

8660 - INCIDENTAL TRANSPORTATION OF STUDENTS BY PRIVATE VEHICLE

The Board of Education authorizes the incidental transportation by private vehicle of students of the District. ~~This includes occasional transportation for field trips, outings, and the like.~~ Routine and non-routine transportation, however, shall be subject to all requirements listed in A.C. AC 3301-83-19, Board Policy 8600 - Transportation, Board Policy 8640 - Transportation for Non-Routine Trips, Board Policy 8650 - Transportation by Vehicles Other Than School Buses, and relevant administrative guidelines.

This policy does not apply to parents who privately arrange transportation for their own children. No District staff shall organize such arrangements or assist parents in doing so.

Any such incidental transportation must be approved, approved in advance and in writing, writing by the principal, in accordance with the Superintendent's administrative guidelines.

The parent of the participating student will be given, upon request, the name of the driver, the owner of the vehicle, and the description of the vehicle. The District will maintain on file the amount of liability insurance on the vehicle and the name of the insurance company.

No person shall be approved for the incidental transportation of students in a private vehicle who is not ~~()~~ an employee of this Board; ~~()~~ an approved volunteer; ~~()~~ the parent of a student enrolled in this District; ~~[END OF OPTIONS]~~ and the holder of a currently-valid license to operate a motor vehicle in the State of Ohio.

No person shall be permitted to transport students if s/he the persons/he does not possess and maintain automobile liability and personal injury insurance in the amount required by District administrative guidelines. The Superintendent ~~[CHOOSE AN OPTION]: () may () shall~~ ~~END OF OPTIONS~~ withdraw the authorization of any private vehicle driver who fails to maintain the required amount of automobile liability insurance. ~~() shall withdraw the authorization of any private vehicle driver who fails to maintain the required amount of automobile liability insurance.~~

Any private vehicle used for the incidental transportation of students must be owned by the approved driver or the spouse of the approved driver and must conform to the registration requirements of the State.

The responsibility of professional staff members for the discipline and control of students will extend to their incidental transportation of students in a private vehicle. Drivers who are not professional staff members are requested to report student misconduct to the principal.

~~()~~ Expenses incurred by drivers of private vehicles in the course of transporting students will be reimbursed by the Board at the approved mileage rate and upon presentation of evidence of costs for tolls and parking fees.

~~{Cross-References~~

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~~pe8640~~

~~pe8650~~

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8650 - TRANSPORTATION BY VEHICLES OTHER THAN SCHOOL BUSES~~SCHOOL VAN~~

~~It is the policy of the~~ Board of Education ~~shall to~~ provide transportation to students via Board owned and operated school ~~vehicles other than school buses (hereinafter, "school vehicles")~~ ~~vans~~ when the use of school buses is not reasonable. School ~~vehicles~~ ~~vans~~ shall only be used for the transportation of nine (9) or fewer passengers, not including the driver, in accordance with the original design and construction of the vehicle. Students shall not be transported in larger passenger ~~vehicles~~ ~~vans~~ (e.g., non-conforming extended van-type vehicles) carrying ten (10) passengers or more (particularly twelve (12) to fifteen (15) passenger vans).

Similar to school buses, school ~~vehicles~~ ~~vans~~ shall be purchased, housed, and maintained by the Board for the transportation of resident students between their home areas and the schools of the District to which the students are assigned or to their nonpublic or community schools. However, such use shall generally be limited to preschool children, special needs children, children inaccessible to school buses, ~~and~~ students placed in alternative schools, and children enrolled in nonpublic or community schools in certain circumstances. School ~~vehicles~~ ~~vans~~ may also be used to transport students to and from field trips and/or other Board-approved school-related activities.

The Board authorizes the use of a ~~vehicle~~ ~~van~~ designed to carry nine (9) passengers or less plus a driver instead of a school bus to transport students to a chartered nonpublic or community school if all of the following apply:

- A. the number of students in the vehicle does not exceed nine (9);
- B. the District regularly transports students to a chartered nonpublic or community school;
- C. the driver has a valid driver's license, is accustomed to driving the vehicle, and meets statutory and administrative requirements for a ~~bus or~~ motor van driver (with the exception of having a commercial driver's license);
- D. the driver may not stop on the roadway to load or unload passengers;

E. the driver and all passengers are expected to comply with State laws regarding child and occupant restraint devices and safety while in the motor vehicle.

Individuals who meet statutory requirements to drive a school bus are qualified to drive school vehicles. Vehicles shall will be inspected not less than two (2) times each year by a qualified mechanic who will determine whether the vehicle is safe to transport students.

Students who are transported by school vehicle are expected to conduct themselves in the same manner required of students transported by school bus and shall be subject to all applicable disciplinary rules.

All school vehicle drivers employed by the Board shall complete the required Ohio School Van Driver training program prior to transporting students, meet all other qualification requirements, and comply with the Ohio Pupil Transportation and Safety Rules and applicable Board policies and guidelines relative to student transportation. No individual shall be employed as a school vehicle driver if the individual has not received a certificate certifying that the driver is at least twenty-one (21) years of age with a minimum of two (2) years of driving experience, and is qualified physically and otherwise (O.A.C. 3301-83-06(F)) for the position. Only authorized Board employees or contractors employed by an agency that provides services to the Board may operate and transport students via school vehicle. Vehicle drivers do not need a commercial driver's license.

The Superintendent is responsible for developing and implementing the appropriate administrative guidelines for this policy.

A.C. 3301-83-19, 3301-83-06(F)

R.C. 3327.01, 3327.10, 4511.01, 4511.76

[Cross References]

po8600

po8600.04

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8640 - TRANSPORTATION FOR NON-ROUTINE FIELD AND OTHER DISTRICT SPONSORED TRIPS

It shall be the policy of the Board of Education to use school buses and/or vehicles other than school buses (e.g., vans) regular or special purpose school vehicles for transportation of passengers for purposes

other than regularly scheduled routes to and from school (e.g., on field trips and other District-sponsored trips) trips.

The transportation for all field trips and other District-sponsored trips is to be by vehicles owned or approved by the District and driven by approved drivers. Exceptions must have the approval of the Superintendent.

~~[-]~~ The Board shall assume transportation costs for ~~(-)~~ all field trips ~~(-)~~ a certain number of approved field trips as specified in the Superintendent's administrative guidelines ~~[-END OF OPTIONS-]~~.

~~[-]~~ The Board shall will also assume the transportation costs for all other trips including co-curricular, athletic, and other extra-curricular trips.

~~[-]~~ The Board shall will assume the vehicle cost for all other trips including co-curricular, athletic, and other extra-curricular trips, but the cost of the driver shall be paid ~~(-)~~ by the sponsoring organization ~~(-)~~ from the designated fund ~~[-END OF OPTIONS-]~~.

~~[-]~~ The Board shall will provide the vehicles for all other trips including co-curricular, athletic, and other extra-curricular trips, but a mileage charge and personnel charge shall will be assessed to cover the cost of the driver and fuel. This charge is to be paid ~~(-)~~ by the sponsoring organization ~~(-)~~ from a designated fund ~~[-END OF OPTIONS-]~~.

~~[-]~~ Transportation may be limited by the availability of vehicles, drivers, and scheduling and will not be available when needed for general school purposes.

~~[-]~~ All field trips shall be supervised by members of the staff. All other District-sponsored trips shall be supervised by either staff members or adults from the sponsoring organization. Any time students are on the vehicle, at least one (1) sponsor, chaperone, or staff member is expected to ride in the vehicle as well as to supervise students upon return to the District and while they are waiting for rides home.

~~[-]~~ All students are expected to ride the approved vehicle to and from each activity. A special request must be made to the staff member or sponsor by the parent, in writing or in person, to allow an exception.

~~[-]~~ District students not affiliated with the trip activity, nondistrict students, and/or children of preschool age shall not be permitted to ride on the trip vehicle. ~~(-)~~ without prior approval of the principal. ~~[-END OF OPTION-]~~

~~[-]~~ No student is allowed to drive on any trip. An exception may be made by the principal on an individual basis provided the student's parent(s) provides written authorization and release from liability using Form 5515 F2 - Parental Authorization and Release From Liability Form. ~~(-)~~ and does not transport any other student. ~~(-)~~ and does not transport any other student without the parent(s) of the student to be transported in such vehicle providing written authorization and release from liability using Form 5515 F2 - Parental

Authorization and Release From Liability Form. In addition, the parent(s) of the approved student driver must provide written authorization for the student to transport others and release from liability using Form 5515 F2 - Parental Authorization and Release From Liability Form. ~~END OF OPTIONS~~

The Superintendent shall prepare administrative guidelines consistent with this policy.

~~Cross References~~

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8600.04 - BUS DRIVER CERTIFICATION

It is the policy of the Board of Education that all bus drivers obtain and hold proper certification under standards for school bus drivers established within the Ohio Revised Code. It is also the purpose of this Board to protect its students from drivers whose certification is invalidated by the Ohio Point Law or point standards of this District.

A copy of each new school bus driver's complete driving record must be obtained from the Ohio Department of Education and Workforce ("DEW") prior to allowing the school bus driver to operate a school bus or school vehicle for the first time. In accordance with State transportation regulations, the Superintendent shall request the administrator in charge of transportation to conduct at least a semi-annual review of each school bus driver's (i.e., current bus drivers and those newly hired bus drivers who remain employed with the Board) driving record through the DEW Ohio Department of Education to determine that such drivers have:

- A. no more than six (6) points within the last twenty-four (24) month period;
- B. not been convicted of driving while under the influence of alcohol and/or a controlled substance during the past ten (10) years (i.e., not been convicted of a violation of R.C. 4511.19) or a substantially equivalent municipal offense;
- C. not received two (2) (or more) of the following serious traffic violations as defined in R.C. 4506.01 (II) during the last twenty-four (24) month period:
 1. a single charge of any speed in excess of the posted speed limit by fifteen (15) miles per hour or more;
 2. violation of R.C. 4511.20 (i.e., operation in willful or wanton disregard of the safety of persons or property) or R.C. 4511.201 (i.e., operation off street or highway in willful or wanton disregard of the safety of persons or property) or any similar ordinance or resolution, or of any similar law of another state or political subdivision of another state;

3. violation of a law of this State or an ordinance or resolution relating to traffic control, other than a parking violation, or of any similar law of another state or political subdivision of another state, that results in a fatal accident;
 4. violation of R.C. 4506.03 (i.e., commercial driver's license or temporary instruction requirements) or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license with the proper class or endorsement for the specific vehicle group being operated for the passengers or type of cargo being transported;
 5. violation of R.C. 4506.03 (i.e., commercial driver's license or temporary instruction requirements) or a substantially similar municipal ordinance or county or township resolution, or of any similar law of another state or political subdivision of another state, that involves the operation of a commercial motor vehicle without a valid commercial driver's license being in the person's possession;
 6. violation of R.C. 4511.33 (i.e., driving in marked lanes) or R.C. 4511.34 (i.e., space between moving vehicles) or any municipal ordinance or county or township resolution substantially similar to either of those sections, or any substantially similar law of another state or political subdivision of another state;
 7. violation while operating a commercial motor vehicle of a law of the state, any municipal ordinance, any county or township resolution, or any substantially similar law of another state or political subdivision of another state, which prohibits texting while driving or using a handheld mobile device (except when a person is texting or using a mobile device to contact law enforcement or other emergency services);
 8. violation of any other law of this State or ordinance or resolution relating to traffic control, other than a parking violation, that is determined to be a serious traffic violation by the United States Secretary of Transportation and the Director designates such by rule; and
- D. no railroad crossing violations during the last twelve (12) months (as evidenced by a conviction, video, or report by a railroad official);
- E. ~~()~~ not received any violations that render the bus driver uninsurable by the District's Fleet Insurance Carrier;
- F. ~~()~~ _____ **[other].**

The records obtained from the annual records check will be maintained for a minimum of ten (10) years.

~~DRAFTING NOTE~~Drafting note: It is recommended that a District maintain the annual records check for ten (10) years because a conviction of Operating a Vehicle While Under the Influence has a ten (10)ten year look back period.]

A driver having any of the above-referenced violations will be disqualified from operating a bus. The driver will also be notified that ~~the his/her driver's~~his/her school bus certification will be reviewed by the Superintendent and ~~his/her the driver's~~his/her employment as a school bus driver may be terminated.

A driver involved in a preventable school bus accident, or judged guilty of a minor traffic violation, shall be subject to the disciplinary action established in the Superintendent's administrative guidelines. Further, no driver who is convicted of a traffic violation or has ~~his/her~~ ~~their~~ ~~his/her~~ commercial driver's license (CDL) suspended will be permitted to operate a school bus or school ~~vehicle~~ ~~van~~ until the driver files a written notice of the conviction or suspension. Such written notice must be immediately filed with the Superintendent or administrator in charge of transportation, irrespective of whether the traffic violation occurred while operating a Board-owned vehicle or a private vehicle or during school or non-school hours. Failure to file the required written notice of conviction or suspension will result in the revocation of the driver's certificate and/or disciplinary action, up to and including termination.

If a school bus driver has an interruption in driving a school bus or school ~~vehicle~~ ~~van~~ for a period of one (1) year or longer, ~~his/her~~ ~~the school bus drivers/he~~ will not be permitted to resume operating a school bus or school ~~vehicle~~ ~~van~~ until a copy of the school bus driver's complete driving record has been obtained.

In addition to the required driving record check, the administrator in charge of transportation shall obtain a satisfactory BCII report prior to hiring an individual as a new school bus or school ~~vehicle~~ ~~van~~ driver, along with an FBI background check (i.e., an FBI background check will also be required prior to hiring new employees). An updated, satisfactory criminal background check report shall be obtained for each school bus driver every six (6) years with driver re-certification. Each six (6) year criminal records check request shall be made to the Superintendent of the Bureau of Criminal Identification and ~~Investigation~~ ~~Investigation~~ and include both a BCII and FBI report unless both of the following conditions apply so that only records of the FBI are required:

- A. a BCII report was obtained at the time of hire; and
- B. the employee presents proof that ~~he/she~~ ~~the employee~~ ~~he/she~~ has been a resident of this state for the ~~five (5) year~~ ~~five-year~~ period immediately prior to the date the recertification is requested.

Satisfactory shall be defined by the same standards applied to other public school employees. Such records shall also be maintained for a minimum of six (6) years (see Policy 4121 for criminal history record check requirements). Any driver who has been convicted of or pleaded guilty to any disqualifying offense shall not be hired or shall be released from employment () unless the person meets the rehabilitation standards prescribed for non-licensed school employees.

No bus driver will be permitted to drive a school bus or school ~~vehicle~~ ~~van~~ unless ~~s/he~~ ~~the bus drivers/he~~ meets all other requirements contained in the rules adopted by the ~~DEW~~ ~~Ohio Department of Education~~ prescribing qualifications of drivers of school buses and other student transportation. In addition, no bus driver will be permitted to drive a school bus or school ~~vehicle~~ ~~van~~ unless:

- A. information pertaining to the bus driver has been submitted to the ~~DEW~~ ~~Ohio Department of Education~~, including the name of the Board, name of the bus driver, ~~driver's~~ ~~driver~~ license number, date of birth, date of hire, status of physical evaluation and status of training; and
- B. the most recent criminal records check, including information from the Federal Bureau of Investigation, has been completed and received by the Superintendent.

~~[]~~ The Superintendent

~~[OR]~~

~~[] The Educational Service Center Superintendent (if transportation is contracted through the ESC)~~

shall provide for an annual physical examination conforming to ~~DEW~~ Ohio Department of Education standards to determine the driver's physical fitness for employment.

Drivers of ~~school buses, vans, or other school vehicles, who are~~ school buses or vans employed by entities other than the District ~~and who are~~ not subject to ~~DEW rules, Ohio Department of Education rules~~ must receive the certificate described by R.C. 3327.10(B) from the school administrator to contractor prior to being employed. These drivers also must have an annual physical conforming to State Highway Patrol rules performed in accordance with R.C. 3327.10(B). Any bus driver not employed by ~~the School District a school district,~~ who drives a bus or ~~vehicle van~~ owned by the ~~District District,~~ must give satisfactory and sufficient bond.

~~[Cross-References~~

~~po8600~~

~~po8640~~

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8600 - TRANSPORTATION

~~The~~It is the policy of the Board of Education ~~will to~~ provide transportation for those students whose distance from their school makes this service necessary within the limitations established by State law. Such laws and rules shall govern any question not covered by this policy.

School buses ~~(-)~~ and vehicles other than school buses ~~[END OF OPTION]~~ shall be purchased, housed, and maintained by the Board for the transportation of resident students between their home areas and the schools of the District to which they are assigned or to their nonpublic or community schools. The Superintendent may substitute smaller buses for reasons of economy or efficiency of operation.

Children living beyond the following walking limits shall be entitled to bus transportation:

- A. Kindergarten at Noon = _____ mile(s)
- B. Kindergarten in Morning, or afternoon = _____ mile(s)
- C. Grades one (1) through six (6) = _____ mile(s)
- D. Grades seven (7) through eight (8) twelve (12) = _____ mile(s)
- E. Grades nine (9) through twelve (12) = _____ mile(s)
- F. Kindergarten (K) through grade twelve (12) 0.8 miles

Exceptions to the foregoing limits may be made in the case of a **student who is** temporarily or **permanently disabled** ~~permanently disabled child who has been so certified by a physician~~ and in the case of adverse safety conditions. Transportation for students who are not entitled to transportation under State law will not be reduced after the start of the school year.

Transportation of eligible vocational or special education children between their home areas and schools outside the District shall be arranged through the use of Board-owned vehicles, through cooperation with other districts, through commercial carriers, and/or by other means in the most efficient and economical manner. The governing authority of a community school shall provide or arrange for transportation free of charge for any eligible special education student enrolled in the community school for whom the student's individualized education program specifies transportation.

Transportation to and from school shall be provided for each student residing in the District and attending a State-chartered nonpublic school on the same basis as established for resident students as set forth above, subject to the following limitation. Transportation will only be provided if it requires thirty (30) minutes or less of direct travel by a school bus during normal travel times as measured from the school building to which the student would be assigned in the District. Transportation shall be provided each day in which the nonpublic school is open with students in attendance (excluding Saturdays and Sundays except by agreement between the entities entered into by July 1st in any year). Chartered nonpublic school students who are transported by the Board may be assigned to ride on buses upon which resident students are also assigned. Notwithstanding the above, the District will provide transportation as a related service to students with disabilities who live in the District and attend a nonpublic school if the School District is provided with supporting documentation from the child's individualized education program ("IEP") or an individual service plan ("ISP") developed by the county board of developmental disabilities pursuant to **R.C. 5126.41** ~~RE~~ for county residents who receive supported living services.

Furthermore, transportation to and from school shall be provided for each native student (i.e., student entitled to attend school in the District under R.C. 3313.64 or R.C. 3313.65) attending a chartered community school for each day in which the school is open and students are in attendance (excluding Saturdays and Sundays except by agreement between the entities entered into by July 1st each year). However, if that community school is located outside the District, the Board will only provide transportation if it requires thirty (30) minutes or less of direct travel by a school bus during normal travel times as measured from the school building to which the student would be assigned in the District. Native students attending an approved community school located within the District will be provided transportation on the same basis as established for resident students set forth above. Students transported to an approved community school may be assigned to ride on buses upon which resident students are also assigned.

Transportation of eligible nonpublic or community school children between their home areas and schools shall be arranged through the use of District-owned vehicles, through cooperation with other districts, through commercial carriers, and/or by other means in the most efficient and economical manner. The Board will not provide or arrange for transportation of students enrolled in kindergarten through eighth grade using mass transit system vehicles unless the Board and the community/nonpublic school have entered into an agreement authorizing this mode of transportation which is approved by both entities in advance. Students enrolled in ninth grade or above may be transported on vehicles operated by a mass transit system provided that the route does not require more than one (1) transfer.

Upon receipt from the community/nonpublic school of the official start and end times of school for the upcoming year, the District will develop and provide a transportation plan ~~that~~ which includes transportation routes and schedules for eligible students. The plan will be provided within sixty (60) days after receiving the start and end time, or when possible, by the first day of August in the event the Board is not notified of start and end times by the deadline of April 1st. For eligible students who enroll after July 1st but before the start of the school year, a transportation plan will be developed within fourteen (14) business days after receiving a request for transportation. The transportation plan provided to community/nonpublic schools pursuant to this policy and State law is tentative and subject to change.

The Superintendent may determine that it is impractical to transport a student to a community or nonpublic school after considering the factors enumerated under State law. The determination for payment-in-lieu of transportation will be made at least thirty (30) calendar days prior to the District's first day of student instruction, or no later than fourteen (14) calendar days if a student is enrolled less than thirty (30) days prior to the first day of instruction or after the start of the school year, and must be formalized through a resolution passed by the Board at its next scheduled meeting. If transportation is determined to be impractical/impracticable, the Board will issue a letter to the student's parent/guardian, the community or nonpublic school, and the Department of Education & Workforce ("DEW") detailing the reason(s) why the determination was made. Parent(s)/guardians shall be provided payment-in-lieu of transportation at the amount established by State law unless otherwise directed by action of the DEW Department of Education. Parents/guardians may authorize the community or nonpublic school where their student is enrolled to act on their behalf at any time after requesting transportation.

The Board will not be required to provide transportation for any native student enrolled in a community school if the Board has entered into an agreement with the governing authority of the community school that designates the community school as responsible for providing or arranging the transportation of the District's native students to and from the community school and is certified by the DEW Department of Education as having met certain requirements established by State law. The governing authority of a community school must provide or arrange for transportation in a manner that is comparable to the transportation that the District provides or arranges for its native students of the same grade level and distance from school who are enrolled in the District. Also, the governing authority must provide or arrange for the transportation under such agreement free of charge for each of its enrolled students who are eligible to be transported in accordance with R.C. 3327.01 or who would otherwise be transported by the District under the District's transportation policy. If the Board enters into an agreement with the governing authority regarding the transportation of the District's native students, the DEW Department of Education shall make payments to the community school in accordance with the terms of the agreement for each student actually transported.

Likewise, the Board is not required to provide transportation for any native student enrolled in an approved community school if the governing authority of the community school submits a written notification to the Board, by a date prescribed by the DEW Department of Education, stating that the governing authority will

accept responsibility for providing or arranging for the transportation of the District's native students to and from the community school. The governing authority's unilateral acceptance of the responsibility to provide transportation must cover the entire school year and shall remain in effect for subsequent school years unless the governing authority submits written notification to the Board relinquishing the transportation responsibility. However, the governing authority cannot relinquish the transportation responsibility before the end of the school year and shall submit such notice by a date prescribed by the ~~DEW~~Department of Education in order to allow the District a reasonable period of time to prepare for the transportation of its native students enrolled in the community school. If the governing authority unilaterally accepts the transportation responsibility, the ~~DEW~~Department of Education shall make payments to the community school for each student actually transported calculated in accordance with existing State law governing the calculation of transportation payments to the District from the State and any rules implemented by the ~~DEW~~Department of Education and that otherwise would be paid to the District.

~~[] The Board is not required to provide transportation to students enrolled in a chartered nonpublic or community school that has offered to provide transportation in lieu of the District providing it.~~

~~[] The Board is not responsible for providing transportation to students who receive transportation from an educational service center participating in the Pupil Transportation Pilot Program.~~

Bus routes shall be established so that an authorized bus stop is available within reasonable walking distance of the home of every transported resident student, but not more than one-half (1/2) mile for students in grades PK through eight (8). The Board shall approve the bus routes and time schedule annually no more than ten (10) days after the start of the school year. The Superintendent is authorized to make any necessary changes in the approved route ~~and shall inform the Board at the next regular meeting~~. Students receiving transportation will be delivered to school no sooner than thirty (30) minutes before the start of school and will be picked up no later than thirty (30) minutes after dismissal.

The Board authorizes the installation and use of video recording devices in ~~the school buses~~ ~~(-)~~ and vehicles other than school buses ~~[END OF OPTION]~~ to assist the drivers in providing for the safety and well-being of the students while on ~~the vehicle~~ ~~a bus~~.

The Board authorizes the use of a school vehicle other than a school bus (e.g., a van) ~~van~~ designed to carry nine (9) passengers or less plus a driver instead of a school bus to transport students to a chartered nonpublic or community school if all of the following apply:

- A. the number of students in the vehicle does not exceed nine (9);
- B. the District regularly transports students to that chartered nonpublic or community school;
- C. the driver has a valid driver's license, is accustomed to driving the vehicle, and meets statutory and administrative requirements to drive that vehicle ~~for a bus or motor van driver (with the exception of having a commercial driver's license);~~
- D. the driver may not stop on the roadway to load or unload passengers;

E. the driver and all passengers are expected to comply with State laws regarding child and occupant restraint devices and safety while in the motor vehicle.

[DRAFTING NOTE: School bus drivers meet the qualifications to drive vehicles other than school buses. Districts may require that the driver complete other training modules, such as school van driver training. An individual does not need a CDL to drive vehicles other than school buses.]

School vehicles other than school buses Vans will be inspected not less than two (2) times each year by a qualified mechanic who will determine whether the vehicle van is safe to transport students.

Transporting Homeless Students

Students meeting the Federal definition of homeless will be transported from their temporary place of residence to their school of assignment, at the request of the parent, guardian, or unaccompanied minor, to the same extent as all other students of the District and consistent with this Policy. If the homeless student's temporary residence is located outside the boundaries of the District, the Liaison for Homeless Children will coordinate with the Director of Transportation to contact the district in which the student temporarily resides to arrange for joint transportation of the student and to seek inter-district agreement on a method for apportioning the cost of such joint transportation. In no event will a homeless student be denied enrollment based on issues related to student transportation.

Travel Times for the Transportation of Children with Disabilities

The Transportation Department, in consultation with the Department of Student Services/Special Education, shall generally be responsible for determining reasonable travel times for the transportation of children with disabilities. Travel time shall begin upon initial pickup of the child and end with the final arrival at the school or home destination. The Board directs that the determination of reasonable travel time shall be made on a case-by-case basis. In determining the reasonable travel time applicable to a child, the Transportation Department shall consider the following factors: age of child, condition of disability, geographic size of the District, location of special education class or service, traffic patterns, and roadway conditions. The Transportation Department's initial determination is subject to review by a child's IEP team, which ultimately is responsible (as part of the development/amendment of a child's IEP) for considering the individualized transportation needs of each child with a disability so that the District fulfills its obligation to provide the child with a free appropriate public education. Generally, travel time for children with disabilities will be comparable with in-District transportation for children without disabilities. Different standards may apply if a child attends a community school.

The Superintendent shall be responsible for developing and implementing appropriate administrative guidelines for this policy.

A.C. 3301-51-10, 3301-83-01 et seq., 3301-83-08

R.C. 3313.66, 3314.09, 3314.091, 3319.41, 3327.01 et seq., 4511.01 (F)

R.C. 4511.01(F), 4511.75 et seq.
42 U.S.C. 11431 et seq.

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5310 - HEALTH SERVICES

The Board of Education may require students of the District to submit to periodic health examinations to:

- A. ☐ protect the school community from the spread of communicable disease;
- B. ☐ verify that each student's participation in health, safety, and physical education courses meets the student's individual needs;
- C. ☐ verify that the learning potential of each child is not lessened by a remediable physical disability.

The District may provide or request parents to provide:

- A. ☐ general physical examinations for athletics;
- B. ☐ dental examinations;
- C. ☐ tests for communicable disease;
- D. ☐ vision and/or audiometric screening;
- E. ☐ scoliosis tests.
- F. ☐ [OTHER] _____.

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

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

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

Concussion

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

- A. The student's condition is assessed by (1) a physician; (2) a licensed healthcare professional authorized by the Board, in accordance with requirements set forth in R.C. 3313.539(E)(2), to assess such a student; or (3) a licensed health care professional, each of whom must meet the minimum education requirements established by rules adopted under R.C. 3707.521 by the professional's licensing agency.
- B. The student receives written clearance that it is safe to return to physical education class, athletic practice, or competition from the physician or the licensed healthcare professional who assessed the student's condition.

Provision of Feminine Hygiene Products

[] [OPTION #1]

~~The District shall provide access to free feminine hygiene products in school buildings serving grades six (6) through twelve (12).~~

[END OF OPTION #1]

[] [OPTION #2]

~~**[DRAFTING NOTE: The District is required to provide free feminine hygiene products to students in grades six (6) through twelve (12). The District may choose to provide free feminine hygiene products to students below grade six (6).]**~~

The District shall provide access to free feminine hygiene products in all school buildings.

[END OF OPTION #2]

All such products shall be intended for use on school premises.

~~[] Each school~~ ~~[] The District~~ ~~[END OF OPTION]~~ shall determine where feminine hygiene products are to be kept.

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

R.C. 2305.231, 3707.521, 3313.50, 3313.68 et seq., 3313.539, 3313.6413

20 U.S.C. 1232(h)

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4140 - TERMINATION AND RESIGNATION

The employment of a classified staff member may, upon a majority vote of the Board of Education, be suspended and/or terminated for violation of Board policies and in accordance with the criteria and procedures set forth in the ~~()~~ Civil Service rules, ~~()~~ Ohio Revised Code, ~~()~~ applicable terms of any collectively-bargained agreement, ~~[END OF OPTIONS]~~ as appropriate.

~~[]~~ It is the policy of the Board that classified staff who are not going to be rehired be given an opportunity to resign.

Notice of the Board's intention to terminate a classified staff member shall be given by regular mail with a certificate of mailing, electronic mail with proof of delivery, or other method with proof of delivery.

Any classified employee who fails to maintain a required license, certificate, or permit throughout the term of employment will be immediately suspended without pay and such failure is grounds for termination.

A classified staff member under contract may resign by filing a written resignation with the Treasurer or the Superintendent at least thirty (30) days prior to the effective date of the resignation, unless an earlier date is permitted by the Board.

~~[]~~ A resignation, once accepted by the Board, may not then be rescinded.

Reporting Professional Misconduct

The Superintendent will file a report to the Ohio Department of Education, on forms provided by the Department for that purpose, matters of professional misconduct on the part of certain classified employees who are also licensed by the Ohio Department of Education (e.g., aides with a permit, paraprofessionals with a license, and those individuals who do not hold a valid educator's license but who are employed by the Board under a Student Activity Permit), in those specific circumstances set forth in State law and Policy 8141, including a conviction of the staff member of certain enumerated crimes and/or in conjunction with the non-renewal or termination of a licensed staff member, or resignation by a licensed staff member under threat of same and/or during the course of an investigation, for conduct which is determined to be unbecoming to the teaching profession. Reports of any investigation regarding whether or not a licensed classified staff member has committed an act or offense for which the Superintendent is required to make a report to the Ohio Department of Education shall be kept in the personnel file of the classified staff member. Should the Ohio Department of Education determine that the results of that investigation do not warrant initiating an action suspending, revoking, or otherwise limiting that classified employee's license or permit, the report(s) of any investigation will be moved to a separate public file.

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4124 - EMPLOYMENT CONTRACT

☐ ~~[CITY OPTION](City)~~

~~For classified employees newly hired into a position covered by the civil service laws, () but not a part of a bargaining unit represented by a recognized labor representative, [END OF OPTION] a probationary period of _____ () days will be served. Following successful completion of the said probationary period, such classified employees will become permanent employees and subject to removal in accordance with civil service law.~~

☐ ~~For classified staff who are employed in positions within a recognized bargaining unit, employment contracts and sequence will be determined in accordance with the terms and conditions set forth in the collective bargaining agreement.~~

~~Unclassified civil servants are "at will" employees.~~

~~**DRAFTING NOTE**Drafting Note: If not already clearly established, to determine the number of days between sixty (60) and one (1) year for your District's probationary period, you will need to contact your municipal civil service commission. If you have opted out of civil service and/or there is no active civil service in your jurisdiction, the Board may choose to set that number within those parameters. Nothing precludes a board from setting the number of days for these employees in concert with the terms set forth in a collective bargaining agreement with a union; however, the parameters remain between sixty (60) days and one (1) year.]~~

~~[END OF CITY OPTION]~~

[] [LOCAL OPTION](Local)

The Board requires for the mutual protection of the District and the classified staff member that every newly employed person in a classified position including regular hourly rate and per diem classified staff sign an initial employment contract for a period of not more than one (1) year.

The employment contract shall include the term for which employment is contracted, the salary, and such other matters as may be necessary to a full and complete understanding of the contract. In order to ensure employment, the applicant must sign the contract and abide by the policies of the Governing Board which pertain to **him/her** the applicant ~~him/her~~.

If classified staff are rehired, their three (3) subsequent contracts shall be for a period of two (2) years each. At the end of the third of these two (2) year contracts, if the classified staff member is renewed, it will be under a continuing contract.

Notice of the Board's intention not to re-employ a classified staff member shall be given on or before the first day of June. **Notice shall be given by regular mail with a certificate of mailing, electronic mail with proof of delivery, or other method with proof of delivery.**

Annual salary notices for the succeeding contract year shall be provided to classified staff no later than the first day of July.

Salaries provided to classified staff by contract may not be reduced unless such reduction is part of a uniform plan affecting the nonteaching employees of the entire District.

~~[DRAFTING NOTE: Drafting Note: Most collective bargaining agreements with non-teaching unions are silent on the issue of contract sequence and renewal/nonrenewal. If so, this policy provides local districts with concise language that parallels the law. However, if your agreement spells out a different sequence (for example, a probationary period followed by continuing contract status) then an additional sentence should be added:]~~

[] For classified staff who are employed in positions within a recognized bargaining unit, employment contracts and sequence will be determined in accordance with the terms and conditions set forth in the collective bargaining agreement.

[END OF LOCAL OPTION]

3140 - TERMINATION AND RESIGNATION

Termination

The employment contract of a professional staff member may be suspended and/or terminated in accordance with law, upon a majority vote of the Board of Education, for good and just cause, including disclosing a question to a student on a State-mandated assessment. In such cases, the Board shall abide by due process, statutory procedures, and the applicable terms set forth in any collectively-bargained agreement.

Any professional staff member who fails to maintain a required license, certificate, or permit throughout the term of employment will be immediately suspended without pay and such failure is grounds for termination.

Notice of termination shall be given by regular mail with a certificate of mailing, electronic mail with proof of delivery, or other method with proof of delivery.

Resignation

A professional staff member may resign in accordance with law and the applicable terms of any collectively-bargained agreement.

~~[-]~~ A resignation, once accepted by the Board, may not then be rescinded. ~~[-END OF OPTION]~~

Reporting Professional Misconduct

The Superintendent (or Board President where either the Superintendent and/or Treasurer has engaged in misconduct) will file a report to the Ohio Department of Education, on forms provided by the Department for that purpose, matters of professional misconduct on the part of licensed professional staff members in those specific circumstances set forth in State law and Policy 8141, including a conviction of the professional staff member of certain enumerated crimes and/or for conduct which is determined to be unbecoming to the teaching profession in conjunction with the non-renewal or termination of a professional staff member, or resignation by a professional staff member under threat of same and/or during the course of an investigation of conduct reasonably determined to be unbecoming the teaching profession.

Reports of any investigation regarding whether or not a professional staff member has committed an act or offense for which the Superintendent or Board President is required to make a report to the Ohio Department of Education shall be kept in the personnel file of the professional staff member. Should the Ohio Department of Education determine that the results of that investigation do not warrant initiating an action suspending, revoking, or otherwise limiting that professional staff member's license or permit, the report(s) of any investigation will be moved to a separate public file.

R.C. 3319.02, 3319.15, 3319.16, 3319.31, 3319.39, 3319.151, 3319.161, 3319.313
~~R.C. 3319.39~~

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3120.04 - EMPLOYMENT OF SUBSTITUTES

The Board of Education recognizes the need to procure the services of substitutes in order to continue the operation of the schools as a result of the absence of regular personnel.

The Superintendent shall recommend and the Board shall approve substitutes to replace temporarily absent regular staff members and fill new positions. Substitute teachers whose license limits them to teach for only one (1) semester in a class will be approved by the Board before the start of each semester. Employment of substitute teachers may be terminated when their services are no longer required.

Substitutes must possess a valid Ohio professional ~~license, license or~~ substitute teaching ~~license, or~~ ~~pre-service teaching permit~~ license to serve as a substitute. No professional staff member employed in a position for which licensure is required may be paid until evidence of such appropriate licensure for the subject area, grade level, ~~or~~ position, etc. has been received by the Superintendent and transmitted to the Treasurer.

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

Substitutes may be required to undergo a tuberculosis examination in accordance with the law and at the direction of the Ohio Department of Health or the local health department.

In order to retain well-qualified substitutes for service in this District, the Board will offer competitive compensation at a rate set annually by the Board.

A substitute employed for more than sixty (60) days in one (1) specific position will be placed at the minimum salary on the current teachers' salary schedule (e.g. BA/0) and will be eligible for fringe benefits provided to regular teachers, including sick leave.

Casual or daily substitutes shall not earn sick leave nor be paid for days when students are not required to attend school. They are also not entitled to receive notice of non-renewal.

R.C. ~~3307.381(A)~~, 3317.13, 3319.10, 3319.36, 3319.39, 3319.101, 3319.0812

2623.02 - THIRD GRADE READING GUARANTEE

All students entering the third grade are expected to demonstrate a certain level of competency in reading before advancing to the fourth grade.

In accordance with State law, the Superintendent shall develop a program for the annual assessment of the reading skills of each student at the end of first, second, and third grade and identify those students who are reading below their grade level. Each student's classroom teacher shall be involved in the assessment and identification of those students who are reading below grade level. ~~(-) The assessment may be administered electronically using live, two-way video and audio connections whereby the teacher administering the assessment may be in a separate location from the student.~~

The District shall provide intervention services to students whose assessments show that they are failing to make satisfactory progress toward attaining the academic standards for their grade level.

Definitions

"On track" means ~~any~~ student ~~who~~ is reading at **or above the student's** grade level based on previous end-of-year standards expectations by September 30th.

"Not on track" means ~~any~~ student ~~who~~ is ~~not~~ reading **below the student's** grade level based on previous end-of-year standards expectations by September 30th.

Assessment of Reading Skills Program

- A. Diagnostic assessments in reading, as approved by the Ohio Department of Education and Workforce (DEW), shall be given by September 30th of each year for students in **grades one (1) through three (3)** ~~kindergarten through Grade Three (3)~~, with the exception of students with significant cognitive disabilities or other disabilities as authorized by the DEW on a case-by-case basis. For kindergarten students, the kindergarten readiness assessment shall be administered not earlier than the first day of **July of** the school year and not later than **the 20th day of instruction for that school year** ~~November 1st, except the language and readiness skills portion of the assessment shall be administered by September 30th~~. For students enrolled in first, second, or third grade, the diagnostic assessments in reading shall be administered at least once annually **(R.C. 3313.608, 3313.0715)**.

The District shall administer each applicable diagnostic assessment to any student who transfers into the District or into a ~~different new~~ school within the District who did not take a diagnostic assessment at the **student's** previous school during the current school year unless the student is excused from taking the assessment as provided for in the preceding paragraph. The diagnostic assessment(s) shall be administered within thirty (30) days of transfer **(R.C. 3313.0715)**.

After the administration of any diagnostic assessment, the District shall provide to each student's parent a copy of the student's completed diagnostic assessment, the results of such assessment, and any other accompanying documents used during the administration of the assessment. The preceding documents and information shall be included in any reading improvement and monitoring plan(s) developed with respect to the student. The District shall also submit to the DEW the results of the diagnostic assessments administered pursuant to this section, except the results of the kindergarten readiness assessment shall be submitted to the Department of Children & Youth.

- B. Diagnostic assessment results shall be translated to DEW's definitions of "on track" and "not on track". The District shall make the final determination regarding whether a student is "on track" or "not on track".
- C. If the diagnostic assessment shows that a student is "not on track" to be reading at grade level by the end of the year, the parent will be notified, in writing, of the following:
 - 1. that the school has identified the student as having a substantial deficiency in reading
 - 2. a description of current services provided to the student
 - 3. a description of proposed supplemental instructional services and supports that will be provided to the student that are designed to remediate the identified areas of reading deficiency
 - 4. that the statutorily prescribed assessment is not the sole determinant of promotion and that additional evaluations and assessments are available to the student to assist parents and the District in knowing when a student is reading at or above grade level and ready for promotion
 - 5. that the student will be retained in the third grade if the student does not attain a score in the statutorily prescribed level on the third grade English Language Arts assessment unless the student is exempt as delineated below, and
 - 6. a statement that connects the child's proficiency level in reading to long-term outcomes of success related to proficiency in reading
- D. For each student identified to be "not on track", the District shall:
 - 1. provide intensive reading instruction services and regular diagnostic assessments immediately following the identification of a reading deficiency until the development of a reading improvement and monitoring plan;

The intervention services shall be aligned with the science of reading as defined under State law and include research-based reading strategies that have been shown to be successful in improving reading among low-performing readers and instruction targeted to the student's identified reading deficiencies.
 - 2. develop a reading improvement and monitoring plan (RIMP) within sixty (60) days of learning of the reading deficiency, ~~which will be provided until the student achieves the required level of skill in reading for the child's current grade level;~~

The District shall involve the student's parent/guardian and classroom teacher in developing the plan.

3. assign a teacher who has at least one (1) year of teaching experience and satisfies one (1) or more of the following criteria:
 - a. holds a reading endorsement and has attained a passing score on the corresponding assessment, as applicable
 - b. has obtained a master's degree with a major in reading
 - c. was rated "most effective" for reading instruction consecutively for the most recent two (2) years based on assessments of student growth measures developed by a vendor and that is on the list of DEW-approved student assessments
 - d. was rated "above expected value added" in reading instruction, as determined by criteria established by the DEW, for the most recent consecutive two (2) years
 - e. has earned a passing score on a DEW-approved rigorous test of principles of scientifically research-based reading instruction
 - f. holds an educator license for teaching grades pre-kindergarten through three (3) ~~or~~ four (4) through nine (9) issued on or after July 1, 2017

The District may alternatively assign a teacher with less than one (1) year of teaching experience, provided the teacher meets at least one (1) of the criteria (a-f) set forth above and the teacher is assigned a qualified teacher mentor. The student **also** may receive reading intervention or remediation services from a duly licensed speech-language pathologist.

Finally, nothing in this Policy shall prevent a teacher, other than a student's classroom teacher (i.e., teacher of record), from providing the requisite reading intervention or remediation services to the student, so long as the assigned teacher has at least one (1) year of teaching experience, satisfies at least one (1) of the criteria (a-f) set forth above, and both the classroom teacher and the building ~~principal~~ **Principal** agree to the assignment. Such an assignment must be documented in the student's reading improvement and monitoring plan.

Reading Improvement and Monitoring Plan **(RIMP)**

A reading improvement and monitoring plan will be provided until the student achieves the required level of skill in reading for the student's current grade level. The RIMP developed for students identified as "not on track" shall include:

- A. identification of the student's specific reading deficiency;
- B. a description of ~~proposed~~ supplemental instructional services and support that will be provided to the student to remediate the identified reading deficiencies;
- C. opportunities for the student's parent/guardian to be involved in the instructional services **and support**;

- D. a process to monitor the implementation of the student's instructional services and support;
- E. a reading curriculum during regular school hours that assists students to read at grade level, provides scientifically based and reliable assessments, and provides initial and ongoing analysis of each student's reading progress;
- F. a statement that if the student does not attain at least the equivalent level of achievement designated under ~~pursuant to~~ R.C. 3301.0710(A)(3) on the assessment prescribed to measure skill in English language arts expected by the end of third grade, the student may be retained in third grade; and
- G. high-dosage tutoring opportunities aligned with the student's classroom instruction through a State-approved vendor on the list of high-quality tutoring vendors, or a locally approved opportunity that aligns with high-dosage tutoring best practices. High-dosage tutoring shall include additional instruction time of at least three (3) days per week or at least fifty (50) hours over thirty-six (36) weeks.

Beginning with the 2024-2025 school year, the District will utilize evidence-based reading intervention programs that focus on intensive, explicit, and systematic instruction in phonetic awareness, phonics, vocabulary, fluency, comprehension, and writing from a list developed by the DEW. The District will not use and will not seek a waiver to use the three-cuing approach to teach students in grades pre-kindergarten to five (5) who have a RIMP except as permitted by law.

Reporting Requirements

All assessment results and determinations shall be compiled and maintained by the District. The District shall comply with all reporting requirements of Ohio's Third Grade Reading Guarantee.

Promotion/Retention

No student shall be promoted to the fourth grade who does not attain at least the equivalent level of achievement designated by R.C. 3310.0710(A)(3) on the assessment prescribed to measure skill in English language arts (ELA) expected at the end of third grade unless the student is excused from taking the assessment pursuant to R.C. 3301.0711(C), or one (1) of the following applies:

- A. the student is an English Learner who has been enrolled in United States schools for less than three (3) full school years and has had less than three (3) years of instruction in English as a second language program; or
- B. the student is a child with a disability entitled to special education and related services under R. C. Chapter 3323 and the student's individualized education program (IEP) exempts the student from retention under State law; or
- C. the student demonstrates an acceptable level of performance on an alternative standardized reading assessment as determined by the Ohio Department of Education and Workforce (DEW); or

D. all of the following apply:

1. The student is a child with a disability entitled to special education and related services under R.C. Chapter 3323.
2. The student has taken the third grade English language arts achievement assessment, as prescribed.
3. The student's IEP or Section 504 Plan shows that the student has received intensive remediation in reading for two (2) school years, but still demonstrates a deficiency in reading.
4. The student previously was retained in any of grades kindergarten to three (3).

E. the student received intensive remediation for reading for two (2) school years but still demonstrates a deficiency in reading and was previously retained in any of grades kindergarten to three (3); ~~or~~.

Any such student shall continue to receive intensive reading instruction in grade four (4). The instruction shall include an altered instructional day that includes specialized diagnostic information and specific research-based reading strategies that have been successful in improving reading among low-performing readers. ~~or~~

F. a student's parent or guardian, in consultation with the student's reading teacher and building principal, requests that the student, regardless of if the student is reading at grade level, be promoted to fourth grade. Any such student will continue to receive intensive reading instruction in the same manner as a student retained until the student is able to read at grade level.

A student retained under the provisions of the Third Grade Reading Guarantee and this policy shall be considered for mid-year promotion if that student demonstrates that the student is reading at or above grade level, in accordance with the provisions of Policy 5410 - Promotion, Academic Acceleration, Placement, and Retention. Such action shall be considered in consultation with the parent/guardian and the Student Intervention Team and with the concurrence of the building ~~principal~~ administrator.

Intensive Remediation Services

Remediation services for students on reading improvement and monitoring plans shall be aligned with the science of reading as defined by State law and include research-based reading strategies that have been shown to be successful in improving reading among low-performing readers.

If a student is retained by the Third Grade Reading Guarantee, the student must be provided intense remediation services until the student is able to read at grade level. The remediation services must include intense interventions and consist of at least ninety (90) minutes of reading instruction daily.

The District shall provide the option for students to receive reading intervention services from one (1) or more providers other than the District. Both the District and the DEW have the authority to screen and approve such providers.

Interventions for students who have been retained may include:

- A. small group instruction;
- B. reduced student-teacher ratios;
- C. more frequent progress monitoring;
- D. tutoring or mentoring;
- E. transition classes containing third and fourth grade students;
- F. summer reading camp; or
- G. extended school day, week, or year.

Intensive remediation services shall be targeted to the student's identified reading deficiency.

Nothing in this policy shall prevent the District from assigning a teacher to teach reading to any student who is an English Learner and has been in the United States for three (3) years or less, or to a student who has an individualized education program ("IEP"), if that teacher holds a DEW-approved alternative credential or has successfully completed DEW-approved training that is based on principles of scientifically research-based reading instruction.

This policy shall be reviewed and updated periodically as necessary.

A.C. 3301-13, 3301-35

R.C. 3301.079, .0710~~.0710~~, .0711, .0714, .0715

R.C. 3313.608, 3313.608(D), 3313.6012, 3313.6028

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2623 - STUDENT ASSESSMENT AND ACADEMIC INTERVENTION SERVICES

The Board of Education shall assess student achievement and needs in all program areas in compliance with State law and the rules adopted by the State Board of Education. The purpose of such assessments will be to determine the progress of students and to assist them in attaining student performance objectives and the educational achievement goals of this District.

The Board shall administer the State-mandated tests (e.g., diagnostic assessments and achievement tests) to students at the times designated by the State Board of Education. The Board may, for medical reasons or

other good cause, excuse a student from taking a State-mandated test on the date scheduled, but any such test shall be administered to such excused student not later than nine (9) days following the scheduled date. The Board shall annually report, not later than June 30th, the number of students who have not taken one (1) or more of the State-mandated tests to the State Board of Education.


The District shall require that all appropriate staff have knowledge of the prescribed standards of ethical assessment practice and shall monitor the assessment practices for compliance with these standards. These duties shall include:

- A. communicating standards of ethical assessment practice;
- B. communicating security procedures for assessment;
- C. establishing procedures for reviewing assessment materials and procedures and assessment preparation materials and procedures;
- D. establishing channels of communication that allow teachers, other educators, students, parents, and other members of the community to voice concerns about assessment practices;
- E. establishing written procedures for investigating complaints, allegations, and/or concerns about assessment practices, protecting the rights of an individual, the integrity of an assessment, and the results of an assessment.

The Board shall provide academic intervention services in pertinent subject areas to students who score below the proficient level in reading, writing, mathematics, social studies, or science achievement test, or who do not demonstrate academic performance at their grade level based on the results of a diagnostic assessment.

At least annually, staff members will assess the academic achievement and learning needs of each student. Procedures for such assessments may include, but need not be limited to, teacher observation techniques, cumulative student records, student performance data collected through standard testing programs, and physical examinations.

The Superintendent shall develop a program of testing that includes:

- A. administration of State-mandated tests (e.g., diagnostic assessment and achievement tests), at no cost to students, in accordance with the provisions of A.C. 3301-13-02;
- B. performance-based tests at appropriate grade levels to measure achievement of performance objectives in composition, mathematics, science, social studies, and reading;
- C. District or teacher-made achievement or performance tests;
- D. tests of mental ability;
- E.  norm referenced achievement tests.

"Achievement test" means "a test, aligned with the Ohio academic content standards and model curriculum, designed to measure a student's level of knowledge or skill in a specific subject area that is expected at the end of a designated grade and/or is required as part of the Ohio graduation requirement."

"Alternate assessment" means "the use of an assessment instrument, other than the Ohio achievement tests or diagnostic assessments, that meets the requirements of all applicable Federal and State laws and A.C. 3301-13-03."

"Diagnostic assessment" means "an assessment aligned with Ohio academic content standards and model curriculum, designed to measure student comprehension of academic content and mastery of related skills for a relevant subject area at each grade level, kindergarten through three, as defined in R.C. 3301.079."

~~"End-of-course exams Ohio graduation tests"~~ means "the college and work ready assessments selected by the Department of Education and Workforce and the Chancellor of Higher Education that are achievement tests, aligned with academic content standards and model curriculum and curriculum, designed to measure a student's level of academic achievement expected at the end of the tenth grade in writing, reading, mathematics, social studies, and science."

"Performance standards" means "a score adopted by the State Board of Education indicative of a particular level of academic achievement at a designated grade for each achievement test or alternate assessment."

~~"State-mandated assessments or Statewide tests"~~ means "an achievement assessment prescribed under section 3301.0710 of the Revised Code or an end-of-course examination under section 3301.0712 of the Revised Code any assessment that is provided by the Ohio Department of Education (ODE) for use in all participating schools in the State."

The Superintendent shall develop:

- A. procedures for the regular collection of student performance data;
- B. a plan for the design of classroom-based intervention services to meet the instructional needs of individual students as determined by the results of diagnostic assessments; and
- C. procedures for using student performance data to evaluate the effectiveness of intervention services and, if necessary, to modify such services.

For any student who failed to demonstrate at least a score at the proficient level on an achievement test during the preceding school year, the Board shall provide appropriate intervention services commensurate with the student's test performance in each such test area, including intensive prevention, intervention, or remediation required under R.C. 3301.0711, 3301.0715, 3313.608, or R.C. 3313.6012.

The Board shall require that:

- A. by June 30 each year, parents are provided with the score of any State-mandated assessment or test administered to their student;

Results will be sent via mail or email or, alternatively, will be posted to a secure portal that families can access on the District's or school's website. R.C. 3313.6029
- B. ⇄ parents be informed of the testing program of the schools and of the special tests that are to be administered to their children;
- C. ⇄ data regarding individual test scores be entered on the student's cumulative record, where it will be subject to the Board's student records policy;
- D. ⇄ the aggregate results of each school-wide, program-wide, and District-wide test be made part of the public record.

Summer remediation services shall meet the following conditions:

- A. the remediation methods are based on reliable educational research
- B. testing will be conducted before and after students participate in the program to facilitate monitoring results of the remediation services
- C. the parents of participating student will be involved in programming decisions
- D. the services will be conducted in a school building or community center and not on an at-home basis

The Board shall keep records for each student including the following:

- A. a unique State student identification code or a student data verification code as required in accordance with R.C. 3301.0714(D)(2)
- B. a list or designation of which tests are required and which tests are not required
- C. a list or designation of which tests, required or not required, are taken and which are not taken at each test administration period
- D. score for each test taken, required or not
- E. whether each student attained the requisite performance standard designated for each required test
- F. what if any tests must still be taken
- G. whether or not intervention must be provided

H. for each test required for graduation, the date passed must be recorded on the student's transcript

No information shall be on the student's transcript for a test not passed.

When a student who has taken State-mandated tests in one (1) school leaves that school to enroll in another school, the school previously attended shall provide, immediately upon request by a school official from the enrolling school, all applicable records set forth above.

For each student required to be offered intervention services, the Board shall involve the student's parent or guardian and classroom teacher in developing the intervention strategy, and shall offer to the parent or guardian the opportunity to be involved in the intervention services.

During the school year following the year in which the tests prescribed by R.C. 3301.0710(A)(1) are administered to any student, the Board shall provide appropriate intervention services, commensurate with the student's test performance, including any intensive prevention, intervention, or remediation required under R.C. 3301.0711, 3301.0715, 3313.608 or R.C. 3313.6012, in any skill in which the student failed to demonstrate at least a score of proficient level on an achievement test.

Except as authorized by State law, the Board shall not use any student's failure to attain a specified score on any State-mandated test as a factor in any decision to deny the student promotion to a higher grade level.

All identified students with disabilities in the School District shall be considered for participation in the State-mandated testing. The extent of the student's participation shall be determined by the IEP Team.

Accordingly, the student's IEP shall require that ~~s/he the students/he~~ take:

- A. the required assessments in the same manner as other students;
- B. the required assessments with accommodations appropriate for ~~his/her the student's/his/her~~ disability; or
- C. an alternate assessment that has been approved by the State Department of Education.

To the extent possible, and in accordance with law, a student with disabilities shall not be excused from taking a required assessment unless no reasonable accommodation can be made to enable the student to take the assessment.

The Superintendent shall implement administrative guidelines that comply with the State Department's regulations with regard to the administration of the State-mandated tests including the reporting of results.

Program evaluations will be reviewed and updated every five (5) years. A schedule for such will be developed and implemented by the Superintendent.

[DRAFTING NOTE: SELECT FROM FOLLOWING OPTIONS][SELECT]:

[] [OPTION #1]

After July 1, 2017, no student will spend more than two percent (2%) of the school year taking state assessments, including the Ohio graduation tests, college and work ready assessment systems, and any District-wide assessment for all students in a specified subject area or grade level. Students will not spend more than one percent (1%) of the school year on diagnostic or practice assessments to prepare for the above assessments. Students with disabilities are exempt from this requirement, as are related diagnostic assessments for students who failed the English language arts achievement assessment, substitute examinations, or examinations to identify a gifted student.

[END OF OPTION #1]

[] [OPTION #2]

~~The Board has held a hearing and adopted a resolution authorizing the District to exceed state diagnostic and practice testing time limits, and state assessment and District-wide subject and grade level testing time limits on the percentage of the school year that may be spent during the school year to prepare for and take those assessments.~~

[END OF OPTION #2]

This policy shall be reviewed and updated annually.

~~See Policy 2623.02 — Third Grade Reading Guarantee~~

[Cross-References

~~pe2623.02]~~

A.C. 3301-13, 3301-35

R.C. 3301.079, .0710~~0710~~, .0711, .0712, .0714, .0715, .0729

R.C. 3313.608, 3313.608(D), 3313.6012, 3313.6029

Revised Policy - Vol. 42, No. 1

**9270 - EQUIVALENT EDUCATION OUTSIDE THE SCHOOLS & PARTICIPATION IN
EXTRA-CURRICULAR FOR STUDENTS NOT ENROLLED IN THE DISTRICT**

The Board of Education encourages the enrollment of all school-age children resident in this District in public schools or in approved parochial or private schools so that they may enjoy the benefits of a well-planned educational program and the socialization possible in a group environment.

The Board recognizes its responsibility for assuring that every resident school-age child is enrolled in an approved school or is offered an equivalent education elsewhere and designates the Superintendent to act on its behalf.

Home Education

A parent electing to home-educate a child between the ages of six (6) and eighteen (18) shall provide notice to the Superintendent within five (5) calendar days after commencing home education, moving into the District, or withdrawing from the District or a nonpublic school, and by the thirtieth (30th) day of August each year thereafter. The notice shall include the parent's name and address, the child's name, and an assurance that the child will receive education in the following subject areas:

- A. English language arts
- B. Mathematics
- C. Science
- D. History
- E. Government
- F. Social Studies

The child's exemption from attending school shall be effective upon receipt of the notice. The Superintendent will send written acknowledgment of receipt of the notice within fourteen (14) calendar days. If there is

evidence that a child exempt from school for home education is not receiving an education in the required subject areas, the child may be subject to truancy procedures in accordance with Policy 5200.

A child who is enrolled in the District following any period of home education shall be placed in the appropriate grade level, without discrimination or prejudice, in accordance with the policies of the Board.

~~A parent electing to home educate a child shall provide the Superintendent with annual written notification. The notification must include certain specific information and assurances concerning the home education program as set forth in State law, the State Department of Education Regulations, and AG 9270.~~

~~The Superintendent will excuse the child from attendance for home education purposes upon satisfactory showing that the child is being home educated by a person qualified to teach the branches in which instruction is required as referenced in AG 9270, and such additional branches, as the advancement and needs of the child may, in the opinion of the Superintendent, require.~~

~~The Superintendent shall develop and implement administrative guidelines that verify, prior to a child being excused from attendance for home education purposes, all requirements specified in the State Department of Education regulations and the conditions established in Policy 5463 — Credits from State-Chartered, Special, and Nonchartered Schools have been met.~~

Extra-Curricular Activity Participation of Students Not Enrolled in District

A student who is educated at home is permitted to participate in any extra-curricular activity offered in the School District to which the student would otherwise be assigned during the school year. If the District operates more than one (1) school that serves the student's grade level (as determined by the student's age and academic performance), the student shall be permitted to participate in the extra-curricular activities at the school to which the student would be assigned by the Superintendent pursuant to R.C. 3319.01. If the student elects to participate in an extra-curricular activity offered by the District, the student is not allowed to participate in that activity at another school or school district to which the student is not entitled to attend.

Similarly, a student who is enrolled in a nonpublic school is entitled to participate in any extra-curricular activity not offered by the nonpublic school in the school district to which the student would otherwise be assigned during the school year. If the District operates more than one (1) school that serves the student's grade level (as determined by the student's age and academic performance), the student shall be permitted to participate in that extra-curricular activity at the school to which the student would be assigned by the Superintendent pursuant to R.C. 3319.01.

~~[-]~~ The Superintendent may allow a student, who is educated at home and not entitled to attend school in the District pursuant to R.C. 3313.64 or R.C. 3313.65, to participate in any extra-curricular activity offered by the District if the district to which the student is entitled to attend does not offer that extra-curricular activity. ~~[-END OF OPTION]~~

~~f-f~~ The Superintendent may allow a student, who is enrolled in a nonpublic school and not entitled to attend school in the District pursuant to R.C. 3313.64 or R.C. 3313.65, to participate in any extra-curricular activity offered by the District if the nonpublic school in which the student is enrolled does not offer the extra-curricular activity, and either of the following applies:

- A. ~~(-) the extra-curricular activity is not interscholastic athletics or interscholastic contests or competitions in music, drama, or forensics; or~~
- B. ~~(-) the extra-curricular activity is in an interscholastic athletic or interscholastic contest or competition in music, drama, or forensics.~~

~~In order to participate under this option, the nonpublic school must be located in the District. Prior to participation, the Superintendent must enter into a written agreement with the Superintendent of the public school district in which the student is entitled by law to attend that permits the student's participation. The written agreement must include a certification that the student has not participated in an interscholastic athletic or interscholastic contest or competition in music, drama, or forensics during the current school year. If the student has participated in an interscholastic athletic or interscholastic contest or competition in music, drama, or forensics, the student/he shall be ineligible to participate for the remainder of the school year. [END OF OPTION]~~

Eligibility Requirements

In order to participate in any extra-curricular activity as detailed above, a student being educated at home or enrolled in a nonpublic school must be the appropriate age and grade level for the school that offers the extra-curricular activity and must fulfill the same academic, nonacademic, and financial requirements as any other participant as specified in Board policy, administrative guidelines, the student handbooks, and/or the Athletic Handbook. A student educated at home must meet the following academic requirements:

- A. If the student received home ~~education~~ schooling in the preceding grade period, the student shall meet any academic requirements established by the State Board of Education for the continuation of home ~~education~~ schooling.
- B. If the student did not receive home ~~education~~ schooling in the preceding grading period, the student's academic performance during the preceding grading period shall have met any academic standards for eligibility to participate in the program established by the District.
- C. Eligibility for a student who leaves a school district mid-year for home ~~education~~ schooling shall be determined based on an interim academic assessment issued by the district in which the student was enrolled based on the student's work while enrolled in the District.
- D. Any student who commences home ~~education~~ schooling after the beginning of a school year and who is, at the time home ~~education~~ schooling commences, ineligible to participate in an extra-curricular activity due to failure to meet academic standards or any other requirements of the District shall not participate in the extra-curricular activity until the student meets the academic requirements established by the State Board of Education for continuation of home ~~education~~ schooling as verified by the Superintendent. No student shall be eligible to participate in the same semester in which the student ~~is~~ determined ineligible.

No eligible home ~~educated~~~~school~~ or nonpublic school student will be charged any fees in excess of those fees charged to other students for participation in the same extra-curricular activity. No student will be denied the opportunity to participate in interscholastic athletics offered by a school in the District because the student has or is participating in a college credit plus program as long as the student fulfills all academic, nonacademic, and financial requirements.

A.C. 3301-34

R.C. 3313.5311, 3313.5312, 3313.5341, 3313.6110, 3321.03, 3321.04, 3321.042

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9211 - **DISTRICT SUPPORT ORGANIZATIONS**

The Board of Education appreciates the efforts of all organizations whose objectives are to enhance the educational experiences of District students, help meet the educational needs of students, and/or provide extra educational benefits not provided for, at the time, by the Board.

District support organizations are defined as any non-profit entity, group, or other organization formed and operating for the purpose of supporting District programs.

Each support organization must maintain and provide proof of general liability insurance coverage. ~~The Board shall offer the opportunity for any authorized school support entity to receive coverage under the District's liability insurance program to protect the entity against claims resulting from damage or injury resulting from any act or omission of any school support entity. The entity shall pay for such coverage upon written notification from the Treasurer.~~

~~§~~ Because of the connection between support organizations and the School District programs and students, and because of the common use of the School District name in connection with the organization's activities, the public perception may be that the organizations and their activities are school-sponsored and approved by the Board, notwithstanding the fact that such organizations are independent entities, are not agents of the Board, and are not under the control or authority of the Board. In order to prevent disruption to the District's educational programs and injury to the District's reputation by conduct and activities of a support organization which are inconsistent with the District's mission, only organizations formally recognized by the Board will be permitted to use the School District name, as well as any logos or other insignia or emblems associated with and used to identify the District and/or school-sponsored programs and activities.

The following rules and procedures shall govern the working relationships between the Board, administration, and any District support organization. The Board may revoke formal recognition of any support group that fails to comply with these rules:

- A. School employees and Board-approved school volunteers may not be directly compensated in any manner by District support organizations.

~~(→) Additionally, school employees and Board members will not manage or have access to District support organization funds or serve as a voting member or officer of the organization.~~

~~**[DRAFTING NOTE: It is highly advisable that school employees and Board members not serve as voting members or officers, or have any access or role in managing the organization's funds because when misconduct occurs, it may negatively impact their jobs, licenses, or any official role with the Board of Education.]**~~

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

- B. In addition to parents, membership should be made available to District staff and members of the community.
- C. Each District support organization shall work in cooperation with the Principal and other staff members and shall abide by the policies of the Board.
- D. It shall be the responsibility of each District support organization to monitor its activities to assure compliance with Board Policy.
- E. ~~(→) The organization shall permit the Board to review all financial books and documentation upon request and shall conduct a financial audit upon request of the Board. In addition, organizations must produce the following documents to the Superintendent and/or Treasurer upon request:~~
- ~~1. (→) A determination letter from the Internal Revenue Service that verifies the organization is a tax-exempt organization in good standing as described in Section 501(c)(3) of the Internal Revenue Code (if applicable).~~
 - ~~2. (→) A copy of the Articles of Incorporation or amended Articles of Incorporation on file with the Ohio Secretary of State (if applicable).~~
 - ~~3. (→) A copy of any filing with the Ohio Attorney General (if applicable).~~
 - ~~4. (→) A copy of the support organization's Bylaws and any amendments.~~
 - ~~5. (→) A current list of names, addresses, and titles of each officer of the organization. No administrative employee of the School District may be an officer of the booster organization in order for the organization to obtain Board recognition.~~
 - ~~6. (→) A description of the projects or activities the organization intends to undertake during the ensuing school year and the objective and goals of such projects or activities.~~
 - ~~7. (→) The organization's balance sheet, together with an accounting of the organization's income and expenses for the preceding calendar year.~~
 - ~~8. (→) Copies of State and Federal tax reports for the most recent year, as well as copies of any audit reports.~~
- F. ~~(→) Each District support organization is encouraged to set goals that are consistent with those of the particular programs, activities, or sports being supported as articulated by the coach/advisor and/or athletic director of such program, activity, or sport to avoid duplication of effort and to maximize the benefit to the organization or group.~~
- G. ~~(→) The activities of District support organizations shall not involve the use of public funds and the District shall not assume responsibility for any purchases made on behalf of any support~~

organization governed by this policy. The School District tax identification number shall not be used for District support organization purchases.

- H. ➡ The time, date, purpose, location, and conduct of all fund-raisers on District property shall have prior approval of the administration. District support organizations are encouraged to communicate their preferred activity dates to the administration as soon as possible as consideration for dates and facilities will be given on a first-come, first-served basis.
- I. ➡ Each District support organization must abide by the policies and guidelines established for the use of District facilities and grounds. Projects that require any modification or alteration to District property must be pre-approved by the Superintendent.
- J. ➡ All food items and beverages available for sale to students that will be consumed on the school campus (any area of property under the jurisdiction of the school that is accessible to students during the school day) during the school day (the period from midnight before to thirty (30) minutes after the end of the official school day) as fund-raisers, including items sold by student clubs and organizations, parent groups, or booster clubs, shall comply with the current USDA Dietary Guidelines for Americans and the USDA Smart Snacks in School nutrition standards. Fund-raisers also include giving away goods or services, but suggesting a monetary donation. All activities must be approved by the Principal, in advance. If approved, fund-raisers that involve the sale of food items or beverages to students on campus must be consistent with regulations established in Policy 8550 - Competitive **Food Sales**~~Foods~~.
- K. ➡ Proceeds from District support organization fund-raisers shall not be commingled with a student activity or other Board accounts. Board employees who commingle such proceeds with a student activity or other Board account shall be subject to discipline.
- L. ➡ The Superintendent shall implement administrative guidelines that require each District support organization's fund-raising activities to be in compliance with Board policies and that the funds generated by such fund-raising activities and donated to the District are used for school-related projects that have the approval of the Superintendent and Principal.
- M. ➡ District support organizations are encouraged to obtain 501(c)(3) status so that community members may properly take tax deductions for donations to the organization.
- N. ➡ Donations from District support organizations must be made in accordance with Board Policy 7230 - **Gifts, Grants, and Bequests** and any accompanying guidelines. Donations shall become the property of the Board and used in a manner determined by the Board, in accordance with its policies and administrative guidelines.

9160 - PUBLIC ATTENDANCE AT SCHOOL EVENTS

The Board of Education welcomes and encourages members of the community to attend athletic and other public events held by the schools in the District. Due to the need to maintain order and preserve the facilities of the District during the conduct of such events, the Board retains the right to bar the attendance of or remove any person whose conduct may constitute a disruption at a school event. School administrators are expected to call law enforcement officials if a person violates posted regulations or does not leave school

property when reasonably requested. In accordance with Board Policy 7440 and AG 7440B, administrators may use metal detectors and other devices to protect the safety and well-being of participants and visitors.

For all school-affiliated events where admission is charged, cash shall be accepted as a method of payment. If concessions are offered, there will be at least one (1) concession stand that will accept cash. If concessions are sold on multiple floors, then at least one (1) location on each floor will accept cash. Persons who receive cash at designated collection points will deposit the cash with the Treasurer/CFO on the next business day of receipt in accordance with Policy 6600.

~~[-]~~ No alcoholic beverage or other controlled substance may be possessed, consumed, or distributed ~~(-)~~ at any function sponsored by the District ~~(-)~~ at any function occurring on Board property. ~~[END OF OPTION]~~

~~[-]~~ Raffles and similar forms of fund-raising by District-related organizations may be permitted by the Superintendent in accordance with Policy 9211 - District Support Organizations and Policy 9700 - Relations with Special Interest Groups. ~~[END OF OPTION]~~

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504/ADA applies.

For facilities constructed or altered after June 3, 1977, the District will comply with applicable accessibility standards. For those existing facilities constructed prior to June 3, 1977, the District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This includes, but is not limited to, providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto.

If a student or adult is asked to leave or is removed from a school event, no admission fees shall be refunded.

Individuals with disabilities shall have an equal opportunity to purchase tickets for events that have been sanctioned or approved by the Board in accordance with the provisions of the Americans with Disabilities Act, as amended.

Further, in accordance with the provisions of the Americans with Disabilities Act, as amended, the Board shall permit individuals with disabilities to be accompanied by their service animals in all areas of the District's facilities where members of the public, as participants in services, programs or activities, or as invitees, are allowed to go. (See Policy 8390)

Smoking and/or the use of tobacco and/or tobacco substitute products is prohibited at any time within any enclosed facility owned, leased, or contracted for by the Board, and in areas directly or indirectly under the control of the Board immediately adjacent to locations of ingress or egress to such facilities. For purposes of this policy, "use of tobacco" means to chew or maintain any substance containing tobacco, including

smokeless tobacco, in the mouth to derive the effects of tobacco, as well as all uses of tobacco, or tobacco substitutes, including cigars, cigarettes, pipe tobacco, chewing tobacco, snuff, any other matter or substances that contain tobacco or nicotine (including synthetic nicotine), in addition to papers used to roll cigarettes, and/or smoking of electronic, "vapor," or other substitute forms of cigarettes, clove cigarettes, and any other smoking devices for burning tobacco or any other substances (see Policy 7434).

Such prohibition also applies to

↔ school grounds

↔ and any school-related event,

↔ except at designated times

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

[END OF OPTIONS]

The Board is aware of the increasing desire of many parents and other members of an audience to make audio and/or video recordings of school events.

Such recordings can be made by parents or other members of the audience without restriction if the performance is not of copyrighted material. However, if the performance is of copyrighted material, a recording can be made if the appropriate license authorizing such a recording has been secured in advance by the District. If the performance is of copyrighted material and the necessary license has not been secured in advance by the District, the audience shall be advised before the performance begins that audio and/or video recordings that will be re-broadcast or distributed in any way, such as posting on the internet, are prohibited.

The Board authorizes the Superintendent to establish rules and procedures governing the use of nondistrict audio/visual recording equipment at any District-sponsored event or activity. Such rules are to be distributed in such a manner that members of the audience who wish to record the event are aware of the rules early enough to make proper arrangements to obtain their recordings without causing delay or disruption to an activity.

Any person or organization seeking to film students or a school activity which is not a public event must obtain prior permission from the Superintendent.

All notices, signs, schedules, and other communications about school events must contain the following statement:

"In accordance with State and Federal law, the District will provide reasonable accommodations to persons with disabilities who wish to attend and/or participate in school events. Such individuals should notify the Superintendent or designee if they require a reasonable accommodation."

R.C. 955.43, 1716.02, 1716.03

R.C. 3313.5319

28 C.F.R. Part 35

29 U.S.C. 794, Section 504 of the Rehabilitation Act of 1973, as amended

34 C.F.R. Part 104

42 U.S. C. 12101 et seq., Americans with Disabilities Act of 1990, as amended

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8330 - STUDENT RECORDS

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

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

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

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

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

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

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

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

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

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

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

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

The Board authorizes the administration to:

- A. forward student records, including academic records, student assessment data, and disciplinary records including records pertaining to suspensions and expulsions, ~~disciplinary records with respect~~

~~to suspensions and expulsions,~~ upon request to a private or public school or school district in which a student of this District is enrolled, seeks or intends to enroll, or is instructed to enroll, on a full-time or part-time basis, **or alternatively send written notice to the requesting school if there is no record of the student's attendance. Records will be released** upon condition that:

1. a reasonable attempt is made to notify the student's parent or eligible student of the transfer (unless the disclosure is initiated by the parent or eligible student; **there is no record of the student having attended school in the District** or the Board's annual notification - Form 8330 F9 - includes a notice that the Board will forward education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student's enrollment or transfer);
 2. **within five (5) school days after receiving the request, either the student records shall be transmitted or a written notice will be provided if there is no record of the student's attendance;**
 3. **except as when expressly prohibited by law, the District is authorized to withhold grades and credits to enforce payment of outstanding fees and charges, and further, may withhold all of a student's school records if there is \$2,500 or more of outstanding debt attributed to the student, and will only release the records once the debt has been paid;**
 4. the parent or eligible student, upon request, receives a copy of the record; and
 5. the parent or eligible student, upon request, has an opportunity for a hearing to challenge the content of the record;
- B. forward student records, including disciplinary records **including records pertaining with respect** to suspensions and expulsions, upon request to a juvenile detention facility in which the student has been placed, or a juvenile court that has taken jurisdiction of the student;
- C. forward student records, including disciplinary records **including records pertaining with respect** to suspensions and expulsions, upon request to a public school or school district in which a student in foster care is enrolled;

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

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

Information disclosed under this exception must be protected so that students and parents cannot

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

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

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

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

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

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

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

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

~~longer needed for the audit, evaluation, or compliance activity.~~

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

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

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

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

DIRECTORY INFORMATION

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

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

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

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

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

Parents and eligible students may refuse to allow the Board to disclose any or all of such directory information upon written notification to the Board within ~~10~~ (10) days after receipt of the Superintendent's annual public notice.

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

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

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

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

INSPECTION OF INFORMATION COLLECTION INSTRUMENT

The parent of a student or an eligible student has the right to inspect upon request any instrument used in the collection of personal information before the instrument is administered or distributed to a student. Personal information for this section is defined as individually identifiable information including a student's or parent's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a Social Security identification number. In order to review the instrument, the parent or eligible student must submit a written request to the building principal at least ~~five~~ (5) business days before the scheduled date of the activity. The instrument will be provided to the parent or eligible student within ~~ten~~ (10) business days of the principal receiving the request.

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

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

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

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

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

The Superintendent shall also develop procedural guidelines for:

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

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

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

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

SAFE AT HOME/ADDRESS CONFIDENTIALITY PROGRAM

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

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

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

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

8210 - SCHOOL CALENDAR

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

The Board shall determine ~~()~~ annually ~~()~~ biannually ~~[END OF OPTION]~~ the total number of hours when the schools will be in session for instructional purposes with students in attendance - including scheduled classes, supervised activities, and approved education options for the upcoming school year(s). When recommending a school calendar to the Board for its consideration and approval, the Superintendent shall analyze and address the factors identified in AG 8210.

At least thirty (30) days prior to adopting a school calendar, the Board shall hold a public hearing on the school calendar addressing topics that include, but are not limited to, the total number of hours in a school year, length of the school day, and beginning and end dates of instruction. "School day" means the time during a calendar day that a school is open for instruction pursuant to the Board-adopted schedule.

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

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

The Superintendent is authorized to develop and implement a plan for a virtual education delivery model in order to make up hours in that school year on which it is necessary to close school due to disease, epidemic, hazardous weather conditions, law enforcement emergencies, inoperability of school buses or other equipment necessary to the school's operation, damage to a school building, or other temporary circumstances due to utility failure rendering the school building unfit for use.

Each plan will be designed to ensure a continuity of learning for students during a school closure and will include the following:

- A. a statement that the qualifying school, to the extent possible, will provide for teacher-directed synchronous learning in which the teacher and students are interacting in real-time on a virtual

learning platform during the closure;

- B. a description of the District's attendance requirements, including how participation of students be tracked and documented and how the school will reach out to students to ensure engagement during a closure;
- C. a description of how equitable access to quality instruction will be ensured, including for vulnerable populations such as students with disabilities and English Learners;
- D. the process that the District will use to notify staff, students, and parents that the school will be using online delivery of instruction;
- E. information on how teachers may be contacted during the closure, including via email, telephone, and/or the District's designated online platforms;
- F. a description of how the qualifying school will meet the technology-related needs of staff and students for online delivery of instruction.

The maximum number of hours that may be made up in this manner is the number of hours that are equivalent to three (3) school days.

~~[] The Superintendent is authorized to develop and implement a plan to require students to access and complete classroom lessons posted on the District's web portal or website in order to make up hours in that school year on which it is necessary to close school due to a calamity. The maximum number of hours that may be made up in this manner is the number of hours that are equivalent to three (3) school days.~~

The plan must include the written consent of the teachers' union and address all of the requirements set forth in R.C. 3313.482. ~~The plan may also include distribution of "blizzard bags" which are paper copies of the lessons posted online.~~ The plan must be approved by the Board by August 1st of each school year.

~~[]~~ The school calendar and the number of hours of student instruction shall be consistent with the provisions of the collective bargaining agreements entered into between the Board of Education and its employees.

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8120 - VOLUNTEERS

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

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

Volunteers for Athletic Activities

Volunteers who direct, supervise, or coach a student activity program that involves athletics, routine or regular physical activity, or activities with health and safety considerations may be required to obtain a pupil activity permit issued by the Ohio Department of Education (ODE). As provided in ODE guidance, the District shall determine which staff members need to have a permit. However, in accordance with OHSAA General Regulations, coaches, paid and/or volunteer, in grades seven (7) through twelve (12) who do not possess the Pupil Activity Program/Coaching Permit shall not be permitted to coach at any level at an OHSAA member school. Such qualifications shall include completion of a sudden cardiac arrest training course approved by the Department of Health, in accordance with R.C. 3319.303. The qualifications shall also include completion of a student mental health training course approved by the Department of Mental Health and Addiction Services. The mental health training course may be combined with or part of another training course. Such training must be completed each time the individual applies for or renews a Pupil Activity Program Permit. Individuals who have applied for a Permit but who have not yet been issued a valid credential shall not be permitted to interact with athletes, even under the supervision of a credentialed coach, until the Pupil Activity Permit number is formally issued.

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

The cost of obtaining the permit will be ~~[CHOOSE ONE (1) OF THE OPTIONS] ()~~ at the Board's expense ~~[OR] ()~~ at the volunteer's expense ~~[END OF OPTION]~~.

General Requirements

The Superintendent is to inform each volunteer that they:

- A. are required to abide by all Board policies and District guidelines while on duty as a volunteer (including, but not limited to, the volunteer's obligation to keep confidential and not release or permit access to any and all student personally identifiable information to which they are exposed except as authorized by law);
- B. will be covered under the District's liability policy but the District can not provide any type of health insurance to cover illness or accident incurred while serving as a volunteer, nor is the person eligible for workers' compensation;
- C. will be asked to sign a form releasing the District of any obligation should the volunteer become ill or receive an injury as a result of their volunteer services;

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

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

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

~~[] OPTION #1~~

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

~~[] [OPTION #2]~~

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

~~[END OF OPTIONS]~~

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

~~() the volunteer will be informed either that the Board is no longer interested in maintaining their volunteer service or that the volunteer will be assigned to duties for which they will not work unsupervised with children.~~

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

~~[END OF OPTIONS]~~

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

Offenses

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

- A. aggravated murder, murder, voluntary manslaughter, involuntary manslaughter
- B. felonious assault, aggravated assault, assault
- C. failing to provide for a functionally impaired person
- D. aggravated menacing
- E. patient abuse or neglect
- F. kidnapping, abduction, child stealing, criminal child enticement
- G. rape, sexual battery, corruption of a minor, gross sexual imposition, sexual imposition, importuning, voyeurism, public indecency, felonious sexual penetration, compelling prostitution, promoting prostitution, procuring prostitution, disseminating matter harmful to juveniles, pandering obscenity, pandering obscenity involving a minor, pandering sexually oriented matter involving a minor, illegal use of a minor in nudity-oriented material or performance
- H. aggravated robbery, robbery
- I. aggravated burglary, burglary
- J. abortion without informed consent
- K. endangering children
- L. contributing to the delinquency of children
- M. domestic violence
- N. carrying concealed weapons, having weapons while under disability, improperly discharging firearm at or into a habitation or school
- O. corrupting another with drugs
- P. trafficking in drugs

- Q. illegal manufacture of drugs or cultivation of marijuana
- R. funding of drug or marijuana trafficking
- S. illegal administration or distribution of anabolic steroids
- T. drug possession offenses (that are not a minor drug possession offense)
- U. placing harmful objects in or adulterating food or confection
- V. ☒ a felony
- W. ☒ an offense of violence
- X. ☒ a theft offense (as defined in R.C. 2913.01)
- Y. ☒ a drug offense (as defined in R.C. 2925.01, that is not a minor misdemeanor)

6240 - BOARD OF REVISION COMPLAINTS AND COUNTERCOMPLAINTS

The Board of Education has a responsibility to properly manage the tax revenue it receives from local property taxes. Under State law, the Board has the authority to challenge real estate tax valuations through the Board of Revision in certain circumstances.

Original Complaints

Upon adoption of a resolution by the Board, the Treasurer/CFO, through counsel, shall file original complaints regarding any arm's length sale (☒ commercial only, ☐ commercial or residential) in which the sale price exceeds both the filing threshold as determined by the Tax Commissioner and the Auditor's valuation by at least ten percent (10%), within the time period permitted for sales by law. Each resolution adopted by the Board will identify no more than one (1) parcel of land unless multiple parcels are owned by the same record owner(s).

At least seven (7) calendar days prior to the Board taking action on the resolution, the Treasurer or **legal counsel** will send a written notice by certified mail to at least one (1) of the parcel owners of record at their last known tax-mailing address, and if different to the street address of the parcel(s), which declares the intent of the Board to consider adoption of the resolution. The notice will also include the date of the meeting at which the Board will consider the resolution and the basis for filing the complaint. If the Treasurer has record of an internet identifier of record associated with at least one (1) owner, the notice may be sent by regular U.S. mail and by that internet identifier of record.

Countercomplaints

☒ **Option #1**

The Board authorizes the Treasurer/CFO, through counsel, to file counter-complaints in response to non-residential complaints that seek reductions in market value of at least \$ _____ in true value.

[DRAFTING NOTE: Many board of education limit counterclaims to non-residential property only and do not file countercomplaints against residential properties. Select this option if the board would like to limit countercomplaints to non-residential properties only.]

[] [Option #2]

The Board authorizes the Treasurer/CFO, through counsel, to file counter-complaints in response to complaints that seek reductions in market value of at least \$50,000 _____ in true value. **[DRAFTING NOTE: A board of education may file a counter-complaint only if the original complaint states an amount of overvaluation, undervaluation, discriminatory valuation, illegal valuation, or incorrect determination of at least seventeen thousand five hundred dollars in taxable value. The amount a board of education lists in either option must be greater than this amount.]**

[END OF OPTIONS]

Settlement Authority

The Treasurer/CFO shall have the discretion to settle a complaint or counter-complaint via stipulation of value or dismissal of a complaint or counter-complaint. The Treasurer shall provide notice of all settlements to the Board.

Appeals

When permitted by law, the Board may appeal any decision of the BOR, as determined by the Treasurer/CFO, in consultation with Board counsel and notification to the Board.

R.C. 5715.19

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