for Teachers**
- 25 **Memorial Day**

June 2020				
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30			

July 2020				
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

### June

- 4 **Last Day for 10 Month Staff**

#### Calamity Make-Up Days:

March 30,31  
April 1,2,3

Graduation Day: May 19, 2020

Approved by CEO: February 19, 2019

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## **Families, Scholars, Teachers and Staff,**

### **Welcome to the 2019-2020 school year!**

We enter this year with vigor and intentional purpose of creating a system of excellent schools with a proactive, collaborative, supportive and reflective mindset. To create a system of excellent schools we must:

- Ensure that scholars are engaged in rigorous and relevant standard driven instruction in every classroom
- Build trust through shared expectations and values
- Promote a joyful culture of adult learning, growth and reflection
- Nurture a Titan community support system that is connected, informed and compelled to be a voice for continued improvement

As Lorain City Schools prioritizes the approach to building a system of excellent schools we are simultaneously evolving and prioritizing our approach to positive school culture and discipline. We're committed to integrating Restorative Practice in each of our buildings and across our entire school district in order to proactively build relationships and strengthen a positive school culture.



**David M. Hardy Jr., Chief Executive Officer**  
Lorain City Schools

### **Vision Statement**

Lorain City Schools empowers every scholar to unlock their potential and realize their dreams. Every scholar has talent, potential and purpose. When a scholar walks through the front door, we need to make sure they are cared for, challenged and ready for success in college, career and life. From that first tentative step into pre-school to that last confident step off the commencement stage on graduation day, we are here to support and inspire our scholars to reach for their dreams.

### **Core Values**

**Scholars First-** Everything we do is focused on ensuring that scholars reach their full potential. We will honor the voices of our scholars and their families, and support each other as champions of Lorain's scholars, knowing that we all have their best interest at heart.

**One For All-** Our differences as individuals strengthen our schools. We will focus on equity, work pro- actively to eliminate bias in our systems and procedures, and invest in effective strategies to ensure equal opportunity for all scholars and families.

**Experience Joy-** Our schools will be places where all scholars and staff can pursue a love of learning with enthusiasm and optimism. We will lift each other up and celebrate our successes.

**Expect Excellence-** We will hold high expectations for every scholar and staff member- and hold each other accountable to ensure that every scholar succeeds.

**Collaborate With Integrity-** We promise to be transparent, knowing that we can only get better if we work together and are honest with each other. We will hold ourselves to the highest standards of personal behavior including trust, honesty, fairness and integrity.

**Take Pride-** We value, honor and respect one another, our schools and our community. We will work together to build schools where all adults look forward to coming to work and scholars are eager to learn.

## ***Rights and Responsibilities***

The district is committed to providing a safe and orderly school environment where students may receive, and district personnel may deliver, a high quality education without disruption. Responsible behavior by students, teachers, staff, administrators, parents and visitors is critical in achieving this goal. This is a joint responsibility shared by both the school and home.

### **Student Rights and Responsibilities**

All students of whatever age, when entering the public schools, are expected and required to conform to the rules and regulations, to render obedience and respect to their teachers and to respect the rights of fellow students. They are also required to observe the customary rules of courtesy and politeness; to be neat and clean in their person and dress; and to pay a careful regard to whatever may contribute to good order and behavior as established by the acceptable standards of the school and community.

Students have the right to:

- a quality education.
- a safe and orderly environment.
- equal educational opportunities.
- know why they are being disciplined.
- equal treatment in enforcement of school regulations and due process in administration of punishment for violations.
- confidentiality in the handling of their records.
- grievance process as described in this handbook on page 16.

### **Students' responsibilities are:**

- to strive to do their best work at all times.
- to be prepared at all times with necessary supplies.
- to be regular in attendance and arrive at school and class on time.
- to obey school rules and regulations.
- to comply with the authority of the teacher and the principal.
- to respect the rights and property of fellow students.
- to respect school property.
- to avoid use of improper language.
- to refrain from activity that endangers the safety of themselves and others.
- to respect the authority of all employees of the school.
- to conduct themselves in a manner which is creditable to the student body (outside the school as well as within) and to strive for self-directed behavior.
- to maintain habits of appropriate dress and personal grooming.

### **Parent Rights and Responsibilities**

Parents want what is best for their children. As their child's first teacher, the parent can help develop good habits of behavior and positive attitudes toward school. The development of responsibility in young people is not a task for the school alone. It is recognized that discipline is the primary responsibility of the parents and that the influence of the home should be reflected in the conduct of pupils while attending school. The behavior of students attending our schools should reflect standards of good citizenship demanded of members of a democratic society. It is the parents' obligation by teaching and by example to develop in the child good behavior habits as well as proper attitudes toward the school. Firm, fair, and consistent treatment is the main key to successful development of the child.

Parents have the right to:

- be informed whenever it becomes necessary for their child to be dismissed from school.
- visit the school and discuss their child's progress with school officials.
- arrange conferences in advance of school visits with teachers and principals to promote their child's educational progress.
- receive school reports and informational bulletins in a timely manner.
- bring complaints to the attention of school authorities.
- voluntarily participate in school programs and conferences in accordance with district/school policies.

Parents' responsibilities are:

- to encourage students to do their best work in school and at home.
- to teach respect for other pupils and their right to learn.
- to teach respect for the teacher who acts as the parent while the child is in school.
- to treat school personnel with respect and dignity.
- to understand the Board of Education rules and cooperate with the recommendations of school personnel.
- to teach respect for property - both private and public.
- to arrange for a suitable place for the child to study.
- to show an interest in the child's progress in school.
- to advise school teachers of student's strengths and weaknesses.
- to attend school conferences and special programs.
- to stress regular attendance and submit a written explanation for absences or tardiness in accordance with the compulsory statutes.
- to inform school of changes in address and telephone numbers.
- to inform school of changes in their child's health and provide information necessary to update student health records.
- to provide nutrition adequate to maintain good health.
- to give personal attention to the student's cleanliness, grooming, and appropriate dress in accordance with Board of Education policies/guidelines.

### **Teacher Rights and Responsibilities**

A teacher is responsible for more than instruction in a given subject. The imparting of knowledge without developing character, good habits and the ability to reason cannot be considered good teaching.

Teachers have the right to:

- teach in an orderly and safe environment.
- receive the cooperation and support of all school personnel.
- receive the cooperation and support of all students and their parents.
- receive the mutual respect of students and their parents.

Teachers' responsibilities are:

- to establish ground rules for class procedure.
- to explain these rules thoroughly and insist on adherence to them.
- to make rules and policies known to parents, whenever possible.
- to inform parents of pupil performance in accordance with school procedure.
- to prepare lessons and activities which maintain class interest.
- to recognize and respect each pupil's capacity for learning and insist on performance.
- to approach their assignments with enthusiasm.
- to enforce school regulations at all times and in all places. Good order throughout the school is carried into the classroom.
- to refer to the proper personnel those problems which appear to need specialized attention.
- to remember that respect is mutual. It is always earned, never sought or demanded.
- to maintain high standards of courtesy, fairness, and ethics in all relationships with students, parents and colleagues.

- to utilize all student services available to the school in meeting each student's educational needs.
- to be knowledgeable of the rules, regulations and policies of the school board and the school.
- to adhere to the terms of their contracts, including those unwritten obligations of professional integrity, with emphasis on the student rather than on the subject.

**OHIO LAW AND DISTRICT POLICIES REQUIRE TEACHERS TO.... REPORT ALL CASES OF SUSPECTED CHILD ABUSE TO THE PROPER AUTHORITIES; REPORT SERIOUS INCIDENTS INVOLVING SFETY AND STUDENT MISBEHAVIOR TO THEIR PRINCIPALS OR ADMINISTRATORS AS SOON AS POSSIBLE; PROVIDE STATEMENTS AND OTHER INFORMATION AS MAY BE NEEDED FOR THE COMPLETION OF REPORTS INVOLVING THE SAFETY AND SECURITY OF STUDENTS AND STAFF.**

### **Principal/Assistant Principal Rights and Responsibilities**

The principal, as leader of an educational team, is responsible for providing professional leadership for members of his or her staff and, in some instances, for the community at large. The principal sets the tone of the school and, with the faculty, strives to create the best learning-teaching situation possible. The principal must have as a primary goal the creation and improvement of the teaching-learning situation for the student. The principal is recognized as the chief administrator in the school and has responsibility for the implementation of all phases of the school's educational and activities programs.

#### **Principals/Assistant Principals have the right to:**

- work in an orderly and safe environment.
- receive the cooperation and support of all school personnel.
- receive the cooperation and support of all students and their parents.
- receive the mutual respect of students and their parents.

#### **Principals/Assistant Principals responsibilities are:**

- to exercise all authority necessary to ensure the orderly operation of the school.
- to ensure that all school matters be governed and handled within the dictates of professional ethics.
- to provide leadership, which will result in the definition of the goals of education in the specific school and be the catalyst that causes the staff to work zealously and harmoniously toward an effective education for young people.
- to encourage development of policies, which are sufficiently broad and flexible to permit teachers to make decisions concerning the educational process within the building.
- to facilitate self-improvement of staff through proper motivation and recognition of immediately achievable goals.
- to encourage involvement of students, teachers, and parents in all aspects of the school program.
- to have the authority to inspect lockers when the safety and welfare of students and staff members are concerned.

**OHIO LAW AND DISTRICT POLICIES REQUIRE PRINCIPALS TO....REPORT ALL SERIOUS INCIDENTS TO THE DEPARTMENT OF SAFETY AND/OR THE LORAIN POLICE DEPARTMENT; REPORT ALL CASES OF SUSPECTED CHILD ABUSE TO THE PROPER AUTHORITIES; NOTIFY THE DEPARTMENT OF SAFETY WHEN POLICE OR ANY OUTSIDE AGENCY COMES TO SCHOOL TO CONDUCT AN INVESTIGATION.**

## *Student Civil Rights Compliance*

### **Notice of Non-Discrimination**

The Lorain City School District hereby gives notice that it does not discriminate on the basis of race, color, national origin, sex or disability in the educational programs and activities operated by the district.

Persons and offices identified below shall be responsible for compliance within the following areas:

Title VI

*(Non-Discrimination on the basis of race, color or national origin)*

Title IX

*(Non-Discrimination on the basis of sex)*

### **Section 504**

*(Non-Discrimination on the basis of disability)*

Complaints should be referred to:

**Dr. LaKimbre Brown, Chief of Schools**

Lorain Administration Center  
2601 Pole Avenue  
Lorain, OH. 44052  
440-830-4020

**Mrs. Jane Hawks, Executive Director of Student Services**

Lorain Administration Center  
2601 Pole Avenue  
Lorain, OH. 44052  
440-830-4043

Legal Refs: Title VI, IX, and Section 504

### **Grievance Procedures for Section 504, Title VI and Title IX Complaints**

Grievance procedures for the prompt and equitable resolution of complaints by students, parents, and/or employees of alleged discrimination on the basis of race, color, national origin (Title VI) sex (Title IX) or handicap (Section 504):

- Step 1** A person with a complaint based on alleged discrimination because of race, color, national origin, sex, or handicap will first discuss the problem with the Civil Rights compliance officer for Lorain City Schools.
- Step 2** If the discussion does not resolve the matter, the individual grievant may file a written complaint, stating the nature of the issue, with the compliance officer.
- Step 3** If the grievant is not satisfied with the compliance officer's written disposition of the complaint at Step 2 or if no decision has been rendered within ten (10) working days, the grievant may appeal, in writing, for a hearing with the superintendent of Lorain City Schools or designee. The superintendent of Lorain City Schools will, within ten (10) working days of receiving the written request, conduct a hearing with all parties involved in an attempt to resolve the complaint. The superintendent of Lorain City Schools will render his/her decision within (10) working days of this hearing.
- Step 4** If the grievant is not satisfied with the decision rendered by the superintendent of Lorain City Schools, she/he may, within ten (10) working days, request in writing a hearing before the Lorain Board of Education. In an attempt to resolve the grievance, the Lorain Board of Education shall meet with the concerned parties within forty (40) working days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) working days of this meeting.

**Note:** It is not necessary to go through the District's grievance procedure before filing a complaint with the U.S. Department of Education. A complaint can be filed directly with the U.S. Department of Education at anytime.

## *Student Code of Conduct*

Students are expected to conduct themselves in a way that exhibits respect and consideration for the rights of others. Students of the District must conform to school regulations and accept directions from authorized school personnel. The Board has “zero tolerance” of violent, disruptive, harassing, intimidating, bullying (physical, verbal, and/or “cyber”) or inappropriate behavior by its students.

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

Students are also subject to discipline, as outlined in the Student Code of Conduct for misbehavior that occurs off school property when the misbehavior endangers the health and safety of students within the District or adversely affects the education process.

Students and parents receive, at the beginning of each school year or upon enrolling in the District schools during the year, written information on the rules and regulations to which they are subject to in school or participating in any school-related activity or event. The information includes the types of conduct which are subject to suspension or expulsion from school or other forms of disciplinary action. The Board directs the administration to make all students aware of the Student Code of Conduct and the fact that any violations of the Student Code of Conduct are punishable including Board adopted uniform policies for participating buildings.

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

[Ref: Policy JFC]

### **Safety Officers**

They are specialists in the district trained to perform specific security duties. “It is the goal of Lorain City Schools to provide a safe, secure, drug free, and welcoming environment for all students and those professionals who serve them.”

### **Reaction to Resistance**

The Lorain City Schools Board of Education is committed to providing a safe and secure learning environment for students, staff, and parents. We are determined to provide our staff members the tools, resources, and training which will allow them to maintain a safe and secure environment for all of our students.

In order to provide a safe and secure environment for our students, parents, and staff, Lorain City Schools has adopted a Reaction Resistance continuum. The Reaction to Resistance continuum is used to enforce the district policies and procedures. The Reaction to Resistance continuum provides procedural guidelines for district employees to use when entering a verbal or physical confrontational altercation. These guidelines were developed in partnership with our local law enforcement agencies to protect students, staff, and parents. All safety and administrative staff members will participate in Reaction to Resistance training on an annual basis.

### **Disruption of the School Program**

No student has the right to infringe on the educational opportunity of any other student or the rights of a teacher to provide the educational opportunity to every student. Students shall not use violence, force, explosives, firecrackers, squirting devices, threat, intimidation or any other action that would disrupt the orderly operation of the school program while on school property, including Board owned vehicles or while in attendance at any school sponsored activity.

**Violation of the District's Dress Code Policy**

Students shall abide by the dress code while on school property, attending school or a school activity, or while participating in an extracurricular activity. Discipline for students violating the dress code will be determined by the school's progressive discipline plan. Persistent violations will be considered defiance of authority and schools' rules.

**Cheating on Examinations/Plagiarism**

Students shall not take and use another student's answers on an examination, and/or take and use the writings and ideas of another and deceptively submit them as their own work in fulfilling a school assignment.

**Falsifying Signatures**

Students shall not sign the name of another person for purposes of defrauding school personnel.

**Damage of Property**

Students shall not cause or attempt to damage private or school property on school premises during the school day, during a school activity, function or school event on or off school grounds. The student and/or parent(s) will be held responsible for restitution and the student will be suspended or expelled.

**Use, sale, or possession of marijuana, narcotics, drug paraphernalia, intoxicating liquors, look-alike or any mind altering substance, etc., or improper use of glue or other chemicals**

Students shall not possess, use, transmit, conceal or be under the influence of tobacco, narcotics, or alcoholic beverages, not lawfully prescribed by a doctor while on school property, including Board of Education owned vehicles or while in attendance at any school sponsored and supervised activity. Possession, use, transmission, or concealment of look-alike drugs, or counterfeit drug paraphernalia controlled substances indirectly representing or falsely representing controlled substances such as those noted above are also prohibited.

**Possession of Tobacco Products**

Students shall not smoke or have in possession (lockers, book bags, purses, binders, or etc.) of any tobacco products at any time. Smoking is defined as the carrying of a tobacco product on the student's person, holding a tobacco product, whether lit or not, having held one and tossed it aside. This will include and not limited to the use or possession of matches, lighters or other flame producing devices.

**Arson**

Students shall not willfully and maliciously burn any part of any building or any property of the Board of Education or the property of anyone attending school or school activity. Students will not only be disciplined but law enforcement officials will be notified.

**Pulling or signaling false alarm including making false bomb threats**

Students shall not pull or initiate a false alarm or initiate a report of a fire or an impending bomb or other catastrophe without cause. A ten day suspension and recommendation for expulsion and notification of law enforcement authorities will result for violation of this section.

**Possession or use of fireworks**

Students shall not possess, use, or threaten to use any fireworks, explosives, or other such instruments capable of inflicting bodily injury. This will include and not limited to the use or possession of matches, lighters or other flame producing devices. Students will be recommended for expulsion for violation of this section.

**Threatening, fighting and/or unprovoked attack, physically striking another student intending to do harm**

Students shall not by words, acts, or deeds directly commit violence or cause a disruption to the atmosphere of order and discipline necessary for effective learning or activities.

**Threat or physical assault on another pupil to obtain money or other materials of value**

Absolutely no bullying of any sort shall be permitted on school property especially to obtain money or other materials of value. Any student found in violation of this section shall be suspended and recommended for expulsion.

**Threatening, striking, or assaulting any school employee**

Students shall not threaten to strike or assault any school employee on or off school property. A violation of this section will result in request for expulsion.

**Possession of weapons and/or weapon look alike**

Students shall not possess, use, or threaten to use any instrument as a weapon capable of inflicting bodily injury. Knives of any kind will not be tolerated. Possession of any such object will result in a recommendation for expulsion and the police department will be contacted.

**Theft – taking objects without owner’s permission**

Students shall not take or acquire the property of others without their consent; this includes property owned by the Board of Education. Violations of this section will result in suspension and recommendation for expulsion.

**Habitual use of profane language either verbal or in writing**

Students shall not use profanity or obscene language or gestures while on school premises or Board of Education owned vehicles or any school sponsored activity.

**Being truant from school**

A student shall not be truant from school part or all of a day. This includes unexcused absences from study hall, class, or any other assigned activity. Cutting of any class or assigned activity will result in detentions for the first offense. Continuous violations of this section could lead to suspension and possibly expulsion. Students shall be present during all assigned activities during the school day including detentions.

**Open or persistent defiance of authority and/or school rules and regulations**

Any student who refuses to obey a reasonable request will receive detentions or suspension as determined by the Principal.

**Sexual, racial, ethnic and religious harassment**

No student may use sexually, racially, ethnically or religiously offensive speech or conduct towards another student, employee, or guest at a Lorain City School or while attending any school activity on or off school property.

**Anti-Hazing**

No student or group of students shall coerce another student to perform any act of initiation that may cause mental or physical harm.

**Engaging in criminal conduct on school premises or at school events**

No student shall engage in any criminal conduct on school property, including Board of Education owned vehicles or while in attendance at any school activity. Students will not only be disciplined for this violation, but the police department will be notified.

**Computer “Hacking”**

Unauthorized use includes:

- Use of district computers to gain unauthorized access to district or other databases including student, faculty, or district data files, without permission.
- Use of school computers, facsimile equipment, or other electronic devices to transmit, receive, view or display obscene, vulgar, sexually explicit or racist media.
- Use of the school computer network for soliciting or purchasing commercial materials and/or services of any kind.
- Use of the school computer to engage in participation in hate groups, to incite violence or aggressive action on the part of the student body or promote racial disorder.

In addition to any criminal penalties, students will be suspended and recommended for expulsion.

**Gambling on school premises or at school events**

Students caught violating this section will be suspended and recommended for expulsion.

**Indecent exposure, sexual misconduct**

Students shall not indecently expose their bodies or be involved in any sexual misconduct while on school property, or while attending any school activity off school property. Students found in violation of this section will be suspended and recommended for expulsion.

**For misconduct by a student that, regardless of where it occurs, is directed at a district official or employee or the property of an official or employee**

Students will be suspended and recommended for expulsion if found to be involved in misconduct (i.e. use of profanity, threatening, attacking, scratching school employees' vehicle, etc.) towards a teacher or school official on or off school property. Furthermore the teacher or district official may file

**For misconduct by a student that occurs off district property but is connected to activities or incidents that have occurred on district property**

Students will be suspended and may be recommended for expulsion for any misconduct that first occurred on school property and was continued on the way home from school.

**Bullying and Other Forms of Aggressive Behavior**

Aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough to negatively impact a student's educational, physical, or emotional well-being. It would include, but not limited to, such behavior as stalking, bullying/cyber bullying, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing.

**Unauthorized use of electronic pagers or cellular phones and internet during school hours**

Students shall not use these items without authorization and should not disturb the teaching and learning environment. It is recommended that electronic pagers and cellular phones be kept at home.

## *Student Behavior and Discipline*

### **School Culture**

A school's culture is defined by the daily beliefs, norms, attitudes and behaviors that are consistently interwoven into how the school operates. Research suggests that a positive school culture is one of the key levers to student achievement and at the core of positive school culture are healthy relationships. Restorative practices are processes that proactively foster healthy relationships and a strong sense of community. In instances of conflict or wrong-doing, Restorative Practices aim to address the conflict, repair the harm, and to allow the victim and wrongdoer to have the opportunity to share with each other the impact the negative behavior had on them and determine how restitution can be achieved.

As Lorain City School District moves away from **solely** punitive practices and embraces Restorative Practices, school teams and administrators are encouraged to consistently and proactively allow for opportunities for fostering healthy relationship building. In addition to proactively fostering healthy relationships, school teams and administrators are charged with incorporating Restorative Practices into their decision making lens when responding to violations of our code of conduct. In conjunction with assigning appropriate consequences, intentional time and space for restoration of damaged relationships, as well as determining what restitution will look like must be considered.

### **Types of Restorative Practices**

**Affective Statements-** allow individuals to express their feelings on how a specific behavior has impacted them.

**Affective Questions-** provide a concise tool to foster participants' ownership, acknowledgment of impact and repairing of harm.

**Impromptu Conversations-** are used to address a concern to keep it from escalating and to resolve the concern quickly while simultaneously engaging the participants in expressing their feelings, considering the impact of their behavior and most importantly how to resolve the concern.

**Circles-** are a multifaceted tool that can be used proactively to build relationships and community. Circles foster inclusion, responsibility, support and cooperation in response to conflict, harm, or wrongdoing.

**Restorative Conference-** one of the most formal restorative responses to address harm that has occurred. The goal of a restorative conference is to attend to the needs of the individuals directly and indirectly involved.

When considering disciplining a student for violation of one or more of the offenses listed in the Student Code of Conduct, all procedures for suspension and expulsion must be followed. Students shall also be informed that the specific offense may result in these forms of discipline.

This section identifies four levels of offenses and the most severe disciplinary actions that may be taken in response to each level of offense. The most severe disciplinary action permissible may not necessarily be used in all instances. Persistent violation of offenses under any level may result in movement to the next level of corrective action.

Some behavior prohibited by the District's Student Code of Conduct is also prohibited by Ohio Criminal Law. Consequently, violation of the District's policy may result in the student being referred to the appropriate court of law. This reporting may be taken in addition to the discipline imposed by local school authorities.

### **Level I – Offenses**

- Tardiness
- Violation of the District's dress code policy
- Possessing personal communication devices
- Cheating on examinations/plagiarism
- Falsifying signatures

### **Corrective Action**

- Disciplinary measures other than suspensions may be used by the teacher/administrator to correct Level I offenses providing that it is a first time offense. Continuous violations of Level I offenses may warrant a suspension/expulsion.
- Level I offenses will result in detentions, in-school suspensions and optional classroom assignments. Disciplinary responses may include:
  - Teacher conference (with student alone or with parent(s)/guardian(s));
  - Principal conference (with student alone or with parent(s)/guardian(s));
  - Right of removal;
  - Parent/guardian contacted by telephone;
  - Detention;
  - Referral;
  - Behavioral contract

### Level II - Offenses

- Disruption of the school program
- Being truant from school or class
- Bullying and other forms of aggressive behavior
- Habitual use of profane language either verbal or in writing
- Use of tobacco in any area under control of the District or at any activity supervised by District personnel.
- Gang insignia/paraphernalia
- Continued or persistent Level I offenses

### Corrective Action

- Any disciplinary options suggested under Level I may be applied for offenses under Level II
- The principal may utilize a school based agency or mediation programs for conflicts between students as appropriate
- The principal or superintendent may suspend a student for a period not to exceed 10 school days, following appropriate due process as specified in Ohio Revised Code 3313.66. Continuous violations of Level II offenses may warrant a suspension/expulsion

### Level III - Offenses

- Damage of Property
- Threatening, fighting and/or unprovoked attack, physically striking another student intending to do harm
- Threat or physical assault on another pupil to obtain money or other materials of value
- Use, sale, or possession of marijuana, narcotics, drug paraphernalia, intoxicating liquors, look-alike or any mind altering substance, etc., or improper use of glue or other chemicals
- Arson
- Pulling or signaling false alarm including making false bomb threats
- Threatening, striking, or assaulting any school employee
- Theft - taking objects without owner's permission
- Sexual, racial, ethnic and religious harassment
- Computer "Hacking"
- Gambling on school premises or at school events
- Indecent exposure, sexual misconduct
- Persistent disregard of the student dress code
- For misconduct by a student that, regardless of where it occurs, is directed at a district official or employee or the property of an official or employee
- Gang related activity
- Continued or persistent Level II offenses

### Corrective Action

- The principal or superintendent may suspend a student for a period not to exceed ten (10) school days, following appropriate due process as specified in Ohio Revised Code 3313.66.
- The student may be recommended by the proper administrator for expulsion
- Parents will be informed of any Level III offense committed by their child immediately by the administration of the school.
- Students receiving special education services require a manifestation team review for this type of behavior (see Section XI, Disciplining of Handicapped Students).
- Students who are found to have violated a Level III offense may be subject to an involuntary (principal initiated) transfer to another school. All transfers must be approved by the superintendent or designee.
- If the actions giving rise to expulsion for any of the misconduct described above are committed by a student who is sixteen years of age or older and the student is convicted or adjudicated a delinquent child for a violation listed in ORC 3313.662(A) based upon such actions, the student may be permanently excluded from the District. The procedures for permanent exclusion are set forth in this handbook.

### Level IV – Offenses

Commission of these offenses may result in expulsion up to a period of one year and/or permanent exclusion from the District. The superintendent may reduce the expulsion on a case-by-case basis in accordance with the Policy on Student Discipline. Matters, which might lead to a reduction of the expulsion period include: the student's mental and/or physical characteristics or conditions; the age of the student and its relevance to the punishment; the prior disciplinary history of the student and/or the intent of the perpetrator.

- Possession or use of fireworks; this will include and not limited to the use or possession of matches, lighters or other flame producing devices
- Possession of weapons and/or weapon look alike
- Trafficking in drugs on or at a school function
- Aggravated assault
- Rape or gross sexual imposition on or at a school function when the victim is a school employee

### Corrective Action

- The principal or superintendent may suspend a student for a period not to exceed ten (10) school days, following appropriate due process as specified in ORC 3316.66.
- The student shall be recommended by the proper administrator for expulsion.
- Parents will be informed of any Level IV offense committed by their child immediately by the administration of the school.
- Students receiving special education services require a manifestation team review for this type of behavior (see Section XI, Disciplining of Handicapped Students).
- Students, after required due process as specified in ORC 3313.66, found to have violated this section shall be expelled by the superintendent. However the superintendent may reduce the expulsion on a case-by-case basis in accordance with the Policy on School Discipline.
- If the actions giving rise to expulsion for any of the misconduct described above are committed by a student who is sixteen years of age or older and the student is convicted or adjudicated a delinquent child for a violation listed in ORC 3313.662(A) based upon such actions, the student may be permanently excluded from the District. The procedures for permanent exclusion are set forth in this handbook.
- The superintendent may initiate expulsion proceedings for any student who has committed an act warranting expulsion under the District's policy on expulsion even if the student has withdrawn from school, for any reason, after occurrence of the incident that gives rise to the expulsion hearing but prior to the expulsion hearing or decision. If, following the hearing, the student would have been expelled had the student still been enrolled in school, the expulsion shall be imposed for the same length of time as would be imposed on a student who has not withdrawn from school.
- Students who are found to have committed a Level IV offense may be subject to an involuntary (principal initiated) transfer to another school. Such transfers must be approved by the superintendent or designee.

## *Student Discipline Procedures and Due Process*

### **Emergency Removal of Students (JGDA)**

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

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

If the CEO or principal reinstates a student prior to the hearing for emergency removal, the teacher may request and is given written reasons for the reinstatement.

In an emergency removal, a student can be kept from class until the matter of the alleged misconducts disposed of either by reinstatement within 24 hours, suspension or expulsion.

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

[Adoption date: July 9, 1990; Revised: January 12, 2015]

LEGAL REF.: ORC 3313.66; 3313.661; 3313.662

CROSS REFS.: ECAB, Vandalism  
JFC, Student Conduct  
JFCJ, Weapons in the Schools  
JG, Student Discipline  
JGD, Student Suspension  
JGE, Student Expulsion [Ref: Policy JGDA]

### **Banning From Athletic and Other Extracurricular Events**

Students who violate the student code of conduct during an athletic or other extracurricular event may be banned by the superintendent, either for the remainder of his/her schooling or for a lesser specified period of time, from attending future athletic and other extracurricular events.

### **Conduct on District Managed Transportation (JFCC) (EEACC)**

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

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

The Board authorizes the Superintendent or other administrators to suspend a student from District managed transportation privileges for a period not to exceed one school year. The only due process required is the student must receive notice of an intended suspension from District managed transportation and an opportunity to appear before the Superintendent or other administrator before the suspension is imposed.

The Board's policy regarding suspension from District managed transportation privileges must be posted in a central location in each building and made available to students upon request.

Regulations regarding conduct on District managed transportation, as well as general information about the school transportation program, are available to all parents and students.

[Adoption date: July 9, 1990; Revised: January 12, 2015; February 4, 2016]

LEGAL REFS.: ORC 3327.01; 3327.014

OAC 3301-83-08

CROSS REFS.: JFC, Student Conduct  
JG, Student Discipline  
Student Handbook  
Transportation Handbook

The following regulations pertain to student conduct on District managed transportation and are intended to ensure the safety and welfare of the students, the driver and other drivers on the road and to ensure safety and proper

maintenance of school vehicles.

Students will:

1. be careful in approaching bus stops, walk on the left facing oncoming traffic, be sure that the road is clear both ways before crossing the highway and wait in a location clear of traffic;
2. arrive at the bus stop before the bus is scheduled to arrive in order to permit the bus to follow the time schedule;
3. not exhibit behavior at the bus stop that threatens life, limb or property of any individual;
4. sit in assigned seats (drivers have the right to assign a student to a seat and to expect reasonable conduct similar to conduct expected in a classroom);
5. reach assigned seat without disturbing or crowding other students and remain seated while the vehicle is moving;
6. obey the driver promptly and respectfully and recognize that he/she has an important responsibility and that it is everyone's duty to help ensure safety;
7. keep the vehicle clean and sanitary refrain from chewing gum or consuming candy, food or drinks on the vehicle at any time (accept as required for medical reasons);
8. refrain from using profane language and from loud talking or laughing (unnecessary confusion diverts the driver's attention and might result in a serious accident);
9. remain seated keeping aisles and exits clear, keep head, arms and hands inside the vehicle at all times and not throw or pass objects on, from or into the vehicle;
10. be courteous to fellow students and to the driver;
11. treat equipment as one would treat valuable furniture in his/her home (damage to the school vehicle is strictly forbidden);
12. not use tobacco on the vehicle or possess alcohol or drugs on the vehicle except as prescription medications may be required for a student; and
13. carry on the vehicle only items that can be held in their laps.

Students must remain seated until the vehicle stops, then promptly unload and wait in their designated place of safety until the vehicle leaves. Students who must cross the street to reach the residence side of the street must wait for the signal from the driver and cross in front of the vehicle after also checking for traffic themselves.

Failure of a student to follow these regulations may result in his/her forfeiting the right of transportation on District managed transportation.

#### Discipline

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

When discipline problems with individual students arise, use the following guidelines.

1. If possible, the driver should resolve the problem
  2. When the driver is unable to resolve the problem, he/she should report it to the transportation supervisor. The transportation supervisor and driver if necessary, confer with the principal. Any discipline is imposed by the principal of the school.
  3. Problems that cannot be resolved by measures specified above are referred to the Superintendent.
- (Approval date: February 4, 2016)

**In School Assignment**

A student may be removed from the classroom, for all or part of a day, to In School Assignment without written notice or the opportunity for a hearing.

**Suspension Procedure**

The superintendent and principals shall be authorized to suspend a student from school for disciplinary reasons outlined in the student code of conduct. No period of suspension shall extend more than ten (10) school days. A student shall have the option to complete work assigned and/or due during the suspension period. Suspensions may extend beyond the end of the current school year if, at the time a suspension is imposed, fewer than 10 days remain in the school year. The superintendent may apply any or all of the period of suspension to the following year.

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

The Codified Ordinance of Lorain, Ohio Section 509.12 (d), mandates that children between the ages six (6) and seventeen (17) who are under suspension or expulsion order are not permitted to be in any public place during regular school hours, unless they are accompanied or supervised by a parent, legal guardian, or responsible adult. In addition, suspended students are not permitted to attend or participate in any school activity during the period of their suspension.

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

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

**Student Expulsion (JGE)**

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

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

The Superintendent shall give the student and parent(s) written notice of the intended expulsion, including reasons for

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

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

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

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

#### Permanent Exclusion

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

#### Appeal to the Board

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

#### Appeal to the Court

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

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

Handicapped students are subject to the conditions found in the Ohio Revised Code.

[Adoption date: November 18, 1991; Revised: May 10, 1993; May 12, 1997; June 16, 1997; September 13, 1999; March 22, 2004; January 12, 2015]

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

CROSS REFS.: ECAB, Vandalism  
IGCI, Community Service  
JEGA, Permanent Exclusion  
JFC, Student Conduct  
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
JFCJ, Weapons in the Schools  
JG, Student Discipline  
JGD, Student Suspension  
JGDA, Emergency Removal of Student

### **School Visitation**

The Board of Education encourages the Lorain community to be active participants in the education of our children through school visitations.

To ensure the safety and security of the school community and an orderly process of visitation, the Board requires all community members to follow classroom, building, and District procedures when visiting schools. The District also reserves the right to decline visitation by any person who interferes with the educational process, invades the privacy of students, threatens the safety of any child or employee, or for any other reason deemed appropriate.

Whether attending an assembly, observing a classroom, or any other activity during the scheduled school day, all visitors must immediately upon entering a District building report to the main office or other designated area to sign in.

Parents and legal guardians may request a classroom visitation with their child at any time by reporting to the office and making a request to the principal or his/her designee. Upon approval, the parent or guardian will be required to sign in as a visitor and will be directed to the appropriate room by a school official.

Community members and others, who request a visitation in a classroom other than their child's room, must complete at least two days in advance the "Request to Visit" form which includes the number of visitors, frequency, duration, purpose, and visitor identification information. This does not apply to police, court representatives or other persons acting in an official capacity. Upon approval and appropriate advance notice, community members and others should report to the office, sign in, and be directed by a school official to the appropriate location.

When possible, the principal will notify and/or confer with appropriate teachers when approving visitation requests.

Because of space restrictions, generally not more than two adult visitors will be permitted to observe a particular classroom at one time. When visiting classrooms or other District facilities, visitors must comply with safety procedures.

Appeals of visitation denial should be submitted to the superintendent.

Any unauthorized person on school property will be reported to the principal or superintendent. The person may be asked to leave and/or the police contacted. Failure to leave when asked will subject the person to criminal charges.

[Ref: Policy KK]

### **Assignment of Students to Schools (JECC)**

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

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

Adoption date: July 9, 1990; Revised: June 19, 2006; January 12, 2015

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

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

## POLICY

### Student Dress Code

The Lorain City Schools Board policy stipulates that school dress exhibits good grooming standards and does not distract from the educational process. The District dress code is enforced to ensure a school climate that is conducive to educating and learning. Parents and students are responsible for students' proper dress and grooming in compliance with the dress code while at school.

Research data indicates that the adoption of a student dress code can improve a school's overall educational climate. In order to promote a safe and healthy school setting, the Board adopted a student district-wide dress code for students.

The guidelines for determining what is appropriate for school are simple. If the clothing is too short, tight, ragged, revealing, controversial, or unsafe, it will be deemed inappropriate for school. Any dress or grooming that interferes with the cleanliness, health, welfare, or safety of the students or that disrupts the educational process by being vulgar, lewd, and obscene or plainly offensive is prohibited.

The Board directs the superintendent or designee to develop and implement regulations consistent with and for the enforcement of this policy. The superintendent or designee has the authority to amend and revise the regulations as necessary.

[Adoption date: July 9, 1990; Revised: August 8, 2005; May 27, 2009]

### District-wide Elementary/Middle School/High School Dress Code

#### STUDENT INFORMATION

Current students will receive a copy of the Lorain City School (LCS) Dress Code Policy through their school building. Additional copies of the dress code will be available at the school.

Upon registration a copy of the LCS District Dress Code Policy will be shared with parents.

#### Pants

- Black, khaki, gray, or navy pants are required. Denim pants, jeans, painter pants, or athletic pants are prohibited. Pants must fit at the waist.
- Belts are optional since pants must be fitted properly. Large, oversized belt buckles, sparkly buckles, rivets, studs, inappropriate language, or medallion type buckles with logos/pictures are prohibited.
- Baggy, saggy pants are not permitted. Pants must be fitted and secured around the waist area.
- Jegging pants are allowable at the Elementary grade level. They must conform to dress code colors (Black, khaki, white, gray, navy blue) and policy.
- Middle and high school students are not permitted to wear Jegging or Yoga/Exercise Pants.

#### Skirts/ Jumpers/ Shorts

- Black, khaki, gray, or navy blue skirts or jumpers (knee length or longer) are required. Skirts shall be no more than 3 inches above the knee. Slits are not permitted above the knee.
- Students are permitted to wear (Black, khaki, gray, or navy blue) length appropriate shorts. Cargo shorts are permitted.

**Shirts**

- All shirts must be a solid-color of white, blue, gray, or black and must be either a collared polo shirt with buttons, dress shirt or turtleneck. Tucking shirts inside of pants is optional. Shirt shall be no more than one size above the student's regular or normal size. Shirt must appropriately fit student and not be altered to form fit.
- All buttoned shirts are to be appropriately buttoned.
- Shirts can be long sleeve or short sleeve. Sleeveless is not permitted.
- Sweat outfits or t-shirts are not permitted.
- Lorain Titan T-Shirts and Polo Shirts are permitted.
- Any articles of clothing with negative or inappropriate wording, logos or graphics are prohibited.
- Crew-neck sweatshirts, fleeces, or sweaters will be of the appropriate color: white, blue, gray, or black. They may be worn over the shirt and may not contain any writing, stripes, or designs.
- Hoodies will be of the appropriate school color: white, blue, Gray, or black, and must be worn with the hood down while in school.

**Shoes**

- Sandals, flip-flops, slippers, open backed or open-toed, shoes are prohibited.
- Shoes with laces must be tied at all times.
- Shoes cannot have graffiti on them.
- Shoes with rollerblades (Heely shoes) or any retracting device is prohibited.

**Gym Wear**

- Students will wear proper gym attire - athletic short, shirts, gym pants, socks, and appropriate gym shoes.

**Additional Dress Code Information**

- Jackets, coats, and other outerwear must be placed in student lockers or cubicles prior to first period and remain there.
- Nylons, leggings, tights, and knee highs must conform to dress code colors (black, khaki, white, gray, navy blue). These items must be worn under appropriate clothing (skirt/ jumper).
- Head gear of any kind such as hats, caps, bandannas, visors, sunglasses, nylon headwear, ties as well as scarves and gloves are not permitted for wear during the school day. All head gear must be removed upon entering the building. All head gear must be placed in student lockers prior to the first period and remain there.
- Hair clips, scrunches and plain headbands are allowable. All other head gear is prohibited.
- Wrist sweatbands or head sweat bands are not permitted for wear during the school day.
- Torn, ripped, or cut-off clothing is prohibited.
- Any attire, jewelry or accessories promoting or advertising drugs, alcohol, vulgar language, sex, violence, gang paraphernalia or are otherwise offensive or disruptive in nature are prohibited.
- Studded, spiked jewelry or chains which can become a threat to the safety of the student are prohibited.
- Bare midriffs or bare backs are prohibited.
- All book bags, large purses, tote bags and backpack-style purses are to be placed in student lockers or cubicles prior to the start of the first period and remain there.
- Adequately sized purses are allowable.
- Any towels, rags or blankets are to be stored in student's locker or cubicle and remain there.
- An assigned District lap top carrying case is permitted.
- At no point during the school day students are allowed to have inappropriately exposed areas of the body visual, this includes undergarments.

### **Dress Code Policy Exceptions**

- Students participating in a nationally recognized, school approved organization may wear the organizational uniform on days that the organization has a scheduled function.
- School spirit wear may be worn on specific days as approved by the building principal.
- Administration will make the final determination on appropriate dress attire when needed.
- Principals will have discretion to suspend the dress code regulations for school-wide events.
- Sponsors of extracurricular activities may impose further restrictions, if necessary. Principals, in conjunction with other administrators and teachers, are responsible for administering the LCS Dress Code. Students may apply for an exemption from this policy if it interferes with a sincerely held religious belief.

### **Student Assistance**

Under special circumstances, students qualifying for federally approved free or reduced lunches (as noted on approved free and reduced lunch documentation) may be provided with assistance in obtaining the required dress code wear. This request must be put in writing to the school principal or designee.

The school building will share information of locations to purchase affordable school dress code wear.

### **Violation of LCS Dress Code Policy**

Students in violation of this policy shall be subject to disciplinary measures. Refusal or being obstinate will be considered as open defiance of authority and will result in an immediate suspension.

#### **First Violation**

##### **Elementary, Middle and High School:**

Verbal warning and parent contact. Appropriate dress is required before returning to class.

#### **Second Violation**

##### **Elementary School:**

One (1) detention assigned with a parent contact. Appropriate dress is required before returning to class.

##### **Middle School and High School:**

Half(1/2) day in-school suspension (ISS), detention, and/or community service assigned along with a parent

#### **Third Violation**

##### **Elementary School:**

Two (2) detentions and a call home for parent conference. Appropriate dress is required before returning to class.

##### **Middle School and High School:**

One (1) day in-school suspension, detention(s), and/or community service assigned. Appropriate dress is required before returning to class.

#### **Fourth Violation**

##### **Elementary School:**

One (1) day out-of-school suspension. Appropriate dress is required before returning to class.

**Middle School and High School:**

One (1) day out-of-school suspension and/or community service assigned. Appropriate dress is required before returning to class.

**Fifth Violation****Elementary, Middle, and High School:**

Persistent disregard and violation of the District Dress Code is considered a Level II Offense and students are subject to Level II corrective actions.

[Approval date: September 24, 2007; Revised: February 25, 2009; Revised: August 13, 2012; June 27, 2013; January 12, 2015; October 27, 2015]

### **PERSONAL COMMUNICATION DEVICES AND EMERGENCY CONTACT OF STUDENTS**

The Board recognizes that cell phones/electronic devices may serve as an outstanding instructional tool and learning resource if used appropriately. The Board encourages staff members and students to use electronics and other 21st century devices to supplement instruction and learning with the following guidelines.

Cell phones/electronic devices may be used for educational purposes in the classroom setting with teacher and/or administrative permission. If a student wishes to use their device for non-educational purposes they may do so during the school designated non-instructional areas. The school administrator will designate building non-instructional areas.

Cell phones/electronic devices must be turned OFF or placed on silent/vibrate mode before students enter any instructional areas.

If a cell phone/electronic device becomes a disruption to the educational process during instructional or non-instructional times, a staff member reserves the right to make a discipline referral. If this inappropriate behavior continues, students will receive progressive disciplinary action.

Refusal to surrender your phone when asked is defiance. Defiance can result in a disciplinary consequence, including suspension.

First time violators of this policy are reported to the principal, who confiscates the device and holds it in his/her office until the end of the school day.

The District assumes no liability if these devices are broken, lost or stolen. Notices of this policy are posted in a central location of every school building and in the student handbooks.

[Adoption Date: March 3, 1997; Revised: June 14, 2004; August 13, 2012; January 12, 2015]

### Student Absences and Excuses (JED)

Regular attendance by all students is very important. In many cases, irregular attendance is the major reason for poor schoolwork; therefore, all students are urged to make appointments, do personal errands, etc., outside of school hours.

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

1. personal illness of the student;
2. illness in the student's family;
3. needed at home to perform necessary work directly and exclusively for parents or legal guardians (applies to students over 14 years of age only);
4. death in the family;
5. quarantine for contagious disease;  
religious reasons;
7. traveling out of state to attend a Board-approved enrichment activity or extracurricular activity (applies to absences of up to 24 school hours); or
8. as determined by the Superintendent.

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

The Board does not believe that students should be excused from school for vacations or other nonemergency trips. The responsibility for such absences resides with the parent(s), and they must not expect any work missed by their child to be retaught by the teacher. If the school is notified in advance of such a trip, reasonable efforts are made to prepare a general list of assignments for the student to do while he/she is absent.

The Board authorizes the Superintendent to establish a hearing and notification procedure for the purpose of denying a student's driving privileges if that student of compulsory school age has been absent without legitimate excuse for more than 60 consecutive hours during a school month or a total of at least 90 hours during a school year.

[Adoption date: December 10, 1990; Revised: August 9, 1999; June 23, 2003; August 13, 2008; August 13, 2013; January 12, 2015; May 1, 2017]

LEGAL REFS.: ORC 3313.609  
3321.0113321.03; 3321.04; 3321.13; 3321.14; 3321.19; 3321.39  
4510.32

CROSS REFS.: IGAC, Teaching About Religion  
JKI, Homework  
JEDB, Student dismissal Precautions  
JHC, Student Health Services and Requirements  
IHCC, Communicable Diseases

Students Habitually Absent - Loss of Driving Privileges (JEDR)

When the Superintendent receives information that a student of compulsory school age has been absent without

legitimate excuse for more than 60 consecutive hours in a school month or a total of at least 90 hours in a school year, the following procedure applies:

1. The Superintendent notifies, in writing the student and his/her parent(s) and states that information regarding the student's absences has been provided to the Superintendent and, as a result of that information, the student's driving privileges are denied. This notification also states that the student and his/her parent(s) may appear before the Superintendent/designee to challenge the information provided to the Superintendent.
2. The notice from the Superintendent to the student includes the scheduled time, place and date of the hearing, which is scheduled between three and five days after the notification is given. Upon the request of the student or parent(s), an extension may be granted by the Superintendent. The Superintendent must then notify the student and the parent(s) of the new hearing time, Place and date.
3. At the hearing before the Superintendent/designee, the student has an opportunity to present evidence that he/she has not been habitually absent without legitimate excuse. State law defines "legitimate excuses" for absence from school to include, but not limited to:
  - A. enrollment in another school or school district in Ohio or another state;
  - B. possession of an age and schooling certificate (work permit);
  - C. a bodily or mental condition that prohibits attendance; or
  - D. participation in a home instruction program.

If a habitually absent student does not appear at a hearing before the Superintendent or designee, or if the student does not convince the Superintendent or designee that the absences were legitimate, the Superintendent must notify the registrar of motor vehicles and the juvenile judge. Such notification must be given to the registrar and the juvenile judge within two weeks of the receipt of the information regarding habitual absences or, if the hearing for the student is held, within two weeks after the hearing.

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

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

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

(Approved: August 13, 2013; Revised: January 12, 2015; May 1 2017)

## TRUANCY (JEDA)

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

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

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

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

A "habitual truant" is any child of compulsory school age who is absent without a legitimate excuse for 30 or more consecutive hours, 42 or more hours in one month or 72 or more hours in a school year.

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

Regarding "habitually truants," the Board must take as an intervention strategy any appropriate action contained in Board policy.

The Board directs the administration to develop intervention strategies that include all of the following actions if applicable:

1. providing a truancy intervention plan meeting State law requirements for any student who is excessively absent from school;
2. providing counseling for a habitual truant;
3. requesting or requiring a parent having control of a habitual truant to attend parental involvement programs;
4. requesting or requiring a parent of a habitual truant to attend truancy prevention mediation programs;
5. notification to the registrar of motor vehicles; or
6. taking appropriate legal action.

The attendance officer provides notice to the parent of a student who is absent without excuse for 38 or more hours in one school month or 65 or more hours in a school year within seven days after the date of the absence triggering the notice. At the time of noticing the District may take any appropriate action as outlined in this policy as an intervention strategy.

### **Absence Intervention Plan**

Beginning with the 2018-2019 school year, when a student's absences surpass the threshold for a habitual truant, the principal or the Superintendent assign the student to an absence intervention team within 10 days of the triggering event. The absence intervention team must be developed within seven school days of the triggering event and is based on the needs of the individual student. The team must include a representative from the student's school or District, a representative from the student's school or District who knows the student and the student's parent or their designee, and also may include a school psychologist, counselor, social worker or representative of an agency designed to assist students and their families in reducing absences. During the seven days while developing the team, the Superintendent or principal makes at least three meaningful, good faith attempts to secure participation of the student's parent. If the student's parent is unresponsive the District investigates whether the failure to respond triggers mandatory reporting to the appropriate children's services agency and instructs the absence team to develop the intervention plan with the parent.

Within 14 school days after a student is assigned to a team, the team develops a student specific intervention plan to work to reduce or eliminate further absences. The plan includes, at minimum a statement the District will file a complaint in juvenile court not later than 61 days after the date the plan is implemented if the student refuses to participate or fails to make satisfactory progress. The District makes reasonable efforts to provide the student's parent with written notice of the plan within seven days of development.

The absence intervention plan for a student may include contacting the juvenile court to have a student informally enrolled in an alternative to adjudication. The Board directs the Superintendent to develop written procedures regarding the use of and selection process for offering these alternatives to ensure fairness.

If the student becomes habitually truant within 21 school days prior to the last day of instruction of a school year, the

District may either assign a school official to work with the student's parents to develop an intervention plan during the summer and implement the plan no later than seven days prior to the first day of instruction of the next school year, or reconvene the absence intervention process on the first day of instruction of the next school year.

#### Filing a Complaint with Juvenile Court

Beginning with the 2018-2019 school year, the attendance officer must file a complaint against the student in juvenile court on the 61<sup>st</sup> day after implementation of the absence intervention plan when:

1. the student's absences have surpassed the threshold for a habitual truant;
2. the District has made meaningful attempts to re-engage the student through the absence intervention plan, other intervention strategies and any offered alternatives to adjudication and
3. the student has refused to participate in or failed to make satisfactory progress on the plan or any offered intervention strategies or alternatives to adjudication as determined by the absence intervention team.

If the 61<sup>st</sup> day after intervention falls on a day during the summer months, the District may extend the implementation of the plan and delay the filing of the complaint for an additional 30 days after the first day of instruction of the next school year.

Unless the absence intervention team determines the student has made substantial progress on their absence intervention plan, the attendance officer must file a complaint against the student in juvenile court if the student is absent without legitimate excuse for 30 or more consecutive hours or 42 or more hours during a school month at any time during the implementation phase of the intervention plan or other intervention strategy.

[Adoption date: July 9, 1990; Revised: August 28, 2000; June 23, 2003; August 13, 2008; January 12, 2015; May 1, 2017]

LEGAL REFS.: ORC 3313.663; 3313.668

3321.03 through 3321.04; 3321.07 through 3321.09; 3321.19; 3321.191

3321.22; 3321.38

CROSS REF.: JED, Student Absence  
JEG, Exclusions and Exemptions from School Attendance  
JK, Employment of Students

#### **Exclusions and Exemptions from School Attendance (JEG)**

A student of compulsory school age residing in the District may be legally excused from fulltime enrollment by:

1. holding an age and schooling certificate (work permit), being regularly employed  
and attending school on a part-time basis in a program approved by the Superintendent or his/her designee;
2. receiving approved home instruction;
3. attending a private or parochial school; or
4. having received a diploma from an approved high school or a certificate of high

school equivalence from the Ohio Department of Education.

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

[Adoption date: July 9, 1990; Revised: January 12, 2015; October 3, 2016]

LEGAL REF.: ORC 3301.80; 3301.81  
3313.66  
3321.02; 3321.03; 3321.04; 3321.07  
3331.01; 3331.02; 3331.04; 3331.06 through 3331.09

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

### **Student Dismissal Precautions (JEDB)**

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

[Adoption date: January 12, 2015]

LEGAL REF.: ORC 3313.20

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

### **Promotion and Retention of Students (IKE)**

The promotion of each student is determined individually. The decision to promote or retain a student is made on the basis of the following factors. The teacher takes into consideration: reading skill, mental ability, age, physical maturity, emotional and social development, social issues, home conditions and grade average.

Promotion procedures demand continuous analysis and study of the student's cumulative student case history records. Administration guidelines must be developed and reviewed and may include the following elements.

1. A student receiving passing grades in the core courses is promoted.
2. A student having failing grades in the core courses at the end of each year is evaluated by the teachers, guidance counselor and principal for placement.
3. A student having failing grades may be assigned to the next higher grade with discretion only with approval of the principal.

4. No student having passing grades, "D" or above, throughout the year is failed.
5. No student should be retained more than twice in elementary grades, kindergarten through eighth grade.
6. Documentary and anecdotal evidence should be available to justify retention.

Any student who is truant for more than 10% of the required attendance days of the current school year and has failed two or more of the required curriculum subject areas in the current grade is retained unless the student's principal and the teachers of the failed subject areas agree that the student is academically prepared to be promoted to the next grade level.

"Academically prepared," means that the principal, in consultation with the student's teacher(s), has reviewed the student's work and records and has concluded that, in his/her judgment as a professional educator, the student is capable of progressing through and successfully completing work at the next grade level.

Any student, unless excused from taking the third grade reading assessment under Ohio Revised Code Section (RC) 3301.0711, who does not attain at least the equivalent level of achievement as required by RC 3301.0710 on the assessment, is not promoted to fourth grade unless one of the following applies:

1. The student is a limited English proficient student who has been enrolled in United States schools for less than three full school years and has had less than three years of instruction in an English as a second language program.
2. The student is a child with a disability entitled to special education and related services under RC 3323 and the student's Individualized Education Program (IEP) exempts the student from retention under this division.
3. The student demonstrates an acceptable level of performance on an alternative standardized reading assessment as determined by the Ohio Department of Education.
4. All of the following apply:
  - A. The student is a child with a disability entitled to special education and related services under RC 3323.
  - B. The student has taken the third grade English language arts achievement assessment prescribed under RC 3301.0710.
  - C. The student's IEP or 504 plan shows that the student has received intensive remediation in reading for two school years but still demonstrates a deficiency in reading.
  - D. The student previously was retained in any of grades kindergarten to three.

5. The student received intensive remediation for reading for two school years but still demonstrates a deficiency in reading and was previously retained in any of grades kindergarten to three. Students promoted under this section continue to receive intensive reading instruction in grade four. The instruction includes an altered instructional day that includes specialized diagnostic information and specific research-based reading strategies for the student that has been successful in improving reading among low-performing readers.

Any student who has been retained because of results on the third grade English language assessment and who demonstrates during the academic year that he/she now is reading at or above grade level is promoted to the fourth grade pursuant to the District-level midyear promotion policy

[Adoption date: December 9, 1991; Revised July 28, 2003; May 27, 2009; June 11, 2013; November 17, 2014; October 27, 2015]

LEGAL REFS: ORC 3301.07; 3301.0710; 3301.0711; 3301.0712; 3301.0715;  
3313.608; 3313.609; 3313.6010; 3313.6012  
3314.03  
OAC 3301-35-04; 3301-35-06

CROSS REFS: AFI, Evaluation of Educational Resources  
IGBE, Remedial Instruction (Intervention Services)  
IGBEA, Reading Skills Assessments & Interventions (Third Grade Reading Guarantee)  
IGCD, Educational Options

#### Retention Procedures K-8: (IKER)

1. In cases of possible retention after reviewing 9 week progress reports the

classroom teacher should submit an initial recommendation in writing to the principal with the reasons for retention stated briefly, including a detailed explanation of intervention strategies and a list of standards not met. This report should be submitted no less than two weeks before the end of the first semester or as soon as the need becomes evident. An initial conference between teachers and principal should take place before contacting parents.

2. Immediately following the end of the first semester or as soon as the problem arises:
  - A. A report of possible retention should be made to the parents by the classroom teachers, preferably through a conference.
  - B. The Child Study Team will convene to develop an intervention plan.

3. At the end of the third grading period:
  - A. Each case should be discussed carefully by the principal and the teacher(s).
  - B. A final summary and written recommendation should be submitted to the principal by the classroom teacher(s).
  - C. The Child Study Team will review documentation and determine retention or promotion.
4. In cases of retention, that student, upon successful completion of a summer school program in a state-accredited school in the required areas, may be promoted.

(Approved: June 19, 2006; Revised: November 17, 2014)

### **Discipline of Students with Disabilities (JGF)**

The Board recognizes that effective and appropriate discipline for students with disabilities may, at times, differ from effective and appropriate discipline for students without disabilities. The Board does not, however, believe in a double standard for misbehavior and holds the welfare and safety of all persons in the District in highest regard. Disciplinary action of students with disabilities proceeds in a manner that protects the welfare and order of the community as well as recognizes the special needs of the student.

The Board delegates to school officials the authority to enforce District policies, regulations and rules governing the conduct of all students. The District will comply with all State and Federal laws and regulations governing the discipline of students with disabilities. All students, including those with disabilities, will be referred to law enforcement officials when required by law and may be referred to law enforcement officials when their conduct constitutes a crime.

The special needs of the student with a disability are taken into account when setting behavioral expectations. Each case of unsatisfactory behavior by a student with a disability is handled individually in accordance with the student's behavior management plan and interventions articulated in the student's Individualized Education Program (IEP). A student's failure to comply with conduct requirements in student handbooks may result in the student being disciplined.

If the student does not respond to the measures taken by District staff or to the measures articulated in the student's IEP, the staff member refers the student to the principal or other designated individual. The student may lose rights to participate in school-related social events or extracurricular activities for a period of time determined by the principal, unless such programs are included as part of the student's free appropriate public educational program. Depending on the seriousness of the offense committed by the student, suspension or expulsion may also result, but any change in placement will follow mandated procedures in applicable law.

[Adoption date: July 9, 1990; Revised: December 14, 1998; January 12, 2015]

(Please note: Prior to January 12, 2015, this policy was coded JGEA.)

LEGAL REFS.: The Individuals With Disabilities Education Improvement Act;  
20 USC 1400 through 487; 34 CFR Part 300  
Americans with Disabilities Act Amendments Act of 2008; 42 USC 12101 et seq.  
State Department of Education, Special Education Policies and  
Procedures, Free Appropriate Public Education - 101

### **Student Publications (IGDB)**

The Lorain City Board of Education encourages student publications as classroom-related learning experience in such courses as English, language arts in the elementary grades, and journalism and as an extracurricular activity. These allow for coverage of student activities and the writing and printing of original literary and artistic productions; however, certain necessary guidelines are established to regulate the publication and dissemination of student publications.

#### **School Sponsored Publications**

School publications afford an educational experience for students interested in this activity and should provide an opportunity for the sincere expression of all facets of student opinion. These guidelines are as follows:

1. Faculty advisors advise on matters of style, grammar, format and suitability of materials.
2. The school publication reflects the policy and judgment of the student editors. Material of a controversial nature should not be prohibited unless it:
  - a) imminently threatens to disrupt the educational process of the school, to damage other individuals or to advocate conduct that otherwise is inconsistent with the shared values of a civilized social order (e.g., advocating drug or alcohol use);
  - b) threatens any person or group within the school or advocates unlawful discrimination;
  - c) advocates violation of the law or official school regulations;
  - d) violates any provisions of the Student Conduct (JFC) and Internet Safety (EDE) policies;
  - e) is considered false or libelous, based upon available facts; or
  - f) potentially harmful to juveniles or offensive according to community standards as to what is suitable for juveniles.
3. The final decision as to the suitability and professionalism of material rests with the superintendent or designee. Efforts will be extended to consult with the principal, faculty advisor and student editor in the decision making process.

#### **Nonschool-Sponsored Publications**

Students who edit, publish and/or wish to distribute nonschool-sponsored handwritten, printed, or duplicated matter among their fellow students in the schools must assume responsibility for the content of the publication. Students may be restricted as to the time and place of distribution, or may be prohibited from distributing such publications. All non-school sponsored publications fall under the category of advertisements and/or solicitation and must adhere to appropriate Board policy.

### **Legal/Educational Rights**

Students, like all citizens, have rights guaranteed by the Constitution of the United States. Most often, the First Amendment and the Fourteenth Amendment apply in school situations.

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

These statements set forth the rights of students in public schools of the District and the responsibilities that are inseparable from these rights:

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

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

[Adoption date: July 9, 1990; Revised: June 19, 2006; January 12, 2015]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
Civil Rights Act, Title VI; 42 USC 2000d et seq.  
Civil Rights Act, (Amended 1972), Title VII; 42 USC 2000e et seq.  
Executive Order 11246, 1965, amended by Executive Order 11375  
Education Amendments of 1972, Title IX, Pub. L. No. 92-318 (1972)  
Individuals With Disabilities Education Act; 20 USC1400 et seq.  
Americans with Disabilities Act Amendments Act of 2008; 42 USC 12101 et seq.  
Vocational Rehabilitation Act of 1973, § 504  
ORC 9.60 through 9.62  
Chapter 4112  
OAC 3301-35-02; 3301-35-04

CROSS REFS.: AC, Nondiscrimination  
ACA, Nondiscrimination on the Basis of Sex  
ACB, Nondiscrimination on the Basis of Disability  
GBA, Equal Opportunity Employment  
IGBA, Programs for Students with Disabilities  
IGBB, Programs for Gifted and Talented Students  
IGBI, Limited English Proficiency  
IGBJ, Title I Programs  
JECAA, Admission of Homeless Students  
JFA, Student Due Process Rights

### **Health Insurance Portability and Accountability Act/ HIPAA (GBS)**

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) grants individuals the right to receive notice of the uses and disclosures of their protected health information that may be made by the District, and sets forth the individual's rights and the District's legal obligations with respect to protected health information. The purpose of this policy is to assist the District in complying with the HIPAA privacy standards, to ensure that individuals receive adequate notice of the District's practices with regard to the dissemination and use of protected health information, and to protect the confidentiality and integrity of protected health information.

#### Confidentiality of Individually Identifiable Health Information

All officers, employees and agents of the District must preserve the confidentiality and integrity of individually identifiable health information pertaining to any individual. Individually identifiable health information is protected health information and shall be safeguarded to the extent possible in compliance with the requirements of the security and privacy rules and standards established by HIPAA.

The District and its employees will not use or disclose an individual's protected health information for any purpose without the properly documented consent or authorization of the individual or his/her authorized representative unless required or authorized to do so under State or Federal law or this policy, unless an emergency exists or unless the information has been sufficiently de-identified that the recipient of the information would be unable to link the information to a specific individual.

Prior to releasing any protected health information for the purposes set forth above, the District representative disclosing the information shall verify the identity and authority of the individual to whom disclosure is made. This verification may include the examination of official documents, badges, driver's licenses, workplace identity cards, credentials or other relevant forms of identification or verification.

All employees of the District are expected to comply with and cooperate fully with the administration of this policy. The District will not tolerate any violation of the HIPAA privacy or security standards or this policy. Any such violation constitutes grounds for disciplinary action, up to and including termination of employment.

Any employee of the District who believes that there has been a breach of these privacy and security policies and procedures or a breach of the integrity or confidentiality of any person's protected health information shall immediately report such breach to his/her immediate supervisor or the Board appointed privacy/security officer. The privacy/security officer shall conduct a thorough and confidential investigation of any reported breach and notify the complainant of the results of the investigation and any corrective action taken.

The District will not retaliate or permit reprisals against any employee who reports a breach to the integrity or confidentiality of protected health information. Any employee involved in retaliatory behavior or reprisals against another individual for reporting an infraction of this policy is subject to disciplinary action up to and including termination of employment.

Following the discovery of a breach of unsecured health information, the privacy/security officer will notify each individual whose unsecured protected health information has been, or is reasonably believed to have been accessed, acquired, used or disclosed as a result of a breach. Any individual responsible for the unauthorized use or disclosure is referred to the Superintendent or his/her designee for appropriate disciplinary measures.

#### Privacy/Security Officer

The Treasurer shall be the privacy/security officer for the District. The privacy/security officer is responsible for overseeing all ongoing activities related to the development, implementation, maintenance and adherence to the District's policies and procedures concerning the security and privacy of protected health information.

#### Notice

The District shall distribute a Notice of Privacy Practices to individuals at the time of their enrollment in the health plan and within 60 days of any material revision. The notice shall also be posted in a clear and prominent location in each facility in the District and be printed in staff handbooks and the health plan booklet. The District will also notify individuals covered by the health plan of the availability of and how to obtain the notice at least once every three years.

#### Training

All employees shall receive training regarding the District's privacy policies and procedures as necessary and appropriate to carry out their job duties. Training shall also be provided when there is a material change in the District's privacy practices or procedures.

#### Documentation

Documentation shall be required in support of the policies and procedures of the District and all other parts of the HIPAA privacy regulations that directly require documentation, including, but not limited to, all authorizations and revocations of authorizations, complaints and disposition of complaints. All documentation is kept in written or electronic form for a period of six years from the date of creation or from the date when it was last in effect, whichever is later.

[Adoption date: March 2, 2015]

LEGAL REFS.: Health Insurance Portability and Accountability Act; 29 USC 1181 et seq.  
45 C.F.R.  
ORC 9.01; 9.35  
149.41; 149.43  
1347.01 et seq.  
4113.23

CROSS REF.: KBA, Public's Right to Know

## *Student Records (JO) JOR*

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

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

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

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

The District uses reasonable methods to identify and authenticate the identity of parents, students, school officials and any other parties to whom the agency or institution discloses personally identifiable information from education records.

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

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

The following rights exist:

1. the right to inspect and review the student's education records;
2. the right, in accordance with administrative regulations, to seek to correct parts of the student's education records, including the right to a hearing if the school authority decides not to alter the records according to the parent(s)' or eligible student's request;
3. the right of any person to file a complaint with the U.S. Department of Education if the District violates relevant Federal law, specifically the Family Educational rights and Privacy Act (FERPA) and
4. the right to acquire information concerning the procedure which the parent(s) or eligible student should follow to obtain copies of this policy, the locations from which these copies may be obtained, as well as any fees to be charged for such copies. \*(See administrative regulations.)

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

1. student's name
2. participation in officially recognized activities and sports
3. student's achievement awards or honors
4. student's weight and height, if a member of an athletic team
5. major field of study
6. dates of attendance ("from and to" dates of enrollment)
7. date of graduation

The above information is disclosed without prior written consent, except when the request is for a profit-making plan or activity or when the parent or eligible student has informed the Board that any or all such information should not be released without their prior written consent or when disclosure is otherwise prohibited by law.

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

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

Other than requests as described above, school officials release information from, or permit access to, a student's education records only with the prior written consent of a parent or eligible student, except that the Superintendent or a person designated in writing by the Superintendent may permit disclosure in certain limited circumstances outlined under administrative regulations.

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

[Adoption date: August 24, 1992; revised October 12, 1994; October 6, 1996; December 14, 1998; Revised: January 12, 2015; October 3, 2016; January 9, 2017]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
Family Educational Rights and Privacy Act; 20 USC Section 1232g  
Health Insurance Portability and Accountability Act; 20 USC 1181 et seq.  
ORC 111.41; 111.42; 111.43; 111.46; 111.47; 111.99  
149.41; 149.43  
1347.01 et seq.  
3317.031  
3319.32; 3319.321; 3319.33  
3321.12; 3321.13  
3331.13

CROSS REFS.: AFI, Evaluation of Educational Resources  
EHA, Data and Records Retention  
IL, Testing Programs  
JECAA, Admission of Homeless Students  
KBA, Public's Right to Know  
KKA, Recruiters in the Schools

I. Each student's official school records include the following.

- A. Records to be retained permanently
  - 1) name and address of parent(s)
  - 2) verification of date and place of birth
  - 3) dates and record of attendance
  - 4) course enrollment and grades
  - 5) test data
  - 6) date of graduation or withdrawal
  
- B. Records of verifiable information to be retained during the student's school career
  - 1) medical/health data
  - 2) individual psychological evaluation (gathered with written consent of parent(s))
  - 3) individual intelligence tests, tests for learning disabilities, etc. (counselor administered)
  - 4) other verifiable information to be used in educational decision making

2 . Maintaining student records

- A. Transcripts of the scholastic record contain only factual information. The District confines its record keeping to tasks with clearly defined educational ends.
- B. Items listed under 1-A are retained for 100 years. Those listed under 1-B are retained during the student's enrollment and destroyed after graduation unless the school code imposes other restrictions.
- C. Teacher and staff comments on student records are confined to matters related to student performance. Value judgments are excluded from the record.
- D. Student records are considered as current educational and/or therapeutic tools and are available for use as such.

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

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

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

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

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

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

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

Personally Identifiable Information - any data or information which makes the subject of a record known, including the student's name, the student's or student's family's address, the name of the student's parent or other family members, a personal identifier such as a student's Social Security number or a biometric record, other indirect identifiers, such as the student's date of birth, place of birth or 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.

### **Annual Notification**

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

The notice includes:

1. the right of a parent(s) or eligible student to inspect and review the student's education records;
2. the intent of the District to limit the disclosure of information contained in a student's education records, except: (1) by the prior written consent of the student's parent(s) or the eligible student, (2) as directory information or (3) under certain limited circumstances, as permitted by law;
3. the right of a student's parent(s) or an eligible student to seek to correct parts of the student's education records which he/she believes to be inaccurate, misleading or in violation of student rights; this right includes a hearing to present evidence that the records should be changed if the District decides not to alter them according to the parent(s)' or eligible student's request;
4. the right of any person to file a complaint with the Department of Education if the District violates the FERPA and
5. the procedure that a student's parent(s) or an eligible student should follow to obtain copies of this policy and the locations where copies may be obtained.

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

TYPES	LOCATION	CUSTODIAN
<u>Cumulative School Records</u>	Principals' Offices	Principals
<u>Cumulative School Records</u> (Former Students)	Central Office	Chief Archivist
<u>Health Records</u>	Principals' Offices	Principals
<u>Speech Therapy Records</u> <u>Psychological Records</u>	Principals' Offices	Principals
<u>School Transportation Records</u>	Third Party who provides transportation services	Third Party who provides transportation services
<u>Special Test Records</u>	Principals' Offices	Principals
<u>Occasional Records</u> (Student education records not identified above; such as those in Superintendent's office, in the school attorney's office, or in the personal possession of teachers)	Principals' Offices	Principals

**Procedure to Inspect Education Records**

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

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

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

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

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

If for any valid reason, such as working hours, distance between record location sites or health, a parent(s) or eligible

student cannot personally inspect and review a student's education records, the District arranges for the parent(s) or eligible student to obtain copies of the records. (See information below regarding fees for copies of records.)

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

### **Fees for Copies of Records**

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

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

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

The fee for copies provided under Federal law may not include the costs for search and retrieval. This fee is \$.05 (five cents) per page (actual copying cost less hardship factor).

The fee for all other copies such as copies of records forwarded to third parties with prior consent or those provided to parents as a convenience is \$.05 (five cents) per page (actual search, retrieval copying cost and postage, if any).

### **Directory Information**

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

1. student's name
2. participation in officially recognized activities and sports
3. student's achievement awards or honors
4. student's weight and height, if a member of an athletic team
5. major field of study
6. dates of attendance ("from and to" dates of enrollment)
7. date of graduation

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

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

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

### **Use of Student Education Records**

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

1. duly elected to the Board;
2. certificated by the state and appointed by the Board to an administrative or supervisory position;
3. certificated by the state and under contract to the Board as an instructor;
4. employed by the Board as a temporary substitute for administrative, supervisory or teaching personnel for the period of his/her performance as a substitute;
5. employed by, or under contract to, the Board to perform a special task such as a secretary, a Treasurer, Board attorney or auditor for the period of his/her performance as an employee or contractor or
6. a contractor, consultant, volunteer or other party to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that the outside party:
  - A. performs an institutional service or function for which the District would otherwise use employees;
  - B. is under the direct control of the District with respect to the use and maintenance of education records and
  - C. abides by the legal requirements governing the use and redisclosure of personally identifiable information from education records.

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

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

NOTE: The District must use reasonable methods to ensure that school officials obtain access to only those education records in which they have legitimate educational interests. A District that does not use physical or technological access controls to records must ensure that its administrative policy for controlling access to education records is effective and

that it remains in compliance with the legitimate educational interest requirement.

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

- I. when students seek or intend to enroll in another school district or a postsecondary school. The District makes reasonable attempts to notify the parent or eligible student at their last known address unless the disclosure is initiated by the parent or eligible student or unless the District's annual notification includes notice that the District forwards education records to other education entities that request records in connection with a student's transfer or enrollment. Upon request, the District provides copies of the records and an opportunity for a hearing (upon the condition that the student's parents be notified of the transfer, receive a copy of the record and have an opportunity for a hearing to challenge the content of the record);
2. when certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the District;
3. when parties who provide, or may provide, financial aid for which a student has applied or received, need the information to:
  - A. establish the student's eligibility for the aid;
  - B. determine the amount of financial aid;
  - C. establish the conditions for the receipt of the financial aid or
  - D. enforce the agreement between the provider and the receiver of financial aid;
4. if a State law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials;
5. when the District has entered into a written agreement or contract for an organization to conduct studies on the District's behalf to develop tests, administer student aid or improve instruction;
6. when accrediting organizations need those records to carry out their accrediting functions;
7. when parents of eligible students claim the student as a dependent;
8. when it is necessary to comply with a judicial order or lawfully issued subpoena; the District makes a reasonable effort to notify the student's parent(s) or the eligible student before making a disclosure under this provision, except when a parent is party to a court proceeding involving child abuse or neglect or dependency, and the order is issued in the context of that proceeding;
9. if the disclosure is an item of directory information and the student's parent(s) or the eligible student has not refused to allow the District to designate that item as directory information for that student;

10. the disclosure is in connection with a health and safety emergency;
11. the disclosure concerns sex offenders and other individuals required to register under section 170 J of the Violent Crime Control and Law Enforcement Act of 1994, 42 U.S.C. 14071, and the information was provided to the educational agency or institution under 42 U.S.C. 14071 and applicable federal guidelines; and
12. to an agency caseworker or other representative of a state or local child welfare agency, when the agency is legally responsible for the care and protection of the child. Information obtained will not be disclosed by the agency to any other agency or individual, unless they are engaged in addressing the education needs of the child and authorized by the agency to have access and the disclosure is consistent with the State laws applicable to protecting the confidentiality of the student's education records.

The District discloses personally identifiable information from an education record to appropriate parties, including parents, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals.

When deciding whether to release personally identifiable information in a health or safety emergency, the District may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. If the District determines that there is an articulable and significant threat to the health or safety of a student or other individuals, it may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other individuals.

The District records the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:

1. the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure and
2. parties to whom the District disclosed the information.

The District is required to permit the Ohio Department of Education to have access to personally identifiable information about a student if the Ohio Department of Education needs the information to:

1. notify the District or school attended in the District of threats or descriptions of harm included in the student's response to an achievement test question;
2. verify the accuracy of the student's achievement test score or
3. determine whether the student satisfies the alternative conditions for a high school diploma.

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

1. a specification of the records to be released;
2. the reasons for the disclosure;
3. the person or the organization or the class of persons or organizations to whom the disclosure is to be made;

4. the parent(s) or student's signature and
5. the date of the consent and, if appropriate, a date when the consent is to be terminated.

The District uses reasonable methods to identify and authenticate the identity of parents, students, school officials and any other parties to whom the agency or institution discloses personally identifiable information from education records. The student's parent(s) or the eligible student may obtain a copy of any records disclosed under this provision. The District does not release information contained in a student's education records, except directory information, to any third parties, except its own officials, unless those parties agree that the information is not redisclosed, without the parent(s)' or eligible student's prior written consent.

### **Records of Requests for Access and Disclosure Made From Education Records**

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

The record includes:

1. the name of the person who or agency which made the request;
2. the interest which the person or agency has in the information;
3. the date on which the person or agency made the request;
4. whether the request was granted and, if it was, the date access was permitted or the disclosure was made and
5. in the event of a health and safety emergency, the articulable and significant threat to the health or safety of a student or other individuals that formed the basis for the disclosure and the parties to whom the agency or institution disclosed the information.

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

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

### **Procedures to Seek to Correct Education Records**

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

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

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

First-level decision. When a parent of a student or an eligible student finds an item in the student's education records, which he/she believes is inaccurate, misleading or in violation of student rights, he/she should immediately ask the record

custodian to correct it. If the records are incorrect because of an obvious error and it is a simple matter to make the record change at this level, the records custodian makes the correction. If the records are changed at this level, the method and result must satisfy the requester.

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

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

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

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

The request is dated and signed by the requester.

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

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

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

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

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

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

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

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

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

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

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

The Superintendent prepares the District's decision within two weeks of the hearing. That decision is based on the summary of the evidence presented at the hearing and the hearing officer's recommendation. The District's decision is based solely on the evidence presented at the hearing. The Superintendent may overrule the hearing officer if he/she believes the hearing officer's recommendation is not consistent with the evidence presented. As a result of the District's decision, the Superintendent takes one of the following actions.

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

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

## School Admissions (JEC)

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

A student is considered a resident of the district if he/she resides with a parent, a grandparent with either power of attorney or caretaker authorization affidavit or a person or government agency with legal custody whose place of residence is within the boundaries of the District. Parents, and grandparents with either power of attorney or caretaker authorization affidavit, may be required to present legal proofs of residence.

New entrants at all grade levels are required to present at the time of enrollment: a birth certificate or other document as evidence of birth, a certified copy of any child custody order or decree, proof of having received or being in the process of receiving required immunizations, and copies of those records pertaining to him/her which are maintained by the school most recently attended. A protected child, as defined by State law, may not be denied admission to the school solely because the child does not present a birth certificate or comparable document upon registration. A protected child or parent, guardian or custodian of the child must present this documentation within 90 days after the child's initial entry into the school. The District immediately enrolls homeless students and foster students and assists in obtaining the necessary enrollment documents.

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

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

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

[Adoption date: July 9, 1990; Revised: December 15, 2010; January 12, 2015; March 16, 2015; January 9, 2017]

LEGAL REFS: ORC 2151.33;  
2152.18 (0)(4)  
3109.52 through 3109.61; 3109.65 through 3109.76  
3109.78; 3109.79; 3109.80  
3313.48; 3313.64; 3313.67; 3313.671; 3313.672  
3317.08;  
3321.01  
OAC 3301-35-04(F)

CROSS REFS.: AFI, Evaluation of Educational Resources  
IGBA, Programs for Students with Disabilities  
JECAA, Admission of Homeless Students  
JECB, Admission of Nonresident Students  
JEE, Student Attendance Accounting (Missing and Absent Children)  
JHCA, Physical Examinations of Students  
JHCB, Immunizations  
JO, Student Records

## **Pregnant/ Married Students (JFE) (JFF)**

### Pregnant Students

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

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

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

1. She may remain in her present school program, with modifications as necessary until the birth of her baby is imminent or until her physician states that continued participation would be detrimental to her health or that of the baby.
2. When information has been received from the student's physician that the student is unable to attend school, the building principal, teacher(s) and parents work together to coordinate work for the time period the student is out of school.
3. With Board approval, she may temporarily withdraw from school and enroll in an approved educational program in which she can continue her education.

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

Married students of compulsory school age are subject to the compulsory attendance law. A married student may not be excluded from any extracurricular activity solely because he/she is married.

[Adoption date: August 24, 1992; Revised: July 12, 2004; January 12, 2015]

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

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

## **Interrogations and Searches (JFG) (JFGR)**

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

The right to inspect students' school lockers or articles carried upon their persons and to interrogate an individual student is inherent in the authority granted school boards. All searches are conducted sparingly and only when such search is reasonably likely to produce tangible results to preserve discipline and good order and the safety and security of persons and their property. The Board permits building administrators to search any unattended bag for safety and identification purposes.

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

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

[Adoption date: July 9, 1990; Revised: January 24, 2000; January 28, 2002; March 25, 2002; January 12, 2015; January 9, 2017]

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

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

### **Searches of School Property Assigned to a Student**

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

- I. General housekeeping inspection of school property may be conducted with reasonable notice. Random searches of lockers may be conducted.
2. A search of a desk or other storage space may be conducted when there exists reasonable suspicion for school authorities to believe that the area being searched contains evidence of a crime or violation of school rules.
3. Search of an area assigned to a student will be for a specifically identified item and will be conducted in his/her presence and with his/her knowledge.
4. Items, the possession of which constitutes a crime or violation of school rules, or any other possessions reasonably determined to be a threat to the safety or security of others may be seized by school authorities at any time.

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

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

- I. There will be reasonable suspicion to believe that the search will result in obtaining evidence that indicates the student's violation of the law or school rules.
2. Searches of a student's person are conducted by a member of the same sex as the student.
3. Searches are conducted in the presence of another administrator or staff member.
4. Parents of a minor student who is the subject of a search are notified of the search and are given the reason(s) for the

search as soon as feasible after completion of the search.

5. When evidence is uncovered indicating that a student may have violated the law, law enforcement officials shall be notified.

6. Strip searches are discouraged. A substantially higher degree of certainty (more than a reasonable belief) is required prior to conducting such a search. In cases in which school officials believe a strip search is necessary, law enforcement officials should be called to conduct the search.

#### Searches of Unattended Bags by School Personnel

Building administrators are permitted to search any unattended bag found on District property for safety and identification purposes. Once the administrator has determined the identity of the owner and that no safety or security issue exists, any subsequent searches of the item are based upon reasonable suspicion.

#### Searches of Student Property by Law Enforcement Officials

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

#### Interrogations by Law Enforcement Officials

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

1. The questioning of students by law enforcement agencies is limited to situations where parental consent has been obtained or the school official has made an independent determination that reasonable grounds exist for conducting an interrogation during school hours.
2. Whenever possible, law enforcement officials should contact and/or question students out of school. When it is absolutely necessary for an officer to make a school contact with a student, the school authorities will bring the student to a private room and the contact is made out of the sight of others as much as possible.
3. The school principal must be notified before a student may be questioned in school or taken from a classroom.
4. The administration shall attempt to notify the parent(s) of the student to be interviewed by the law enforcement officials before questioning begins, unless extenuating circumstances dictate that this not be done.
5. A school official requests to be present when an interrogation takes place within the school.
6. When law enforcement officials remove a student from school, the administration will notify the parent(s) or other authorized emergency contact.
7. Law enforcement officials will always be notified by the school principal whenever a student is involved in any type of criminal activity. When the principal learns of this involvement, he/she should notify the juvenile officer or detective bureau of the law enforcement agency. The school will not attempt to handle matters that are properly in the realm of a law enforcement agency.

(Approval date: January 12, 2015; Revised: June 26, 2017)

## **Investigation of Child Abuse/Neglect**

### Reporting Requirements for All School Employees in Ohio

Ohio Revised Code 2151.421 states in pertinent part for all school employees:

- (A)(!) No person described in division... school teacher, school employee, school authority... who is acting in his official or professional capacity and knows or suspects that a child under eighteen years of age or a physically or mentally handicapped child under twenty-one years of age has suffered any wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the child, shall recklessly fail immediately to report or cause reports to be made of that knowledge or suspicion to the children services board, the county department of human services exercising the children services function, or a municipal or county peace officer in the county in which the child resides or in which the abuse or neglect is occurring or

has occurred. (Emphasis added.)

(C) Any report made pursuant to division (A)...of this section shall be made forthwith by telephone or in person forthwith, and shall be followed by a written report, if requested by the receiving agency or officer...

(G) Anyone...participating in the making of reports under this section...shall be immune from any civil or criminal liability that otherwise might be incurred or imposed as a result of such actions.

(I) (1) Any report made under this section is confidential.

This statutory reporting requirement obligates each school employee who knows or suspects of possible child abuse or neglect regardless of how long ago such abuse or neglect might have occurred to report immediately to the county department of human services or the local police.

Forms of child abuse and neglect (ORC 2151.03 & 2151.031):

Physical abuse

The non-accidental injury of a child.

Neglect

Failure to act on behalf of a child. It is an act of omission. Neglect may be thought of as child-rearing practices which are essentially inadequate or dangerous.

Sexual abuse

Any act of a sexual nature upon or with a child. The act may be for the sexual gratification of the perpetrator or a third party. This would, therefore, include not only anyone who actively participated in the sexual activity, but anyone who allowed or encouraged it.

Emotional abuse

Chronic attitude or acts which interfere with the psychological and social development of a child. Emotional abuse is consistent and chronic behavior.

Physical neglect

Failure to meet the requirements basic to a child's physical development, such as supervision, housing, clothing, medical attention, nutrition, and support.

Emotional ueglect

Failure to provide the support or affection necessary to a child's psychological and social development. Failure on the part of the parent to provide the praise, nurturance, love, or security essential to the child's development of a sound and healthy personality. The effects of extreme deprivation can be seen in the medical syndrome "nonorganic failure to thrive."

IMPORTANT

The Ohio Revised Code requires immediate reporting by school employees. This does not include or even permit school employees to investigate the probability of such a suspicion prior to making a report. Nor does the statute permit "delegating" the reporting responsibility to a principal or other school administrator. Rather, each school employee is required to immediately report suspicions of child abuse or neglect. Failure to report immediately subjects the individual school employee to liability.

At the time a child is abused or neglected, school employees and resources should be allocated on a priority basis to assist the child and to advocate what is in his/her best present and future interests. It is recognized that this is a crisis time for the child.

[Ref: Policy JHG]

## REPORTING CHILD ABUSE (JHG)

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

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

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

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

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

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

[Adoption date: July 9, 1990; Reviewed: January 12, 2015]

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

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

### **Hazing and Bullying - Regulation (JFCF)** (Harassment, Intimidation and Dating Violence)

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

Throughout this policy the term bullying is used in place of harassment, intimidation and bullying.

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

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

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

Prohibited activities of any type, including those activities engaged in via computer and/or electronic communication devices or electronic means, are inconsistent with the educational process and are prohibited at all times. The District educates minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

No administrator, teacher or other employee of the District shall encourage, permit, condone or tolerate any hazing and/or bullying activities. No students, including leaders of student organizations, are permitted to plan, encourage or engage in hazing and/or bullying.

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

The Superintendent/designee must provide the Board President with a semiannual written summary of all reported incidents and post the summary on the District's website, to the extent permitted by law.

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

District employees, students and volunteers have qualified civil immunity for damages arising from reporting an incident of hazing and/or bullying. Administrators, teachers, other employees and students who fail to abide by this policy may be subject to disciplinary action and may be liable for civil and criminal penalties in compliance with State and Federal law.

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

LEGAL REF.: Children's Internet Protection Act; 47 USC 254 (h)(5)(b)(iii);  
(P.L. 106-554, HR 4577, 2000, 114 Stat 2763)  
ORC 117.53  
2307.44  
2903.31

3301.22  
3313.666; 3313.667  
3319.073; 3319.321

CROSS REFS.: AC, Nondiscrimination  
ACA, Nondiscrimination on the Basis of Sex  
ACAA, Sexual Harassment  
EDE, Internet Safety  
!GAE, Health Education  
JFC, Student Conduct  
JFCEA, Gangs  
JFCK, Personal Communication Devices and Emergency Contact of Students  
JG, Student Discipline  
JHG, Child Abuse or Neglect  
JO, Student Records  
Student Handbooks

## Hazing and Bullying (JFCFR) (Harassment, Intimidation and Dating Violence)

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

### School Personnel Responsibilities and Complaint Procedures

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

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

1. physical violence and/or attacks;
2. threats, taunts and intimidation through words and/or gestures;
3. extortion, damage or stealing of money and/or possessions;
4. exclusion from the peer group or spreading rumors;
5. repetitive and hostile behavior with the intent to harm others through the use of information and communication technologies and other web-based/online sites (also known as cyber bullying"), such as the following:
  - A. posting slurs on web sites, social networking sites, blogs or personal online journals;
  8. sending abusive or threatening e-mails, web site postings or comments and instant messages;
  - C. using camera phones to take embarrassing photographs or videos of students

and/or distributing or posting the photos or videos online; and

D. using websites, social networking sites, blogs or personal online journals, e-mails or instant messages to circulate gossip and rumors to other students; and

6. excluding others from an online group by falsely reporting them for inappropriate language to Internet service providers.

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

#### Teachers and Other School Staff

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

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

#### Reporting Complaints

1. Formal Complaints

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

2. Informal Complaints

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

3. Anonymous Complaints

Students who make informal complaints as set forth above may request that their name be maintained in confidence by the school staff member(s) and administrator(s) who receive the complaint. The anonymous complaint is reviewed and reasonable action is taken to

address the situation, to the extent such action (1) does not disclose the source of the complaint, and (2) is consistent with the due process rights of the student(s) alleged to have committed acts of hazing, bullying, and/or dating violence.

#### 4. False Complaints

Students are prohibited from deliberately making false complaints of harassment, intimidation or bullying. Students found responsible for deliberately making false reports of harassment, intimidation or bullying may be subject to a full range of disciplinary consequences.

### Intervention Strategies

#### 1. Teachers and Other School Staff

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

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

#### 2. Administrator Responsibilities

##### A. Investigation

The principal/designee is notified of any formal or informal complaint of suspected harassment, hazing, intimidation or bullying. Under the direction of the building principal/designee, all such complaints are investigated promptly. A written report of the investigation is prepared when the investigation is complete.

The report includes findings of fact, a determination whether the acts of hazing, bullying and or dating violence were verified, and when prohibited acts are verified, a recommendation for intervention, including disciplinary action, is included in the report. Where appropriate, written witness statements are attached to the report.

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

When hazing and/or bullying is based on race, color, national origin, sex, or disability, and the behavior creates a hostile environment, the hazing and bullying investigation is suspended while the applicable nondiscrimination grievance procedures are implemented.

B. Nondisciplinary Interventions

When verified acts of hazing, bullying and/or dating violence are identified early and/or when such verified acts do not reasonably require a disciplinary response, students may be counseled as to the definition of the behavior, its prohibition and their duty to avoid any conduct that could be considered harassing, hazing, intimidating and/or bullying.

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

C. Disciplinary Interventions

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

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

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

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

Report to the Parent or Guardian of the Perpetrator

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

Strategies are developed and implemented to protect students from new or additional harassment, intimidation or bullying, and from retaliation following reporting of incidents.

Report to the Victim and His/Her Custodial Parent or Guardian

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

respect the statutory privacy rights of the perpetrator.

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

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

#### Police and Child Protective Services

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

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

(Approved: June 11, 2013; Reviewed: January 12, 2015; Revised: January 9, 2017)

### **Nondiscrimination on the Basis of Sex / Sexual Harassment (ACA) (ACAA)**

The U.S. Department of Education has published regulations for implementing Title IX of the Education Amendments of 1972, which prohibits sex discrimination in federally assisted education programs.

Title IX states, in part: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

The Board ensures compliance with Title IX of the Education Amendments of 1972 Title IV of the Civil Rights Act of 1964, and the regulations promulgated through the U.S. Department of Education.

All persons associated with the District, including, but not limited to, the Board, administration, staff, students, and third parties are expected to conduct themselves at all times so as to provide an atmosphere free from sex discrimination and sexual harassment. Sex discrimination and sexual harassment, whether verbal or nonverbal, occurring inside or outside of District buildings, on other District-owned property or at school-sponsored social functions/activities, is illegal and unacceptable and will not be tolerated. The District may have an obligation to investigate and/or respond to sexual harassment occurring off school grounds, when the harassment creates a hostile environment within the school setting. Any person who engages in sexual harassment while acting as a member of the school community is in violation of this policy.

The District takes measures to eliminate harassment, prevent its reoccurrence and address its effects, and will implement interim measures as deemed necessary.

Definition of Sexual Harassment: Unwelcome sexual advances, requests for sexual favors or other verbal, non-verbal, or physical conduct of a sexual nature may constitute sexual harassment when:

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment or status in a class, educational program or activity;
2. submission to, or rejection of, such conduct by an individual is used as the basis for employment or education decisions affecting such individual or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance by creating an intimidating, hostile or offensive environment, or by interfering with one's ability to participate in or benefit from a class or educational program or activity.

Sexual violence is a form of sexual harassment and refers to physical sexual acts perpetrated against a person's will, or where a person is incapable of giving consent. Examples of sexual violence include but are not limited to, rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Sexual harassment includes gender-based harassment, which refers to unwelcome conduct based on an individual's actual or perceived sex (including harassment based on gender identity and nonconformity with sex stereotypes), and not necessarily involving conduct of a sexual nature.

Examples of sexual harassment-type conduct may include, but are not limited to, unwanted sexual advances; demands for sexual favors in exchange for favorable treatment or continued employment; grooming; repeated sexual jokes, flirtations, advances or propositions; verbal abuse of a sexual nature; graphic verbal commentary relating to an individual's body, sexual prowess or sexual deficiencies; coerced sexual activities; any unwanted physical contact; sexually suggestive or obscene comments or gestures; or displays in the workplace of sexually suggestive or obscene objects or pictures. Whether any act or comment constitutes sexual harassment-type conduct is often dependent on the individual recipient.

All of these types of harassment are considered forms of sex discrimination prohibited by Title IX.

The Board has developed informal and formal discrimination and harassment complaint procedures. The procedures provide for impartial investigation free from conflicts of interest. The Board also has identified disciplinary measures that may be imposed upon the offender. Nothing in this policy or procedure prevents an individual from pursuing action through State and/or Federal law, contacting law enforcement, or from filing a complaint with the United States Department of Education, Office of Civil Rights, the Ohio Civil Rights Commission or the Equal Employment Opportunity Commission.

The Board designates the following individual to serve as the District's Title IX Coordinator:

Title: Jacquie Younker, Chief People Officer  
Address: 2601 Pole Avenue, Lorain, OH 44052  
Phone: (440) 830-4010  
Email: [jyounker@loraincsd.org](mailto:jyounker@loraincsd.org)

The Title IX Coordinator serves as the grievance officer and coordinates the District's efforts to comply with and carry out responsibilities under Title IX, including any complaint under Title IX. He/She is vested with the authority and responsibility for investigating all sexual harassment complaints in accordance with the procedures set forth in the accompanying regulation and staff and student handbooks.

#### Confidentiality/Retaliation

Sexual harassment matters, including the identity of both the charging party and the accused, are kept confidential to the extent possible, consistent with the Board's legal obligations to investigate. Although discipline may be imposed against the accused upon a finding of guilt, the District prohibits retaliation for an individual's participation in, and/or initiation of a sex discrimination/sexual harassment complaint investigation, including instances where the

complaint is not substantiated. The District takes reasonable steps to prevent retaliation and takes strong responsive action if retaliation occurs.

[Adoption Date: December 9, 1991; Revised March 4, 1996; April 26, 2004; June 27, 2013; January 9, 2017]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.  
Civil Rights Act, Title VII; 42 USC 2000e et seq.  
Education Amendments of 1972, Title IX; 20 USC 181 et seq.  
Executive Order 11246, as amended by Executive Order 11375  
Equal Pay Act; 29 USC 206  
Ohio Const. Art. I, Section 2  
ORC Chapter 4112

CROSS REFS: AC Nondiscrimination  
GBA Equal Opportunity Employment  
GBD, Board-Staff Communications (Also BG)  
GBH, Staff-Student Relations (Also BG)  
IGDJ Interscholastic Athletics  
JB, Equal Educational Opportunities  
JFC, Student Conduct  
JFCF Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
JHG, Reporting Child Abuse  
Staff Handbooks  
Student Handbooks

### **Nondiscrimination on the Basis of Sex/ Sexual Harassment Grievance Procedures**

The Board has created informal and formal discrimination and harassment grievance procedures, providing for a prompt and impartial investigation free of conflicts of interest. All students and District employees are required to fully cooperate when asked to participate in an investigation.

Members of the school community and third parties are encouraged to promptly report incidents of sex discrimination or sexual harassment. Complaints may be filed with any District employee, or directly with the Title IX Coordinator. District employees are required to report these incidents to the Title IX Coordinator upon becoming aware of an incident, and failure to do so may result in disciplinary action.

Complaints of sex discrimination or sexual harassment must be filed within 180 calendar days of the alleged incident, as delays in filing complaints can make it difficult to investigate. Both the informal and formal grievance procedures are completed within 60 days of the date the incident was reported to the Title IX Coordinator, unless extenuating circumstances exist. Periodic updates are made as appropriate during the investigation.

The Title IX Coordinator determines whether or not, by "a preponderance of the evidence," the alleged victim's allegations are true. "A preponderance of the evidence" means that evidence must show the alleged discrimination/sexual harassment was more likely than not to have occurred.

Pending the final outcome of an informal or formal investigation, the District institutes interim measures to protect the alleged victim and informs him/her of available support services. Interim measures may include, but are not limited to: a District-enforced no contact order, schedule changes, academic modifications for the alleged victim, and/or school counseling for the alleged victim. These measures should ensure the alleged victim continues to have equal access to all education programs and activities and the safety of all students is protected.

If any of the named officials are the accused or are the alleged victim, the Board designates an

alternate investigator and retains final decision-making authority.

All matters involving sexual harassment complaints remain confidential to the extent possible.

#### Informal Procedure for Addressing Complaints

An informal grievance procedure can be used when the Title IX Coordinator deems it appropriate and/or when the parties involved (alleged victim and accused) agree that an informal process is appropriate and sufficient. The informal process is not used when the alleged discrimination or harassment may constitute sexual violence or any other criminal act.

The Title IX Coordinator gathers enough information during the informal process to understand and resolve the complaint. The Title IX Coordinator proposes an informal solution based on this fact-gathering process, which may include, but not be limited to: requiring the accused to undergo training on harassment/discrimination, requiring all students and staff to undergo such training, and instituting protective mechanisms for the alleged victim.

Either party has the right to terminate the informal procedure at any time and pursue a remedy under the formal grievance procedure.

#### Formal Procedure for Addressing Complaints

While the formal grievance procedure may serve as the first step toward the resolution of a charge of sex discrimination or sexual harassment, it also is available when the informal procedure fails to resolve the complaint.

Through the formal grievance procedure, the Title IX Coordinator attempts to resolve the complaint in the following way:

1. The Title IX Coordinator promptly confers with the charging party/alleged victim in order to obtain a clear understanding of that party's statement of the alleged facts. The statement is put in writing by the Title IX Coordinator and signed by the charging party/alleged victim as a testament to the statement's accuracy.
2. The Title IX Coordinator meets with the charged party in order to obtain his/her response to the complaint. The response is put in writing by the Title IX Coordinator and signed by the charged party as a testament to the statement's accuracy.
3. The Title IX Coordinator holds as many meetings with the parties and witnesses (if any) as are necessary to gather facts. The dates of meetings and the facts gathered are all put in writing. The investigation is adequate, reliable, impartial and prompt, and allows both parties an equal opportunity to present witnesses and other evidence.
4. At the conclusion of the investigation, the Title IX Coordinator prepares a written report summarizing: the evidence gathered during the investigation and whether the allegations were substantiated; whether any Board policies or student or employee codes of conduct were violated; any recommendations for corrective action. The investigation report indicates if any measures must be instituted to protect the alleged victim. Such measures may include, but are not limited to extending any interim measures taken during the investigation. The report also informs the alleged victim of available support services, which at a minimum includes offering school counseling services if the alleged victim is a student.

## Notice of Outcome

Both the alleged victim and the accused are provided written notice of the outcome of the complaint.

If either party disagrees with the decision of the Title IX Coordinator, he/she may appeal to the Superintendent. After reviewing the record made by the Title IX Coordinator, the Superintendent may attempt to gather further evidence necessary to decide the case and to determine appropriate action to be taken. The decision of the Superintendent is final.

## Disciplinary Action

Any disciplinary action is carried out in accordance with Board policies, student and employee codes of conduct, State and Federal law, and, when applicable, the negotiated agreement. When recommending discipline, the Title IX Coordinator considers the totality of the circumstances involved, including the ages and maturity levels of those involved. The Title IX Coordinator and the Superintendent determine if a recommendation for expulsion for an accused student or discharge of an accused employee should be made. If this recommendation is made and a hearing is required, the hearing shall be held in accordance with Board policy, State law and/or the negotiated agreement. Both parties shall have an equal right to attend the hearing, have a representative and parent (if student) present, present evidence, and question witnesses. (Approval date: June 27, 2013; January 9, 2017)

## **UNSAFE SCHOOLS (JFCL)**

### **(Persistently Dangerous Schools)**

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

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

A "persistently dangerous" school is defined by State law as a school that has two or more violent criminal offenses in or on school grounds, per 100 students, in each of two consecutive school years. In schools with 300 or fewer students enrolled, six or more violent criminal offenses must occur. Likewise, if a school has 1,350 or more students enrolled, 27 or more violent criminal offenses must occur in each of two consecutive school years.

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

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

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

[Adoption date: January 26, 2004; Revised: January 12, 2015]

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

CROSS REFS.: JECBD, Intradistrict Open Enrollment  
JFC, Student Conduct  
JFCJ, Weapons in the Schools  
Student Handbooks

## **INTERNET SAFETY (EDE) (EDEA)**

Technology can greatly enhance the instructional program, as well as the efficiency of the District. The Board recognizes that careful planning is essential to insure successful, equitable and cost-effective implementation of technology-based materials, equipment, systems and networks.

Computers and use of the District network or online services support learning and enhance instruction, as well as assist in administration. For purposes of this policy computers include District-owned desktop computers, laptops, tablets and other mobile computing devices.

All computers are to be used in a responsible, efficient, ethical and legal manner. Failure to adhere to the policy and the guidelines below will result in the revocation of the user's access privilege.

Unacceptable uses of the computer/network include but are not limited to:

- I. violating the conditions of State and Federal law dealing with students' and employees' rights to privacy, including unauthorized disclosure, use and dissemination of personal information;
2. using profanity, obscenity or other language that may be offensive to another user or intended to harass, intimidate or bully other users;
3. accessing personal social networking websites for non-educational purposes;
4. re-posting (forwarding) personal communication without the author's prior consent;
5. copying commercial software and/or other material in violation of copyright law;
6. using the network for financial gain, for commercial activity or for any illegal activity;
7. "hacking" or gaining unauthorized access to other computers or computer systems, or attempting to gain such unauthorized access;
8. accessing and/or viewing inappropriate material and;
9. downloading and/or installation of any software.

The Superintendent or his/her designee shall develop a plan to address the short and long-term technology needs and provide for compatibility of resources among school sites, offices and other operations. As a basis of this plan, he/she shall examine and compare the costs and benefits of various resources and shall identify the blend of technology and level of service necessary to support the instructional program.

Because access to on-line services provides connections to other computer systems located all over the world, users (and parents of users under 18 years old) must understand that neither the school nor the District can control the content of the information available on these systems.

Some of the information available is controversial and sometimes offensive. The Board does not condone the use of such

materials.

Employees, students and parents of students must be aware that the privileges to access on-line services are withdrawn from users who do not respect the rights of others or who do not follow the rules and regulations established. A user's agreement is signed to indicate the user's acknowledgement of the risks and regulations for computer/on-line services use. The District has implemented technology-blocking measures that protect against access by both adults and minors to visual depictions that are obscene, child pornography, or, with the respect to the use of computers by minor, harmful to minors. The District has also purchased monitoring devices that maintain a running log of Internet activity, recording which sites a particular user has visited.

"Harmful to minors" is defined as any picture, image, graphic image file or other visual depiction that:

1. taken as a whole and with respect to minors appeals to a prurient interest in nudity, sex or excretion;
2. depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts or a lewd exhibition of genitals and
3. taken as a whole, lacks serious literary, artistic, political or scientific value as to minors.

The District will educate minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response. The Superintendent/designee will develop a program to educate students on these issues.

Annually, a student who wishes to have computer network and Internet access during the school year must read the acceptable use and Internet safety policy and submit a properly signed agreement form. Students and staff are asked to sign a new agreement each year after reviewing the policies and regulations of the District. These policies and regulations also apply to use of District-owned devices, or accessing the District intranet off District property.

[Adoption date: April 15, 1996; Revised: August 13, 2001; January 31, 2005; June 26, 2012;  
Reviewed: October 22, 2013; Revised: July 21, 2014]

LEGAL REFS.: U.S. Const. Art. 1, Section 8  
Family Educational Rights and Privacy Act; 20 USC 1232g et seq.  
Children's Internet Protection Act; 47USC 254 (h)(5)(b)(iii); (P.L.  
106-554, HR 4577, 2000, 114 Stat 2763)  
ORC 3313.20  
3319.321

CROSS REFS.: AC, Nondiscrimination  
ACA, Nondiscrimination on the Basis of Sex  
ACAA, Sexual Harassment  
GBCB, Staff Conduct  
GBH, Staff-Student Relations (Also JM)  
IB, Academic Freedom  
IIA, Instructional Materials  
IIBH, District Websites  
JFC, Student Conduct  
JFCF, Hazing and Bullying (Harassment, Intimidation and Dating Violence)  
Staff Handbooks  
Student Handbooks

The following guidelines and procedures shall be complied with by staff, students or community members who are specifically authorized to use the District's computers or online services.

1. Use appropriate language. Do not use profanity, obscenity or other language that may be offensive to other users. Illegal activities are strictly forbidden.
2. Do not reveal your personal home address or phone number or those of other students or colleagues.
3. Note that electronic mail (email) is not guaranteed to be private. Technology coordinators have access to all messages relating to or in support of illegal activities and such activities may be reported to the authorities.
4. Use of the computer and/or network is not for financial gain or for any commercial or illegal activity.
5. The network should not be used in such a way that it disrupts the use of the network by others.
6. All communications and information accessible via the network should be assumed to be property of the District.
7. Rules and regulations of online etiquette are subject to change by the administration.
8. The user in whose name an online service account is issued is responsible for its proper use at all times. Users shall keep personal account numbers and passwords private. They shall use this system only under the account numbers issued by the District.
9. The system shall be used only for purposes related to education or administration. Commercial, political and/or personal use of the system is strictly prohibited. The administration reserves the right to monitor any computer activity and online communications for improper use.
10. Users shall not use the system to encourage the use of drugs, alcohol or tobacco nor shall they promote unethical practices or any activity prohibited by law or Board policy.
11. Users shall not view, download or transmit material that is threatening, obscene, disruptive or sexually explicit or that could be construed as harassment, intimidation, bullying or disparagement of others based on their race, color, national origin, ancestry, citizenship status, sex, sexual orientation, age, disability, religion, economic status, military status, political beliefs or any other personal or physical characteristics.
12. Copyrighted material may not be placed on the system without the author's permission.
13. Vandalism results in the cancellation of user privileges. Vandalism includes uploading/downloading any inappropriate material, creating computer viruses and/or any malicious attempt to harm or destroy equipment or materials or the data of any other user.
14. Users shall not read other users' mail or files; they shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to read, delete, copy, modify or forge other users' mail.
15. Users are expected to keep messages brief and use appropriate language.
16. Users shall report any security problem or misuse of the network to the teacher, his/her immediate supervisor or building administrator.

(Approval date: July 21, 2014)

The following activities are, in general, prohibited. Under no circumstances is a student or employee of the District authorized to engage in any activity that is illegal under local, state, Federal or international law while utilizing District owned resources. The lists below are by no means exhaustive, but attempt to provide a framework for activities which fall into the category of unacceptable use.

1. Any form of harassment or "cyber bullying" via email, telephone or paging, whether through language, frequency or size of messages.
2. Unauthorized use, or forging, of email header information.
3. Solicitation of email for any other email address, other than that of the poster's account, with the intent to harass or to collect replies.
4. Creating or forwarding "chain letters," "Ponzi" or other "pyramid" schemes of any type.

Violations of this Policy will lead to progressive disciplinary steps consisting of written reprimands, suspension of day(s) without pay and termination. Discipline will be implemented by the Superintendent or his/her designee. Discipline may be instituted out of the above sequence depending upon the severity of the offense.

[Adoption date: April 9, 2008; Reviewed: October 22, 2013]

CROSS REFS.: EDE, Internet Safety  
IB, Academic Freedom  
JFC, Student Conduct

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## LEGAL REFERENCES

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### Ohio Revised Code (ORC)

Child Abuse Reporting Suspension, Expulsion Emergency Removal Permanent Exclusion	2151.421
Community Service	3313.66 (A) (B) T28.02, T28.04 (B) T28.08
Motor Vehicles and Licensing	3313.66; 3321.12; 4507.061
Controlled Substances	2925.03 (Trafficking)
Tobacco	3313.751 (C); 2151.87
Compulsory Attendance Ages	3321.191
Assignment of Students to Schools	3319.01
Student Absence	
Excuses and Truancy	3321.12 & 4507.061
Habitual and Chronic Truancy	3321.191
Student Due Process Rights	3313.66; 3313.661
Student Conduct (Zero Tolerance)	3313.20; 3313.534; 3313.661; 3313.662; 3301-35-03
Hazing/Anti-Hazing	2307.44
Dangerous Weapons in the Schools	3313.66, 3313.661; 20 USC 2701 et. Seq. Title IX 9001-9005; 18USC 921
Marital/Parental Policy	3321.01-3321.04; Federal Register, Title IX: 34 CFR 106 29.04
Search and Seizure	9.70, 2141.411; 3313.66; 3313.661; 3313.20
Student Discipline	3313.20; 3313.66; 3313.661; 3319.41
Student Records	P.L. 93-380; 20SC1232g

Lorain Board of Education, Lorain City School District, Lorain, OH





**Student Complaint Form for Reporting  
BULLYING, SEXUAL HARRASSMENT, DATING VIOLENCE  
and SEXUAL VIOLENCE**

Date \_\_\_\_\_ Time \_\_\_\_\_

Name \_\_\_\_\_ Student ID \_\_\_\_\_

Grade \_\_\_\_\_ School \_\_\_\_\_

Please answer the following questions about the most serious incident.

List the name(s) of the alleged perpetrator(s) of bullying, sexual harassment, dating violence or sexual violence:  
*Please print*

\_\_\_\_\_

Describe the incident \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (use additional paper if needed and attach to form.)

When did it happen? \_\_\_\_\_ (date/time)

Where did it happen? \_\_\_\_\_

Were there any witness? yes no If yes, who? \_\_\_\_\_

Is this the first incident? yes no If no, how many times has it happened before? \_\_\_\_\_

Other information, including previous incidents or threats: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Student or parent declines to complete this form:** Initial \_\_\_\_\_ Date \_\_\_\_\_

*I certify that all statements made in this complaint are true and complete. Any intentional misstatement of fact will subject me to appropriate discipline. I authorize school officials to disclose the information I provide only as necessary in pursuing an investigation.*

**SIGNATURES:**

Student \_\_\_\_\_ Date \_\_\_\_\_

School official receiving complaint \_\_\_\_\_ Date \_\_\_\_\_

School official conducting follow up \_\_\_\_\_ Date \_\_\_\_\_

These documents should remain confidential and a copy sent to office of Student Management.



## SEXUAL HARASSMENT COMPLAINT/REPORTING FORM

Name of person(s) you believe has harassed or was violent toward you:

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Category Description	(✓)	"What was said," or describe event
Made remarks with sexual connotations:		
Made derogatory comments:		
Told sexual jokes/stories:		
Made sexual slurs:		
Touched you in an unwelcome manner:		
Interfered with your physical movement:		

Names of witnesses, if any, to the alleged incident(s):

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Describe the incident(s) as clearly as possible, including such things as: what force (if any) were used, any verbal statements, what (if any) physical contact was involved. (Attach any additional pages, if necessary).

Where and when did the incident(s) occur?

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Name of person(s) you believe was harassed or was violent toward another person:

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Names of witnesses, if any, to the alleged incident(s):

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Describe the incident(s).

Where and when did the incident(s) occur?

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Complainant Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Home Telephone: \_\_\_\_\_

Remedy Sought: \_\_\_\_\_

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Completed Sexual Harassment Complaint/Reporting Form should be returned to the Office of Human Resources for allegations of sexual harassment committed by an employee, or to the Office of Teaching and Learning for allegation of sexual harassment committed by a student.

Parent/Guardian or Eligible Student: If you choose to complete this form, please return to your high school office.



## Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

**Parent (or eligible student) if you do not want your child's (your) directory information shared please complete the following and return it to the school your child attends (you attend) by October 13, 2011.**

---

Name of Student: \_\_\_\_\_ Date: \_\_\_\_\_

School: \_\_\_\_\_

I choose not to have my child's (my) directory information shared.

Parent (or Eligible Student) Signature: \_\_\_\_\_

Parent/Guardian or Eligible Student: If you choose to complete this form, please return to your high school office.
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**RELEASE OF STUDENT INFORMATION TO MILITARY RECRUITING AGENCIES**

Under federal and state law, school districts are required to distribute lists of student names, addresses and telephone numbers to United States Armed Forces Recruiting Agencies.

However, the *Family Educational Rights and Privacy Act* and the *No Child Left Behind Act* mandate that parents and eligible students be offered an option to withhold the release of this information. If you wish to withhold the release of your child's (your) name, address and telephone number, you must complete the form below and return it to the school.

**If this form is not returned to your child's (your) school, information such as name, address, and telephone number, will be released to United States Armed Forces Recruiting Agencies.**

----- Tear-off -----

**REQUEST TO WITHHOLD INFORMATION FROM MILITARY RECRUITING AGENCIES**

DATE: \_\_\_\_\_ SCHOOL NAME: \_\_\_\_\_

STUDENT NAME: \_\_\_\_\_  
*(please print)*

Social Security #: \_\_\_\_\_ PHONE #: \_\_\_\_\_

*I, the undersigned, recognize, that by signing this form, I am asking Lorain City Schools to **not** release the name, address, phone number, and other similar information, of the student listed above to any and all United States Armed Forces Recruiting Agencies.*

Signature: \_\_\_\_\_  
*(parent/guardian or eligible student)*

*Returned forms are to be kept on file in the high school office.*

Parent/Guardian or Eligible Student: If you choose to complete this form, please return to your high school office.



## MEDIA RELEASE FORM

Dear Parents:

Lorain City Schools may develop, participate in, or be the subject of media-based presentations, publications or events which highlight various educational, instructional, and promotional activities that take place during the course of the school year. The release at the bottom should be completed and returned if you **DO NOT** want your child's image, likenesses, voice or academic work utilized for publications, media-based presentations, and promotion of the District.

**Examples might include:**

- Videotapes (student or teacher generated video footage)
- Community presentations by Lorain City Schools staff members
- Live production such as video conferencing
- Web pages and WLCS TV Channel 20
- News broadcasts or news stories of various media
- Publications (newsletters, brochures, post cards, etc.)
- Publicity and advertising

**NOTE: This release does not apply to public performances.**

**TO PARENTS:**

If you **DO NOT** wish Lorain City Schools to use your child's image, likenesses, voice or academic work for any publications, media-based presentations, or promotion of the District, please fill out and sign the section below and return it to your child's school classroom. If you have additional questions regarding this form, please contact the Charleston Administrative building at 440.233.2271.

\_\_\_\_\_  
Child's Name (please print)

\_\_\_\_\_  
School, Grade and Homeroom

\_\_\_\_\_  
Parent or Guardian name (please print)

\_\_\_\_\_  
Home Phone

\_\_\_\_\_  
Parent or Guardian Signature

\_\_\_\_\_  
Date

**TO TEACHERS:**

Returned forms are to be **kept on file in the classroom**. Teachers should refer to their filed release form denials when communications staff member(s) and media personnel are present or at other times when student images, likenesses, voices, or academic work would be publicly promoted. The teacher should notify those individuals of any students who cannot be utilized. **A list of students who return the form should be forwarded to your building secretary.**

Parents: If you choose to complete this form, please return to your classroom teacher.





Division for Teaching and Learning

LORAIN CITY SCHOOLS  
Charleston Administration Center  
2350 Pole Avenue, Lorain, OH 44052  
440.233.2314 fax 440.233.2341

## Parent Consent to Share Information and Access Public Benefits Lorain City Schools

Ohio School Districts have the opportunity to receive Federal Medicaid dollars through a program called the Ohio Medicaid School Program (OMSP). *Through this important program, all Ohio school districts can receive critically necessary Medicaid dollars to help support the special education type services provided to its students, such as Speech/language, Audiology, Physical Therapy, Occupational Therapy, Nursing, Psychology, Counseling and Social Work.*

In the process of billing Medicaid for these services, a limited amount of billing information must be shared with the Ohio Department of Medicaid. To do so, we must obtain a one-time/life signed Parental Consent to share the following **NON-MEDICAL** information:

- Your child's name, Medicaid recipient number, and birth date
- Service code (numerical code that identifies the service(s) provided)
- Service time spent with your child (number of minutes)

Your consent is voluntary. You have the right under Federal Medicaid Regulations (34 CFR Part 99 and Part 300) to withdraw your consent at any time. *You are not ever required to enroll in Medicaid for your child to receive special education services in this or any other Ohio Public School District.* No matter whether you grant, refuse or revoke consent, ***your child will be provided with an evaluation and/or the services listed in their IEP, AT NO COST to your family.*** The School District's Medicaid billing process **will not require** you to incur any out-of-pocket expenses such as deductible or co-pay, decrease lifetime coverage, increase premiums or lead to the discontinuation of benefits, or result in you paying for services that would otherwise be covered by Medicaid.

Student Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

I understand and agree to give permission to share my child's IEP records in order to access Medicaid.

I do not give my permission to share my child's IEP records in order for the School District to receive Medicaid funding.

Parent/Guardian Printed Name: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

Date: \_\_\_\_\_



LORAIN CITY SCHOOLS

STUDENT CODE OF CONDUCT HANDBOOK



Parent Form

The Lorain City Schools Student Code of Conduct Handbook contains the basic rights and responsibilities and important facts and information regarding District policies.

My child, \_\_\_\_\_ and I have read and discussed the policies, rights, responsibilities and procedures contained in the Lorain City Schools Student Code of Conduct Handbook.

I will complete and return the enclosed forms listed below (which are included in the Code of Conduct), to my child's school, only if I do not want my child to engage in the following:

- Media Release if Information – (Pg. 59)
- Family Educational Right and Privacy Act (FERPA) – (Pg. 55)
- Request to withhold information from military recruiting agencies –(pg. 57)
- Parent Consent to Share Information and Access Public Benefits – (pg. 61)

**Return this signed and dated form to your classroom/homeroom teacher upon completion of your reading and discussion.**

PARENT/GUARDIAN \_\_\_\_\_ DATE \_\_\_\_\_

STUDENT \_\_\_\_\_ DATE \_\_\_\_\_

TEACHER \_\_\_\_\_ DATE \_\_\_\_\_

COMMENTS

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Please call your building principal if you have any questions.



**LORAIN CITY SCHOOLS**  
**STUDENT CODE OF CONDUCT HANDBOOK**

**Student Form**

The Lorain City Schools Student Code of Conduct Handbook contains the basic rights and responsibilities and important facts and information regarding District policies.

I have read and discussed the policies, rights, responsibilities and procedures contained in the Lorain City Schools Student Code of Conduct Handbook.

Once you have completed the form please return to your classroom teacher or designated location.

STUDENT \_\_\_\_\_ DATE \_\_\_\_\_

GRADE \_\_\_\_\_ SCHOOL \_\_\_\_\_

COMMENTS

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Please call your building principal if you have any questions.

## Excessive Absenteeism House Bill 410 Requirements

Districts and community schools must have local policies that outline their interventions and plans for students who miss too much school. They may amend current policies or create a policy to satisfy HB 410.

It is important for every student in Ohio to attend school every day. Missing too much school has long-term, negative effects on students, such as lower achievement and graduation rates. There are many reasons students miss school, but districts often can directly impact their students' attendance. By using data to identify and support students who may need extra support and services, districts can target supports to get students to school every day.

In December 2016, the Ohio General Assembly passed [House Bill 410](#) to encourage and support a preventative approach to excessive absences and truancy. Beginning with the 2017-2018 school year, several changes take effect. Schools cannot suspend or expel students for missing too much school. Districts will amend or adopt policies that outline their interventions and plans for students who miss too much school.

Regular school attendance is an important ingredient in students' academic success. Excessive absences interfere with students' progress in mastering knowledge and skills necessary to graduate from high school prepared for higher education and the workforce. To support academic success for all students, the district will partner with students and their families to identify and reduce barriers to regular school attendance. The district will utilize a continuum of strategies to reduce student absence including, but not limited to:

- Notification of student absence to the parent or guardian;
- Development and implementation of an absence intervention plan, which may include supportive services for students and families;
- Counseling;
- Parent education and parenting programs;
- Mediation;
- Intervention programs available through juvenile authorities; and
- Referral for truancy, if applicable.

Updated district policies and procedures should reflect the following changes.

### DEFINITION OF TRUANCY AND EXCESSIVE ABSENCES

1. 'Chronic truant' is removed from the law;
2. Definition of 'habitual truant' changed from days to hours. The new definition is:
  - a. Absent 30 or more consecutive hours without a legitimate excuse;
  - b. Absent 42 or more hours in one school month without a legitimate excuse;
  - c. Absent 72 or more hours in one school year without a legitimate excuse.
3. Includes 'excessive absences':
  - a. Absent 38 or more hours in one school month with or without a legitimate excuse;
  - b. Absent 65 or more hours in one school year with or without a legitimate excuse.

### TRUANCY IS DECRIMINALIZED WITH SEVERAL CHANGES

1. A district must remove 'excessive truancy,' from its zero tolerance policy for violent, disruptive or inappropriate behavior;
2. Students cannot be expelled or suspended (out of school) for being truant (beginning July 1, 2017);
3. A district must take several steps to engage the student and his or her family before filing a complaint

with juvenile court (including parental notification, an absence intervention team and an absence intervention plan detailed below) A complaint cannot be filed until the 61<sup>st</sup> day after failed implementation of an absence intervention plan; or

- a. Unless a child has been absent without a legitimate excuse for 30 or more consecutive hours or 42 or more hours in a school month during the implementation of an absence intervention plan. Juvenile court should consider alternatives to adjudication and adjudication should be used as a last resort.

## **STUDENT DISCIPLINE CHANGES**

1. Schools may permit students to make up missed work due to out-of-school suspensions per district policy;
2. Schools cannot apply any remaining part or all of a suspension to the following school year, but the superintendent may require a student to participate in community service or an alternative consequence for the number of hours equal to the time left on the suspension.

## **EMIS REPORTING CHANGES**

1. When a district notifies a parent that a student has excessive absences;
2. When a child has been absent without a legitimate excuse for 30 or more consecutive hours, 42 or more hours in one school month, or 72 or more hours in one school year;
3. When a child, who has been adjudicated an unruly child for being a habitual truant, violates the court order regarding that adjudication;
4. When an absence intervention plan has been implemented for a child.

## **DISTRICT RESPONSIBILITIES WHEN A CHILD HAS EXCESSIVE ABSENCES**

When a student is excessively absent from school, the following will occur:

1. The district will notify the student's parents in writing within seven days of the triggering absence;
2. The student will follow the district's plan for absence intervention; and
3. The student and family may be referred to community resources.

## **DISTRICT RESPONSIBILITIES WHEN A CHILD IS HABITUALLY TRUANT**

When a student is habitually truant, the following will occur:

1. Within seven days of the triggering absence, the district will do the following:
  - a. Select members of the absence intervention team;
  - b. Make three meaningful attempts to secure the participation of the student's parent or guardian on the absence intervention team.
2. Within 10 days of the triggering absence, the student will be assigned to the selected absence intervention team;
3. Within 14 days after the assignment of the team, the district will develop the student's absence intervention plan;
4. If the student does not make progress on the plan within 61 days or continues to be excessively absent, the district will file a complaint in the juvenile court.

### **Districts must establish an absence intervention team to be deployed when a student is deemed habitually truant**

The purpose of the absence intervention team is to establish a student-centered absence intervention plan for every child who is habitually truant by identifying specific barriers and solutions to attendance. The team is cross-sector and ideally includes the participation of the student and the parent. This requirement is new and is aimed at breaking down barriers to attendance without filing criminal complaints against the student in juvenile court.

1. Districts with a chronic absenteeism rate of 5 percent or greater must establish absence intervention teams for students who are habitually truant beginning with the 2017-2018 school year;

2. Schools are permitted to have their own absence intervention teams, but the district is responsible for developing a team if the school does not have one;
3. Membership of each team should vary based on the needs of each individual student, but each team **MUST** include:
  - a. A representative from the individual's school or district;
  - b. Another representative from the school or district who has a relationship with the child;
  - c. The child's parent (or parent's designee) or the child's guardian, custodian, guardian ad litem or temporary custodian.
4. The district or school may consult or partner with public and nonprofit agencies to provide assistance, as appropriate, to students and their families to reduce absences.

Please send your questions and comments to [school\\_improvement@education.ohio.gov](mailto:school_improvement@education.ohio.gov) to assist with the Department's development of guidance and training materials.









# Lorain City Schools 2019-20 Calendario

Agosto 2019				
Mon.	Tues.	Wed.	Thur.	Fri.
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

Septiembre 2019				
Mon.	Tues.	Wed.	Thur.	Fri.
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30				

## Agosto

- 1 Retorno del personal de 10 meses
- 12 Maestras regresan/ Desarrollo Profesional
- 21 **Estudiantes regresan**

## Septiembre

- 2 **No hay clases - Dia Laboral**

Octubre 2019				
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30	31	

Noviembre 2019				
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

## Octubre

- 8 No hay Clases Dia de Colaboracion Profesional
- 11 **No hay clases- NEOEA**
- 18 Fin del 1er Periodo de Calificaciones

## Noviembre

- 5 **No hay clase Dia de Colaboracion Profesional**
- 20 **No hay clases - Conferencias de Padre/Maestro**
- 27-29 **No hay clases - Accion de Gracia**

Diciembre 2019				
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

Enero 2020				
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

## Diciembre

- 20 Fin de 2ndo Periodo de Calificaciones
- 23-31 **No hay clases- Vacaciones de Invierno**

## Enero

- 1 **No hay clases- vacaciones de invierno**
- 2 **No hay clases- Conferencias de Padre/Maestro**
- 3 **No hay clases - Dia de Colaboracion Profesional**
- 6 **No hay clases - Dia de Colaboracion Profesiona/Dia de Record**
- 20 **No hay clases - Dia de MLK Jr.**

Febrero 2020				
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28

Marzo 2020				
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

## Febrero

- 11 **No hay clases Dia de Colaboracion Profesional**
- 17 **No hay clases- Dia del Presidente**

## Marzo

- 10 **No hay Clases- Dia de Colaboracion Profesional**
- 13 Fin de 3er Periodo de Calificaciones
- 30-31 **No hay clases- Vacaciones de Primavera**

Abril 2020				
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	

Mayo 2020				
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

## Abril

- 1-3 **No hay clase - Vacaciones de Primavera**
- 10 **No hay clase- Viernes Santo**

## Mayo

- 20 **Ultimo dia para Estudiantes**
- 20 Fin de 4to periodo de Calificaciones
- 21 **Ultimo dia para Maestros**
- 25 **Memorial Day**

Junio 2020				
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30			

Julio 2020				
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

## Junio

- 4 **Ultimo Dia para el personal de 10 Meses**

**Dia de Colaboracion Profesional**

### Dias de recuperar

Marzo 30,31  
Abril 1,2,3

Dia de graduacion provisional: 19 de Mayo de 2020

# Core Values

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## **Scholars First-**

Everything we do is focused on ensuring that scholars reach their full potential. We will honor the voices of our scholars and their families, and support each other as champions of Lorain's scholars, knowing that we all have their best interest at heart.

## **One For All-**

Our differences as individuals strengthen our schools. We will focus on equity, work pro-actively to eliminate bias in our systems and procedures, and invest in effective strategies to ensure equal opportunity for all scholars and families.

## **Experience Joy-**

Our schools will be places where all scholars and staff can pursue a love of learning with enthusiasm and optimism. We will lift each other up and celebrate our successes.

## **Expect Excellence-**

We will hold high expectations for every scholar and staff member-and hold each other accountable to ensure that every scholar succeeds.

## **Collaborate With Integrity-**

We promise to be transparent, knowing that we can only get better if we work together and are honest with each other. We will hold ourselves to the highest standards of personal behavior including trust, honesty, fairness and integrity.

## **Take Pride-**

We value, honor and respect one another, our schools and our community. We will work together to build schools where all adults look forward to coming to work and scholars are eager to learn.