

Policy 1001: Headings, Terms, and Definitions

As used throughout the Governing Authority's approved policies, procedures, and forms: headings are for reference only and shall not be construed to limit or otherwise affect the meaning of the referenced section; and, terms are defined as follows (terms that are not defined herein shall have their commonly accepted definition):

Board:	Another term for Governing Authority.
Charter School:	A common term for community school. In Ohio, the correct legal term is community school.
Charter School Contract:	Another term for community school contract.
Community School:	A public school, established pursuant to Chapter 3314 of the Ohio Revised Code.
Community School Contract:	The contract between the Governing Authority and a sponsor that establishes the school as a public community school.
Corporation:	A term referring to the school and/or its Governing Authority. The Governing Authority is legally incorporated as an Ohio non-profit corporation.
Custodian:	A person appointed pursuant to legal authority to serve as a child's legal guardian.
Foster Parent (Caregiver):	A person appointed pursuant to legal authority to serve as a child's legal guardian.
Management Company:	A company contracted with by the Governing Authority to operate the school and perform delegated functions according to the contract. The Governing Authority has chosen to contract with Summit Academy Management to serve as the school's management company. A management company is sometimes referred to as an operator.
Management Contract:	The contract between the school's Governing Authority and Summit Academy Management, a

	non-profit corporation, to manage the operations of the school.
ODE	An abbreviation for the Ohio department of education.
Operator:	Another term for management company.
Parent:	A child's natural or adoptive Parent.
Policy:	A general, written statement adopted by the Governing Authority which defines its expectations or position on a particular matter and authorizes appropriate action that must or may be taken to establish and/or maintain those expectations.
Procedure:	A method, set of actions, or established way of doing something approved by the Governing Authority or by the management company, as delegated by the Governing Authority.
SAM	An abbreviation for Summit Academy Management, the school's management company.
School:	The Summit Academy Secondary School - Middletown
School Facility/Property:	Any property owned, used, or leased by the school, or its management company, for school operations, extracurricular, or other school-related events. Property includes school transportation buses, school vehicles or other modes of transportation as authorized by the Governing Authority.
School Sponsored Activity:	A school sponsored activity or event is any activity or event conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized, or authorized by the Governing Authority and/or state board of education.
Sponsor:	An entity approved by the Ohio department of education, or by law, to sponsor Ohio community schools, which has entered into a contract with the school's Governing Authority for the authorization of an Ohio public community school.



Policy 1002: Amended and Restated Code of Regulations

I. Purpose

Summit Academy Secondary School - Middletown (the "corporation") is organized for charitable and educational purposes as a non-profit corporation under the laws of Ohio to operate a public community school, as further provided in the corporation's Articles of Incorporation (the "Articles").

II. Directors

A. Directors

There shall be no members of the corporation. The directors shall, for purposes of any statute or rule of law relating to Ohio non-profit corporations, act as the members of the corporation, and shall have all the rights and privileges of members as permitted under the Ohio non-profit corporation law, Chapter 1702 of the Revised Code (as amended), to the extent necessary for the proper operation of the corporation. The procedures governing the actions of the directors set forth in this Amended and Restated Code of Regulations (the "regulations") and the Ohio non-profit corporation law, Chapter 1702 of the Revised Code (as amended), shall apply to all actions taken by the directors when acting as the corporation's members.

B. Number

The number of directors of the corporation shall be at least five (5) individuals and no more than fifteen (15) individuals.

C. Term

Each director will serve a three-year term, which expires on June 30th of the third year following the year of their election. A director may be re-elected as many times as the board determines. Each director shall hold office until that director's term expires, or until his or her successor is elected, or until his or her earlier resignation, removal from office, or death. The directors of the corporation and their terms as of the date of adoption of these regulations is set forth on the attached Exhibit A. A director elected to fill a vacancy created by resignation, removal, or death of a director shall complete the unexpired term of that director. A director elected to fill a vacancy resulting from an increase in the number of directors shall serve for an initial term that is determined by the board of directors but no longer than three years.



D. Qualifications and Role of Directors

The directors shall be, in their capacity as directors, the Governing Authority members of a public community school in Ohio. The directors shall have a strong interest in the welfare of the corporation and in education. Each director should be willing and able to attend meetings, both regular and special, and also be willing to accept special assignments and/or serve on committees.

E. Election of Directors

Candidates for director shall be nominated by the board of directors or a committee thereof. The board of directors shall elect directors to fill the vacancies created by the expiration of directors' terms of office at the annual meeting of the board of directors or, if not held, at the next scheduled regular meeting or a special meeting called for that purpose. The board of directors shall fill any vacancy on the board of directors resulting from an increase in the number of directors or the resignation, removal, or death of director as soon as is practicable at a regularly scheduled or special meeting of the board of directors. The remaining directors, though less than a majority of the whole authorized number of directors, may, by a vote of the majority of their number, fill any vacancy on the board of directors.

F. Meetings

The annual meeting of the directors shall be held at such time, date, and place as a majority of the directors may determine. The board of directors may, by resolution, provide for regularly scheduled meetings of the board. Special meetings may be called at any time by the president or by any two (2) directors. Provided however, for so long as the corporation is operating as a public community school, meetings relating in any way to the business or operation of the public community school must be open to the public and publicized as required by law. Notwithstanding anything to the contrary in these regulations, no group of directors which consist of a majority of the board of directors, including committees of directors, shall meet in a prearranged manner to discuss public school business, without proper notice to the public of a regular or special meeting. The rules contained in the current edition of Robert's Rules of Order, Newly Revised, shall govern the procedures at meetings, as long as said rules are not inconsistent with these regulations, Ohio law, or any special rules the board of directors may adopt. Failure to follow Robert's Rules shall not invalidate an otherwise lawful action of the board of directors.



G. Quorum and Voting

The presence of a simple majority of the total number of directors shall constitute a quorum for the transaction of business at all meetings of the board of directors. A vote of a simple majority of the directors present at a meeting at which a quorum is present shall be required to effectuate action on all matters within the powers of the board of directors unless otherwise provided by law or herein. Unless otherwise provided by law, the directors must be physically present at a meeting in order to be counted as part of a quorum and to vote. In the event the corporation is no longer operating a public community school, or, in the event Ohio law ever allows the following procedure for open meetings, then the directors shall for purposes of this section be deemed present and able to vote at such meeting if telephonic/computer/electronic conferencing equipment is used by means of which all persons participating in the meeting can communicate with each other at the same time.

H. Notice and Waiver

Unless waived, notice of each annual meeting communicating the day, hour and place, and the purpose or purposes thereof shall be given to each director by the secretary of the corporation not more than sixty (60) days nor less than three (3) days before any such meeting.

Any notice required to be given by these regulations, shall be in writing and shall be delivered personally or sent electronic mail transmission, fax, or by United States mail, express mail, or courier service, with postage or fees prepaid. For any notice sent by personal delivery, telegram, telecopy, or electronic mail, notice shall be deemed to be given when delivered or transmitted. For any notice sent by United States mail, or courier service, notice shall be deemed to be given when delivered or deposited in the mail or with the courier service. Notice, if sent by United States mail, express mail, courier service, or telegram shall be sent to the address of the person listed in the records of the corporation. Notice, if sent by telecopy or electronic mail, shall be sent to the number/address furnished by the person for such transmissions.

Notice of the time and place of any meeting of the board of directors may be waived by electronic mail transmission, or other writing, either before or after such meeting has been held. The attendance of any director at a meeting without protesting, prior to or at the commencement of the meeting, shall waive notice or lack of proper notice of that meeting.



However, once a community school contract is executed and the corporation is a public school, nothing in this section shall alter the duty of the corporation to provide proper notice of any meeting to the public.

I. Action by Written Consent

Any action required or permitted to be taken at any meeting of the board of directors or of any committee thereof may be taken without a meeting, if a written consent to such action is signed by all of the board of directors or of such committee, as the case may be, and such written consent is filed with the minutes of proceedings of the board of directors or committee. Such a written consent may be signed by facsimile signatures which shall be construed as originals, and/or on separate but identical documents which shall be construed as one original. Provided however, if the corporation is operating as a public community school pursuant to a fully executed community school contract, all actions must be taken at open and public meetings and actions by written consent shall not be allowed.

J. Committees of Directors

The board of directors may create a committee or committees as the directors may determine, the members of which committee or committees shall consist of not less than one (1) director. A simple majority of the members of any such committee shall constitute a quorum, and the act of a simple majority of the votes cast at a meeting at which a quorum is present shall be the act of the committee. In every instance, however, the final action on all committee business shall be in the nature only of recommendations to the board of directors. Notwithstanding anything to the contrary in this section however, once the corporation has a fully executed community school contract and becomes a public school, no committee nor any group of directors, which consist of a majority of the board of directors, shall meet in a prearranged manner to discuss school business, without proper notice to the public of a regular or special meeting, and, only the votes of the board of directors shall be valid and binding.

K. Other Advisory Councils

The board of directors may, at its discretion, also consider recommendations of associations, supporting organizations or advisory councils which are not part of the board of directors, such as those of parents or other groups.

L. Removal of Directors



Any director may be removed, with or without cause, at any time by a majority vote at any meeting in which a quorum is present.

M. Resignations and Vacancies

Any director may resign by tendering a written resignation to the board of directors. The resignation shall be effective upon receipt of the resignation by an officer of the board or, if later, upon the date specified by the director in his/her resignation. Vacancies in the board of directors shall be filled in accordance with Article II(E).

N. Powers of Directors

The policies of the corporation shall be directed by the board of directors in accordance with the law. Subject to the provisions of Ohio law in general, the Ohio nonprofit corporation law, the articles, and these regulations, the board of directors shall do and perform every act and thing whatsoever which it shall deem necessary, expedient or advisable to carry out the purposes of the corporation.

O. Honorary Directors

Any individual, whether an emeritus director or not, who has provided extraordinary service to the corporation over a period of time, may be honored with the title "honorary director" at the discretion of the board. Honorary directors are elected for life, are not voting members of the board and are permitted but not required to attend meetings. The title of an honorary director may be revoked by a vote of the board of directors at any meeting in which a quorum is present.

P. Summit Academy Management

Summit Academy Management ("SAM") is an Ohio non-profit corporation organized to operate community schools. Under the terms of SAM's regulations and other governing documents, the corporation shall serve as a member of SAM as long as the board of directors has entered into a current management agreement with SAM. As a member, the board of directors may, by resolution, authorize and appoint one (1) or more directors or officers of the corporation to vote or otherwise act on behalf of the corporation with respect to the appointment of directors of the SAM board or on any other business required by membership of SAM. Any such authorization and appointment may be revoked at any time by resolution of the board of directors of the corporation.



III. Officers

A. Number, Title and Election

The officers of the corporation shall consist of a president, vice president, treasurer, and secretary, and may include such other officers and assistant officers as the board of directors shall deem advisable, each of whom shall be elected by the board at the annual meeting of the board. Officers shall hold office for a term of one year, or until their successors are elected and qualified, except in the event of their earlier death, resignation or removal. All officers shall be elected from the board of directors of the corporation, except the treasurer and secretary, who may or may not be directors (officers that are not directors are non-voting).

B. Vacancies

A vacancy in any office because of death, resignation or removal of an officer shall be filled by the board of directors for the unexpired term of such office.

C. Resignation and Removal

An officer may resign at any time by tendering his or her resignation in writing to the board of directors and such resignation may become effective immediately upon its delivery to an officer of the board. An officer of the corporation may be removed at any time, with or without cause, by the board of directors at any time at a meeting in which a quorum is present. The election or appointment of an officer for a term of office shall not be deemed to create contract rights.

D. President

The president shall preside at all meetings of the board and shall coordinate the activities directed by the board of directors and shall oversee the actions of the corporation subject to the policies and goals established by the board of directors.

E. Vice President

The vice president shall perform the duties of the president when the president is absent, and all other duties as may be assigned by the board of directors or the president.

F. Secretary



The secretary shall be responsible for providing notice of meetings to the board of directors, where notice is required, and to the public for the matters concerning the public school and shall keep or approve a record of the proceedings of the board of directors and shall perform other duties as may be required by the board of directors or the president. The board of directors may contract with a third party to carry out part or all of the secretary's duties, pursuant to a vote of the board of directors.

G. Fiscal Officer

The Fiscal Officer shall act as, or in conjunction with, the treasurer of the corporation and shall have custody of the cash, securities, and other assets of the corporation. The fiscal officer shall receive contributions, bequests, revenues, and other assets to which the corporation is entitled and disburse funds as directed by the board of directors. The fiscal officer shall maintain or approve appropriate books of account and supporting records and shall prepare or approve and file all returns and related reports required by federal and state statutes and regulations and shall perform other duties as may be required by the board of directors or the president. However, notwithstanding the fact that the corporation has named a person to serve as its fiscal officer, the board of directors may contract with a third party to provide for part or all of the fiscal officer's responsibilities, subject to a vote of the board of directors. The board may require a bond in any amount, at its discretion or as directed by law, and the cost of the bond or bonds shall be paid for by the corporation.

IV. Indemnification of Directors, Officers, Employees, and Agents

Each person who at any time is or shall have been a director, officer, employee or agent of the corporation, and such person's heirs, executors and administrators, shall be indemnified by the corporation, both during and after their association with the corporation, for those acts or omissions concerning the corporation, in accordance with and to the full extent permitted by the nonprofit corporation law of the state of Ohio as in effect at the time of the adoption of these regulations or as amended from time to time thereafter. The foregoing right of indemnification shall not be deemed exclusive of other rights to which any director, officer, employee, agent or other person may be entitled in any capacity as a matter of law or under any regulations, agreement, vote of directors, or otherwise. As authorized by the board of directors, the corporation may purchase and maintain insurance against liability on behalf of any such



person to the full extent permitted by law in effect at the time of the adoption of these regulations or as changed from time to time.

V. Contracts Between Corporation and Related Persons

To the greatest extent allowed by Ohio law and, while operating as a public Ohio community school specifically subject to the limitations and restrictions imposed on public officers, any contract or other transaction between this corporation and one or more of its directors, or between this corporation and any entity of which one or more of this corporation's directors are interested, whether such director is a member of the board of the school or not, shall be valid for all purposes, notwithstanding the presence of such director at the meeting at which the board of directors of the corporation acts upon, or in reference to, such contract or transaction, and notwithstanding the participation of the director in such action, if the fact of such interest shall be disclosed or known to the board of directors, and the board of directors nevertheless, authorize, approve or ratify such contract or transaction by a vote of a majority of the directors present. Unless Ohio law otherwise prohibits or permits, the interested director may be counted in determining whether a quorum is present but may not be counted in voting upon the matter or in calculating the majority of such quorum necessary to carry such vote. This article shall not be construed to invalidate any contract or other transaction which would otherwise be valid under the common and statutory law applicable thereto.

VI. Books and Records

The corporation shall keep correct and complete books, records and minutes of the board of directors' meetings, and, so long as required by Ohio law, during the time when the corporation is functioning as a public community school, such books and records shall be public records. The secretary of the corporation shall keep an accurate list of the names and addresses of the board of directors.

VII. Amendments

These regulations may be amended by a majority of all of the board of directors.

VIII. Community School Sponsor's Authority to Appoint Directors



If necessary, and as provided in the community school contract, the board of directors will allow the community school sponsor to appoint (non-sponsor related) directors to the board.



Exhibit A

Board of Directors as of the date these regulations were adopted:

<u>Name</u>	<u>Term</u>



Policy 1003: Ethics and Conflicts of Interest

I. Policy Statement

It is policy of the Governing Authority that its mission be carried out in accordance with the strictest ethical guidelines and to ensure that Governing Authority members conduct themselves in a manner that fosters public confidence in the integrity of the school, its processes, and its accomplishments. This policy applies to all Governing Authority members, designated fiscal officer, and management company personnel. Management company personnel includes all personnel who perform or possess administrative or supervisory functions or responsibility for the school. For the purposes of this policy, the individuals covered by this policy may be referred to individually or collectively referred to as "public official(s)".

II. General Standards of Ethical Conduct

Public officials must, at all times, abide by protections to the public embodied in Ohio's ethics laws, as found in Chapters 102. and 2921. of the Revised Code, and as interpreted by the Ohio ethics commission and Ohio courts. (A copy of these laws is provided to each new Governing Authority member as required in ORC 102.09(D). Each Governing Authority member is required to acknowledge receipt in writing). Public officials must conduct themselves, at all times, in a manner that avoids favoritism, bias, and the appearance of impropriety.

- A. A general summary of the restraints upon public officials includes, but is not limited to, those listed below. Public officials shall not:
1. solicit or accept anything of value from anyone doing business with the school;
 2. solicit or accept employment from anyone doing business with the school, unless the public official completely withdraws from school activity regarding the party offering employment, and the Governing Authority approves the withdrawal;
 3. use their public position to obtain benefits for a family member, or anyone with whom the public official has a business or employment relationship;
 4. be paid or accept any form of compensation for personal services rendered on a matter before any Governing Authority, commission,



committee or other body of the school, unless they qualify for the exception, and file the statement, described in Section 102.04(D) of the Revised Code;

5. hold or benefit from a contract with, authorized by, or approved by, the school (the ethics law does except some limited stockholdings, and some contracts objectively shown as the lowest cost services, where all criteria under Section 2921.42 of the Revised Code are met, "Abstention" does not cure a violation of this provision);
6. vote, authorize, recommend, or in any other way use their position to secure approval of a school contract (including employment or personal services) in which the public official, a family member, or anyone with whom the public official has a business or employment relationship, has an interest;
7. solicit or accept honoraria (see Sections 102.01 (H) and 102.03(H) of the Revised Code);
8. during public service, and for one year after leaving public service, represent any person, in any fashion, before any public agency, with respect to a matter in which the public official personally participated while serving in their position at the school; or,
9. use or disclose confidential information protected by law, unless appropriately authorized; or use, or authorize the use of, their title, the name "(school's name)," or logo in a manner that suggests impropriety, favoritism, or bias by the school or the public official.

B. For purposes of this policy:

1. "Anything of Value" includes anything of monetary value that is of such character that it manifests a substantial and improper influence upon the public official with respect to their duties. Examples include, but are not limited to, money, gifts, food or beverages, social event tickets and expenses, travel expenses, golf outings, consulting fees, compensation, or employment.
2. "Monetary Value" means worth greater than de-minimis or nominal.
3. "Anyone doing business with the school" includes, but is not limited to, any person, corporation, or other party that is doing or seeking to do business with, regulated by, or has interests before the school.



III. Annual Disclosure Statement

Each Governing Authority member shall annually sign a conflicts of interest disclosure statement that includes, but is not limited to, the names of any immediate relatives or business associates employed by the following within the previous three years: the sponsor or management company of the school; a school district or educational service center that has contracted with the school; or a vendor that is or has engaged with business with the school. The management company shall prepare a form with the required information for signature by each Governing Authority member and retain the forms in the school office according to the Governing Authority's records retention schedule.

IV. Ethics Training

Each Governing Authority member, and other required individuals, shall complete ethics training, if required by law and/or the community school contract.

V. Assistance

The ethics commission is available to provide advice and assistance regarding the application of the ethics law and related statutes. The commission can be contacted at (614) 466-7090. The commission's web site address is: www.ethics.ohio.gov. A public official may contact the commission at any time to seek their advice and counsel. With Governing Authority approval, the school's counsel may also be consulted to provide guidance involving this policy.

VI. Penalties

Failure of public official to abide by this policy, or to comply with the ethics law and related statutes, will result in discipline, which may include removal from the Governing Authority, cancelling of any engagement contracts, as well as any potential civil or criminal sanctions under the law.



Policy1004: Governing Authority

I. Authority

The Governing Authority is incorporated as a non-profit corporation pursuant to Chapter 1702 of the Revised Code. The Governing Authority may sue and be sued, acquire facilities as needed, and enter into a community school contract with an authorized community school sponsor pursuant to Chapter 3314. of the Revised Code to establish a public community school. It may make payments to a sponsor for oversight and monitoring. It may also contract for any services it deems necessary for the operation of the School and may carry out any act and ensure the performance of any duty or function that is in compliance with federal law, state law, and the community school contract, whether express or implied.

II. Corporate Compliance

The corporate governance of the Governing Authority is set out in the code of regulations and by its approved policies and/or procedures. The code of regulations uses the terms "board of directors" and "directors". Those terms are synonymous with the terms "Governing Authority" and "Governing Authority member".

III. Roles and Responsibilities

A. General

The Governing Authority has the ultimate responsibility for all aspects of the School's program and operation, including the approval of the School's educational program.

B. Appointment of a Fiscal Officer

The Governing Authority shall appoint, or contract for the provision of, a fiscal officer for the community school in compliance with the requirements of Section 3314.011 of the Revised Code. The fiscal officer is required to have a school treasurer license and to execute a bond in an amount and with a surety acceptable to the Governing Authority. Said bond shall meet all applicable legal requirements, requirements of the state auditor's office, and the community school contract. The School



shall pay the costs of purchasing the bond. The Governing Authority may, in its discretion, also appoint the fiscal officer to serve as the Governing Authority's treasurer.

C. Policies and Procedures

The Governing Authority shall make and enforce policies and/or procedures relating to its own governance and for functions related to the operation of the School. This authority includes any implied powers the Governing Authority has that are reasonably necessary to carry out its duties and for oversight of the School. The Governing Authority shall periodically review policies and procedures to meet legal review requirements and to ensure they are in compliance with current legal requirements.

D. Dispute Resolution

The Governing Authority has ultimate jurisdiction over any dispute, complaint, or controversy within or about the School including any matter in which authority is vested in the Governing Authority by law, the Governing Authority's policies, and/or the community school contract. When allowed by law, the Governing Authority may also delegate its authority to resolve any disputes, complaints, or controversies, to a designee, including (but not limited to) its management company. The Governing Authority authorizes and directs the management company to establish and implement procedure(s) that shall be followed for receiving and resolving disputes, complaints, or controversies. The procedures shall be developed and implemented in accordance with the following guidelines:

1. The issue shall be timely addressed in an efficient and effective manner.
2. The issue shall be addressed as close to the source of the dispute/complaint as possible, and only involve a higher authority if and when necessary.
3. The parties shall be kept informed throughout the process.
4. The management company shall publish any developed procedure(s) in the parent/student handbook, other similar document, or on the School's website. Copies shall also be available in the School's office.



E. Approval and Monitoring of Budget/Bond and Financial Reporting Standards

The School's fiscal year shall begin annually on July 1st and end on the subsequent June 30th. The Governing Authority has control of its budget and shall publish an annual budget in accordance with legal requirements, any requirements of the state auditor's office, and any requirements in the community school contract. The Governing Authority shall prepare the annual budget with the assistance of its designated fiscal officer and management company. The Governing Authority shall comply with standards of fiscal reporting adopted by the state board of education under Section 3301.07 of the Revised Code.

F. Reporting Requirements

The Governing Authority shall comply with the reporting requirements of Sections 3314.08 and 3301.0714 of the Revised Code and hereby delegates the responsibility to meet these requirements to its management company.

G. Annual Report

The Governing Authority is required to annually report on the School's progress in meeting the goals and standards provided in law and the community school contract and its financial status. The annual report is provided to the parents of students, the School's sponsor and any required government entities. The management company is responsible for preparing a draft report and presenting it to the Governing Authority for review and approval.

IV. Membership

A. Code of Regulations

The Governing Authority's code of regulations sets forth the general requirements regarding Governing Authority membership and the roles and responsibilities of individual members. The code of regulations provides for the number, term, qualifications, election, removal, and filling of vacancies. This policy is only intended to supplement the provisions contained in the code of regulations.



B. Powers of Individual Members of the Governing Authority

The powers of the Governing Authority reside in the Governing Authority as a whole. Members do not individually possess the Governing Authority's powers. The Governing Authority exercises its authority through acts taken during its official meetings as reflected in the minutes of each meeting. Individual members do not have authority to direct the School's operations or day-to-day activities.

C. Roles and Responsibilities of Individual Governing Authority Members

1. Public Records

Individual Governing Authority members may exercise their right to request and receive School records or information. Individual requests for public records are handled according to the Governing Authority's public records policy. If an individual Governing Authority member requests other information necessary for their roles and responsibilities as a Governing Authority member, the management company should make reasonable efforts to provide the requested information, subject to any legal or confidentiality requirements. If the management company, in its discretion, reasonably believes the request is administratively unreasonable, burdensome, or will interfere in its ability to maintain effective School operations, it may withhold the information until a ruling is made by the Governing Authority. The management company should place the item on the Governing Authority agenda at its next regular meeting or at a special meeting called for that purpose.

2. Ethics and Conflicts of Interest

Individual members are required to adhere to the Governing Authority's ethics and conflicts of interest policies and sign required annual disclosure statements.



3. Criminal Background Check

Individual members are required to obtain a criminal background check, including checks with both the FBI and BCI. The cost of the background check will be paid by the School.

4. Orientation

It is essential that each individual member be prepared for service on the Governing Authority. Therefore, each individual member shall receive copies of the attorney general's sunshine law manual, public records laws, open meetings laws, ethics laws, the Governing Authority's policy manual, the community School contract, the current budget and related fiscal materials, and the management company contract. These documents shall be given to each new member within 15 days of appointment. Each new member shall be required to sign an acknowledgment of receipt. New members may also be required to attend a training session, if required by law, the Governing Authority, or sponsor. In addition, each new member shall be entitled meet, at their request, with the Governing Authority president and a management company representative to discuss membership on Governing Authority, the School's programs and/or operations.

5. Meeting Attendance

Regular attendance at Governing Authority meetings is an obligation of each member. A Governing Authority member may be removed by the Governing Authority if the member misses three consecutive regular meetings; or, misses five regular meetings in a year. Absences may be excused by majority vote of the Governing Authority upon request. Excused absences shall only be granted for exceptional circumstances.

D. Compensation

Pursuant to the authority granted by Section 3314.02(E)(5) of the Revised Code, the Governing Authority hereby approves compensation for members in the amounts as currently authorized by that section, or as subsequently amended. Currently, a Governing Authority member shall be compensated in the amount of \$125 per meeting of the Governing



Authority. In addition, a member shall be compensated for attendance at an approved training program in the amount of \$60.00 a day if the program lasts three hours or less, and in the amount of \$125.00 a day if the program lasts longer than three hours. A member may waive all or a part of their compensation. A member may not receive more than \$5000.00 annually as compensation from all community School Governing Authorities on which the individual serves. This includes compensation for attendance at meetings and approved training programs. It is the Governing Authority member's obligation to inform the School's fiscal officer if they have reached the maximum.

E. Reimbursement

A Governing Authority member may receive reimbursement for eligible expenses for activities that have been pre-approved, or as authorized, by the Governing Authority. In order to receive reimbursement, each member shall follow the procedures and provide required documents as established by the school's fiscal officer and/or management company. Eligible expenses will be reimbursed at rates determined by the Governing Authority.

1. Eligible expenses include reasonable fees, parking, mileage, meals, and hotel costs associated with attendance at a Governing Authority approved conference, program, or training event. Eligible meal reimbursement includes the gratuity, up to a maximum gratuity of 20%.
2. Expenses that are not eligible for reimbursement include:
 - a. The amount of a gratuity that is in excess of 20%;
 - b. Expenses incurred as a result of requested upgrades;
 - c. Expenses for which a member received a rewards program benefit. Examples of rewards programs include, frequent flier programs, hotel rewards programs, credit card programs, etc.; and,
 - d. Entertainment and Alcohol.



Policy 1005: Mission, Vision/Philosophy

I. **Mission**

It is the mission of the school to build hope, success, and well-being through education and advocacy for child with special needs.

II. **Vision and Philosophy**

Safety – I will keep others and myself safe at all times, both physically and emotionally.

Respect – I will value the Summit Academy Code of Conduct. I will not disrespect anyone in the group but will help to build up others. When I help someone, I am helped.

Full Participation – I will participate in all scheduled activities without complaint, and to the best of my abilities.

Honest Feedback – I will offer honest opinions to others in the group in an affirming (nice) way. I also will accept others' comments to me, as this will help me grow.



Policy 1006: Public Meetings

Meetings of the Governing Authority are subject to Ohio's Sunshine Laws. The Governing Authority is required to take official actions and to conduct all deliberations on official business only in an open (public) meeting unless the subject matter is specifically excepted by law.

I. Definition of Meeting

A meeting is defined as a prearranged discussion of public business by a majority of the members of the Governing Authority. There are three types of meetings: regular, special, and emergency. Meetings of any subcommittees established by the Governing Authority shall also comply with the requirements of this policy.

II. Regular Meetings

The Governing Authority shall annually approve a "Regular Meeting Calendar" of its Regular Meetings for the upcoming school year. The Regular Meeting Calendar shall include the date, time, and location of each meeting. The Regular Meeting Calendar shall be posted on the School's website and the Management Company shall ensure that it is up to date throughout the year. Posting such information on the School's website shall establish a reasonable method whereby any person may determine the time and place of all Regular Meetings.

III. Special Meetings

A Special Meeting is a meeting called for a specific purpose. The purpose of a Special Meeting can be broad or narrow, but which must be held only for the purpose as stated in the notice. The Governing Authority will provide at least twenty-four (24) hours advance notice of a Special Meeting. The notice shall be placed on the School's website and include the time, date, place, and purpose of the Special Meeting. Posting such information on the School's website shall establish a reasonable method whereby any person may determine the time and place of any Special Meeting.

IV. Emergency Meetings

An Emergency Meeting may be called where immediate action by the Governing Authority is required and twenty-four (24) hours advance notification is not possible. Notice shall include the time, date, place, and purpose of the Emergency Meeting and immediately be placed on the School's website and front door. Posting such information on the School's website shall establish a reasonable method whereby any person may determine the time and place of any Emergency Meeting.



V. Minutes

The Management Company, with the assistance of Governing Authority's Secretary, shall promptly prepare, file, and maintain Minutes of all meetings. Minutes shall reflect only the general subject matter of an executive session and shall be open to public inspection.

VI. Advance Notification

Any person may request reasonable advance notification of Governing Authority meetings. The request may specify the type of public business for which advance notification is requested. Upon request, a person may receive advance notification: 1) electronically, by supplying a valid e-mail address; or 2) via regular mail, by supplying the Governing Authority with self-addressed, stamped envelopes. For Special Meetings, advance notice shall be sent at least twenty-four (24) hours in advance. For Emergency Meetings, advance notice shall be sent immediately upon scheduling the meeting.

VII. Executive Session

The law allows the Governing Authority to meet privately during a Regular or Special Meeting to discuss or deliberate certain statutorily allowable matters. An Executive Session may be held only after a majority of a quorum of the Governing Authority determines, by roll call vote, to hold an Executive Session. An Executive Session may be held to consider any matter authorized by law as a proper subject for Executive Session, including but not limited to:

- A. The appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual (students are considered regulated individuals), unless the public employee, official, licensee, or regulated individual requests a public hearing;
- B. The purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest; no member of the Governing Authority shall use this section as a subterfuge for providing covert information to prospective buyers or sellers;
- C. Conferences with an attorney for the Governing Authority concerning disputes involving the Governing Authority that are the subject of pending or imminent court action;



- D. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment;
- E. Matters required to be kept confidential by Federal or State laws and regulations or state statutes; and
- F. Details relative to the security arrangements and emergency response protocols for the Governing Authority of the School if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the School.

After a meeting is convened, any member of the Governing Authority may make a motion for an Executive Session, stating the purpose of the Executive Session by citing one or more of the reasons set forth above. Upon receiving a second to the motion and a majority roll-call vote of those present and voting, the President, or member chairing the meeting, shall declare the Governing Authority to be in Executive Session.

If the Executive Session is to discuss a personnel matter listed in subparagraph A above, the particular subject(s) for which the Executive Session has been called must be identified in the motion, but the motion does not need to identify the person by name.

No official action may be taken in Executive Session. All resolutions, rules, and formal actions of the Governing Authority resulting from deliberations that occurred in Executive Session shall be adopted during an open Meeting.

VIII. Retreats or Seminars

Retreats or Seminars attended by the Governing Authority for general training, professional development, or question-and-answer sessions with non-public officials, where discussion of public business is not the purpose of the activity, are not considered public meetings under the Open Meetings Law. Governing Authority retreats that are conducted as workshops or work-sessions for addressing School business shall be considered meetings that must comply with the Open Meetings Law.

IX. Public Participation

The Governing Authority shall provide a period of time for public participation at Regular Meetings. The presiding officer at each Regular Meeting shall administer and be guided by the following rules for public participation:

- A. The period for all public participation shall be indicated on the agenda and is limited to a maximum of twenty (20) minutes.



- B. Any person wishing to make public comment must be physically present at the meeting and register with the Governing Authority Secretary upon his/her arrival and prior to the start of the Meeting.
 - C. The Governing Authority's presiding officer will recognize the individual wishing to make public comment and will request the individual to announce his/her name and group affiliation, if appropriate.
 - D. Individual public comments will be limited to two (2) minutes.
 - E. A participant is limited to speaking no more than once at a Regular Meeting.
 - F. All statements shall be directed to the Governing Authority's presiding officer, and the person is not permitted to address or question individual Governing Authority members or Management Company personnel.
 - G. Video and/or audio recordings are permitted; the person operating the equipment must notify the School Director prior to the Meeting to discuss logistics and placement of the equipment. The recording equipment shall not obstruct the view between the Governing Authority and the audience, and no interviews are permitted in the meeting room while the meeting is in session.
 - H. The Governing Authority's presiding officer may:
 - 1. Interrupt, warn, or terminate a statement when it is personally directed, abusive, obscene, irrelevant, or when time has expired;
 - 2. Request any individual to leave the meeting room when that individual does not observe reasonable decorum;
 - 3. Request the assistance of law enforcement in the removal of a disorderly person when that person's conduct interferes with the orderly conduct of the meeting;
 - 4. Call for a recess or an adjournment when the lack of public decorum warrants such action; or,
 - 5. Waive these rules.
- X. Training**

Governing Authority members, the designated Fiscal Officer, and any Management Company employee performing supervisory services for the School shall annually complete training on Ohio's Sunshine Laws.



XI. Parliamentary Procedure

Parliamentary procedures shall follow Robert's Rules of Order, current edition at all meetings of the Governing Authority.



Policy 1007: Public Records

It is the intent of the Governing Authority to at all times fully comply with and abide by both the spirit and the letter of Ohio's Public Records Act.

I. Public Records

- A. A "record" is defined to include the following: A document in any format – paper, electronic (including, but not limited to, business e-mail) – that is created, received by, or comes under the jurisdiction of the School that documents its functions, policies, decisions, procedures, operations, or other activities.
- B. A "public record" is a "record" that is being kept by the School at the time a public records request is made, subject to applicable exemptions from disclosure under Ohio or federal law. All public records must be organized and maintained in such a way that they can be made available for inspection and copying.
- C. Electronic records in the form of scanned documents, e-mail, text messages, instant messages, including those sent and received via hand-held communications devices, are to be treated in the same fashion as records in other formats, such as paper or audiotape. Public record content transmitted to or from private accounts or personal devices is subject to disclosure.
- D. All Governing Authority members, Management Company, and its employees are required to retain all e-mail and other electronic records with public content according to the Governing Authority's records retention schedule.

II. Response Timeframe

Public records are to be available for inspection during regular business hours. Public records must be made available for inspection promptly. Copies of public records must be made available within a reasonable period of time. "Prompt" and "reasonable" take into account the volume of records requested, the proximity of the location where the records are stored, the necessity for any legal review and redaction, and other facts and circumstances of the records requested.

It is the goal of the Governing Authority that all requests for public records should be acknowledged in writing or, if feasible, satisfied within three business days following the School's receipt of the request.



III. Handling Requests

No specific language is required to make a request for public records. However, the requester must at least identify the records requested with sufficient clarity to allow the School to identify, retrieve, and review the records.

Generally, the requester does not have to put a records request in writing and does not have to provide his or her identity or the intended use of the requested public record(s). However, the law does permit the School to ask for a written request, the requester's identity, and/or the intended use of the information requested, but only if (1) a written request or disclosure of identity or intended use would benefit the requester by enhancing the School's ability to identify, locate, or deliver the public records that have been requested; and (2) the requester is first told that a written request is not required and that the requester may decline to reveal the requester's identity or intended use.

In addition, Ohio law has a specific exception related to student directory information. The School is not allowed to release student directory information if the intended use is for a profit-making plan or activity. If a request is for student directory information, the School will require disclosure of the requestor's identity and intended use of the directory information to ascertain whether the directory information is for use in a profit-making plan or activity.

In processing a request, the School does not have an obligation to create new records or perform a search or research for information in its records. An electronic record is deemed to exist so long as a computer is already programmed to produce the record through the School's standard use of sorting, filtering, or querying features. Although not required by law, the School may consider generating new records when it makes sense and is practical under the circumstances.

In processing a request for inspection of a public record, a School or Management Company employee may accompany the requester during inspection to make certain original records are not taken or altered.

IV. Denial and Redaction of Records

If the requester makes an ambiguous or overly broad request or has difficulty in making a request such that the School cannot reasonably identify what public records are being requested, the request may be denied, but the School must then provide the requester an opportunity to revise the request by informing the requester of the manner in which records are maintained and accessed by the School.



If the School withholds, redacts, or otherwise denies requested records, it must provide an explanation, including legal authority, for the denial(s). If the initial request was made in writing, the explanation must also be in writing. If portions of a record are public and portions are exempt, the exempt portions may be redacted, and the rest must be released. When making public records available for public inspection or copying, the School shall notify the requester of any redaction or make the redaction.

V. Copying and Mailing Costs

Those seeking public records may be charged only the actual cost of making copies, not labor. The charge for paper copies is five cents per page. The charge for electronic files downloaded to a compact disc is one dollar per disc.

A requester may be required to pay in advance for the actual costs involved in providing the copy. The requester may choose whether to have the record duplicated upon paper, upon the same medium on which the public record is kept, or upon any other medium on which the office determines that the record can reasonably be duplicated as an integral part of the School's normal operations.

If a requester asks that documents be delivered to them, he or she may be charged the actual cost of the postage and mailing supplies, or other actual costs of delivery. There is no charge for e-mailed documents.

VI. Records Maintenance

The School's records are subject to the Governing Authority's approved records retention schedule. A copy of the records retention schedule is available at the School's main office.

VII. Training

Governing Authority members, the designated fiscal officer, and any management company employees performing supervisory or administrative services for the School shall annually complete training on public records law. The Governing Authority's preference is for required individuals to complete the online training offered by the Ohio Attorney General's Office.



Policy 1008: Records Retention and Disposal

I. Policy

The overall acquisition, storage and retention of records is essential for the efficient and effective operation of the School. School related records shall be retained onsite at the School in a secure location, electronically, or at an alternative secured storage site, as designated by the Management Company, in accordance with the Governing Authority's retention schedule as set forth below. This policy applies to all records generated in the course of the School's daily operations, including original documents, reproductions, and electronic documents as defined in the Governing Authority's public records policy. As applicable, the Management Company shall provide a detailed list of records to be disposed of according to the retention schedule and the means in which they will be disposed. The list of disposed records shall be maintained in the official minutes of the Governing Authority. No records shall be disposed of that are subject to any pending claim, case, action, or public records request.

II. Disposal Procedure

Upon approval of the Governing Authority, the Management Company shall dispose of the records in a manner that protects non-public or confidential information that is protected under law from disclosure. The process may include shredding/disposal with a secure records/document disposal company.

III. Retention Schedule

The purpose of the Retention Schedule is to properly manage records retention and eventual disposal for both electronic and non-electronic records in order to comply with all applicable statutes, regulations, and other legal requirements. Overall administration of this policy shall be the responsibility of the Management Company.

A. The following records retention schedule is guided by three general objectives:

1. Documenting compliance with statutory and regulatory requirements;
2. Protecting the School from future litigation; and



3. Reducing the cost of operating a School by appropriately managing space requirements.

B. Employment Records

The Governing Authority contracts with a Management Company, which employs the staff of the School.

C. Building and Operational Records

1	School emergency management plan (not a public record)	Until superseded, plus 8 years
2	Tornado and fire drill records	1 year
3	Building health inspections	Until superseded, plus 2 years
4	Environmental reports and data (asbestos, etc.)	4 years
5	Asset inventory	Until superseded
6	Repair, installation, and maintenance records	8 years
7	Equipment warranty/guarantee	Life/warranty of equipment or 8 years, whichever is longer
8	Vehicle registration	Life of vehicle, plus 1 year
9	Transportation records, vehicle records	4 years
10	Staff and student handbooks	Until superseded, plus 1 year
11	Administrative regulations or procedures	Until superseded, plus 1 year
12	School calendars	2 years
13	Field trip forms, volunteer driver forms	2 years

D. Tax and Business Records

1	Depreciation schedules and documents supporting depreciation decisions	Must keep for entire period of depreciation, plus 7 years
2	Capital gain and all documents supporting taxpayer's determination of basis, including receipts, purchase orders, invoices, etc.	Must keep for full period that property is maintained, plus 7 years



3	Federal, state, and local tax returns, and any documents supporting the returns, tax audits, and adjustments	7 years
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IV. Governing Authority Meeting Documents and Minutes

Governing Authority meeting minutes shall be maintained indefinitely by the Management Company. The Management Company is authorized to make electronic copies of all historical meeting minutes and maintain them in an electronic format. Meeting minutes existing in paper form must be maintained for one year after the meeting, after which the paper form shall be discarded as long as the documents have been scanned and stored electronically. Meeting documents shall be maintained according to the Records Retention Schedule, above.



Policy 2001: Management Company Role, Responsibilities, and Delegation of Authority

I. **Approval**

The Governing Authority has entered into a contract ("management contract") with Summit Academy Management for the day-to-day operation of all aspects of the School and its programs consistent with the community School contract and the Governing Authority's adopted policies.

II. **Roles and Responsibilities**

A. Curriculum and Education Program. The curriculum and educational program shall be developed, evaluated and implemented by the Management Company and subject to Governing Authority approval as part of the educational plan set out in the community school contract.

For purposes of this policy, curriculum shall be defined as all the planned activities of the School, including formal classroom instruction and out-of-class activity, both individual and group, necessary to accomplish the educational plan and goals of the School.

The Governing Authority directs that the curriculum of the School:

1. Provide instruction in courses required by the community school contract; and,
2. Be consistent with the School's mission, vision, philosophy, and goals.

The Management Company may conduct such innovative programs as are deemed desirable to the continuing growth of the instructional program and to better ensure accomplishment of the School's educational goals.

The Management Company shall report each such innovative program to the Governing Authority along with its objectives, evaluative criteria, costs, and a recommendation as to any necessary changes in the community school contract.

The Governing Authority encourages, where it is feasible and in the best interest of the School, participation in programs of educational research.



- B. School Staff. The Management Company shall employ such staff as it deems necessary to operate the School in an effective and efficient manner. Staff will be appropriately qualified, and licensed (as applicable) for their position. Staff shall remain employees of the Management Company and subject to the Management Company's policies and procedures pertaining to employment and employment related matters.
1. The Management Company may contract with outside entities to provide essential educational services. The Management Company shall ensure the employees of such entities have passed a criminal background check within five (5) years or be supervised by a School employee at all times if s/he has routine interaction or contact with students.
- C. The Governing Authority directs the Management Company to pursue State and Federal aid in support of all School activities. The Management Company shall keep the Governing Authority aware of its activities and progress in these areas.
- D. The Governing Authority is responsible for determining the success of the Management Company in meeting the goals established by the Governing Authority. The Governing Authority, in formulating its position with regard to the performance of the Management Company, shall rely, whenever possible, on the objective outcomes of its evaluations rather than on subjective opinions. The Governing Authority shall establish a Management Company evaluation to be used to for an annual evaluation. The Management Company shall strive to achieve Governing Authority goals for students by providing educational direction and supervision to the Staff and by acting as a proper model for Staff and students both in the School and outside the School.
- E. The Management Company shall recommend policies to the Governing Authority and shall be responsible for recommending updates as necessary. Upon approval of policies, resolutions, or similar action by the Governing Authority, the Management Company shall have the authority to develop and implement procedures.
- F. The Management Company shall appoint one its employees to serve as the School Director. The School Director shall be the chief administrator of the School and serve in a full-time capacity. Under oversight of the



Management Company, the School Director is responsible for the development, supervision, implementation and operation of each program and service at the School. The School Director or their designee shall attend each Governing Authority meeting.

- G. The Designated Fiscal Officer is the primary professional advisor to the Governing Authority on fiscal matters even if subcontracted for or hired by or through the Management Company. The Designated Fiscal Officer shall have general supervision of all financial matters overseen by the Governing Authority.
- H. On behalf of the Governing Authority, the Management Company shall purchase, with School funds, the types and amounts of insurance necessary to protect the School from major financial losses consistent with the requirements in the community school contract and as deemed prudent by the Management Company. Coverages shall include, but need not be limited to, the following:
 - 1. Fire and extended coverage on buildings and contents;
 - 2. Comprehensive bodily injury, property damage on automobiles, buses and trucks;
 - 3. Special coverage for equipment not ordinarily covered under a standard policy, if applicable;
 - 4. Worker's compensation coverage;
 - 5. Legal liability for Governing Authority members and officers; and
 - 6. Insurance required by the Community School Contract.

The Management Company shall administer the insurance program.

- I. Annual Report. The Management Company is responsible for preparing the Governing Authority's annual report regarding the School's progress in meeting the goals and standards contained in law and in the Community School Contract and its financial status. Upon approval of the Governing Authority, the Management Company will provide the annual report to the School's sponsor, parents of students, and to required governmental entities. The Management Company is responsible for timely submission of the proposed annual report to the Governing Authority in order to meet required deadlines. If the School receives Title I funding, the annual report is required to include the School's performance on the state report card, information showing how students achieved on the state's academic



assessments as compared to the state as a whole, and any other information as appropriate to provide information regarding the School's progress.

- J. Process for Comprehensive Continuous Improvement Plan ("CCIP") Grants, or similar program implemented by the Ohio Department of Education. The Management Company is responsible for applying for appropriate CCIP grants and administering the grants on behalf of the School. When applying for a CCIP Grant, if required, the School shall develop a needs assessment which shall consist of a well-thought-out business process and align all programs, plans/plan additions and funding sources. The School shall use one comprehensive process for all the federal titles/grants, local and state funding sources, and plan additions in the CCIP. The School shall involve key stakeholders, including students (where appropriate), parents, teachers, staff, administrators and community members (including employers) in a data/planning committee. The School shall revisit the needs assessment regularly to continuously evaluate and improve the academic plan.



Policy 2002: Federal Grants Procurement, Monitoring, and Administration

I. General Procurement Standards

The procurement of all supplies, materials equipment, and/or services paid for from Federal funds or matching funds shall be made by the School or the Management Company, on behalf of the School, (collectively "School") in compliance with all federal, state, or local laws and regulations, Governing Authority approved policies/procedures, and the terms and conditions of the applicable Federal grant or funds.

The School shall use and maintain a procurement and contract administration system in accordance with federal requirements (2. C.F.R. 200.318 – 200.326) for the administration and management of federally funded grants and programs. Unless otherwise provided, the School shall follow its approved procurement policies and procedures used for procurements from non-federal funds. The School shall maintain oversight to assure any contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

A. Conflicts of Interest

All School officers, employees, or agents with purchasing authority involved in the selection, award, and administration of contracts shall adhere to all state laws, regulations, and School policies covering conduct, conflicts of interest, and ethics. No School officer, employee, or agent may participate in the selection, award, or administration of a contract supported by Federal funds if that individual has a real or apparent conflict of interest.

1. A conflict of interest may arise when an officer, employee, agent, any member of his/her family, his/her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or, a tangible personal benefit from, a firm considered for a contract.
2. Said individuals may not solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts unless the item is of a nominal value pursuant to law, regulation, or relevant policies of the School. Individuals in violation or, that appear in violation, of these policies shall be immediately excluded from the process and may be subject to disciplinary action.
3. The School shall not conduct any procurement with a parent, affiliate, or subsidiary organization that is not a state, local government, or Indian tribe, if the School would be unable or, appear to be unable, to be impartial in a procurement action involving the related organization.



Nothing in this policy shall be read to alter the obligations and restrictions on public officials and public employees pursuant to Chapters 3314, 102, and Sections 2921.42-2921.44 of the Revised Code.

B. Procurement Standards and Procedures

The School shall avoid the acquisition of unnecessary or duplicative items. Consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of whether a lease or purchase is the most economical approach. To foster greater economy and efficiency, the School, where feasible, may:

1. Enter into state and local intergovernmental agreements or inter-entity agreements for procurement or use of common or shared goods and services, if appropriate.
2. Use federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.
3. Use value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reduction. Value engineering is a systematic and creative analysis of each contract item or task to ensure that its essential function is provided at the overall lower cost.

The School shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. The School shall maintain records sufficient to detail the history of procurement; including, but not necessarily limited to the following, rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

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

The School is responsible, in accordance with good administrative practice and sound business judgement, for the settlement of all



contractual and administrative issues arising out of procurement. These issues include, but are not limited to, the following: source evaluation, protests, disputes, and claims.

II. Competition

All procurement methods paid for from federal funds or matching funds shall be conducted in a manner that provides full and open competition consistent with federal standards. In order to ensure objective contractor performance and eliminate unfair competitive advantage, the School shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations to bid or requests for proposals from competition for such procurements. Some of the situations that are considered restrictive competition include, but are not limited to:

- A. Placing unreasonable requirements on firms in order for them to qualify to do business;
- B. Requiring unnecessary experience and excessive bonding;
- C. Noncompetitive pricing practices between firms or between affiliated companies;
- D. Noncompetitive contracts to consultants that are on retainer contracts;
- E. Organizational conflicts of interest;
- F. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing any other relevant requirements of the procurement; and
- G. Any arbitrary action in the procurement process.

In conducting procurements subject to this policy, the School shall not use statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except where mandated or encouraged by Federal law or when contracting for architectural or engineering services provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

III. Solicitations

All solicitations must incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. In



a competitive procurement, the description must not contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated; and identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

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

IV. Procurement Methods

The School shall use the following methods of procurement. For purposes herein, all amounts are stated as currently provided for by law and/or regulation. The amounts shall be considered automatically adjusted to current law and/or regulation as subsequently amended without need for policy revision.

A. Micro-purchases

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed \$10,000. To the extent practicable, the School must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the School considers the price to be reasonable.

B. Small Purchases

Procurement by small purchase shall be appropriate for purchases in excess of \$10,000, but less than the simplified acquisition threshold, currently \$250,000. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.



C. Sealed Bids

Sealed competitive bids shall be sought when the purchase of, and/or contract for, single items of supplies, materials, or equipment exceeds the simple acquisition threshold of \$250,000 and when the School determines to build, repair, enlarge, or approve, or demolish a school building/facility when the cost will exceed \$50,000. Bids will be publicly solicited and a firm fixed price contract will be awarded to the responsible bidder whose bid conforms to the material terms and conditions provided in the invitation to bid and is the lowest price. In order for sealed bidding to be feasible, the following conditions should be present:

1. A complete, adequate, and realistic specification or purchase description is available;
2. Two or more responsible bidders are willing and able to compete effectively for the business; and
3. The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

If sealed bids are used, the following requirements apply:

1. Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publicly advertised;
2. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
3. All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
4. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
5. Any or all bids may be rejected if there is a sound documented reason.

D. Competitive Proposals

This method of procurement is appropriate for purchases that exceed the simplified acquisition threshold of \$250,000. The technique of competitive



proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;
2. Proposals must be solicited from an adequate number of qualified sources;
3. The School shall use its written method for conducting technical evaluations of the proposals received and for selecting recipients; and
4. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered. The School may use competitive proposal procedures for qualifications-based procurement of architectural/engineering ("A/E") professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services even though A/E firms are a potential source to perform the proposed effort.

The School shall perform a cost or price analysis in connection with every procurement action in excess of \$250,000, including contract modifications. For each analysis, the School shall determine the degree and method of analysis considering the facts concerning the particular procurement situation.

The School shall make independent estimates before receiving bids or proposals. The School must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work. Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under Subpart E - Cost Principles of this part. The non-Federal entity may reference its own cost principles that comply with the Federal cost principles. The cost plus a percentage of



cost and percentage of construction cost methods of contracting must not be used.

E. Procurement by Noncompetitive Proposals or Sole Source Solicitation

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

1. The item is available only from a single source;
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
3. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
4. After solicitation of a number of sources, competition is determined inadequate.

V. Other Requirements

A. Contract Provisions

Procurement contracts shall, at minimum, include the terms and conditions that are required by the applicable federal procurement regulations, including all necessary terms as required by the Trafficking Victims Protection Act of 2000 (TVPA). To the extent required by law, the School shall require that the person or entity awarded a contract satisfy the bonding requirements set forth in the applicable federal regulations and shall comply with the TVPA and its corresponding regulations.

B. Contract Administration

The School shall delegate to one or more school employee the responsibility for administering all procurement contracts and ensuring that the party awarded the contract satisfies the terms, conditions, and specifications of the procurement contract or purchase order.

C. Small/Minority/Women Businesses

The School shall take all necessary affirmative steps to contract with small businesses, minority-owned firms, and women's business enterprises when possible. The School shall also require a contractor, if it subcontracts, to take affirmative steps to contract with small businesses, minority-owned firms, and women's business enterprises when possible. Affirmative steps shall include, but are not limited to:



1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

D. Dispute Resolution

Any issues related to the procurement contract and administrative procedures, including source evaluation, protests, disputes, and claims, will be resolved according to the following dispute resolution procedures, and the School will disclose information regarding the dispute to the appropriate federal officials. Any grievant must file a written complaint requesting an opportunity to be heard by the Governing Authority or its designee. The Governing Authority hereby designates the Management Company as its designee. The designee will review any information presented and provide a written decision within a reasonable time. If the grievant is not satisfied with this decision, the matter shall be submitted to a qualified mediator for mediation. The parties will make every attempt to resolve such disputes through mediation and shall equally split all fees or costs of any third-party mediator. If the School suspects or determines that the contractor has likely violated local, state, or federal law, the School will refer the matter to the proper authority having jurisdiction over the matter.

E. Debarred, Suspended or Ineligible Contractor

The School shall not award contract to parties that have been debarred, suspended or otherwise excluded from or are ineligible for participation in Federal assistance programs and activities pursuant to the Federal System for Award Management available at www.sam.gov.



VI. Federal Grant Administration

The School shall ensure that these procedures are followed with respect to all federal grant applications submitted by the School and all federal grants that are awarded to the School.

A. Monitoring Grant Applications

The School shall delegate to one or more persons the responsibility for monitoring all pending federal grant applications, and that person or persons shall provide the Board with a report on the status of all federal grant applications at each regularly scheduled Board meeting.

B. Monitoring Grant Expenditures

The School shall delegate to one or more persons the responsibility for monitoring federal grant expenditures, and that person or persons shall provide the Board with a report on the expenditures made from each federal grant at each regularly scheduled Board meeting.

C. Final Expenditure Reports

The School shall delegate to one or more persons the responsibility for reviewing all final expenditure reports for each federal grant that the School was awarded, reconciling the report(s) with the School's financial records, and ensuring that the final expenditure report for each federal grant is complete and accurate.

Policy 2003: Fixed Assets/Title I and Federal Grant Assets

I: Purpose

This policy establishes a fixed asset accounting system that, if followed, will ensure that the School properly handles and disposes of assets, including those assets obtained with Title I grant monies and other federal grant awards, and contains sufficient data to permit:

- A. The preparation of fiscal year-end financial statements in accordance with Generally Accepted Accounting Principles (GAAP);
- B. Adequate insurance coverage; and
- C. Control, accountability and security.

II. Classifications of Fixed Assets

Fixed assets shall be classified as either: equipment, supplies, furniture, leased fixed assets, or real property.

III. Criteria for Fixed Asset Capitalization and Valuation

An item is a Fixed Asset if it has a useful life of two (2) years or more and the cost of the asset is greater than \$5,000.00, or, it is a leased asset with a purchase price of greater than \$5,000.00.

Fixed Assets are to be valued at historical cost or, if that amount is not practicably determined, at estimated historical cost. Improvements should be capitalized and recognized as expense (i.e., depreciation or amortization) over the estimated useful life of the improvement. The cost of repairs and maintenance must be reported as an expense of the period in which it incurred. The Treasurer shall determine the estimated historical cost. Donated Fixed Assets shall be valued at the donor's estimated fair market value at the time of gifting.

Depreciation in value of a Fixed Asset will be calculated using straight-line depreciation. The estimated life of a fixed asset shall follow Association of School Business Officials (ASBO) guidelines.

IV. Management of Fixed Assets

The School shall conduct a physical inventory of its fixed assets at least every two years. The results of the physical inventories must be reconciled with the property records. The School shall develop a control system to safeguard against loss, damage, or theft of fixed assets. The School shall investigate any loss, damage, or theft of any fixed asset. To the greatest extent possible, the School shall also maintain effective internal controls



and safeguard all computing devices and assure that such devices are used solely for authorized purposes.

In order to prevent loss or theft of School property, all fixed assets (other than real property) will have a School fixed asset sticker indicating the School's ownership.

The School shall maintain its fixed assets in order to keep them in good condition and working order.

D. The following information shall be maintained for all fixed assets:

1. Description of the asset
2. Title Information
3. Serial number if applicable
4. Classification
5. Location, Use, and Condition
6. Purchase Price and Percentage of Federal Participation
7. Vendor
8. Date Purchased
9. Percent of Federal Funds used for Purchase or Lease, if applicable
10. Accumulated Depreciation
11. Date and Method of Disposal and Sale
12. Price Records Generated by Physical Inventories

V. Acquisition of Fixed Assets

A. Real Property Acquired with Title I or Other Federal Grants.

Real property acquired with federal Title I or other federal grant monies received by the School shall be titled in the name of the School.

Except as otherwise provided by federal law or by the federal awarding agency, real property acquired with federal Title I or other federal grant monies shall be used for the purposes authorized by the grant(s). The School shall not dispose of or encumber its title or other interest in any real property acquired with federal Title I or other federal grant monies so long as the real property is needed for the originally authorized purpose.

B. Equipment Acquired with Title I or Other Federal Grants.

Equipment acquired with federal Title I or other federal grant monies received by the School shall be titled in the name of the School.

For as long as needed, the School shall use equipment acquired with federal Title I or other federal grant monies in the program or project for which it was acquired, whether or not the project or program continues to be supported by



federal funds. The equipment may be used in other activities currently or previously supported by a federal agency when it is no longer needed for the program or project for which it was acquired. The School shall give priority to activities under a federal award from the same agency then to activities under a federal award from other federal agencies.

The School can use equipment acquired with Title I or other federal grant monies on other projects or programs that are currently or were previously supported by the federal government provided that such use will not interfere with the program or project for which the equipment was acquired. First preference should be given to other programs or projects supported by the agency that awarded the grant monies.

The School shall not use the equipment acquired with federal Title I or other federal grant monies to provide services for a fee that is less than private companies charge for equivalent services.

The School shall obtain the approval of the awarding agency if required by the federal award before it (1) uses equipment acquired with federal Title I or other federal grant monies as a trade-in to acquire equipment to replace the old equipment, or (2) sells the old equipment and uses the sale proceeds to offset the cost of the replacement equipment.

C. Supplies Acquired with Title I or Other Federal Grants.

Supplies acquired with federal Title I or other federal grant monies received by the School shall be titled in the name of the School.

The School shall not use the supplies acquired with federal Title I or other federal grant monies to provide services for a fee that is less than private companies charge for equivalent services.

D. Equipment Furnished by Federal Agency.

The School shall ensure that the equipment remains titled in the name of the Federal Government. The School shall follow the rules and procedures of the federal agency for managing the property.

VI. Disposal of Fixed Assets

The School shall establish and follow procedures to ensure that it receives the overall best possible return, if it sells any fixed asset. An independent valuation or market comparison may be used, among any other reasonable method of valuation.

A. Fixed Assets Not Acquired with Title I or Federal Grant Funds.



Fixed assets that were not acquired in whole or part with federal grant monies will be disposed of in a manner approved by the Governing Authority of the School. Upon recommendation of the Principal or Treasurer, such Board resolution shall designate the materials, equipment, supplies or other assets as obsolete, excess or unusable, and, shall identify the assets, and may sell, donate or lawfully dispose of them. Any proceeds shall be put in the general fund.

B. Real Property Acquired with Title I or Federal Grant Funds.

When real property acquired with federal grant monies is no longer used for the originally authorized purpose(s), the School shall dispose of such property pursuant to instructions provided by the awarding agency.

C. Equipment and Supplies Acquired with Title I or Federal Grant Funds.

The School may retain, sell, or otherwise dispose of equipment acquired with federal funds. However, the School shall contact the awarding agency for disposition instructions before it sells any equipment with a per unit value of greater than \$5,000 because the awarding agency may have a right to a portion of the proceeds of the sale. State law may dictate the procedures that must be followed or otherwise place restrictions on the ability of the School to sell the property.

D. Disposal of Equipment Provided by a Federal Agency.

The School shall only dispose of federal equipment pursuant to instructions provided by the federal agency that provided the equipment, or should the assets or equipment be under a value or value per unit as applicable under the rules of the federal agency, then the School may dispose of the equipment or asset as if it was not acquired with federal grant funds.



Policy 2004: Deposits

As required by Ohio Revised Code (ORC) 9.38 monies collected for the School must be deposited with the Designated Fiscal officer or a designated depository (i.e., bank) within 24 hours or the next business day after collection, if the amount is \$1000 or greater.



Policy 2005: Purchasing/Invoicing/Accounting System

The Governing Authority has delegated authority to the Management Company regarding purchasing, invoicing, and accounting system matters pursuant to the provisions of the management agreement. The Management Company shall follow all state laws and administrative regulations in handling these matters on behalf of the School.



Policy 2006: Credit Cards

The Governing Authority recognizes the value of an efficient method of payment and recordkeeping for certain expenses.

The Governing Authority authorizes the use of School credit cards. The authorization, handling, and use of credit cards has been established to provide a convenient and efficient means to purchase goods and services from vendors. Credit cards, however, shall not be used in order to circumvent the general purchasing procedures established by State law and Governing Authority policy. The Governing Authority affirms that credit cards shall only be used in connection with Governing Authority approved or school-related activities and that only those types of expenses that are for the benefit of the School and serve a valid and proper public purpose shall be paid for by credit card. However, under no circumstances shall credit cards be used for personal purchases or the purchase of alcoholic beverages regardless of whether the purchase of such beverages is made in connection with a meal.

Use of a School credit card for any cash withdrawal transaction is strictly prohibited.

The Fiscal Officer shall develop administrative guidelines that specify those employees authorized to use credit cards, the types of expenses which can be paid by credit card, and their proper supervision and use. Inappropriate or illegal use of the credit card and/or failure to strictly comply with the limitations and requirements set forth in the administrative guidelines may result in a loss of credit card privileges, disciplinary action, up to and including termination, personal responsibility for any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase, and/or possible referral to law enforcement authorities for prosecution.



Policy 2007: Gifts, Donations, and Grants

I. **Gifts, Donations, and Grants**

The Governing Authority president is hereby delegated the authority to accept gifts, donations, and/or grants on behalf of the School. In general, in order to be acceptable, a gift, donation, or grant must have, or be able to be used for, a purpose that is consistent with the School's mission, vision, philosophy, programs, or operations. A gift, donation, or grant may be refused if it:

- A. Is to begin a program that the Governing Authority is not willing to take over when the gift, donation, or grant funds are exhausted;
- B. May cause the School to incur undesired or hidden costs;
- C. May cause undesired restriction upon the School;
- D. May imply the School's endorsement of any individual, business, or product; or,
- E. May be in conflict with any provision of law.

The Management Company shall prepare a letter of appreciation including the estimated value of the gift for signature by the Governing Authority president.

The Management Company may accept gifts or donations of such items as books, health items, necessary educational materials for needy children, food for needy children, miscellaneous items of small cost, and/or recreational items consistent with this policy. In such cases, the Management Company shall prepare and send a letter of appreciation including the estimated value of the gift.

Any gift, donation, or grant accepted pursuant to this policy shall become the property of the School and may not be returned without the approval of the Governing Authority. The Management Company shall be responsible for the possession, accounting, maintenance, and use of gifts, donations, or grants, subject to any connected conditions or stipulations.

II. **Crowdfunding**

The Governing Authority recognizes that there are situations where an individual or group, including Management Company staff, wishes to make a gift or donation through the use of crowdfunding. The Governing Authority



delegates to the Management Company the authority to create and implement rules, guidelines, and procedures whereby crowdfunding may be used to raise funds for a gift or donation that are consistent with this policy.

III. National or State Mottos

If a copy of the official motto of the United States of America "In God We Trust" or the official motto of Ohio "With God, All Things Are Possible" is donated to the School, or if money is donated to the School specifically for the purpose of purchasing such material, the management company shall accept the donation on behalf of the School and display the motto in an appropriate manner in a school classroom, auditorium, or cafeteria provided the following conditions are satisfied:

- A. The motto is printed on durable, poster quality paper or displayed in a frame;
- B. The dimensions of the paper or frame are at least eight and one-half inches by eleven inches;
- C. The copy contains no words other than the motto and language identifying the motto language identifying the motto of the United States of America or Ohio;
- D. The copy contains no images other than appropriate representations of the flag of the United States of America or Ohio.



Policy 2008: Personal Information Systems and Security

I. Definitions

As defined in Section 1347.01 of the Revised Code, the following definitions apply to this policy:

- A. "Maintains" means School ownership of, control over, responsibility for, or accountability for systems and includes, but is not limited to, School depositing of information with a data processing center, or the Management Company, for storage, processing, or dissemination.
- B. "Personal Information" means any information that describes anything about a person, or that indicates that a person possesses certain personal characteristics, and that contains, and can be retrieved from a system by name, identifying number, symbol, or other identifier assigned to a person.
- C. "System" means any collection or group of related records that are kept in an organized manner and that are maintained by the School, and from which personal information is retrieved by the name of the person or by some identifying number, symbol, or other identifier assigned to the person. "System" includes both records that are manually stored and records that are stored using electronic data processing equipment. "System" does not include published directories, reference materials or newsletters, or routine information that is maintained for the purpose of internal office administration, the use of which would not adversely affect a person.
- D. "Interconnection of systems" means a linking of systems that belong to more than one agency, or to an agency and other organizations, which linking of systems results in a system that permits each agency or organization involved in the linking to have unrestricted access to the systems of the other agencies and organizations.
- E. "Combination of systems" means a unification of systems that belong to more than one agency, or to an agency and another organization, into a single system in which the records that belong to each agency or organization may or may not be obtainable by the others.



II. Personal Information Systems

The School may collect personal information on individuals as required or necessarily in its operations. Personal information may be collected and stored in a variety of methods, including paper or by electronic means. Protecting the security of personal information is a priority of the Governing Authority and requires everyone's active participation to keep it secure.

The Management Company manages the daily operations of the School and may collect, maintain, and use personal information as required. The Management Company is authorized to perform these functions on behalf of the School, including but not limited to, establishing and maintaining the security of any personal information that is collected. The Management Company may also contract with outside vendors to provide systems and security as it deems necessary. The Management Company and any subcontracted vendors shall implement these guidelines and procedures and ensure that personal information is secure.

A. Guidelines. On behalf of the Schools, the Management Company shall:

1. Appoint an individual to be directly responsible for the system;
2. Implement these rules and any procedures for the operation of the system to ensure compliance with law and this policy;
3. Inform each of its employees who has responsibility for the system's operation, maintenance, or the use of personal information maintained in the system, of applicable laws and rules;
4. Specify disciplinary measures to be applied to any employees who initiates or otherwise contributes to any disciplinary or punitive action against any individual who acts as whistleblower;
5. Inform a person who is asked to provide personal information whether or not they are legally required to provide, or may refuse to provide the information;
6. Develop internal procedures to monitor the accuracy, relevance, timeliness, and completeness of personal information that is maintained in the system;
7. Take reasonable precautions to protect personal information from unauthorized modification, destruction, use, or disclosure;
8. Collect, maintain, and use only personal information necessary and relevant for the functions and operations of the School.



- B. Procedures: Upon provision of proper identification by a person subject to personal information, the individual shall be:
1. Informed of the existence of any personal information that is maintained in the system;
 2. Permitted to inspect all personal information in the system to which the person is the subject (Legal guardians or an attorney presenting a signed authorization from the person will be permitted to inspect the information);
 3. Informed about the types and uses made of the personal information including the identity of any users usually granted access to the system;
 4. Allowed to have another person of their choice accompany them;
 5. Upon request, provided copies of any personal information (subject to reasonable fees.)
- C. Medical, psychiatric, or psychological information shall be disclosed to a person who is the subject of the information, or to their legal guardian, unless a physician, psychiatrist, or psychologist determines for the School that disclosure of the information is likely to have an adverse effect on the person. In that situation, the information shall be released to a physician, psychiatrist, or psychologist who is designated by the person or their legal guardian.
- D. This policy does not grant a person who is the subject of personal information, or their legal guardian/attorney, with the right to inspect or copy a confidential law enforcement investigatory record or trial preparation record.



Policy 2009: Media

I. **General Media Policies**

It is the policy of the Governing Authority that the School maintain a good working relationship between the School and the news media since it is an important link with the community.

Subject to the oversight of the Management Company, the School Director or other person designated by the Management Company, shall function as the School's communication representative with the news media. The School Director or designee shall:

- A. Be available to news media representatives;
- B. Upon request, provide news media representatives with information regarding the School's program and activities so that reporting may be based on a complete and valid overview;
- C. Submit, suggest, or request feature stories or articles to news media representatives that further the mission of School and/or increase community awareness of the School;
- D. Provide an agenda to news media representatives who attend a meeting of the Governing Authority.
- E. Assist School related groups with their relations to the news media; and,
- F. Protect personnel at the School from any unnecessary demands on their time by news media representatives.

II. **Additional Policy Considerations**

In addition, it is the policy of the Governing Authority that:

- A. The School Director or designee shall not, unless expressly authorized by the Governing Authority, present any information or make any statement to representatives of the news media that states or implies that the information or statement is an official Governing Authority position;



- B. Management Company staff members assigned to the School shall not give School information or grant an interview requested by representatives of the news media without prior approval of the School Director or designee. The School Director or designee shall either set up an appointment for this purpose which will not interfere with the staff member's daily activities, or speak to the news media representative about the matter personally and the School Director or designee shall be present at all meetings with news media representatives; and
- C. Any photograph of a controversial nature, or that may be questionable with regard to a student's or individual's rights of privacy, shall not be sanctioned.

III. Crisis Situations

Any School crisis including but, not limited to, injury, bus accident, or suicide should be reported to the School Director or designee and Governing Authority president immediately along with as many details as possible.

In a crisis situation, it is important to have one person providing facts to the news media, and ideally only after parents have been notified. No one is to release the identify of an injured student or other person or the nature or extent of the injury at any time.

Depending on the situation, the School Director or designee will go immediately to the site. Another Management Company employee assigned to the building should also be present for assistance with parental contact and other issues.

No reporter should be allowed to roam freely in a crisis situation. He/she should be personally escorted to a designated area, and not allowed to video and/or interview students who are injured or otherwise in the crisis situation.



Policy 4001: Education Program

The School's education plan is set out in the community school contract. It is the role of the Governing Authority to assess the educational plan and overall program to determine if the School is achieving its goals and fulfilling its mission. The Management Company shall provide regular reports to the Governing Authority on the School's progress. In addition to the requirements in the education plan as set forth in the community school contract, the Governing Authority hereby adopts the following policy provisions:

I. Compliance with State Academic Standards

The educational program shall include high quality academic assessments, accountability systems and teacher preparation and training to ensure that School's curriculum and instructional materials are aligned with applicable academic standards. Assessments shall be used to assess improvement, teaching, and learning to ensure that the School's students are meeting and/or making progress towards state standards.

II. Teacher and Paraprofessional Qualifications

It is the Management Company's responsibility to hire teachers and paraprofessionals who meet applicable state qualification requirements as required for their areas and teaching subjects, including special education teachers.

III. Annual Report

The Governing Authority is required to publish an annual report regarding the School's academic, governance and financial operations. The Ohio department of education annually issues the School a local report card detailing many aspects of the School's performance. The annual report will disseminate information on performance in an understandable and uniform format and be provided to the parents of students.

IV. Notification Regarding Ohio Core Curriculum Requirements

This section only applies if the School offers the required grades. Section 3313.6014 of the Revised Code requires the Governing Authority to adopt a procedure for notifying the parent, guardian, or custodian of each student enrolled in high school of the curriculum requirements for graduation prescribed in Section 3313.603(C) of the Revised Code and that one consequence of not completing that curriculum is ineligibility to enroll in most state universities in Ohio without further coursework.



The School and/or Management Company shall ensure that the core curriculum requirements for graduation including the information that one consequence for not completing that curriculum is ineligibility to enroll in most state universities is in student enrollment/re-enrollment packets. A link to the student enrollment/re-enrollment packets shall be placed on the School's webpage, made available in the office, and provided to each student during the enrollment/re-enrollment process.

V. Notice of Non-Discrimination

The School does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. The following person has been designated to handle inquiries regarding non-discrimination policies:

John W. Guyer
Chief Executive Officer
Summit Academy Management
2791 Mogadore Road
Akron, Ohio 44312
(330) 670-8470

(If the named individual is no longer serving in that position, the current C.E.O of Summit Academy Management and its current address are to be used.)

The language above will be posted on the School's website within two clicks of the home page; in student/employee manuals, and other appropriate School-related publications that are made available to students, parents, staff, and applicants, and in a conspicuous place in the School building. This language will also be provided to parents, students, and employees prior to the start of each School year.

VI. High Quality Education

The School shall make reasonable efforts to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and to close the gap between high and low performing students.

VII. Local Report Cards

The School's most recent Local Report Card shall be placed on the School's website, in enrollment/ packets, and provided to individuals upon request.



Policy 4002: Admission and Enrollment

The Governing Authority establishes the following admission and enrollment policies and procedures:

I. Admission

- A. Except as otherwise provided, admission to the School is open to any individual age five to twenty-two, entitled to attend School pursuant to Sections 3313.64 or 3313.65 of the Revised Code in a School district in the state. Admission to the School is not restricted by an individual's district of residence and is open to residents of any district in Ohio.
- B. Admission is also open to any individual age five to twenty-two who is not a resident of Ohio on a tuition basis. In such cases, the Management Company shall determine the amount of tuition as allowed by law.
- C. If a child is admitted to School for the first time, to kindergarten or first grade, the child must be age five or six, respectively, by September 30th in the year of admittance. The School does not have an early admission or acceleration policy. However, the School shall not deny admission to a transferring student based on age if the student has been admitted to kindergarten by another School.
- D. Admission to the School may be limited to students who have attained a specific grade level or are within a specific age group; to students that meet the definition of "at-risk", if and as defined in the Community School Contract; or, to separate groups of autistic students and nondisabled students, as provided below. "At-risk" students may include those students identified as "gifted" students under Section 3324.03 of the Revised Code.
- E. There shall be no discrimination in the admission of students to the School on the basis of race, creed, color, disability, or sex and admission shall not be limited on the basis of intellectual ability, measures of achievement or aptitude, or athletic ability.
- F. The Governing Authority may establish target ratios for the numbers of autistic students to nondisabled students if provided for in the contract with the Sponsor. If applicable, a target ratio of the number of autistic students to nondisabled students that may be enrolled in the School, and



the total number of nondisabled students that may be enrolled in the School shall be specified in the contract with the Sponsor. If the number of applicants among the group of autistic students or the group of nondisabled students exceeds the capacity restriction for that group, students shall be admitted by lot from all those of the same group submitting applications according to the procedures set out below. However, unless the total capacity established for the School has been filled, no student with any disability shall be denied admission on the basis of a disability.

- G. Upon admission of any student with a disability, the School shall comply with all federal and state laws regarding the education of students with disabilities.
- H. The School will admit the number of students that does not exceed the capacity of the School's programs, classes, grade levels, or facilities.
- I. Except as otherwise provided by Sections 3314.06(B) or 3314.061 of the Revised Code, if the number of applicants exceeds the School's capacity restrictions, students shall be admitted by lot from all those submitting applications, except preference shall be given to students in the following order:
 - 1. Students attending the School in the previous year;
 - 2. To students who reside in the district in which the School is located;
 - 3. To siblings of students attending the School the previous year; and
 - 4. To children of full-time School or Management Company staff assigned to work at the School, provided that the total number of students receiving this preference is less than five percent of the School's total enrollment.
- J. If required, a lottery will be conducted in the following manner:
 - 1. Each applicant will be assigned a number;
 - 2. The numbers will then be drawn at random by a disinterested third party;
 - 3. The first number drawn will be the first new applicant placed on a permanent waiting list and so on until all numbers are drawn;
 - 4. Applicants on a permanent waiting list prior to any lottery will retain their position on the waiting list; and



5. The lottery and waiting lists may be separate for each grade or age grouping.
- K. Notwithstanding any other provision in these policies and procedures, in the event the racial composition of the enrollment of the School is in violation of a federal desegregation order, the School shall take any and all corrective measures to comply with the desegregation order.
- L. Students that have been suspended or expelled from any public School may temporarily be denied admission to the School if the period of suspension or expulsion has not expired. A student in this situation shall be offered a hearing prior to the decision to temporarily deny admission. If a hearing is requested, the School's Superintendent or designee shall conduct the hearing and render a decision on whether to temporarily deny admission. The decision of the Superintendent or designee shall be final. If temporarily denied admission, a student shall be admitted when the period of suspension or expulsion has expired.
- M. If a student requesting admission to the School has been discharged from the custody of the Department of Youth Services just prior to requesting admission, the School shall not admit that student until the following records have been received from the Department of Youth Services by the School's Superintendent:
 1. An updated copy of the student's transcript;
 2. A report outlining the student's behaviors while in custody of the department;
 3. A current IEP, if any; and
 4. A summary of the student's institutional behavior.

II. Enrollment

- A. "Initial Entry" is defined as a student's first day of attendance at the School participating in the School's course of instruction.
- B. At or prior to the time of initial entry, a student is required to present the following documentation to the School, as applicable:
 1. Records given to the student by the School the student most recently attended;



2. A certified copy of an order, decree, or modification of an order or decree allocating parental rights and responsibilities for the care of a child and designating a parent as the residential parent of the child and/or legal custodian;
3. A copy of an executed power of attorney or grandparent caretaker authorization affidavit issued pursuant to Sections 3109.51 to 3109.80 of the Revised Code; and
4. A certification of birth issued pursuant to Chapter 3705. of the Revised Code or, a comparable certificate or certification issued pursuant to the statutes of another state, territory, possession, or nation or a document in lieu of a certificate or certification from the list as follows:
 - a. A passport or attested transcript of a passport filed with a registrar of passports at a point of entry of the United States showing the date and place of birth of the child;
 - b. An attested transcript of the certificate of birth;
 - c. An attested transcript of the certificate of baptism or other religious record showing the date and place of birth of a child;
 - d. An attested transcript of a hospital record showing the date and place of birth of the child; or
A birth affidavit.
5. Proof of Residency. One document from any one of the following categories shall establish evidence of the location of a student's primary residence:
 - a. A deed, mortgage, lease, current homeowner's or renter's insurance declaration page, or a current real property tax bill;
 - b. A utility bill or receipt of utility installation issued within ninety days of enrollment;
 - c. A paycheck or paystub issued to parent or student within ninety days of enrollment that includes the address of the parent's or student's primary residence;
 - d. The most current available bank statement issued to the parent or student that includes the address of parent's or student's primary residence;
 - e. Documented affirmation of address of student's parent(s) from district of residence where parent(s) currently reside;
 - f. Notarized affirmation from parent(s) or student(s) if over 18 years of age of current residence address;
 - g. USPS return receipt from certified letter sent to parent(s) by district of residence;



- h. Written confirmation from the Department of Job and Family Services of current address of the parent(s); or,
- i. Written confirmation from a local law enforcement agency of the current address of the parents(s).

C. Except as otherwise provided in these enrollment procedures:

- a. Within twenty-four hours of a student's initial entry, a School official shall request the student's official records from the public or nonpublic School most recently attended.
- b. If the School replies that it has no records for the student or if records are not received within fourteen days of the request, the School Director shall notify the law enforcement agency having jurisdiction over the student's place of residence that the student may be a missing child, as defined in Section 2901.30 of the Revised Code.

III. Other Situations

A. Definitions.

- 1. "Protected Child" is defined as a child placed in a foster home, as the term is identified in Section 5103.02 of the Revised Code, or in a residential facility.
- 2. "Residential Facility" is defined as a group home for children, children's crisis care facility, children's residential center, residential parenting facility that provides twenty-four-hour care, county children's home, or district children's home.

B. The School shall not deny admission to a protected child solely because the child does not present a valid birth certificate or acceptable document in lieu of a birth certificate. However, such certificate or an acceptable document in lieu of a birth certificate is required to be provided to the School within ninety days of initial entry.

C. Where an order or decree allocating parental rights concerning a student has been issued, the parent designated as the residential parent for School purposes shall provide the School with a certified copy of the order or decree and certified copies of any subsequent modifications.

D. If a student is under the care of a shelter for victims of domestic violence, the student or their parent shall notify the School of that fact. Upon



notification, the School shall inform the School from which it requests records of that fact.

- E. Whenever the School is notified by a law enforcement agency pursuant to Section 2901.30(D) of the Revised Code that a missing child report has been filed regarding a student who is currently or was previously enrolled in the School, the person in charge of admission at the School shall mark that student's records in such a manner that whenever a copy of or information regarding the records is requested, any School official responding to the request is alerted to the fact that the records are those of a missing child. Upon any request for a copy or for information regarding a student's records that have been so marked, the person in charge of admission shall immediately report the request to the law enforcement agency that notified the School that the student is a missing child. When forwarding a copy of or information regarding a student's records in response to a request, the person in charge of admission shall do so in such a way that the receiving district or School would be unable to discern that the student's records were marked pursuant to this division. The School shall retain the mark in the student's records until notified that the student is no longer a missing child. Upon notification by a law enforcement agency that a student is no longer a missing child, the person in charge of admissions shall remove the mark from the student's records in such a way that if the records were forwarded to another district or School, the receiving district or School would be unable to discern that the records were ever marked.

IV. Verification of Residence and Address

Upon enrollment and annually, the School shall verify each student's residence and address by collecting one proof of residency, pursuant to section II(B)(5) above, at or prior to the date of initial entry for new students and within 90 days of the first day of School for returning students in order to satisfy initial enrollment and annual verification reporting requirements. In addition, the School shall verify initial and annual residency verifications to the Department of Education regarding the School district in which the student is entitled to attend School under Section 3313.64 or 3313.65 of the Revised Code.

- A. For the purposes of making these determinations, the traditional School district in which the parent (or custodial parent) resides is the location the



parent has established as the primary residence where substantial activity takes place.

- B. If the district identified as a student's district of residence district disputes residency, the School shall provide the district with documentation of the student's residency and make a good faith effort to accurately identify the correct residence of the student and resolve the dispute with the district. In the event that resolution is unsuccessful, within 60 days after the deadline established by the Department of Education for reporting community school enrollment, the School may present the matter to the State Superintendent of Public Instruction for determination of the correct district of residence. The student shall remain enrolled in the School with the disputing district listed as the student's district of residence during resolution of the dispute, including a decision by the State Superintendent, if the matter was submitted to the State Superintendent for determination.
- C. If required by law, each month during the School year, the School shall randomly select two student files for verification of residence and address. The School shall initially verify that a selected student's file contains the annual proof of residency collected within the first 90 days of the School year. Next, the School shall contact the parent and verify that the address on file remains the parent's primary residence where substantial activity takes place. The School may contact the parent via phone, email, letter, or by another reasonable method. The contact and verification of residency shall be noted in the student's file and on a log created to verify monthly compliance reviews. During the first 90 days of the School year, a proof of residency provided by the parent for the current year shall satisfy the monthly verification review if it is in the student's file. A file randomly selected during the School year may not be used again that year for the monthly verification review and the School shall randomly select another file in that circumstance. If residency has changed, the School shall report the appropriate district of residence for the student using the method and timeline specified by the Department of Education.

V. Enrollment and Attendance

A student's parent is required to notify the School when there is a change in the location of the parent's or student's primary residence.



VI. Distributing Statement

The following notice shall be distributed to parents of each student in writing upon the student's enrollment in the School via inclusion in an enrollment packet, placement in the student/guardian handbook, or via another method as determined by the Management Company:

"The (name of the School) School is a community School established under Chapter 3314. of the Revised Code. The School is a public School and students enrolled in and attending the School are required to take proficiency tests and other examinations prescribed by law. In addition, there may be other requirements for students at the School that are prescribed by law. Students who have been excused from the compulsory attendance law for the purpose of home education, as defined in the Administrative Code shall no longer be excused for that purpose upon their enrollment in a community School. For more information about this matter contact the School administration or the Ohio Department of Education."



Policy: Assessments, Academic Prevention and Intervention Services

The Governing Authority has adopted the following policy to govern the conduct of assessments and academic prevention and intervention services for all grade levels served by the School. This policy shall be reviewed and/or updated annually.

I. Procedures for Using Diagnostic Assessments

Diagnostic assessments are used to measure student progress toward the attainment of the state's academic standards and to identify students who may not attain the state's academic standards in accordance with Section 3301.0715 of the Revised Code. Throughout the year, the School shall use a variety of assessments.

- A. State Assessments. The School shall administer state assessments during the School year in the method and manner as mandated by law and the State Board of Education for each grade level served by the School. A student may be excused from taking a state assessment if excused by law, medical reasons, or other good cause. In such cases, the student shall take the assessment within nine days of the missed assessment.
- B. Diagnostic Assessments. A diagnostic assessment is a form of a pre-assessment that allows the School to determine a student's strengths, weaknesses, knowledge, and skills. The School uses diagnostic assessments to assess a student's areas of weakness and to guide their teachers' lesson and curriculum planning. If the grades are served by the School, the School administers diagnostic tests at least once annually for grade levels kindergarten through second grade in reading, writing, and mathematics. For third grade students, the School administers a reading and writing diagnostic assessment for any transfer student within thirty days of initial entry if the student's prior School did not administer applicable assessments in the current year. A former home school student will be administered a diagnostic assessment to determine appropriate placement. The School shall also administer a kindergarten readiness assessment between the first day of the School year and November 1st, with the language and reading skills parts administered by September 30th. The School shall also administer any other assessments as required by law or as it determines may benefit students.

II. Prevention and Intervention Services

For Students who score below the proficient level on proficiency and achievement tests, the School shall provide, in the subsequent School year, academic prevention and intervention services in the pertinent subject areas



to students commensurate with their performance and/or with intervention services required by Sections 3313.608, 3301.0711 and 3301.0715 of the Revised Code.

- A. Plan for Classroom-based Intervention. Assessment results will be analyzed to identify students' areas of academic strength and/or weakness. Based on those results, specific academic interventions will be designed to meet the instructional needs of individual students, planned and implemented, which may include classroom-based interventions. Interventions will be formalized and aimed at a student's specific weakness. Results will be monitored at regular intervals during the implementation of the interventions. Flexibility shall be maintained to ensure each student is making progress.

The types of classroom-based interventions will vary based on the specific needs of students. As an example, the School may use, but is not limited to, the following classroom-based interventions: changes in environment, assignments, testing adaptations, organizational skills, behavior, and/or instruction and presentation modifications.

- B. Graduation Rate. Following the administration of assessments to ninth grade students required by Section 3301.0710 of the Revised Code, if the School has a three-year graduation rate of less than seventy-five percent, intervention services will be provided to any students who took the assessments and have failed to make progress toward fulfilling graduation requirements.

III. Collection of Student Data

The School regularly collects student performance data. Student performance data shall be used to evaluate the effectiveness of intervention services, and, if necessary, to modify intervention services. Records are kept in each student's file with the results of each assessment taken, both required and not required. Results include whether the student attained the performance standard designated for that assessment. Records also contain specific information on interventions that have been utilized and the student's response to intervention.

IV. Use of Performance Data

The School will use student performance data to regularly evaluate the effect of its intervention services and modify the services as necessary. The School shall not use a student's statewide assessment results as the sole basis for determining whether or not to promote a student to the next grade, except as required in the Third Grade Reading Guarantee. Summer remediation may be offered to students who fail to score at the proficient level on the Third



Grade Reading Achievement Test or diagnostic assessment. Assessment results will be shared with a student's parents or guardians.



Policy 4004: Attendance, Truancy, and Withdrawal

I. Attendance

A Student's academic success requires continuity of instruction and classroom participation. Students are more likely to succeed when they consistently attend school. For the purposes of this policy, the term "parent(s)" also refers to legal guardian(s) or custodian(s) and the term "School Director" refers to the School Director or their designee.

When absent, the School shall require a written statement from a parent/guardian regarding the cause of the absence. For the purposes of this policy, the written statement may be a signed document, email, voice-mail as noted in writing by school personnel, or other document within the discretion of the School Director. The School Director, in their discretion, may investigate the cause of the absence including, but not limited to, obtaining statements, requiring written documentation, or obtaining any other information to verify the cause of the absence including a signed doctor's excuse or signed statement from the student's parent/guardian. The School Director shall determine whether or not the absence is considered excused or unexcused pursuant to this policy. The following absences are recognized as excused, within the discretion of the School Director:

- A. Illness;
- B. Personal mental illness such that the student will no benefit from instruction;
- C. Medical or dental Appointments;
- D. Illness in the family necessitating the presence of the student;
- E. Death of a relative;
- F. Quarantine;
- G. Observance of religious holidays (consistent with truly held religious beliefs);



- H. Parent's inability to employ help in the family's business or to work on the family's farm at necessary times;
- I. College visits;
- J. Court subpoena;
- K. Due to placement in foster care or change in foster placement, or related court proceedings;
- L. An emergency or set of circumstances in which the judgement of the School Director or designee constitute a good and sufficient cause of absence; or
- M. If a student is absent from school for the sole purpose of traveling out-of-state to participate in a School-approved enrichment activity or extracurricular activity, the School shall count the absence as an excused absence, up to a maximum of twenty-four hours per school year. The student must complete any classroom assignment he/she misses due to the absence. If the student will be absent for twenty-four or more consecutive hours that the School is open for instruction, a teacher must accompany the student to provide the student with instructional assistance for the absence to be excused.

Tardiness is subject to discipline and chronic tardiness may result in additional disciplinary action.

If a child has a physical condition or impairment that could cause periodic or frequent absences from school, a parent is required to notify the School at the beginning of the school year or within five (5) school days after the condition or impairment develops. The notification shall be in the form of a written statement signed and dated by a physician. It must also include the expected duration of the condition or impairment.

II. Excessive Absences/Intervention Strategies

In an effort to address and reduce the number of student absences, the School has developed this policy and the following procedures in consultation with the judge of the juvenile court of the county in which the



School is located, parents/guardians/other persons having care of the School's students, and with appropriate state and local agencies.

A student shall be deemed "excessively absent" if absent with a nonmedical excuse or without legitimate excuse for thirty-eight or more hours in one School month or sixty-five or more hours in a School year. As an intervention strategy, the school will provide an excessively absent student with an intervention plan. The intervention plan will include as appropriate: counseling for a student who is a habitual truant; requesting or requiring their parent/guardian to attend parent involvement program(s) and/or a truancy prevention mediation program; notification of the registrar of motor vehicles; or taking other permissible legal action(s).

A. Procedures. The School shall follow the following procedures when a student is deemed to be excessively absent:

1. The Student's parent/guardian will be notified of the student's absences in writing within seven days of the triggering absence;
2. If the student's unexcused absences reach the level of habitual truancy (thirty or more consecutive hours, forty-two or more hours in a school month, or seventy-two hours in a school year), the School Superintendent or School Director shall assign the student to an intervention team within ten days of the triggering unexcused absence.
3. Within fourteen days, the intervention team shall develop an intervention plan for the student in an effort to reduce or eliminate further absences. Each plan may vary based on the student's individual needs. The plan shall be provided to the student's parent/guardian in writing within seven days of its development.
4. The intervention plan shall provide a notice to the student and their parent/guardian that the attendance officer shall file a complaint not later than sixty-one days after the plan's implementation date if the student has refused to participate or failed to make satisfactory progress on the intervention plan or on an Alternative to Adjudication program.
5. As part of the plan, the School may contact the appropriate juvenile court and ask that the student be informally enrolled in an alternative to adjudication program. If the student has been deemed excessively absent for the first time, and had no prior court involvement of any



kind, the School shall pursue an Alternative to Adjudication program if one is available.

6. The members of an absence intervention team may vary, but shall include a representative from the School, a representative from the School that knows the child, and the child's parent. The Superintendent or School Director may also appoint a school psychologist, counselor, social worker, or representative from a public or non-profit agency designed to assist students and families in the reduction of absences. Members must be appointed within seven days of the triggering unexcused absence. The School's Superintendent or School Director shall make at least three good faith attempts to secure the participation of the parent/guardian. If the parent/guardian responds, they shall be informed of their right to appear by designee if they are unable to participate. If attempts to secure the parent's participation fail, the School shall investigate whether the failure to respond triggers mandatory reporting to public children's services agency and instruct the intervention team to develop an intervention plan without the presence of the parent.
7. If the student becomes habitually truant within 21 days prior to the last day of instruction in the school year, the School may assign one school official to work with the student's parent/guardian over the summer to develop an intervention plan. If applicable, the intervention plan shall commence no later than seven days prior to the first day of instruction for the subsequent school year. In the alternative, the School may toll the time periods for the summer and reconvene the intervention process upon the first day of instruction the next school year.
8. The School shall report to the Department of Education as soon as possible, in the format if and as prescribed, when any of the following occur:
 - a. A parent/guardian is sent a notice that the student is excessively absent;
 - b. When a child of compulsory school age that has been adjudicated as an unruly child violates the court order pursuant to that adjudication; and
 - c. When an absence intervention plan has been developed for a child.



III. Truancy

When the School deems a student truant and that the student's parent/guardian has failed to cause their attendance, the School may require the parent/guardian to attend an educational program established by rules of the State Board of Education for the purpose of encouraging parental involvement in compelling a child's attendance at school. Upon request of the School's Superintendent, the School's designated attendance officer shall investigate cases of possible truancy and warn the child, if found truant, and the child's parent in writing of the legal consequences of being truant. When any child of compulsory school age is in violation of law by not attending school, the School's attendance officer shall notify the student's parent/guardian to cause the child to attend school. If the child still does not attend, the attendance officer shall inform the School's Superintendent of that fact. Upon request of the School's Superintendent, the attendance officer shall send the child's parents a notice requiring attendance at a parental education program and may file a complaint against the parent in the appropriate court.

If the child is considered habitually truant, the School's attendance officer shall file a complaint in the appropriate court against the student and the student's parent/guardian alleging that the child is unruly for being a habitual truant and that the parent has failed to compel the student's attendance.

IV. Withdrawal

- A. A student will automatically be withdrawn from school if the student, without legitimate excuse, fails to participate in 72 consecutive hours of learning opportunities offered to the student.
- B. Whenever a student of compulsory school age withdraws:
 - 1. The student's teacher must ascertain the reason for the withdrawal and then immediately transmit that the student has withdrawn and the reason for the withdrawal to the School's Superintendent.
 - 2. If the withdrawal is due to a change in residence, the teacher must ascertain the next residence and include that information in the transmission to the School's Superintendent.



3. The School's Superintendent shall forward a card to the superintendent of the traditional district where the new residence is located showing essential facts including the child's new address.
- C. If a student of compulsory school age withdraws for a reason other than for a change of residence and is not enrolled in or attending an approved program to obtain a diploma or equivalent:
1. Within two weeks of the withdrawal, the School Superintendent must notify the registrar of motor vehicles and the juvenile judge of the county in which the School is located of the withdrawal and failure to enroll/attend an approved program. This notification must be given in writing to the juvenile judge and to the registrar of motor vehicles in the manner specified by those respective offices.



Policy 4005: Career Advising

This policy on career advising is reviewed at least once every two years and made available to students, parents, guardians and custodians, local post-secondary institutions, and residents. The policy is posted in a prominent location on the School's website.

I. Plan for Career Advising

The School's plan for career advising includes providing:

- A. Grade-Level examples that link students' schoolwork to one or more career fields by implementing the career connections learning strategies offered by the Ohio Department of Education.
- B. Career advising to students in grades 6-12, which includes meeting with each student at least once annually to discuss academic and career pathway opportunities.
- C. Additional interventions and career advising for students who are identified as "at-risk" of dropping out of school. These include:
 1. Identifying students who are at-risk of dropping out of school using a local research-based method with input from teachers, school counselors, and other appropriate school staff.
 2. Developing a student success plan for each at-risk student that addresses both the student's academic and career pathway to successful graduation and the role of career-technical education, competency-based education, and experiential learning, when appropriate.
 - a. Before the School develops a student's success plan, staff will invite the student's parent, guardian or custodian to assist. If that adult does not participate in the plan development, the School will provide the adult a copy of the plan, a statement of the importance of a high school diploma and a listing of the pathways to graduation available to the student.
 - b. Following development of the plan, staff will provide career advising to the student that is aligned to the success plan and this policy.



- D. Training for staff on how to advise students on career pathways, including use of the tools available on the Ohio Means Jobs website and other online sources provided by the School.
- E. Multiple academic and career pathways through high school that students may choose to earn a high school diploma, including opportunities to earn industry-recognized credentials and postsecondary course credit through college credit plus.
- F. Information on courses that can award students both traditional academic and career-technical credit including, but not limited to, the School's policy on credit flexibility and instructions for students on how to access educational options.
- G. Documentation on career advising for each student and parent, guardian or custodian to review, as well as schools that the student may attend in the future. These include activities that support the student's academic, career and social/emotional development.
- H. The supports necessary for students to successfully transition from high school to their postsecondary destinations, including interventions and services necessary for students who need remediation in mathematics and English language arts.
- I. Information regarding career fields that require an industry-recognized credential, certificate, associate's degree, bachelor's degree, graduate degree, or professional degree.
- J. Students with information about ways a student may offset the costs of a postsecondary education, including programs such as all of the following:
 - 1. The reserve officer training corps;
 - 2. The college credit plus program established under Chapter 3365 of the Revised Code;
 - 3. The Ohio guarantee transfer pathways initiative established under section 3333.168 of the Revised Code; and,
 - 4. Joint academic programming or dual enrollment opportunities required under section 3333.168 of the Revised Code.



II. **Model Student Success Plan**

In developing a student's success plan, the School may use or adapt the model student success plan developed by the Ohio department of education. It can be found at:

https://education.ohio.gov/getattachment/Topics/Career-Tech/Career-Connections/Career-Advising-Policy-and-Student-Success-Plan/Model-Student-Success-Plan_2017.pdf.aspx?lang=en-US



Policy 4006: Children in Foster Care

Consistent with Title I requirements and Ohio Department of Education guidelines, the School shall collaborate with the Ohio Department of Education and state and local child welfare agencies to provide educational stability for children in foster care.

I. Definitions

- A. Foster Care. Foster care means 24-hour substitute care for children placed away from their parents or guardians and for whom the child welfare agency has placement and care responsibility. Foster care may include, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, childcare institutions, and pre-adoptive homes. Any child meeting this definition shall be deemed to be in foster care regardless of whether the foster care facility is licensed and/or the foster caregiver receives payments from a federal, state, local, or tribal agency for the care of the child.
- B. School of Origin. The school of origin is the school in which the child is enrolled at the time of placement in foster care. If the child's foster care placement changes, the school of origin is the school in which the child is enrolled at the time of the placement change.

II. School Placement

A child in foster care shall remain enrolled in the school of origin unless it is determined that it is not in the child's best interest. Such determination will be made consistent with federal and state laws, rules, or guidance, and in collaboration with relevant child welfare agencies when practicable.

Any dispute regarding the best interest determination shall be decided according to federal and state laws, rules, or guidance. The relevant child welfare agency shall be the final decision maker in all best interest determinations. To the extent feasible and appropriate, the child shall remain in the school of origin until any dispute or determination is resolved.

III. Immediate Enrollment

If it is determined that a child's enrollment in the School is in the best interest of the child, the School shall immediately enroll the child, even if the child is unable to produce records normally required for enrollment, has missed application or enrollment deadlines, or is



subject to outstanding fees or fines, or excessive absences. The School shall immediately contact the school last attended by the child to obtain relevant academic or other records.

IV. Transportation

Consistent with Title I requirements, the School shall coordinate with the state or local child welfare agencies and other relevant schools to develop and implement clear written procedures to ensure that transportation to the school determined to be in the child's best interest is provided, arranged, and funded. Such arrangements and funding agreements will consider federal and state laws, rules, and guidance for inter-district transportation. Children in foster care requiring transportation shall promptly receive transportation in a cost-effective manner. If there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the School will provide transportation to the school of origin if (a) the local child welfare agency agrees to reimburse the School for the cost of such transportation, (b) the School agrees to pay for the cost of such transportation, or (c) the School and local child welfare agency agree to share the cost of such transportation.

V. Point of Contact

The School Director or his/her designee shall be the point of contact to coordinate with the Ohio Department of Education and relevant child welfare agencies. The point of contact may be responsible for coordinating with the Ohio Department of Education and child welfare agencies on implementation of the Title I foster care provisions, developing best interest determination procedures and documentation requirements, facilitating the transfer of records, developing and coordinating local transportation procedures, and ensuring that children in foster care are immediately enrolled and regularly attending school.

VI. Privacy

Information about the living situation of a child in foster care shall be treated as a student education records and shall not be deemed to be directory information.



Policy 4007: College Credit Plus – Advanced Standing Programs

I. Definitions

The following terms are defined for the purposes of this policy:

- A. Advanced Standing Program. A program that enables a student to earn credit toward a degree from an institution of higher education while enrolled in high School that enables a student to complete coursework that may earn credit toward a degree from an institution of higher education upon the student's attainment of a specified score on an exam covering the coursework. Examples include the following: advanced placement, international baccalaureate diploma, early college high School; or, college credit plus program courses.
- B. Public Secondary School – A community School, established pursuant to Chapter 3314. of the Revised Code, that serves grades 9-12.
- C. Underperforming Student – A student who has a cumulative GPA of lower than a 2.0 in the college courses taken through the college credit plus program or, withdraws from, or receives no credit for, two or more courses in the same term. (Withdrawing from a course occurs when the student dis-enrolls from a course after the census date and the secondary School is financially responsible for the tuition associated with the course.
- D. Ineligible Student – a student who meets the definition of an underperforming student for two consecutive terms of enrollment.

II. Advanced Standing Programs – General

The School's educational program shall offer students enrolled in grades nine through twelve the opportunity to enroll in at least one advanced standing program. The Governing Authority has determined to satisfy this requirement through offering eligible students the opportunity to participate in the college credit plus program.

III. College Credit Plus Program

The college credit plus program allows an eligible student to enroll at a college on a full- or part-time basis and complete nonsectarian and nonremedial courses for high School and/or college credit. Upon successful completion, a student may receive transcript credit from the college.

- A. Eligibility. A student enrolled at the School during the student's ninth, tenth, eleventh, or twelfth grade may apply to and enroll in the college credit plus program. In order to be eligible to apply the student must:



1. Inform the School Director by the first day of April of the student's intent to participate in the program during the following School year (the notice may also be provided by the student's parent). A student who fails to provide the notice by the required date may not participate in the program during the following year without the written consent of the School Director. If a student seeks the School Director's consent, the School shall notify the Department of Education within 10 days of receiving the student's request for consent. If the School Director does not provide written consent, the student may appeal the School Director's decision to the Governing Authority. An appeal request shall be in writing and set forth the facts, circumstances, and other relevant information that forms the basis of the appeal. The School's Superintendent or designee shall consider the appeal and make a recommendation to the Governing Authority. The Governing Authority shall render a decision either to grant or deny the student's request to participate in the program within thirty days of receiving the notice of appeal.
2. Apply to a public or participating private college in accordance with that institution's established admission procedures and be remediation free, in accordance with one of the assessments established for that purpose. If the student scores within one standard error of measurement below the remediation-free threshold, the student shall be considered to meet this requirement if the student:
 - a. Has a cumulative high School grade point average of at least 3.0, or have at least the established grade point average for their grade level;
 - b. Receives a recommendation from a School counselor, School director, or career-technical program advisor;
 - c. Meets the college and relevant academic program standards established for admission, enrollment, and course placement, including course-specific capacity limitations.
3. Elect, at the time of enrollment, to participate under either of the two enrollment options as follows:
 - a. The participant is responsible for payment of all tuition and fees associated with the course (participants under this option must also elect at enrollment either to receive only college credit or both high School and college credit for the course upon successful completion); and
 - b. If the course is eligible for funding, the participant may elect to have the college reimbursed from the department of education (If this option is elected, the participant will be awarded both high School and college credit upon successful completion); and,



- c. Sign a form (by both the student and the student's parent), provided by the School, stating the student has received the required counseling and that they understand the responsibilities they assume in the program.
- B. Special situations affecting eligibility.
1. Participation during a period of expulsion. During a period of expulsion, a student is prohibited from applying to college unless the student has been admitted to another public secondary School or participating non-public School. It is the policy of the Governing Authority that the School shall not award a student high School credit for college credit plus courses (Chapter 3365. of the Revised Code) or for courses completed outside of regular School hours (Section 3313.613 of the Revised Code) for any portion of which were taken during a period of expulsion from the School.
 2. Expulsion during participation in the program. If a student is expelled during their participation of the program, the college may withdraw the student's acceptance. Upon expulsion, the School's Superintendent or designee shall send a written notice to the college in which the student is enrolled. The notice shall include the date the expulsion is scheduled to expire and that the Governing Authority has adopted a policy to deny high School credit for courses taken under the program during an expulsion. If the expulsion is extended, the Superintendent or designee shall send an updated notice to the college. If the student opted to participate under the state funded option, the Superintendent or their equivalent shall send notice to the expelled student that their participation under that option is revoked for all courses enrolled in under the program and, if the college does not withdraw its acceptance, the student is required to pay all applicable tuition and fees, including textbooks and materials provided by the School or the college.
 3. The state funded option. A student in grade nine may not enroll in courses for more than the equivalent of four academic School years; a student in grade ten may not enroll in courses for more the equivalent of three academic years if the student enrolled for the first time in grade ten; a student in grade eleven may not enroll in courses for more than the equivalent of two academic years if the student enrolled for the first time in grade eleven; and, a student in grade twelve may not enroll in courses for more than the equivalent of one academic year if the student enrolled for the first time in grade twelve.
 4. Seventh and eighth grade students. If the School offers seventh or eighth grade, a seventh or eighth grade student may participate in the program provided they meet all other participation and eligibility requirements applicable to secondary grade students.



5. Eligible students may participate during the summer term of the higher education institution in which they are enrolled. All program requirements apply, notice of intent to participate must be provided as set out in rule by the Chancellor of the Department of Higher Education.
6. Underperforming students:
 - a. The School is responsible to place an underperforming student on probation and to place an ineligible student on dismissal from the college credit plus program. The School shall promptly notify the student, the student's parents/guardian, and each institution of higher education in which the student is enrolled of the student's status. The School shall advise the student and his/her parent/guardian on the requirements for continuing the program.
 - b. A student will be placed on probation when his/her cumulative GPA earned in college courses is lower than 2.0 or when the student withdraws from two or more courses in the same term.
 - c. When on probation, the student may enroll in no more than one college course and may not enroll in a course in the same subject in which the student earned a D or F or received no credit. A student remains on probation until the student has improved his/her cumulative GPA to 2.0 or higher (maximum of two terms).
 - d. If a student takes a college course while on probation and the course grade earned raises the student's cumulative GPA to a 2.0 or higher, the student may be removed from probation and may participate without restrictions unless the cumulative GPA earned becomes subject to the rule again. If a student on probation taking a college course does not raise his/her cumulative GPA to a 2.0 or higher, the School will place the student on dismissal from the program.
 - e. A student who is on probation for two consecutive college terms shall be placed on dismissal. Once a student is placed on dismissal, the student may not enroll in college courses. Upon dismissal, the School shall promptly notify the student, the student's parent, and each college or university in which the student is enrolled.
 - f. If a student is registered in college courses prior to being placed on probation or dismissal, the student shall request to dis-enroll from courses necessary to comply with the rules. If the student fails to dis-enroll as required, the School shall promptly notify the student and his/her parent/guardian that the student shall be responsible for paying all tuition, fees, textbooks and all course costs and will be declared ineligible and dismissed from the program for the following term.
 - g. A student who is placed on dismissal or probation may request an appeal. A written or verbal request to appeal may be submitted by the student, parent or guardian to the School Director or designee.



A student who requests an appeal shall do so within five business days after being notified of the being placed on college credit plus program probation or dismissal. The School shall promptly notify any institution of higher education in which the student is enrolled that the student has requested an appeal. A date will be set, and the School's Superintendent or designee will hear the appeal and shall consider any extenuating circumstances separate from academic performance that may have affected the student's college credit plus program status and/or performance. The School's Superintendent or designee shall make a recommendation to the Governing Authority. The Governing Authority decision will be made within ten business days after the appeal was received. The decision will be final and shall grant one of the following: permission to participate without restrictions, permission to participate under probation status, or no permission. Dismissal status shall be final. Requirements for a student's return to participation include a high School GPA of 3.0 or higher and compliance with School policies and guidelines on conduct and behavior. The School shall notify any institution of higher education in which the student is enrolled of the decision.

- h. A student who wins an appeal but fails to maintain a high School GPA of 3.0 or higher and/or fails in compliance with behavior and conduct guidelines, will be subject to permanent dismissal from the program.
 - i. Institutions of higher education shall comply with the decisions of the School and shall not require payment for courses from which students withdraw before the no-fault withdrawal date. If the decision on a student's appeal is made after the institution's no-fault withdrawal date, the School shall pay for the course(s).
 - j. The School's performance coach, career lead, or designee is designated to monitor student performance and discuss available resources for assisting students at risk of probation or dismissal.
7. Currently the Governing Authority does not provide or arrange transportation of students in grades nine through twelve. However, if the Governing Authority determines at a later date to provide or arrange for transportation of students in grades nine through twelve, under Section 3314.091 of the Revised Code, a parent of a participant enrolled under an option where both high School and college credit are provided may apply to the Governing Authority for full or partial reimbursement for the necessary costs of transporting the student between the School and the participating college pursuant to guidelines established by the State Board of Education.
- C. The School shall adhere to the following requirements in the promotion and implementation of the college credit plus program. The School shall:



1. Provide information to students on the college credit plus program prior to February 1st, each year to all students in grades 6-11;
2. Provide counseling services to students and their parents before the student participates in the program to ensure that parents and students are fully aware of the possible consequences and benefits of participation. The counseling shall provide information about the following:
 - a. Program eligibility;
 - b. Process for granting academic credits;
 - c. Any necessary financial arrangements for tuition, textbooks, and fees;
 - d. Criteria for transportation aid;
 - e. Available support services;
 - f. Scheduling;
 - g. Possible Consequences and Benefits;
 - i. The consequences of failing or not completing a course, including the ability to complete the secondary School's graduation requirements;
 - ii. The effect of a grade attained in a course being included in the student's grade point average, as applicable;
 - iii. The benefits to the student for successfully completing a course, including the ability to reduce overall costs of, and the amount of time, for a college education.
 - h. The academic and social responsibilities of students and parents under the program;
 - i. Information about and encouragement to use the counselling services of the college; and,
 - j. The standard packet of information for the program developed by the Chancellor.
3. Promote program on the School's website, including details of current agreements with partnering colleges;
4. Schedule at least one informational session per School year to allow each partnering college, located within 30 miles, to meet with interested students and parents that shall include the benefits and consequences of participation and outline any changes or additions to the requirements of the program and if there are no partnering colleges within 30 miles, the School shall coordinate with the nearest partnering college to offer the informational session;
5. Implement a policy for the awarding of grades and the calculation of class standing for courses taken under the college credit plus program



that is equivalent to other offered advanced standing or honors courses, if any;

6. Develop model course pathways, pursuant to Section 3365.13 of the Revised Code, and publish the model pathways in the official list of course offerings for the program;
7. Annually collect, report, track specified data related to the program, including data reporting guidelines developed by the chancellor and superintendent of public instruction;
8. Ensure that any instructor teaching a college credit plus program course is credentialed according to the requirements established by the chancellor and the Ohio board of regents;
9. Ensure that any courses offered at the high School meet legal requirements for the program; and,
10. Provide the School's sponsor with copies of the School's website pages promoting the program and showing compliance with legal, policy and any other sponsor requirements.

IV. Form Requirements – Management Company Delegation

For the convenience of students and their parents, the Management Company is hereby delegated the authority to develop or use standard forms (including, but not limited to forms developed by the Department of Education) to implement this policy and any required procedures. The standard forms shall include all required information and meet the School's specific duties, obligations, and responsibilities as set out above and/or required by law.



Policy 4008: Credit Flex

This policy shall apply if the School offers the applicable grades. The Governing Authority recognizes that an effective educational program is one that provides opportunities for students to customize aspects of their learning around their respective needs and interests. Credit Flexibility is one method to motivate and increase student learning by allowing access to more resources, customization around individual student needs, and the use of multiple measures of learning.

Credit Flexibility allows students to earn units of high school credit and course credit based on an individually approved Credit Flexibility Plan. The intent of credit flexibility is to meet increased expectations for high school graduation in response to globalization, technology and demographics, and to meet the demand for 21st Century skills.

In accordance with State law and Ohio Department of Education requirements, the School must develop and implement a Credit Flexibility Plan that enables students to earn high school credit by:

- A. Completing coursework;
- B. Testing out or showing mastery of course content;
- C. Pursuing an educational option and/or an individually approved option; and/or,
- D. any combination of the above.

The School may integrate academic content from multiple subject areas into a single course, including a career-technical course, in accordance with Ohio Department of Education standards. Upon successful completion of an integrated course, a student may receive credit for both subject areas that were integrated into the course. If an end-of-course exam is required for the subject area(s) delivered through integrated instruction, the School may administer the relevant subject area assessment(s) upon the completion of the integrated course.



Policy 4009: Face Coverings (Masks)

A mask is any material that covers an individual's nose, mouth, and chin.

If a law, rule, regulation, or order from federal, state, county or local government requires students, staff, or other individuals to wear a mask while in a public school, the School shall comply with the requirements of such law, rule, regulation, or order.

In the absence of a specific law, rule, regulation, or order, the Management Company is delegated the authority to develop and implement requirements regarding the wearing of masks in the School. In developing mask requirements, the Management Company shall consider guidance from the Ohio department of health, the Federal Center for Disease Control and Prevention (CDC), or other federal, state, or local agencies.

If there is a mask requirement issued pursuant to this policy, the requirement does not apply when any of the following are applicable, as determined by the Management Company:

- A. The individual has a medical condition, including respiratory conditions that restrict breathing, mental health conditions, or a disability that contraindicates the wearing of a mask, and presents a signed note from the individual's health care provider;
- B. The individual is communicating or seeking to communicate with someone who is hearing impaired or has another disability where an accommodation is appropriate or necessary;
- C. The individual is actively participating in outdoor recess and/or physical activity where students can maintain a distance of six feet or more, or athletic practice, scrimmage, or competition;
- D. The individual is seated and actively consuming food or beverage;
- E. Student and staff can maintain distancing of at least six feet and removal of the mask is necessary for instructional purposes, including instruction in foreign language, English language for non-native speakers, and other subjects where wearing a mask would prohibit participation in normal classroom activities, such as playing an instrument;
- F. Students are able to maintain a distance of six feet or more and a mask break is deemed necessary by the educator supervising the educational setting;
- G. The individual is alone in an enclosed space, such as an office; or



- H. An established, sincerely held religious requirement exists that does not permit a mask.

The School will provide a mask to any student who is unable to procure one. Violations of this policy by a student may be treated as "dress code" violations under the student handbook, and a student may be subject to discipline accordingly. Individuals/Groups found to be in violation of mask requirements may be removed from the School or management company property, with the assistance of law enforcement if necessary.

Policy 4010: Graduation

The Governing Authority shall award a High School Diploma to every student who meets current graduation requirements as established by the Ohio Revised Code, Ohio Department of Education, and Governing Authority; or, who completes the goals and objectives specified in the student's Individualized Education Program ("IEP").

Commencement may include only those students who have successfully completed requirements for graduation, or who are eligible to participate as specified in the student's IEP, as certified by the School Director. No student shall be denied a diploma as a disciplinary measure. However, a student may be denied participation in the commencement when personal conduct so warrants.

The Management Company, through the Superintendent, shall establish appropriate administrative guidelines as necessary to comply with state law, rules, and regulations.

I. Specific Graduation Requirements

- A. Classes of 2021 and 2022 - For students who entered grade nine between July 1, 2017 and June 30, 2019, students must complete the "Three Pathways" or the "Permanent Requirements" as specified in law and by the Ohio Department of Education.
- B. Classes of 2023 and Beyond – For students who entered grade nine between July 1, 2019 and June 30, 2020 (and beyond), students must complete the "Permanent Requirements" as specified in law and by the Ohio Department of Education.
- C. Notes:
 - 1. Neither of the above provisions prevent a student who has completed the goals and objectives as specified in the student's IEP from qualifying for a diploma.
 - 2. Since the requirements may change or be clarified over time, the Governing Authority's express intention is that every student entitled to receive a high school diploma pursuant to the laws existing at that time shall receive a high school diploma.

II. Permanent Graduation Requirements

- A. The Permanent Graduation Requirements have two components:
 - 1. Demonstrate Competency - Students must demonstrate competency in math and English by meeting the established requirements.
 - 2. Preparation for College and Career – Students must earn two diploma seals, one of which must be state defined, to demonstrate technical



and professional readiness for careers, college, the military, or self-sustaining professions.

B. Diploma Seals

1. State defined graduation seals include a variety of seals as set forth on the Ohio Department of Education's website.
2. The Governing Authority may also establish "locally defined seals" that a student may earn towards graduation. The Governing Authority is establishing the Community Service Seal, Fine and Performing Arts Seal, and Student Engagement Seal that a student may earn towards satisfying the Diploma Seals requirements. The three locally defined seals are set forth below.

III. Locally Defined Seals

A. Community Service Seal

1. A high-quality community service seal project shall:
 - a. Lead Students to reflect on and address the needs of communities in which they live and work;
 - b. Promote meaningful community connections and a clearer understanding of the organizations and agencies that support community needs;
 - c. Allow students to apply knowledge and skills in practical settings and understand volunteerism in a local community;
 - d. Give students opportunities to gain new knowledge, skills and understanding that can support their future pursuits and successes; and
 - e. Connect students to the careers and professions available in the public, non-profit, and philanthropic sectors.
2. The student shall successfully:
 - a. Use prescribed forms provided by the school to complete the community service seal project.
 - b. Plan the project and seek pre-approval before beginning to log service hours, submitting a written description of the proposed work, and listing the duties and responsibilities.
 - c. Identify three learning outcomes related to the professional, technical, and academic skills that will be demonstrated through the community service project.
 - d. Complete the Experience Agreement identifying the Performance Coach or Designee and a Supervisor from the community organization, agency, or entity. A copy must be provided to the



home, school, and community organization for all parties to have emergency contact information.

- e. Complete and document 60 hours of service to meet requirements. Multiple community service organizations may be used to reach 60 hours and the work must be completed in the student's grades 9-12.
- f. Verify completed work by submitting a time log of hours worked, student reflection question sets 1, 2 and 3, and the Supervisor's verification and evaluation of skills and knowledge.

3. The school shall:

- a. Ensure that the student's community service proposal is a quality graduation project.
- b. Ensure that the student's chosen community organization(s) is reputable, and that the Supervisor will follow through in supervision and evaluation of the student. Ensure as much as possible that the organization will not jeopardize the student's graduation.
- c. Set intervals to check in with the student to monitor their progress and provide feedback and support, celebrating success and strengthening areas of growth.
- d. Review the Supervisor Verification and Evaluation of Skills and Knowledge form at the end of the project. Signatures of the student, Supervisor and Advisor show that all parties have reviewed, discussed, and approved the evaluation, and that the student has successfully earned the Community Service Seal.
- e. Maintain appropriate student records to identify that the student has met the requirements for earning the Community Service Seal.

B. Fine and Performing Arts Seal

1. A High-quality Fine and Performing Arts Seal project shall:

- a. Offer opportunities for students to show attributes such as foundational knowledge, social and emotional skills, and leadership and reasoning abilities that demonstrate their readiness to transition to an identified next step after high school;
- b. Promote a better understanding of the importance and value of civic and social engagement, the fine and performing arts, and individual or group contributions in a local community; and
- c. Build connections to the school, the broader community and the fine and performing arts.

2. The student shall successfully:



- a. Complete a minimum of 40 points earned toward the Fine and Performing Arts Seal from the following categories of activities, completed in the student's grades 9-12:
- b. 20-point category – Submit a written reflective journal for one of the 20-pt activities completed below and:
 - i. Create a pre-approved, original theatrical or musical program for performance by multiple students and co-direct with instructor or participate in it with peers.
 - ii. Participate in a lead role in a school performance.
 - iii. Have work displayed in a professional gallery art show.
 - iv. Earn 1st, 2nd, or 3rd place or honorable mention award in a reputable, community-based fine arts or performing arts competition. Complete any similar activity approved by the school.
- c. 10-point category – Submit a typed one-page narrative, explaining two learning outcomes gained from one of the 10-pt activities completed (examples include but are not limited to: technical skill; social-emotional skill such as teamwork, confidence; professional skill such as leadership, etc.), and:
 - i. Participate in the cast or crew of a production.
 - ii. Perform a solo dance, song, or scene in a school production.
 - iii. Have artwork displayed in the community.
 - iv. Have three or more works of art displayed in school-based show.
 - v. Complete two Fine or Performing Arts credits/courses with grades of B or better.
 - vi. Complete any similar activity approved by the school.
- d. 5-point category – Submit a half-page, typed narrative, explaining one learning outcome gained from one of the 5-point activities completed below and:
 - i. Complete two Fine or Performing Arts credits/courses with grades of C or better.
 - ii. Have one work of art displayed in school-based show.
 - iii. Earn an above average grade for participation in Fine or Performing Arts, maintaining good attendance and positive effort as evaluated by the instructor for one full year in the Fine and Performing Arts class or club, including all practices and performances.
 - iv. Complete any similar activity approved by the school.



3. The school shall:
 - a. Set intervals to check in with the student to monitor progress and provide feedback and support, celebrating success and strengthening areas of growth.
 - b. Complete a participation and performance evaluation at the end of the project that includes the pathway the student used to earn 40 points. Signatures of the student, instructor, and Performance Coach or Designee show that all parties have reviewed, discussed, approved the evaluation, and that the student has successfully earned the Fine and Performing Arts Seal.
 - c. Maintain appropriate student records to identify that the student has met the requirements for earning the Fine and Performing Arts Seal.

IV. Student Engagement Seal

- A. A high-quality student engagement seal project shall:
 1. Give students opportunities to demonstrate excellence and meaningful participation in school sponsored extra-curricular activities and any related classwork. Extra-curricular activities may include, but are not limited to, martial arts demo team, club, or any after school extension of the martial arts program, student government activities, school newspaper or yearbook publishing, and similar activities approved by the school.
 2. Develop student self-awareness, self-management, relationship and decision-making skills, and social awareness.
 3. Allow students to apply the knowledge and skills learned in the classroom to the real world through the extra-curricular activity.
 4. Promote the development of professional and leadership skills in students, such as teamwork, collaboration, and discipline.
- B. The student shall successfully
 1. Complete a minimum of 40 points earned toward the Student Engagement Seal from the following categories of activities completed in the student's grades 9-12:
 - a. 20-point category – Create a news-style article, explaining the extra-curricular activity, its benefit, its purpose, and a reflection of the positive attributes to be gained through the activity involvement, and (as related to the chosen activity):
 - b. Create a pre-approved, original martial arts demonstration program for multiple student participants and co-direct it with the



Sensei. The program will be presented to the school and/or community.

- i. Organize and carry out a pre-approved, student government school improvement project that will be completed during one semester or longer.
 - ii. Organize and carry out a pre-approved student government school project that incorporates a partnership with one or more local businesses during one semester or longer.
 - iii. Participate in a leadership role such as editor-in-chief in organizing the structure of a publication, leading student staff members, meeting publication dates and providing general oversight in conjunction with the school advisor. Participate in a leadership role in a martial arts demonstration team event or create and perform a solo performance of skill and agility within the demonstration team event.
 - iv. Earn a Black Belt or the position of Senpai, assistant to the Sensei, for high-ranking martial arts achievement.
 - v. Earn 1st, 2nd, or 3rd place as part of an individual ranking in a martial arts tournament or competition.
 - vi. Complete any similar activity approved by the school.
- c. 10-point category – Complete 3 of 5 Reflection Questions. Each question must contain at least six sentences of quality writing skill and demonstrate thoughtful consideration, and (as related to the chosen activity):
- i. Perform on a martial arts demonstration team for the school and/or community.
 - ii. Organize and carry out a pre-approved student government school project that will be completed within one to two weeks such as, but not limited to, Teacher Appreciation Week activities.
 - iii. Provide a student government forum for students to raise a legitimate problem or concern, discuss the issue with student government council, make recommendations, bring the problem and solution ideas to school staff for resolution and relay results to students. Document each step of the process per school advisor guidelines.
 - iv. Participate effectively in one publishing role such as, but not limited to, photographer, reporter, designer, lay-out, editor, columnist, or business manager.
 - v. Create and teach your own martial arts kata to the group for the group to demonstrate.



- vi. Earn the next 2 martial arts belt ranks, which require accompanying exemplary grades, attendance, and conduct.
 - vii. Earn a team place (1st, 2nd, 3rd) or rank in a martial arts tournament.
 - viii. Demonstrate red, brown, or black belt Katas with precision.
 - ix. Complete any similar activity approved by the school.
- d. 5-point category – Complete 2 of 5 Reflection Questions (not previously answered). Each question must contain at least six sentences of quality writing skill and demonstrate thoughtful consideration, and (as related to the chosen activity):
- i. Break a board in the martial arts board-breaking ceremony.
 - ii. Earn a student government commendation or award from the school principal for maintaining good standing in class academic work, behavior, and in setting a positive example for others in conducting student government duties.
 - iii. Earn a publishing commendation or award from the school advisor for maintaining a positive example, good attendance, and a team-oriented work ethic in the publishing program.
 - iv. Demonstrate white, orange, yellow, blue, green, purple belt Katas with precision.
 - v. Earn the next belt rank, which requires accompanying exemplary grades, attendance, and conduct.
 - vi. Complete any similar activity approved by the school.

C. The school shall:

1. Ensure that the extra-curricular activity chosen demonstrates a quality endeavor worthy of graduation-level distinction.
2. Set intervals to check-in with the student to monitor progress and provide feedback and support, celebrating success and strengthening areas of growth.
3. Complete a participation and performance evaluation at the end of the project that includes the pathway the student used to earn 40 points. Signatures of the student, school advisor and Performance Coach or Designee show that all parties have reviewed, discussed, and approved the evaluation, and that the student has successfully earned the Student Engagement Seal.
4. Maintain appropriate student records to identify that the student has met the requirements for earning the Student Engagement Seal.



Policy 4011: Harassment, Intimidation, and Bullying

Harassment, intimidation or bullying of any student or individual is strictly prohibited on School property or at School and School-related events or activities. This expressly includes conduct occurring on or off School property, including buses and other School-related vehicles. This policy was developed in consultation with parents, School employees, School volunteers, students and community members. A student's violation of this policy may result in discipline.

I. Definition

"Harassment, Intimidation, or Bullying" means either of the following: (a) any intentional written, verbal, electronic or physical act that a student has exhibited toward another particular student and that is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for the other student; or (b) violence within a dating relationship. Harassment, intimidation or bullying, including other disruptive or violent behavior, is conduct that disrupts both a student's ability to learn and a School's ability to maintain a safe environment. These definitions expressly include activities that occur online or by other electronic means.

II. Procedure for reporting prohibited incidents.

School personnel and students are required to report any prohibited incidents that they are aware of to the School Director or his/her designee (collectively "School Director"). Any person may make an anonymous report by telephone, electronic mail, letter, or any other means.

Semi-annually, the School Director must provide the Governing Authority president with a summary of all reported incidents and post the summary on the School's website in a manner that does not violate student privacy and/or confidentiality laws.

III. Notification

The custodial parent/guardian of any student involved in a prohibited incident shall be notified and have access to written reports to the extent allowed by student privacy and/or confidentiality laws.

IV. Documentation Procedure

The School Director shall document all reports of any alleged violations of this policy, the investigation of the allegation including witnesses interviewed, and other evidence. The School Director shall include conclusions and outcomes, including student discipline, if any.



V. Response and Investigation

Upon receiving a report of an alleged violation of this policy, the School Director shall investigate the allegation and respond as appropriate. The School Director shall interview the parties allegedly involved, may interview any other potential witnesses, and collect other forms of relevant evidence. The School Director may take any other reasonable steps to thoroughly investigate an alleged incidence of harassment, intimidation or bullying.

VI. Protections for Victims and Reporting Persons

Any reprisal or retaliation against any victim or reporting person is prohibited. The following strategies shall be used to protect victims and reporting persons from reprisal or retaliation: the School shall supervise and discipline offending students with fair and consistent consequences; provide supervision during the School day and at School activities as appropriate; maintain contact with the parents and guardians; provide any counseling that may be necessary; and, intervene as necessary to ensure that no additional incidents occur.

VII. Student Disciplinary Procedure

Disciplinary procedures for a student who allegedly violates this policy shall follow due process and shall not infringe a student's first amendment right of free speech. A student will be disciplined as appropriate based on the circumstances, within the discretion of the School Director. Possible consequences range from non-disciplinary intervention up to suspension or expulsion.

VIII. False Reports Prohibited

Students are prohibited from deliberately making false reports of harassment, intimidation, or bullying. A student may be disciplined for making a false report.

IX. Publication

This policy must be published in handbooks and any publications that set forth rules, procedures and standards of conduct for the School and for its students. This policy and an explanation of the seriousness of bullying by electronic means shall be made available to students and any custodial parents/guardians. Information shall also be included in employee training manuals. At least once annually, the School shall send the policy and consequences for any violations to each student's custodial



parent/guardian. This may be sent electronically or with regular student report cards.

X. Use of Federal Funds

If federal funds have been received for this purpose, students shall be provided with age-appropriate instruction on the policy including the consequences for any violations.

XI. Bullying Prevention Initiatives

The School may form a bullying prevention task force, programs or other initiatives involving volunteers, parents, law enforcement and community members. If state or federal funds are received for these purposes, the School shall provide training, workshops or courses on the policy to School employees or volunteers that have direct contact with students and are not subject to Section 3319.073 of the Revised Code (In-service training in the prevention of child abuse, School safety and violence).



Policy 4012: PBIS, Restraint, and Seclusion

I. Definitions

- A. "Aversive Behavioral interventions" means an intervention that is intended to induce pain or discomfort to a student for the purpose of eliminating or reducing maladaptive behaviors, including such interventions as application of noxious, painful and/or intrusive stimuli, including any form of noxious, painful, or intrusive spray, inhalant or taste or other sensory stimuli such as climate control, lighting, and sound.
- B. "Behavioral Intervention Plan" means a comprehensive plan for managing problem behavior by changing or removing contextual factors that trigger or maintain it, by strengthening replacement skills, teaching new skills and by providing positive behavior intervention and supports and services to address behavior.
- C. "Chemical Restraint" means a drug or medication used to control a student's behavior or restrict freedom of movement. Chemical restraint is prohibited by the School in accordance with section (IV) of this policy. Chemical restraint, as used under this policy, does not apply to a drug or medication that is:
 - 1. Prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under Ohio law, for the standard treatment of a student's medical or psychiatric condition; and
 - 2. Administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under Ohio law.
- D. "De-escalation techniques" means interventions that are used to prevent violent and aggressive behaviors and reduce the intensity of threatening, violent, and disruptive incidents.
- E. "Functional Behavior Assessment" is a school-based process for students with disabilities and students without disabilities that includes the parent and, as appropriate, the child, to determine why a child engages in challenging behaviors and how the behavior relates to the child's environment. Consent from the parent and, as appropriate, the child, is to be obtained at the initial functional behavior assessment.
- F. "Mechanical restraint" means any method of restricting a student's freedom of movement, physical activity, or normal use of the student's body by using an appliance or device manufactured for this purpose; but does not mean a device used by trained student personnel, or used by a



student, for the specific and approved therapeutic or safety purpose for which the device was designed and, if applicable, prescribed, including:

1. Restraints for medical immobilization;
2. Adaptive devices or mechanical supports used to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; or
3. Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle.

G. "Parent" means:

1. A biological or adoptive parent;
2. A guardian generally authorized to act as the child's parent, or authorized to make decisions for the child (but not the state if the child is a ward of the state);
3. An individual acting in the place of a biological or adoptive parent (including a grandparent, stepparent or other relative) with whom the child lives, or an individual who is legally responsible for the child's welfare;
4. A surrogate parent who has been appointed in accordance with Ohio law and/or administrative rules; or
5. Any person identified in a judicial decree or order as the parent of a child or the person with authority to make educational decisions on behalf of a child.

H. "Physical escort" means the temporary touching or holding of the hand, wrist, arm, shoulder, waist, hip, or back for the purpose of inducing a student to move to a safe location.

I. "Physical restraint" means the use of physical contact in a way that immobilizes or reduces the ability of an individual to move the individual's arms, legs, body, or head freely. Such term does not include a physical escort, mechanical restraint, or chemical restraint. Physical restraint does not include brief physical contact for the following or similar purposes:

1. To break up a fight;
2. To knock a weapon away from a student's possession;
3. To calm or comfort;
4. To assist a student in completing a task/response if the student does not resist the contact; or
5. To prevent imminent risk of injury to the student or others.

J. "Positive behavior intervention and supports" means a multi-tiered, school-wide, behavioral framework developed and implemented for the



purpose of improving academic and social outcomes and increasing learning for all students.

- K. "Positive Behavior Intervention and Supports leadership team" means the assigned team at the School that plans, coaches, and monitors positive behavior intervention and supports implementation in the School. The Positive behavior intervention and supports leadership team may include, but is not limited to, School administrators, teacher representatives across grade levels and programs, staff able to provide behavioral expertise, and other representatives identified by the School such as bus drivers, food service staff, custodial staff, and paraprofessionals.
- L. "Prone restraint" means physical or mechanical restraint while the individual is in the face-down position.
- M. "Seclusion" means the involuntary isolation of a student in a room, enclosure, or space from which the student is prevented from leaving by physical restraint or by a closed door or other physical barrier.
- N. "Student" means an individual enrolled in the School.
- O. "Student personnel" means teacher, principal, counselor, social worker, school resource officer, teacher's aide, psychologist, bus driver, related services providers, nursing staff, or other School or Management Company staff who interact directly with students.
- P. "Timeout" means a behavior intervention in which a student, for a limited and specified time, is separated from the class within the classroom or in a non-locked setting for the purpose of self-regulating and controlling his or her own behavior. In a timeout, the student is not physically restrained or prevented from leaving the area by physical barriers.

II. **Positive Behavior Intervention and Supports Framework**

The School shall implement positive behavior intervention and supports on a school-wide basis in accordance with Ohio law and this policy.

- A. The requirements for the School's implementation of a positive behavior and supports framework are as follows:
 - 1. Includes a decision-making framework that guides selection, integration, and implementation of evidence-based academic and behavior practices for improving academic and behavior outcomes for all students.
 - 2. Includes the following integrated elements:



- a. Data-based decision making (to select, monitor, and evaluate outcomes, practices, and systems);
 - b. Evidence-based practices along a multi-tiered continuum of supports;
 - c. Systems that enable accurate and sustainable implementation of practices; and
 - d. Progress monitoring for fidelity and target outcomes.
- B. Standards for the School's implementation of positive behavior intervention and supports framework include:
1. Student personnel to receive professional development in accordance with paragraph (III) of this policy;
 2. Explicit instruction of school-wide behavior expectations;
 3. Consistent systems of acknowledging and correcting behaviors;
 4. Teaching environments designed to eliminate behavior triggers; and
 5. Family and community involvement.

III. Professional Development

The following are requirements for professional development to be received by student personnel to implement positive behavior intervention and supports on a school-wide basis.

- A. Occurs at least every three years;
- B. Provided by the School's positive behavior intervention and supports leadership team or an appropriate state, regional, or national source in collaboration with the School's positive behavior intervention and supports leadership team;
- C. The trained positive behavior intervention and supports leadership team will provide professional development to the School in accordance with a School developed positive behavior intervention and supports training plan. It's the School's responsibility to retain records of completion of professional development; and
- D. The professional development under this policy will include the following topics:
 1. An overview of positive behavior intervention and supports;
 2. The process for teaching behavioral expectations;
 3. Data collection;
 4. Implementation of positive behavior intervention and supports with fidelity;



5. Consistent systems of feedback to students for acknowledgment of appropriate behavior and corrections for behavior errors; and
 6. Consistency in discipline and discipline referrals.
- E. For the purpose of satisfying the professional development requirements of this policy, the School may accept any professional development or continuing education provided in accordance with division (B) of section 3319.237 of the Revised Code if the professional development or continuing education meets the professional development requirements of paragraph (III)(D) of this policy.
- F. The School is to ensure that they have continuous training structures in place to provide ongoing coaching and implementation with fidelity.
- G. The listed requirements may be appropriately modified for the intended audience.

IV. General Rules for Restrain and Seclusion

- A. The following practices are prohibited by student personnel under any circumstance:
1. Prone restraint;
 2. Any form of physical restraint that involves the intentional, knowing, or reckless use of any technique that:
 - a. Involves the use of pinning down a student by placing knees to the torso, head, or neck of the student;
 - b. Uses pressure point, pain compliance, or joint manipulation techniques; or
 - c. Otherwise involves techniques that are used to unnecessarily cause pain.
 3. Corporal punishment as defined in section 3319.41 of the Revised Code;
 4. Child endangerment, as defined in section 2919.22 of the Revised Code;
 5. Deprivation of basic needs;
 6. Seclusion or restraint of preschool children in violation of paragraph (D) of rule 3301-37-10 of the Administrative Code and this policy;
 7. Chemical restraint;
 8. Mechanical restraint;
 9. Aversive behavioral interventions; and
 10. Seclusion in a locked room or area.



- B. The School may only use physical restraint or seclusion if staff:
 - 1. Are appropriately trained to protect the care, welfare, dignity, and safety of the student;
 - 2. Continually observe the student in restraint and seclusion for indications of physical or mental distress and seek immediate medical assistance if there is a concern;
 - 3. Use communication strategies and research-based de-escalation techniques to help the student regain control;
 - 4. Remove the student from physical restraint or seclusion immediately when the immediate risk of physical harm to self or others has dissipated;
 - 5. Conduct a de-briefing including all involved staff to evaluate the trigger for the incident, staff response, and methods to address the student's behavioral needs; and
 - 6. Complete all mandatory reports and document staff's observations of the student.

V. Physical Restraint

- A. Prone restraint, including any physical restraint that obstructs the airway of the student, or any physical restraint that impacts a student's primary mode of communication, is prohibited. Student personnel may use physical restraint only as a last resort and in accordance with Ohio law and this policy.
- B. Physical restraint may be used only:
 - 1. If a student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective method of intervention is available;
 - 2. If the physical restraint does not obstruct the student's ability to breathe;
 - 3. If the physical restraint does not interfere with the student's ability to communicate in the student's primary language or mode of communication; and
 - 4. By student personnel who are trained in safe restraint techniques, except in the case of rare and unavoidable emergency situations when trained personnel are not immediately available.
- C. Physical restraint may not be used for punishment or discipline or as a substitute for other less restrictive means of assisting a student in regaining control.



VI. Seclusion

A. Seclusion may be used only:

1. If a student's behavior poses an immediate risk of physical harm to the student or others and no other safe or effective method of intervention is available;
2. As a last resort to provide an opportunity for the student to regain control of his or her actions;
3. For the minimum amount of time necessary for the purpose of protecting the student and others from physical harm;
4. In a room or area that:
 - a. Is not locked;
 - b. Does not prevent the student from exiting the area should staff become incapacitated or leave the area; and
 - c. Provides adequate space, lighting, ventilation, and the ability to observe the student.
5. If under constant supervision by staff who are trained to be able to detect indications of physical or mental distress that require removal and/or immediate medical assistance and who document their observations of the student.

B. Seclusion may not be used:

1. For punishment or discipline;
2. For the convenience of staff;
3. As a substitute for an educational program;
4. As a substitute for inadequate staffing;
5. As a substitute for staff training in positive behavior intervention and supports framework and crisis management;
6. As a means to coerce, retaliate, or in a manner that endangers a student; or
7. As a substitute for other less restrictive means of assisting a student in regaining control, such that it is reflective of the cognitive, social, and emotional level of the student.

VII. Multiple Incidents of Restrain and Seclusion

A. After the third incident of physical restraint or seclusion in a school year of a student who has been found eligible for special education services or has a 504 plan, the requirements are as follows:

1. The students individualized education program, or 504 team will meet within ten school days of the third incident;



2. The individualized education program or 504 team will consider the need to conduct or develop a functional behavior assessment or behavior intervention plan or amend an existing functional behavior assessment or behavior intervention plan.
- B. For students not described in paragraph (VII)(A) of this policy, a team, consisting of the parent, an administrator or designee, a teacher of the student, a staff member involved in the incident (if not the teacher or administrator already invited), and other appropriate staff members will meet within ten school days of the third incident to discuss the need to conduct or review a functional behavior assessment and/or develop a behavior intervention plan.
- C. Nothing in this section is meant to prevent the completion of a functional behavior assessment or behavior intervention plan for any student who might benefit from these measures but has fewer than three incidents of restraint or seclusion.
- D. Nothing in this policy is meant to prevent the School from conducting any evaluations or other obligations they feel appropriate under the Individuals with Disabilities Education Act.

VIII. Training and Professional Development

Training and professional development for the use of crisis management and de-escalation techniques which includes the use of restraint and seclusion.

- A. The School shall ensure that an appropriate number of personnel in each building are trained annually in evidence-based crisis management and de-escalation techniques, as well as the safe use of physical restraint and seclusion. The minimum training requirements are as follows:
1. Proactive measures to prevent the use of seclusion or restraint;
 2. Crisis management;
 3. Documentation and communication about the restraint or seclusion with appropriate parties;
 4. The safe use of restraint and seclusion;
 5. Instruction and accommodation for age and body size diversity;
 6. Directions for monitoring signs of distress during and following physical control;
 7. Debriefing practices and procedures;
 8. Face-to-face training;
 9. Allow for a simulated experience of administering and receiving physical restraint; and
 10. Ensure that participants will demonstrate proficiency in items described in items 1-9 of this section.



- B. The School shall maintain written or electronic documentation that includes the following:
 - 1. The name, position, and building assignment of each person who has completed training;
 - 2. The name, position, and credentials of each person who has provided the training;
 - 3. When the training was completed; and
 - 4. What protocols, techniques, and materials were included in training.
- C. As part of the training under this policy, student personnel are to be trained to perform the following functions:
 - 1. Identify conditions such as: where, under what conditions, with whom and why specific inappropriate behavior may occur; and
 - 2. Use preventative assessments that include at least the following:
 - a. A review of existing data;
 - b. Input from parents, family members, and students; and
 - c. Examination of previous and existing behavior intervention plans.

IX. Complaint Procedures

The School's complaint procedures shall include:

- A. A written procedure for a parent to present written complaints to the School Director to initiate a complaint investigation by the School regarding an incident of restraint or seclusion. Additionally, the procedure will inform the parent of additional options for complaints to include other public agencies such as law enforcement, the county department of job and family services, or the office of professional conduct within the Ohio department of education, as defined in paragraph (VII) of this policy;
- B. Annually, the School will provide a review regarding the content of this policy and procedures related to the use of positive behavior intervention and supports, physical restraint and seclusion;
- C. An annual notice which informs parents of the School's policies or procedures related to the requirements of positive behavior intervention and supports, physical restraint and seclusion, including the local complaint process; and
- D. Within thirty days of the filing of a complaint regarding an incident of restraint and seclusion, it's the School's responsibility to make reasonable efforts to have an in-person follow up meeting with the parent.



- E. The School will ensure there is a support plan in place for substitute teachers if they need assistance with positive behavior intervention and supports or crisis management and de-escalation, which includes restraint and seclusion.

X. Monitoring

The School shall establish a procedure to monitor the implementation of this policy on positive behavior intervention and supports and restraint and seclusion. The School shall make its records concerning positive behavior intervention and supports and restraint and seclusion available to staff from the Ohio department of education upon request.

XI. Reporting

- A. Any incident of seclusion or restraint shall be immediately reported to School administration and the parent and be documented in a written report that is issued to the parent immediately or within twenty-four hours. This written report is thereafter maintained by the School, including the county board of developmental disabilities or the educational service center in the event the School delegates this responsibility.
- B. The School shall annually report information regarding its use of restraint and seclusion to the Ohio department of education in the form and manner as prescribed by the department. Failure to report may subject the School to a corrective action plan and/or a potential reduction in funding. If the School chooses to educate its student through a county board of developmental disabilities or to an educational service center, it shall report as follows:
 - 1. Report all information on the use of restraint and seclusion by the county board of developmental disabilities or educational service center to the department; or
 - 2. Authorize the county board of developmental disabilities or the educational service center to report information on the use of restraint and seclusion directly.

XII. Complaint Process

The School's notice to parents shall include the following: A parent may choose to file a complaint with the Ohio department of education, office of integrated student supports, in accordance with the complaint procedures available by the department. The notice shall provide the parent with the pertinent phone number and/or website, if available.



XIII. Delegation

The Governing Authority delegates to the Management Company to develop any forms and/or processes necessary to implement this policy.



Policy 4013: Promotion and Retention

The Governing Authority recognizes that each student's growth is unique and will vary among students. It is the Governing Authority's intent that each student should be placed in the most appropriate educational grade level and that placement should generally track the system of grades and ages as established by the Governing Authority and legal requirements. The School Director is responsible for determining the appropriate placement for each student.

I. **General**

A. Promotion

A student shall be promoted to the succeeding grade level when she/he has demonstrated that she/he is academically prepared and, in the opinion of staff, has the levels of social, emotional, and physical maturity necessary for success at the next grade level. Factors that may be included in this consideration are whether the student has completed course and state-mandated requirements, achieved the instructional objectives, demonstrated sufficient proficiency in all required areas of the current grade level.

B. Retention

A student may be retained at their current grade level when she/he has not demonstrated that she/he is academically prepared and, in the opinion of staff, has not demonstrated the levels of social, emotional, and/or physical maturity necessary for success at the next grade level.

A student shall be retained if the student has been truant for more than ten percent of the required attendance days of the current school year and has failed two or more of the required curriculum subject areas in the current grade unless the School Director and the teachers of any failed subject areas agree that the student is academically prepared to be promoted to the next grade level.

Retention decisions shall only be made after the School Director and/or teachers have conferred with the student's parents/guardians. The School shall not utilize a student's failure to attain a specified score on an statement achievement assessment as a factor in any decision to deny a student's promotion to a higher grade level, except that the School may use a student's failure to attain a score in at least the basic range on state assessments in deciding to deny a student's promotion to the next level on state assessments, or who is not exempt from the requirement to take such assessment.



For students with a disability, the student's individualized education program is considered in making a promotion or retention decision. Promotion and retention decisions are subject to Ohio's third grade reading guarantee requirements.

The following provisions apply only if the School offers the required grade levels.

II. Ohio's Third Grade Reading Guarantee

- A. Unless excused pursuant to law from taking the assessment, the School shall not promote a student to fourth grade if the student does not attain at least the equivalent level of achievement required on the state prescribed assessment to measure skill in English language arts expected at the end of third grade, unless one of the following applies:
1. The student is an English learner who has been enrolled in United States schools for less than three full school years and has had less than three years of instruction in English as a second language program.
 2. The student is a child with a disability entitled to special education and related services and the student's individualized education program exempts the student from retention.
 3. The student demonstrates an acceptable level of performance on an alternative standardized reading assessment as determined by the Ohio Department of Education.
 4. All of the following apply:
 - a. The student is a child with a disability entitled to special education and related services.
 - b. The student has taken the third-grade English language arts achievement assessment.
 - c. The student's individualized education program or 504 Plan shows that the student has received intensive remediation in reading for two school years but still demonstrates a deficiency in reading.
 - d. The student previously was retained in any of grades kindergarten to three.
 5. The student received intensive remediation for reading for two school years but still demonstrates a deficiency in reading and was previously retained in any of grades kindergarten to three. A student who is promoted under this section shall continue to receive intensive reading instruction in grade four. The instruction shall include an altered instructional day that includes specialized diagnostic information and specific research-based reading strategies for the student that have been successful in improving reading among low-performing readers.
- B. To assist students in meeting the third-grade reading guarantee, the School shall annually assess the reading skills of each student, except



those students with significant cognitive disabilities or other disabilities as authorized by the Ohio Department of Education on a case-by-case basis, enrolled in kindergarten to third grade and shall identify students who are reading below their grade level. The reading skills assessment shall be completed by the thirtieth day of September for students in grades one to three, and by the first day of November for students in kindergarten. The School shall use the diagnostic assessment to measure reading ability for the appropriate grade level, or a comparable tool approved by the Ohio Department of Education, to identify such students. The students' classroom teachers shall be involved in the assessment and the identification of students 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.

- C. For each student as having reading skills below grade level, the School shall do both of the following:
 1. Provide to the student's parent or guardian, in writing, all of the following:
 - a. Notification that the student has been identified as having a substantial deficiency in reading;
 - b. A description of the current services that are provided to the student;
 - c. A description of the proposed supplemental instructional services and supports that will be provided to the student that are designed to remediate the identified areas of reading deficiency;
 - d. Notification that if the student does not attain a score in the designated range on the assessment to measure skill in English language arts expected at the end of third grade, the student may be retained unless the student is exempt. The notification shall specify that the 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.
 2. Provide intensive reading instruction services and regular diagnostic assessments to the student immediately following identification of a reading deficiency until the development of the reading improvement and monitoring plan set out below. These intervention services shall include research-based reading strategies that have been shown to be successful in improving reading among low-performing readers and instruction targeted at the student's identified reading deficiencies.



- D. For each student retained, the School shall do all the following:
1. Provide intense remediation services until the student can read at grade level. The remediation services shall include intensive interventions in reading that address the areas of identified deficiencies including, but not limited to, not less than ninety minutes of reading instruction per day, and may include any of the following:
 - a. Small group instruction;
 - b. Reduced teacher-student ratios;
 - c. More frequent progress monitoring;
 - d. Tutoring or mentoring;
 - e. Transition classes containing third and fourth grade students;
 - f. Extended school day, week, or year; or,
 - g. Summer reading camps.
 2. Provide for the mid-year promotion of a retained student who demonstrates that the student is reading at or above grade level.
 3. Provide each retained student with a teacher who satisfies criteria set forth below. The School shall offer the option for students to receive applicable services from one or more providers other than School. Providers shall be screened and approved by the School or the Ohio Department of Education. If the student participates in the remediation services and demonstrates reading proficiency in accordance with standards adopted by the Ohio Department of Education prior to the start of fourth grade, the School shall promote the student to that grade.
 4. For each student retained who has demonstrated proficiency in a specific academic ability field, the School shall provide instruction commensurate with student achievement levels in that specific academic ability field.

III. Reading Improvement and Monitoring Plan

- A. For each student required to be provided with intervention services, the School shall develop a reading improvement and monitoring plan within sixty days after receiving the student's results on the diagnostic assessment or comparable tool. The School shall involve the student's parent or guardian and classroom teacher in developing the plan. The plan shall include all the following:
1. Identification of the student's specific reading deficiencies;
 2. A description of the additional instructional services and support that will be provided to the student to remediate the identified reading deficiencies;



3. Opportunities for the student's parent or guardian to be involved in the instructional services and support;
 4. A process for monitoring the extent to which the student receives the instructional services and support;
 5. A reading curriculum during regular school hours that does all of the following:
 - a. Assists students to read at grade level;
 - b. Provides scientifically based and reliable assessment;
 - c. Provides initial and ongoing analysis of each student's reading progress.
 6. A statement that if the student does not attain at least the equivalent level of achievement 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.
- B. Each student with a reading improvement and monitoring plan shall be assigned to a teacher who satisfies one or more of the criteria set forth below.
- C. The School shall report any information requested by the Ohio Department of Education about the reading improvement monitoring plans in the manner required.
- D. The School shall report annually to the Ohio Department of Education regarding implementation and compliance using prescribed guidelines.
- E. Any summer remediation services funded in whole or in part by the state and offered the School shall meet the following conditions:
1. The remediation methods are based on reliable educational research.
 2. The school districts conduct assessment before and after students participate in the program to facilitate monitoring results of the remediation services.
 3. The parents of participating students are involved in programming decisions.
- F. Any intervention or remediation services required by this section shall include intensive, explicit, and systematic instruction.



IV. Teacher Qualifications

- A. Each student receiving intervention under this policy shall be assigned a teacher who has at least one year of teaching experience and who satisfies one or more of the following criteria:
1. The teacher holds a reading endorsement on the teacher's license and has attained a passing score on the corresponding assessment for that endorsement, as applicable.
 2. The teacher has completed a master's degree program with a major in reading.
 3. The teacher was rated "most effective" for reading instruction consecutively for the most recent two years based on assessments of student growth measures developed by a vendor and that is on the list of student assessments approved by the state board under division (B)(2) of section 3319.112 of the Revised Code.
 4. The teacher was rated "above expected value added," in reading instruction, as determined by criteria established by the department, for the most recent, consecutive two years.
 5. The teacher has earned a passing score on a rigorous test of principles of scientifically research-based reading instruction as approved by the state board.
 6. The teacher holds an educator license for teaching grades pre-kindergarten through three or four through nine issued on or after July 1, 2017.
- B. A student receiving intervention services under this policy may be assigned to a teacher with less than one year of teaching experience provided that the teacher meets one or more of the above criteria and that teacher is assigned a teacher mentor who meets the qualifications.
- C. Notwithstanding Section A, immediately above, an eligible student may receive reading intervention or remediation services under this policy from an individual employed as a speech-language pathologist who holds a license issued by the state speech and hearing professionals board and a professional pupil services license as a school speech-language pathologist issued by the state board of education.
- D. A teacher, other than a student's teacher of record, may provide any required services, so long as that other teacher meets requirements and the teacher of record and the School Director agree to the assignment. Any such assignment shall be documented in the student's reading improvement and monitoring plan.
- E. Notwithstanding Section A, immediately above, a teacher may teach reading to any student who is an English Language Learner, and has been



in the United States for three years or less, or to a student who an individualized education program, if that teacher holds an alternative credential approved by the Ohio Department of Education or has successfully completed training that is based on principles of scientifically research-based reading instruction that has been approved by the Ohio Department of Education.

V. Pandemics and/or Other Emergency Situations

- A. Notwithstanding any of the foregoing sections, the School shall follow temporary changes to law, and guidance from the Ohio Department of Education, regarding the promotion of students to fourth grade with respect to the Third Grade Reading Guarantee that have been enacted in response to pandemics or other emergency situations.



SPECIAL EDUCATION MODEL POLICIES AND PROCEDURES

Adopted on:

May 3, 2023

Date

By:

Summit Academy Secondary School - Middletown

District

July 1, 2009

INTRODUCTION

By adopting these Model Policies and Procedures, the Summit Academy Secondary School - Middletown (the “District”) is adopting written policies and procedures regarding the manner in which the District fulfills its obligations under the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) and the *Ohio Operating Standards for Ohio Educational Agencies Serving Children with Disabilities* (hereafter referred to as the “Operating Standards”). The Operating Standards require that the District adopt written policies and procedures in a number of different areas, and the District has chosen to adopt the model policies and procedures promulgated by the Ohio Department of Education’s Office for Exceptional Children (ODE-OEC) in order to satisfy these requirements of the Operating Standards.

This document, while comprehensive, does not include every requirement set forth in the IDEA, the regulations implementing IDEA, the Operating Standards, the Ohio Revised Code (ORC) and/or the Ohio Administrative Code (OAC). The District recognizes its obligation to follow these laws, regardless of whether their provisions are restated in the Model Policies and Procedures.

I. FREE APPROPRIATE PUBLIC EDUCATION (FAPE)

The District ensures that a free appropriate public education (FAPE) is made available to all children with disabilities between the ages of 3 and 21, inclusive, in accordance with IDEA and the Operating Standards.

A. RESIDENTIAL PLACEMENT

If the District places a child with a disability in a public or private residential program deemed necessary to provide special education and related services to a child with a disability, the program, including non-medical care and room and board, is at no cost to the parents of the child.

B. ASSISTIVE TECHNOLOGY

The District makes assistive technology available if required as part of the child's special education, related services or supplementary aids and services.

C. EXTENDED SCHOOL YEAR (ESY) SERVICES

The District ensures that extended school year services are provided if a child's individualized education program (IEP) team determines that the services are necessary for the provision of FAPE to the child. If a child is transitioning from Part C services, the District considers extended school year (ESY) services as part of the IEP process.

D. NONACADEMIC SERVICES

The District takes steps, including the provision of supplementary aids and services determined appropriate and necessary by the child's IEP team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford children with disabilities an equal opportunity for participation in those services and activities as provided to students without disabilities.

Nonacademic and extracurricular services and activities include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school district, referrals to agencies that provide assistance to individuals with disabilities and employment of students, including both employment by the school district and assistance in making outside employment available.

E. PROGRAM OPTIONS AND PHYSICAL EDUCATION

The District takes steps to ensure that children with disabilities served by the District have available to them the variety of educational programs and services available to nondisabled

children served by the school district, including art, music, industrial arts, consumer and homemaking education and vocational education.

The District ensures that a child with a disability receives appropriate physical education services. The District affords each child with a disability the opportunity to participate in a regular physical education program available to non-disabled children, unless the child is enrolled full time in a separate facility or needs specially designed physical education, as prescribed in the child's IEP. The District provides a specially designed physical education program if prescribed by the IEP.

For preschool children, the District considers adapted physical education or related services, as appropriate, in conjunction with center-based or itinerant teacher services, and considers the factors set forth in 3301-51-11(F) of the Operating Standards.

F. TRANSPORTATION

The District provides, as a related service, transportation service in accordance with IDEA and the Operating Standards.

II. CONFIDENTIALITY

The District safeguards the confidentiality of personally identifiable information at use, collection, storage, retention, disclosure and destruction stages. In the District, _____ (name of responsible official) is responsible for maintaining the confidentiality of personally identifiable information. The District ensures that all persons collecting or using personally identifiable information receive training and instruction regarding the District's policies regarding that information. The District maintains for public inspection a current listing of the names and positions of those employees within the agency who may have access to personally identifiable information. The District gives notice to all parents of students receiving special education and related services that is adequate to fully inform parents about confidentiality requirements, in accordance with 3301-51-04(C) of the Operating Standards. The District also ensures that its contractors adhere to applicable confidentiality requirements.

A. ACCESS RIGHTS

The District permits parents (or a representative of a parent) to inspect and review any education records relating to their children that are collected, maintained, or used by the District. If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child or to be informed of that specific information. The District does not charge a fee to search for or retrieve information. The District may charge a fee for copies of records, but does not charge a fee for copies of records that will effectively prevent the parents from exercising their right to inspect and review records.

The District complies with a request to access records without unnecessary delay and before any meeting regarding an IEP, or any hearing pursuant to 3301-51-05 of the Operating Standards, and any resolution session pursuant to 3301-51-05 of the Operating Standards, and in no case more than 45 days after the request has been made.

The District responds to reasonable requests for explanations and interpretations of the records, provides copies if failure to provide copies would effectively prevent the parent from exercising the right to inspect and review the records and permits a representative of a parent to inspect and review records.

The District presumes that a parent has the authority to inspect and review records relative to that parent's child unless the District has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation and divorce.

Upon request, the District provides parents a list of the types and locations of education records collected, maintained or used by the District.

The District keeps a record of parties obtaining access to education records collected, maintained or used under Part B of the IDEA (except access by parents and authorized employees of the

participating agency), including the name of the party, the date access was given and the purpose for which the party is authorized to use the records.

B. AMENDMENT OF RECORDS/HEARING PROCESS

If a parent requests the District to amend the information in the education records collected, maintained or used in the provision of special education or related services, the District decides whether to amend the information in accordance with the request within a reasonable period of time. If the District decides to refuse to amend the information in accordance with the request, it informs the parent of the refusal and advises the parent of the right to a hearing as set forth below and in 3301-51-04 of the Operating Standards.

(1) HEARING PROCEDURE

If the parent requests a hearing to challenge information in education records, the hearing is conducted in accordance with the procedures in 34 Code of Federal Regulations (C.F.R.) 99.22 (July 1, 2005) and within a reasonable period of time after the District receives the request. The hearing is conducted in accordance with the following procedures:

- (a) The parents shall be given notice of the date, time and place reasonably in advance of the hearing;
- (b) The records hearing shall be conducted by any individual, including an official of the District, who does not have a direct interest in the outcome of the hearing;
- (c) The parents shall be afforded a full and fair opportunity to present evidence relevant to the child's education records and the information the parent believes is inaccurate or misleading or violates the privacy or other rights of the child;
- (d) The parents may, at their own expense, be assisted or represented by one or more individuals of their choice, including an attorney;
- (e) The District makes its decision in writing within a reasonable period of time after the hearing; and
- (f) The decision is based solely upon the evidence presented at the hearing and includes a summary of the evidence and the reasons for the decision.

(2) RESULTS OF HEARING

If the District, as a result of the hearing, decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it amends the information accordingly and informs the parent in writing.

If the District, as a result of the hearing, decides that the information is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the child, it must inform the parent of the parent's right to place in the child's records a statement commenting on the information or setting forth any reasons the parents disagree with the decision of the District.

Any explanation placed in the records of a child are:

- (a) Maintained by the District as part of the records of the child as long as the record or contested portion is maintained by the District; and

- (b) Disclosed any time the records of the child or the contested portion is disclosed by the District to any party.

C. PARENTAL CONSENT PRIOR TO DISCLOSURE OF RECORDS

The District obtains parental consent before personally identifiable information is disclosed to parties, other than officials of participating agencies in accordance as defined by 3301-51-04(B)(3) of the Operating Standards, unless the information is contained in education records and the disclosure is authorized without parental consent under the Family Educational Rights and Privacy Act of 1974, August 1974, 20 U.S.C. 1232g (FERPA).

The parent's consent must be in writing, signed and dated and must:

- (1) Specify the records to be disclosed;
- (2) State the purpose of the disclosure; and
- (3) Identify the party or class of parties to whom the disclosure may be made.

The District obtains parental consent, or the consent of an eligible child who has reached the age of majority under Ohio law, before personally identifiable information is released:

- (1) To officials of participating agencies providing or paying for transition services in accordance with 3301-51-07 of the Operating Standards;
- (2) To officials in another district or school in connection with the child's enrollment in a nonpublic school; and/or
- (3) For purposes of billing insurance and/or Medicaid.

D. TRANSFER OF RIGHTS AT AGE OF MAJORITY

The District affords rights of privacy to children similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability.

The rights of parents regarding education records under FERPA transfer to the child at age 18.

If the rights accorded to parents under Part B of the IDEA are transferred to a child who reaches the age of majority (which is 18 in Ohio), the rights regarding education records also transfer to the child. See Chapter IV, Procedural Safeguards, Section G, regarding the transfer of rights under IDEA at the age of majority.

Once a child reaches the age of 17, the IEP must include a statement that the child has been informed regarding this transfer of rights.

E. DISCIPLINARY INFORMATION AND REPORTS TO LAW ENFORCEMENT

The District includes in the records of a child with a disability a statement of any current or previous disciplinary action that has been taken against the child and transmits the statement to

the same extent that disciplinary information is included in, and transmitted with, the records of nondisabled children.

When a child transfers from the District, the transmission of any of the child's records includes both the child's current IEP and any statement of current or previous disciplinary action that has been taken against the child.

A statement of disciplinary action shall:

- (1) Specify the circumstances that resulted in the disciplinary action and provide a description of the disciplinary action taken if the disciplinary action was taken because the child:
 - (a) Carried a weapon to or possessed a weapon at school, on school premises or to or at a school function;
 - (b) Knowingly possessed or used illegal drugs, or sold or solicited the sale of a controlled substance, while at school, on school premises or at a school function; or
 - (c) Inflicted serious bodily injury upon another person while at school, on school premises or at a school function; and
- (2) Include any information that is relevant to the safety of the child and other individuals involved with the child.

A statement of disciplinary action may include a description of any other behavior engaged in by the child that required disciplinary action, and a description of the disciplinary action taken.

If the District reports a crime to the appropriate law enforcement officials, the District transmits copies of the special education and disciplinary records of the child to those officials only to the extent that the transmission is permitted by FERPA and any other applicable laws.

F. DESTRUCTION OF RECORDS

The District informs parents when personally identifiable information is no longer needed to provide educational services to the child. If the parents request, the information is then destroyed. However, a permanent record of a student's name, address, telephone number, grades, attendance record, classes attended, grade level completed and year completed is maintained without time limitation.

III. CHILD FIND

In accordance with federal law, the District assumes responsibility for the location, identification and evaluation of all children birth through age 21 who reside within the district and who require special education and related services.

This includes students who are:

- (1) Advancing from grade to grade;
- (2) Enrolled by their parents in private elementary or private secondary schools, including religious schools, located in our District (regardless of the severity of their disability);
- (3) Wards of the state and children who are highly mobile, such as migrant and homeless children; and
- (4) Home-schooled.

A. RESPONSIBILITY FOR DETERMINING ELIGIBILITY

In the District, the Evaluation Team ensures that the student meets the eligibility requirements of IDEA and state regulations.

In all cases, the Evaluation Team will not determine that a student has a disability if the suspected disability is because of a lack of instruction in reading or math. If the student is not proficient in English, the District will not identify the student as disabled if the limited English proficiency (LEP) is the cause of the suspected disability.

B. CHILD IDENTIFICATION PROCESS

(1) GENERAL

The District has a child identification process that includes the location, identification and evaluation of a child suspected of having a disability. _____
(title of individual or department) coordinates the child identification process. The department and its staff use a variety of community resources and systematic activities in order to identify children requiring special services. District staff members consult with appropriate representatives of private school students attending private schools located in the District in carrying out this process. The District ensures that this process for students attending private or religious schools located in the District is comparable to activities undertaken for students with disabilities in the public schools.

(2) IDENTIFICATION OF CHILDREN BETWEEN THE AGES OF BIRTH TO AGE 3.

When the District becomes aware of a child between the ages of birth to 3 who has or may have a disability, it either:

- (a) Makes a child referral directly to the county family and children first council responsible for implementing the “Help Me Grow” (HMG) early intervention services under Part C of the IDEA; and/or

- (b) Provides the parents with the information so that they can make the referral themselves.

Parents may opt out of and/or opt not to be referred for Part C services. They may request an evaluation from the District to determine if their child has a disability that may require special education. These parents are entitled to an evaluation from the District, even if the child is between the ages of birth to 3. The District is responsible for providing an evaluation but is not responsible for the provision of FAPE for an eligible child until the child is age 3.

(3) TRANSITION TO SPECIAL EDUCATION FROM HELP ME GROW (HMG).

The District and the county family and children first council responsible for HMG have a current interagency agreement that includes processes for the referral of children from HMG to the District. The District has an assigned transition contact, _____, who is the primary person responsible for contact with HMG regarding children transitioning from that program.

- (a) If invited by a representative of HMG (and with parent permission), a District representative attends a transition conference to discuss transition from early intervention services to preschool for a child suspected of having a disability.
- (b) If the parents request, the District invites the Part C service coordinator to the initial IEP meeting.

If there is a suspected disability and the child is eligible for special education and related services as a preschool child, the District works to ensure that an IEP is in place and implemented by the child's third birthday. In the case of children who are 45 days or less from their 3rd birthdays and who are suspected of having disabilities, an evaluation is completed within 60 days of parental consent, but an IEP is not required by their third birthdays.

As part of the IEP process, the IEP team determines if extended school year services are required for the preschool child.

(4) COORDINATION WITH OTHER AGENCIES.

The District has interagency agreements with Head Start programs within the school district's service delivery that provide for:

- (a) Service coordination for preschool children with disabilities, 3 through 5 years of age, in a manner consistent with the state interagency agreement for service coordination with Head Start; and
- (b) Transition of children eligible for special education and related services as a preschool child at age 3.

The District also has interagency agreements with the relevant county board(s) of MR/DD for identification, service delivery and financial responsibilities to adequately serve preschool children with disabilities 3 through 5 years of age.

C. DATA COLLECTION

The District maintains an education management information system and submits data to ODE pursuant to rule 3301-14-01 of the Administrative Code. The District's collection of data includes information needed to determine if significant disproportionality based on race and ethnicity is occurring in the District with respect to the identification of children as children with disabilities, the placement of children in educational settings and the incidence, duration and type of disciplinary actions.

IV. Procedural Safeguards

A. PRIOR WRITTEN NOTICE

The District provides prior written notice as required by IDEA and Operating Standards. See Appendix A which summarizes the situations in which prior written notice is required. The District uses the form required by ODE-OEC Prior Written Notice PR-01.

(1) CONTENT OF PRIOR WRITTEN NOTICE

The prior written notice, in accordance with the IDEA regulations and the Operating Standards, includes the following information to ensure that parents are fully informed of the action being proposed or refused:

- (a) A description of the action proposed or refused by the District;
- (b) An explanation of why the District proposes or refuses to take this action;
- (c) A description of other options that the IEP team considered and the reasons why those options were rejected;
- (d) A description of each evaluation procedure, assessment, record or report that the District used as a basis for the proposed or refused action;
- (e) A description of other factors that are relevant to the District's proposal or refusal;
- (f) A statement that the parents of a child with a disability have procedural safeguards and, if the notice is not an initial referral for evaluation, the means by which a copy of the description of procedural safeguards can be obtained; and
- (g) Sources for parents to contact to obtain assistance in understanding the provisions of Ohio's rule regarding procedural safeguards.

(2) COMMUNICATION OF THE PRIOR WRITTEN NOTICE

The District provides the notice in the native language of the parents or other mode of communication used by the parents unless it is clearly not feasible to do so.

If the native language or other mode of communication is not a written language, the District takes steps to have the notice translated orally or by other means to the parent in the parent's native language or other mode of communication. The District takes steps to ensure that such parents understand the content of the notice and maintains written evidence that both requirements set forth in this paragraph, if applicable, have been met.

The District may provide the prior written notice, procedural safeguards notice and the notification of a due process complaint by e-mail if the parents choose to receive the notices electronically.

B. PROCEDURAL SAFEGUARDS NOTICE

Parents of a child with a disability are entitled to specific procedural safeguards under IDEA and the Operating Standards.

Whose IDEA Is This? A Parent's Guide to the Individuals with Disabilities Education Improvement Act of 2004, developed by ODE-OEC, includes a full explanation of these procedural safeguards as required by IDEA and 3301-51-02, 3301-51-04 and 3301-51-05 of the Operating Standards.

The District provides parents with a copy of *Whose IDEA Is This?* at least once a year. This includes:

- (1) Providing a copy to the parents of a child who transfers into the District from out-of-state; and
- (2) Providing a copy to the parents of a child who transfers into the District from an in-state school if the sending District has not provided a copy to the parents during the current school year.

In addition, the District provides parents with a printed copy of this procedural safeguards notice in each of the following circumstances:

- (1) The initial referral or parental request for evaluation;
- (2) The receipt of the first due process complaint in a school year;
- (3) A change in placement for disciplinary action; and
- (4) When requested by the parents or the child who has reached the age of majority.

In providing *Whose IDEA is This?*, the District follows the procedures for communication that are described above under Prior Written Notice.

C. PARENTAL CONSENT

Consent means that the parents:

- (a) Have been fully informed, in the parents' native language or other mode of communication, of all information relevant to the activity for which consent is sought;
- (b) Understand and agree in writing to the carrying out of the activity for which the consent was asked. The consent describes that activity and lists the records (if any) that will be released and to whom they will be released; and
- (c) Understand that the granting of consent is voluntary and may be revoked at any time.

(1) ACTIONS REQUIRING INFORMED WRITTEN PARENTAL CONSENT

The District obtains written consent from the parents before:

- (a) Conducting an initial evaluation to determine if a child is eligible for special education;
- (b) Initially providing special education and related services;
- (c) Conducting a reevaluation when assessments are needed;
- (d) Making a change in placement on the continuum of alternative placement options (i.e., regular classes, special classes, special schools, home instruction and instruction in hospitals and institutions); and
- (e) Releasing personally identifiable information about the child to any person other than a person authorized to obtain those records without parental consent pursuant to FERPA. For example, parental consent is obtained prior to releasing records to a representative of

an agency that is likely to be responsible for providing or paying for transition services or for the purposes of billing Medicaid.

The District uses the ODE-OEC required Consent for Evaluation PR-05 form to obtain written parental consent for evaluation and reevaluation and the required IEP PR-07 form to obtain written parental consent for the initial provision of special education and related services and for making a change in placement.

The District does not obtain written parental consent when reviewing existing data as part of an evaluation or reevaluation or when administering a test or evaluation that is given to all children, unless consent is required of all parents.

(2) CHANGE IN PLACEMENT

Once the District receives the initial parental consent for special education and related services, the District must obtain consent only for a change in placement. A “change of placement” means a change from one option on the continuum of alternative placements to another (instruction in regular classes, special schools, home instruction and instruction in hospitals and institutions).

If the District cannot obtain parental consent, it may file a due process complaint requesting a due process hearing or engage in conflict resolution to obtain agreement or a ruling that the placement may be changed.

(3) PARENTS’ FAILURE TO RESPOND OR REFUSAL TO PROVIDE CONSENT

The District makes “reasonable efforts” to contact parents and obtain written parental consent that may include:

- (a) Written correspondence;
- (b) Phone calls;
- (c) Electronic mail communications, to include but not limited to e-mail and password-protected parent pages; and/or
- (d) Visits to the home or parents’ places of employment.

The District documents its attempts. If the parents fail to respond or refuse to provide consent, the District proceeds as follows:

(4) INITIAL EVALUATION

If the parents fail to respond to the District’s efforts to obtain consent or refuse consent for the initial evaluation, the District may:

- (a) Request a due process hearing and engage in conflict resolution (e.g., resolution meeting and/or mediation) to convince the parents to provide their consent; or
- (b) Decide not to pursue the initial evaluation and provide the parents with prior written notice.

If the child is being home schooled or has been placed in a private school at the parents' expense, the District cannot file a due process complaint or request the parents to participate in a resolution meeting and/or mediation.

(5) REEVALUATION

If the parents fail to respond to the District's efforts to obtain consent for a reevaluation when assessments are needed, the District proceeds with the reevaluation.

If the parents expressly refuse consent for a reevaluation when assessments are needed, the District may:

- (a) Agree with the parents that a reevaluation is unnecessary;
- (b) Conduct a reevaluation by utilizing data and/or documentation that the District already possesses;
- (c) Request a due process hearing and engage in conflict resolution (e.g., resolution meeting and/or mediation) to convince the parents to provide their consent; or
- (d) Decide not to pursue having the child reevaluated.

The District continues to provide FAPE to the child if the District agrees with the parents that a reevaluation is unnecessary.

(6) INITIAL PROVISION OF SPECIAL EDUCATION AND RELATED SERVICES

If the parents do not attend the IEP meeting to develop the IEP for the initial provision of services, the District attempts to obtain written parental consent through other methods such as calling the parents, corresponding with the parents and or visiting the parents.

If the parents expressly refuse consent, as evidenced by their signatures on the IEP indicating that consent is not given, the District maintains a copy of the signed IEP showing that the District offered FAPE.

If the parents fail to respond or refuse consent, the District provides the parents with prior written notice and continues to provide the child with appropriate interventions in the regular education classroom. The District may not request a due process hearing or engage in conflict resolution to obtain agreement or a ruling that services may be provided to the child.

The District does not use the parents' refusal to consent to one service or activity to deny the parents or the child any other service, benefit or activity in the District, except in those instances in which IDEA authorizes that denial.

(7) REVOCATION OF CONSENT

The parents may revoke consent for and remove the child from special education and related services. Once the District receives written revocation of consent, it provides the parents with prior written notice and continues to provide the child with appropriate interventions through the regular education environment.

The District is not required to amend the child's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent.

If a parent has provided written revocation of consent, the District does not file a due process complaint or engage in conflict resolution to attempt to obtain agreement or a ruling that special education and related services may be provided to the child.

D. INDEPENDENT EDUCATIONAL EVALUATION

Parents who disagree with an evaluation that was completed or obtained by the District may request an independent educational evaluation at public expense. Parents are entitled to request only one independent educational evaluation at public expense each time the District conducts an evaluation with which the parents disagree.

(1) INDEPENDENT EDUCATIONAL EVALUATION AT PUBLIC EXPENSE

If the parents request an independent educational evaluation at public expense, the District either:

- (a) Ensures that an independent evaluation is provided at public expense; or
- (b) Files a due process complaint requesting a hearing to show that the District's evaluation is appropriate.

If the District files a due process complaint and the final decision is that the District's evaluation is appropriate, the parent still has the right for an independent educational evaluation, but not at the public expense.

(2) PARENT INITIATED EVALUATIONS

If a parent obtains an independent educational evaluation at public expense or shares with the District an evaluation obtained at private expense, the District considers that evaluation, if it meets District criteria, in any decision made with respect to the provision of FAPE to the child.

(3) DISTRICT CRITERIA

If an independent educational evaluation is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria which the District uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's right to an independent educational evaluation. Except for the above-mentioned criteria, the District does not impose conditions or timelines related to obtaining an independent educational evaluation at public expense.

E. CONFLICT RESOLUTION

(1) ADMINISTRATIVE REVIEWS

Within 20 days of receipt of a complaint from a child's parents or another educational agency, the District's superintendent, or the superintendent's designee, conducts a review, may hold an administrative hearing and notifies all parties of the decision in writing.

- (a) All parties have the right to invite others, including legal counsel, to participate in the review.
- (b) The review is conducted at a time and place convenient to all parties.
- (c) Every effort is made to resolve any disagreements at the administrative review.

(2) MEDIATION

At its discretion, the District participates in the resolution of disputes with other parties through the voluntary mediation processes available through ODE-OEC.

(3) IMPARTIAL DUE PROCESS HEARING/RESOLUTION MEETINGS

Due process complaints filed against the District proceed in the manner set forth in 3301-51-05(K) of the Operating Standards.

The District convenes a resolution meeting before the initiation of a due process hearing. The resolution meeting:

- (a) Occurs within 15 days of the receipt of notice of the parents' due process complaint;
- (b) Includes a representative of the District who has decision-making authority on behalf of the District;
- (c) Does not include the District's attorney unless the parents are accompanied by an attorney;
- (d) Provides an opportunity for the parents to discuss their due process complaint and the facts the complaint is based on; and
- (e) Provides the District an opportunity to resolve the dispute.

The District does not hold a resolution meeting if the parents and the District agree in writing to waive the meeting or agree to use the mediation process. Also, if the District files the due process complaint, it is not required to hold a resolution meeting.

The District, if it is the child's school district of residence, is responsible for conducting the impartial due process hearing utilizing the hearing officer appointed by ODE-OEC. The District follows the procedures required by 3301-51-05(K)(10)–(15) of the Operating Standards when conducting a hearing at a time and place that is reasonably convenient to the parents and the child involved.

If the parents request to inspect and review any education records relating to their child, the District replies without unnecessary delay and makes the records available before the hearing.

The District provides the parents with one copy of the written, or at the option of the parents, an electronic verbatim record of the hearing and findings of fact and decision at no cost. The decision is final except that any party to the hearing may appeal the decision to ODE-OEC.

The District pays for the costs incurred for the hearing except for expert testimony, outside medical evaluations, witness fees, subpoena fees and cost of counsel requested by the other party to the hearing and compensates the hearing officer as provided in 3301-51-05(K)(16)(d) of the Operating Standards. If the hearing was requested by another agency, the District shares the costs of the hearing except for the costs identified in the preceding sentence.

Any further appeals or actions proceed in accordance with 3301-51-05 of the Operating Standards.

F. CHILD'S STATUS DURING DUE PROCESS PROCEEDINGS/CODE OF CONDUCT VIOLATIONS

(1) CHILD'S STATUS DURING DUE PROCESS PROCEEDINGS

The District ensures that a child remains in the current educational placement during the pendency of any administrative or judicial proceeding regarding a due process complaint, unless the state or the District and the parents of the child agree otherwise. If the state level review officer agrees with the child's parents that a change in placement is appropriate, that placement is treated as an agreement between the state and the parents.

If the complaint involves an application for initial admission to the District, the child, with the consent of the parents, is placed in the District until the completion of all proceedings.

If the complaint involves an application for services from a child who is transitioning from Part C to Part B, the District provides those special education and related services that are not in dispute, if the child is found eligible for special education and related services under Part B and the parent consents to the initial provision of special education and related services.

(2) DISCIPLINARY PROCEEDINGS

The District may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of 3301-51-05 of the Operating Standards, is appropriate for a child with a disability who violates a code of student conduct.

(a) Changes in placement less than 10 consecutive school days

The District may remove a child with a disability who violates a code of student conduct from the child's current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to children without disabilities), and for additional removals of not more

than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement).

The District considers on a case-by-case basis whether a pattern of removals constitutes a change of placement. A change in placement occurs if:

- (1) The removal is for more than 10 consecutive school days, **or**
- (2) The child has been subjected to a series of removals that constitute a pattern:
 - (a) Because the series of removals totals more than 10 school days in a school year;
 - (b) Because the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and
 - (c) Because of such additional factors as the length of each removal, the total amount of time the child has been removed and the proximity of the removals to one another.

(b) Services during removal from current placement

The District provides services to a child removed from the child's current placement as follows:

- (1) If the child has been removed from the child's current placement for 10 school days or less in the school year, services are provided only to the extent that services are provided to a child without disabilities who is similarly removed;
- (2) After a child with a disability has been removed from the child's current placement for 10 school days in the same year (under circumstances in which the current removal is for not more than 10 consecutive days and is **not** a change in placement), the District provides services, as determined by school personnel in consultation with at least one of the child's teachers, so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP;
- (3) If the removal is a change in placement, the child's IEP team determines appropriate services; and
- (4) If a child with a disability is removed from the child's current placement for either more than 10 consecutive days for behavior that is determined **not** to be a manifestation of the child's disability or under circumstances that constitute special circumstances, as defined below, the District ensures that the child:
 - (a) Continues to receive educational services so as to enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP; and
 - (b) Receives, as appropriate, a functional behavioral assessment and behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

(c) Manifestation determination

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the school district, the parent and relevant members of the child's IEP team (as determined by the parent and the school district) must review all relevant information in the child's file, including the child's IEP, any teacher observations and any relevant information provided by the parents to determine if the conduct

was a manifestation of the child's disability. The District determines that the conduct is a manifestation of the child's disability:

- (1) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- (2) If the conduct in question was the direct result of the school district's failure to implement the IEP.

If the District, parents and relevant members of the IEP team determine that the conduct in question was the direct result of the school district's failure to implement the IEP, the District takes immediate steps to remedy those deficiencies.

- (1) If the conduct was a manifestation of the child's disability, the IEP team either:
 - (a) Starts to conduct a functional behavioral assessment within 10 days of the manifestation determination and complete the assessment as soon as practicable, unless the school district had conducted a functional behavioral assessment before the behavior that resulted in the change of placement occurred, and implemented a behavioral intervention plan for the child; **or**
 - (b) If a behavioral intervention plan already has been developed, within 10 days of the manifestation determination, reviews the behavioral intervention plan and the implementation of the plan, and modifies it, as necessary, to address the behavior subject to disciplinary action; **and**
- (2) Returns the child to the placement from which the child was removed, unless the parent and the District agree to a change of placement as part of the modification of the behavioral intervention plan.

(d) Special circumstances.

The District may remove a child to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability, if the child:

- (1) Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of ODE or a school district;
- (2) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of ODE or a school district; or
- (3) Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of ODE or a school district.

The District defines the terms controlled substance, weapon, illegal drug and serious bodily injury in accord with 3301-51-05(K)(20)(h)(i) of the Operating Standards.

On the date on which the decision is made to make a removal that constitutes a change of placement of a child with a disability because of a violation of a code of student conduct, the school district must notify the parents of that decision and provide the parents with the procedural safeguards notice described in Section B above.

(e) Expedited Due Process Hearing

The District or the parents may submit a due process complaint requesting an expedited due process hearing to appeal a decision made during disciplinary procedures.

- (1) The District may request a an expedited due process hearing if it believes that maintaining the current placement of a child is substantially likely to result in injury to the child or to others.
- (2) The parents may request an expedited due process hearing to appeal decisions regarding placement for disciplinary removals or the manifestation determination.

The District is responsible for conducting the expedited due process hearing utilizing the hearing officer appointed by ODE-OEC. The District follows the procedures that apply for other due process hearings except that the expedited due process hearing must occur within 20 school days after the date the due process complaint is filed and no extensions of time shall be granted. The hearing officer then must make a determination within 10 school days after the hearing. The District follows the expedited timelines and the procedures set forth in 3301-51-05(K)(22)(c)-(d) of the Operating Standards.

G. TRANSFER OF PARENTAL RIGHTS AT AGE OF MAJORITY/STUDENT NOTIFICATION

Once a child reaches the age of majority, the District sends all required notices to both the student and parent, unless the student has been determined incompetent under state law. If a child with a disability is incarcerated in an adult or juvenile correctional institution, prior written notices are provided to both the parents and the student.

One year before the child's 18th birthday, the District notifies both the parents and the child of the parental rights that will transfer to the child upon reaching the age of majority (age 18) and provides the child with a copy of *Whose IDEA Is This?* The District documents this notice on the child's IEP PR-07 form.

Once the child turns 18, the District obtains informed written consent, as required by the Operating Standards, from the student, unless the student has been determined incompetent under state law.

H. SURROGATE PARENTS

The District ensures that the rights of a child are protected when:

- (1) No parent, as defined in 3301-51-01 of the Operating Standards, can be identified;
- (2) The District, after making reasonable efforts, cannot locate a parent;
- (3) The child is a ward of the state; or
- (4) The child is an unaccompanied homeless youth as defined by 3301-51-05(E)(1)(d) of the Operating Standards.

One way in which the District protects the rights of such children is through the assignment of surrogate parents where appropriate. The District has a method for determining when a child needs a surrogate parent and for assigning a surrogate parent to the child, and complies with the requirements of 3301-51-05(E) of the Operating Standards regarding surrogate parents.

V. EVALUATION

The District ensures that initial evaluations are conducted and that reevaluations are completed for children residing within the District. The District uses a referral process to determine whether or not a child is a child with a disability. The District also provides interventions to assist a child who is performing below grade-level standards. The provision of intervention services is not used to unnecessarily delay a child's evaluation for purposes of determining eligibility for special education services.

A. INITIAL EVALUATION

1. TIMING AND INITIATION

The district conducts an evaluation before the initial provision of special education and related services. Either a parent of a child or a public agency may initiate a request for an initial evaluation to determine if the child is a child with a disability.

Within 30 days of receipt of a request for an evaluation, the District either obtains parental consent for an initial evaluation or provides to the parents prior written notice stating that the school district does not suspect a disability and will not be conducting an evaluation.

The initial evaluation:

- (a) Is conducted within 60 days of receiving parental consent for the evaluation unless the exception set forth in 3301-51-06(B)(5) of the Operating Standards applies; and
- (b) Consists of procedures:
 - (i) To determine if the child is a child with a disability as defined in 3301-51-01(B)(10) of the Operating Standards; and
 - (ii) To determine the educational needs of the child.

The district obtains parental consent before conducting an evaluation. See Chapter IV, Section C, regarding parental consent requirements.

The evaluation team consists of the IEP team and other qualified professionals.

2. THE EVALUATION PLAN AND EVALUATION TEAM REPORT

As part of the initial evaluation, if appropriate, and as part of any reevaluation, the evaluation team shall develop an evaluation plan that will provide for the following and be summarized in an evaluation team report:

- (a) Review of existing evaluation data on the child, including:
 - (i) Evaluations and information provided by the parents of the child;
 - (ii) Current classroom-based, local or state assessments and classroom-based observations;
 - (iii) Observations by teachers and related services providers;
 - (iv) Data about the child's progress in the general curriculum, or, for the preschool-age child, data pertaining to the child's growth and development;

- (v) Data from previous interventions, including:
 - (a) Interventions required by rule 3301-51-06 of the Operating Standards and
 - (b) For the preschool child, data from early intervention, community, or preschool program providers; and
- (vi) Any relevant trend data beyond the past twelve months, including the review of current and previous IEPs; and
- (b) On the basis of that review and input from the child's parents, identify what additional data, if any, are needed to determine:
 - (i) Whether the child is a child with a disability, as defined in 3301-51-01 of the Operating Standards, and the educational needs of the child;
 - (ii) In the case of a reevaluation of a child, whether the child continues to have such a disability and the educational needs of the child;
 - (iii) The present levels of academic achievement and related developmental needs of the child;
 - (iv) Whether the child needs special education and related services; or
 - (v) In the case of a reevaluation of a child, whether the child continues to need special education and related services; and
 - (vi) Whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general education curriculum.

The District administers such assessments and other evaluation measures as may be needed to produce the data identified above. The district provides prior written notice to the parents of a child with a disability that describes any evaluation procedures the school district proposes to conduct.

3. CONDUCT OF EVALUATION

In conducting the evaluation, the District:

- (a) Uses a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about the child, including information provided by the parent, that may assist in determining:
 - (i) Whether the child is a child with a disability as defined in 3301-51-01(B)(10) of the Operating Standards; and
 - (ii) The content of the child's IEP, including information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child to participate in appropriate activities);
- (b) Does not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and
- (c) Uses technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

The District ensures that:

- (a) Assessments and other evaluation materials used to assess a child:
 - (i) Are selected and administered so as not to be discriminatory on a racial or cultural basis;
 - (ii) Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information about what the child knows and can do academically, developmentally and functionally, unless it is clearly not feasible to so provide or administer;
 - (iii) Are used for the purposes for which the assessments or measures are valid and reliable;
 - (iv) Are administered by trained and knowledgeable personnel; and
 - (v) Are administered in accordance with any instructions provided by the producer of the assessments.
- (b) Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
- (c) Assessments are selected and administered so as best to ensure that if an assessment is administered to a child with impaired sensory, manual or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure rather than reflecting the child's impaired sensory, manual or speaking skills (unless those skills are the factors that the test purports to measure);
- (d) A school age child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities;
- (e) Preschool children are assessed in the following developmental areas: adaptive behavior, cognition, communication, hearing, vision, sensory/motor function, social-emotional functioning and behavioral function.
- (f) Assessments of children with disabilities who transfer from one school district to another school district in the same school year are coordinated with the children's prior and subsequent schools, as necessary and as expeditiously as possible, consistent with 3301-51-06(B)(5)(b) and (B)(6) of the Operating Standards, to ensure prompt completion of the full evaluations.
- (g) In evaluating each child with a disability under 3301-51-06(E)-(G) of the Operating Standards, the evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.
- (h) Assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child are provided.
- (i) Medical consultation shall be encouraged for a preschool or school-age child on a continuing basis, especially when school authorities feel that there has been a change in the child's behavior or educational functioning or when new symptoms are detected; and
- (j) For preschool-age children, as appropriate, the evaluation shall include the following specialized assessments:

- (i) Physical examination completed by a licensed doctor of medicine or doctor of osteopathy in cases where the disability is primarily the result of a congenital or acquired physical disability;
- (ii) Vision examination conducted by an eye care specialist in cases where the disability is primarily the result of a visual impairment; and
- (iii) An audiological examination completed by a certified or licensed audiologist in cases where the disability is primarily the result of a hearing impairment.

B. ELIGIBILITY DETERMINATION AND EVALUATION TEAM REPORT

1. COMPLETION OF THE EVALUATION TEAM REPORT

The following occurs upon completion of the administration of assessments and other evaluation measures:

- (a) The IEP team and other qualified professionals and the parent of the child determines whether the child is a child with a disability, in accordance with the Operating Standards; and
- (b) The District provides a copy of the evaluation report and the documentation of determination of eligibility at no cost to the parent.

The written evaluation team report shall include:

- (a) A summary of the information obtained during the evaluation process; and
- (b) The names, titles and signatures of each team member, including the parent, and an indication of whether or not they are in agreement with the eligibility determination. Any team member who is not in agreement with the team's determination of disability shall submit a statement of disagreement.

The District provides a copy of the evaluation team report and the documentation of determination of eligibility or continued eligibility to the parents prior to the next IEP meeting and in no case later than 14 days from the date of eligibility determination.

2. DETERMINATION OF ELIGIBILITY

A child is not determined to be a child with a disability:

- (a) If the determinant factor for that determination is:
 - (i) Lack of appropriate instruction in reading, including the essential components of reading instruction as defined in Section 1208(3) of the Elementary and Secondary Act of 1965, as amended and specified in the No Child Left Behind Act of 2002, January 2002, 20 U.S.C. 6301 (ESEA);
 - (ii) Lack of appropriate instruction in math; or
 - (iii) LEP; and
- (b) If the child does not otherwise meet the eligibility criteria under 3301-51-01(B)(10) of the Operating Standards.

The district, in interpreting evaluation data for the purpose of determining if a child is a child with a disability, does the following:

- (a) Draws upon information from a variety of sources, including aptitude and achievement tests, state and district wide assessments, parent input and teacher recommendations, as well as information about the child's physical condition, social or cultural background and adaptive behavior; and
- (b) Ensures that information obtained from all of these sources is documented and carefully considered.

If a determination is made that a child has a disability and needs special education and related services, the District develops an IEP for the child.

C. REEVALUATIONS

The District conducts reevaluations of a child with a disability:

- (a) If the District determines that the child's educational or related services needs, including improved academic achievement and functional performance, warrant a reevaluation; or
- (b) If the child's parent or teacher requests a reevaluation; or
- (c) When a child transitions from pre-school to school-aged services; or
- (d) In order to make a change in disability category.

A reevaluation may not occur more than once a year, unless the parent and the District agree otherwise.

A reevaluation must occur at least once every three years, unless the parent and the District agree that a reevaluation is unnecessary.

The District evaluates a child with a disability before determining that child is no longer a child with a disability, although this evaluation is not required if the child's eligibility terminates due to graduation from secondary school with a regular diploma or due to exceeding the age eligibility for FAPE under state law. If a child's eligibility terminates for one of these reasons, the District provides the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

D. IDENTIFYING CHILDREN WITH SPECIFIC LEARNING DISABILITIES (SLD)

The District has written procedures for the implementation of the evaluation process the District uses to determine the existence of a specific learning disability (SLD). In addition, the District uses the form required by ODE-OEC, Evaluation Team Report PR-06 and completes Part 3: Documentation for Determining the Existence of a Specific Learning Disability of PR-06 when the District suspects the child has a SLD.

(1) DETERMINING THE EXISTENCE OF A SPECIFIC LEARNING DISABILITY

The parents, the IEP team, and a group of qualified professionals from the District determine that a child has a SLD if:

- (a) The child does not achieve adequately for the child's age or to meet state-approved grade-level standards in one or more of the following areas, when the District provides learning experiences and instruction appropriate for the child's age or state-approved grade-level standards:
 - (i) Oral expression;
 - (ii) Listening comprehension;
 - (iii) Written expression;
 - (iv) Basic reading skill;
 - (v) Reading fluency skills;
 - (vi) Reading comprehension;
 - (vii) Mathematics calculation; or
 - (viii) Mathematics problem-solving;

AND

- (b) The child does not make sufficient progress to meet age or state-approved grade-level standards in one or more of the areas identified in number 1, above, when the District uses an evaluation process to determine the child's response to scientific, research-based intervention;

OR

- (c) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development, when the District uses appropriate assessments consistent with 3301-51-06(E) and (F) of the Operating Standards that the group has determined to be relevant to the identification of a SLD.

Alternatively, the District may choose a third method of evaluation, for determining if a child has a SLD. The District seeks prior approval from ODE-OEC if it chooses to use an alternative research-based assessment procedure to determine if a child has a SLD.

(2) USE OF AN EVALUATION PROCESS BASED ON THE CHILD'S RESPONSE TO SCIENTIFIC, RESEARCH-BASED INTERVENTION FOR SLD DETERMINATION

If the District uses an evaluation process based on the child's response to scientific, research-based intervention to determine whether a child has a SLD. The District ensures that this process:

- (a) Begins when the District has gathered and analyzed sufficient data from scientifically-based instruction and targeted and intensive individualized interventions that provide evidence that the child's needs are unlikely to be met without certain specialized instruction, in addition to the regular classroom instruction;
- (b) Employs interventions that are scientifically-based and provided at appropriate levels of intensity, frequency, duration and integrity, relative to the child's identified needs;

- (c) Is based on results of scientifically-based, technically adequate assessment procedures that assess ongoing progress while the child is receiving scientifically-based instruction and the results of these procedures have been reported to the child's parents; and
- (d) Includes the analysis of data described in 3301-51-06(H)(3)(b)(i) and (H)(3)(b)(ii) of the Operating Standards to determine whether a discrepancy is present between the child's actual and expected performance, in both the child's rate of progress in developing skills, and in the child's level of performance on measures assessing one or more of the academic areas listed in 3301-51-06(H)(3)(a)(i) of the Operating Standards

The District will not use this process to delay unnecessarily a child's referral for a comprehensive evaluation to determine eligibility for special education services.

(3) ADDITIONAL REQUIREMENTS FOR SLD DETERMINATION

The District ensures that the following additional requirements are satisfied when determining if a child has a SLD:

Inclusion of additional required group members for SLD determination

The group that determines that a child suspected of having a SLD is a child with a disability includes the child's parents and a group of qualified professionals consisting of, but not limited to:

- (a) In the case of a school-age child, the child's regular teacher (or if the child does not have a regular teacher, the District includes a regular classroom teacher qualified to teach a child of the child's age);
- (b) In the case of children less than school-age, an individual qualified by ODE to teach a child of the child's age; and

At least one person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist or remedial reading teacher.

Observation requirements

The District ensures that the child is observed in the child's learning environment, including the regular classroom setting, to document the child's academic performance and behavior in the areas of difficulty. The group of qualified professionals identified by the District conducts the observation by:

- (a) Using information from an observation of the child's performance conducted during routine classroom instruction, including monitoring of the child's performance during instruction, that was done before the child was referred for an evaluation; or
- (b) Having at least one member of the group conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parent consent has been obtained.

In the case of a child of less than school-age or a child who is out of school, the District ensures that a group member observes the child in an environment appropriate for a child of that age.

Ensuring the child's underachievement is not due to a lack of appropriate instruction in reading and math

In order to ensure that underachievement in a child suspected of having a SLD is not due to lack of appropriate instruction in reading or math, the District considers:

- (a) Data demonstrating that prior to, or as part of, the referral process, the child received appropriate instruction in regular education settings delivered by qualified personnel; and
- (b) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the child's progress during instruction, the results of which were provided to the child's parents.

Obtaining parental consent to evaluate

The District promptly requests parental consent to evaluate a child to determine if the child needs special education and related services:

- (a) If prior to the referral, the child does not make adequate progress after an appropriate period of time when provided with appropriate instruction. To make this determination, the District considers:
 - (i) Data demonstrating that prior to, or as part of, the referral process, the child received appropriate scientifically-based instruction in regular education settings delivered by qualified personnel; and
 - (ii) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of the child's progress during instruction, the results of which were provided to the child's parents; and
- (b) Whenever a child is referred for an evaluation.

Consideration of exclusionary factors

When determining that a child has a SLD, the District ensures that the findings from the evaluation process are not primarily the result of:

- (a) A visual, hearing, or motor disability;
- (b) Mental retardation;
- (c) Emotional disturbance;
- (d) Cultural factors;
- (e) Environmental or economic disadvantage; or
- (f) LEP.

If the District determines that one of these factors is the primary reason for the child's suspected disability, the District does not identify the child as having a SLD.

VI. INDIVIDUALIZED EDUCATION PROGRAMS (IEPs)

The District ensures that an IEP is developed and implemented for each child with a disability, ages 3 through 21, inclusive, who requires special education and related services and who resides in the district. For all children with disabilities for whom our district is the district of residence, the District is responsible for ensuring that the requirements of 3301-51-07 of the Operating Standards are met regardless of which district, county board of MR/DD, or other educational agency implements the child's IEP.

The meeting to develop an IEP is conducted within 30 days of a decision that a child needs special education and related services.

The initial IEP is developed within whichever of the following time periods is the shortest:

- (a) Within 30 calendar days of the determination that the child needs special education and related services;
- (b) Within 90 days of receiving informed parental consent for an evaluation; or
- (c) Within 120 calendar days of receiving a request for an evaluation from a parent or school district (unless the evaluation team has determined it does not suspect a disability).

The District ensures that the parents receive a copy of the child's IEP at no cost to the parents. The parents may receive a copy of the IEP either at the conclusion of the IEP meeting or within 30 calendar days of the date of the IEP meeting.

A. MEMBERS OF THE IEP TEAM

The IEP team includes:

- (1) The child's parents;
- (2) Not less than one of the child's regular education teachers, if the child is or may be participating in the regular education environment;
- (3) Not less than one special education teacher of the child or, where appropriate, not less than one special education provider of the child;
- (4) A representative of the school district who:
 - a) Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - b) Knows the general education curriculum; and
 - c) Knows about the availability of resources of the school district.
- (5) Someone who can interpret the instructional implications of the evaluation results, who may be one of the team noted previously;
- (6) At the discretion of the parents or the school district, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and
- (7) The child, whenever appropriate. The child must be invited if a purpose of the meeting is the consideration of postsecondary goals for the child and the transition services needed to assist the child in reaching those goals.

A member of the IEP team, other than the parent and the child if appropriate, is not required to attend an IEP team meeting, in whole or in part, if the parent and the district agree, in writing, that the attendance of that member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting or portion of the meeting.

B. PARENTAL PARTICIPATION

The District takes steps to ensure that one or both of the parents of a child with a disability are present at each IEP team meeting or are afforded the opportunity to participate, including:

- (1) Notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend; and
- (2) Scheduling the meeting at a mutually-agreed upon time and place.

A Notice to a Parent Regarding an IEP meeting:

- (1) Indicates the purpose, time and location of the meeting and who will be in attendance; and
- (2) Informs the parents of the provisions of the Operating Standards regarding the participation of other individuals who have knowledge or special expertise about the child and the participation of the Part C service coordinator or other representatives of the part C system at the initial IEP team meeting for a child previously served under Part C. See 3301-51-07(J)(2)(a)(ii) of the Operating Standards.

Beginning no later than the first IEP to be in effect when the child turns 14, the Notice also:

- (1) Indicates that a purpose of the meeting will be the development of a statement of the transition needs of the child; and
- (2) Indicates that the District will invite the child.

Beginning no later than the first IEP to be in effect when the child turns 16, the Notice also:

- (1) Indicates that a purpose of the meeting will be the consideration of the postsecondary goals and transition services for the child;
- (2) Indicates that the school district will invite the child; and
- (3) Identifies any other agency that will be invited to send a representative, if the parents consent.

The District conducts IEP team meetings without a parent in attendance only if it cannot convince parents that they should attend. Before an IEP team meeting is held without a parent, the District makes multiple attempts to contact a parent to arrange a mutually agreed on time and place, and records its attempts to do so.

C. CONTENTS OF AN IEP

The District uses ODE's required form, PR-O7, for its IEPs.

In developing each child's IEP, the IEP team considers:

- (1) The strengths of the child;

- (2) The concerns of the parents for enhancing the education of their child;
- (3) The results of the initial or most recent evaluation of the child;
- (4) The results of the child's performance on any state or district-wide assessment programs, as appropriate; and
- (5) The academic, developmental and functional needs of the child.

Further, the IEP team considers the following special factors:

- (1) In the case of a child whose behavior impedes the child's learning or that of others, the use of positive behavioral interventions and supports, and other strategies, to address that behavior;
- (2) In the case of a child with LEP, the language needs of the child as those needs relate to the child's IEP;
- (3) In the case of a child who is blind or visually impaired, the instruction of that child in accordance with the Operating Standards and section 3323.011 of the Revised Code;
- (4) The communication needs of the child, including those of a child who is deaf or hard of hearing; and
- (5) Whether the child needs assistive technology devices and services.

(1) CONTENTS OF EVERY IEP

The District's IEPs are written, and are developed, reviewed and revised in IEP meetings. The District's IEPs include all of the following:

- (a) A statement that discusses the child's future and documents planning information;
- (b) A statement of the child's present levels of academic and functional performance, including:
 - (1) How the child's disability affects the child's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or
 - (2) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;
- (c) A statement of measurable annual goals, including academic and functional goals and benchmarks or short-term objectives designed to:
 - (1) Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and
 - (2) Meet each of the child's other educational needs that result from the child's disability;
- (d) A description of:
 - (1) How the child's progress toward meeting the annual goals described in the IEP will be measured; and
 - (2) When periodic reports on the progress the child is making toward meeting the annual goals will be provided;
- (e) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child:
 - (1) To advance appropriately toward attaining the annual goals;

- (2) To be involved in and make progress in the general education curriculum in accordance with the Operating Standards, and to participate in extracurricular and other nonacademic activities; and
- (3) To be educated and participate with other children with disabilities and nondisabled children, as appropriate, in the activities described in 3301-51-07(H)(1)(e) of the Operating Standards;
- (f) An explanation of the extent, if any, to which the child will not participate with nondisabled children in the regular classroom and in activities;
- (g) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state and districtwide assessments consistent with Section 612(a)(16) of the IDEA;
- (h) If the IEP team determines that the child must take an alternate assessment instead of a particular regular state or districtwide assessment of student achievement, a statement of why:
 - (1) The child cannot participate in the regular assessment; and
 - (2) The particular alternate assessment selected is appropriate for the child; and
- (i) The projected date for the beginning of the services and modifications described in the IEP and the anticipated frequency, location and duration of those services and modifications.

(2) TRANSITION SERVICES

The District's IEPs address transition services as follows:

- (a) For children age 14 or over (or younger, if determined appropriate by the IEP team), the IEP includes a statement, updated annually, of the transition service needs of the child under the applicable components of the child's IEP that focuses on the child's courses of study (such as participation in advanced-placement courses or a vocational education program.); and
- (b) Beginning not later than the first IEP to be in effect when the child turns 16 (or younger if determined appropriate by the IEP team), the IEP includes:
 - (1) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment and, where appropriate, independent living skills; and
 - (2) The transition services (including courses of study) needed to assist the child in reaching those goals.

(3) TRANSFER OF RIGHTS AT AGE OF MAJORITY

Beginning not later than one year before the child reaches 18 years of age, the IEP includes a statement that the child has been informed of the child's rights under Part B of the IDEA that will transfer to the child on reaching the age of majority.

(4) NONACADEMIC SERVICES, PHYSICAL EDUCATION, EXTENDED SCHOOL YEAR AND TRANSPORTATION

If appropriate, the IEP includes the services to be provided in each of these areas.

D. REVIEW AND AMENDMENT OF AN IEP

The District ensures that the IEP team:

- (1) Reviews the child's IEP periodically, but not less than annually, to determine whether the annual goals for the child are being achieved; and
- (2) Revises the IEP, as appropriate, to address:
 - (a) Any lack of expected progress toward the annual goals and in the general education curriculum;
 - (b) The results of any reevaluation;
 - (c) Information about the child provided to, or by, the parents as part of an evaluation or reevaluation;
 - (d) The child's anticipated needs; or
 - (e) Other matters; and
- (3) Reconvenes if an agency, other than the school district, fails to provide the transition services described in the IEP.

Changes to the IEP may be made either at an IEP team meeting, or by a written document amending or modifying the IEP, if the parent of the child and the District agree not to convene an IEP team meeting for the purposes of making those changes. If the IEP is amended by written document, without a meeting of the IEP team, the District ensures that the IEP team is informed of the changes made. When an IEP is amended, the District sends a copy of the amended IEP to the parent within thirty days of the date the IEP was amended.

VII. LEAST RESTRICTIVE ENVIRONMENT (LRE)

The District ensures that, to the maximum extent appropriate, children with disabilities, including children in public or nonpublic institutions or other care facilities, are educated with children who are nondisabled. Placement of students with disabilities in special classes, separate schooling or other removal from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services, modifications and/or accommodations cannot be achieved satisfactorily.

The District ensures that a continuum of alternative placements is available to meet the needs of children with disabilities for special education and related services in the least restrictive environment (LRE).

The District determines the placement of a child with a disability at least annually, and the placement is based on the child's IEP, and is as close as possible to the child's home.

Unless the IEP of a child with a disability requires some other arrangement, the child is educated in the school that the child would attend if nondisabled.

In selecting the LRE for a child with a disability, the IEP team considers any potential harmful effect on the child or on the quality of the services that the child needs.

A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

VIII. PARENTALLY PLACED NONPUBLIC SCHOOL CHILDREN

A. CHILD FIND

(1) GENERALLY

The District locates, identifies and evaluates all children with disabilities who are enrolled by their parents in chartered and nonchartered nonpublic schools, including religious elementary and secondary schools located within the District's geographical boundaries.

The District consults with the nonpublic school representatives and representatives of parents of parentally placed nonpublic school children with disabilities regarding the child find process, including:

- (a) How parentally placed nonpublic school children suspected of having a disability can participate equitably; and
- (b) How parent, teachers and nonpublic school officials will be informed of the child find process.

After timely and meaningful consultation with representatives of nonpublic schools, the District carries out child find activities for parentally placed nonpublic school children, including children whose parents live out-of-state. These activities are similar to the child find activities the District conducts for its public school children and ensures an accurate count of children with disabilities. The District completes these activities in a time period comparable to that for children attending its public schools, including completing any evaluations within 60 days of receiving parental consent. See Chapter V, Section A(1).

The District follows all IDEA and FERPA confidentiality requirements when serving children with disabilities attending nonpublic schools located within the District's boundaries and obtains parental consent before releasing any personally identifiable information about a child to officials of the child's district of residence or the nonpublic school in which the child is enrolled.

The District conducts, either directly or through contract, a full and individual initial evaluation of any parentally placed nonpublic school child suspected of having a disability who is enrolled in a nonpublic school within the District's boundaries. The District obtains written parental consent before conducting an initial evaluation.

- (a) If the parents of a parentally placed nonpublic school child do not provide consent or fail to respond to the District's request for consent to evaluate the child, the District may not use mediation or due process procedures to pursue the evaluation. The District does not have to consider this child as eligible for services.
- (b) If the parents do not make clear their intent to keep their child enrolled in the nonpublic school, the District provides the parents of a child who is determined to be eligible for special education services written documentation stating that the child's school district of residence is responsible for making FAPE available to the child.

- (c) The District sends a copy of this documentation to the child's district of residence, provided the District obtains written parental consent to release the information.

The District conducts reevaluations of parentally placed nonpublic school children with disabilities receiving special education and any related services to determine continued eligibility for services. The District conducts reevaluations no more than once a year, unless the parents and the District agree otherwise, and at least once every three years, unless the parents and the district agree that a reevaluation is unnecessary.

(2) AUTISM SCHOLARSHIP PROGRAM PARTICIPANTS

The District assumes responsibility for the initial evaluations and re-evaluations of children who reside in the District and desire to participate in the Autism Scholarship Program. The district where the nonpublic school is located conducts all reevaluations for children with disabilities participating in the Autism Scholarship Program. (See 3301-51-08(R)(1) of the Operating Standards). The District creates the IEP that is required for eligible children who reside within the District to participate in the Autism Scholarship Program.

B. CONSULTATION

The District consults with nonpublic school representatives and representatives of parents who have placed their children with disabilities in nonpublic schools in a timely and meaningful way during the design and development of special education and related services for the children regarding the following:

(1) CHILD FIND

See above requirements.

(2) PROPORTIONATE SHARE OF FUNDS

- (a) The determination of the proportionate share of federal IDEA Part B funds available to serve parentally-placed nonpublic school children with disabilities;
- (b) The determination of how the proportionate share of those funds was calculated; and
- (c) Consideration of the number of children and their needs and location.

“Proportionate share” refers to the amount of federal IDEA Part B funds the District must expend to provide the group of parentally-placed nonpublic school children with disabilities with equitable participation in services funded with federal IDEA Part B funds. The District follows the formula in 3301-51-05(E)(1)–(4) of the Operating Standards to calculate the proportionate amount.

(3) CONSULTATION PROCESS

- (a) How the consultation process will bring together District representatives, nonpublic school officials and representatives of parentally placed nonpublic school children with disabilities;

- (b) How the process will take place throughout the school year to ensure that parentally-placed nonpublic school children with disabilities identified through the child find can meaningfully participate in special education and related services.

(4) PROVISION OF SPECIAL EDUCATION AND RELATED SERVICES

- (a) How, where and by whom special education and related services will be provided;
- (b) The types of services, including direct services and alternate service delivery mechanisms;
- (c) How special education and related services will be apportioned if funds are insufficient to serve all parentally placed nonpublic school children; and
- (d) How and when these decisions will be made.

(5) WRITTEN EXPLANATION BY THE SCHOOL DISTRICT

How the District will provide the nonpublic school officials a written explanation of the reasons why the District chose not to provide services directly or through a contract if the District disagrees with the views of the nonpublic school officials on the provision of services or the types of services.

The District obtains a written affirmation signed by representatives of the participating nonpublic schools that timely and meaningful consultation has occurred. If representatives of the participating nonpublic schools do not provide the affirmation within a reasonable period of time or choose not to participate under the proportionate share provisions of IDEA and engage in consultation, the District documents its consultation attempts and forwards the documentation to the ODE-OEC. If a nonpublic school located within the boundaries of the District chooses not to participate, the parents may contact the District to request services for the child.

C. RIGHTS TO SERVICES

The District is not required to pay for the cost of education, including special education and related services, of a child with a disability, enrolled at a nonpublic school or facility if:

- (1) The child's district of residence made FAPE available to the child; and
- (2) The parents elected to place the child in the nonpublic school.

The District includes these children and their needs in the population being considered when making decisions about services to be provided to parentally placed nonpublic school children with disabilities.

If the parents make clear their intention to keep their child with a disability enrolled in the nonpublic school, the child's district of residence does not need to develop an IEP for the child. If the child with a disability re-enrolls in the District, the District makes FAPE available.

D. EQUITABLE SERVICES DETERMINED

The District makes the final decisions about the services to be provided through a services plan to eligible parentally placed nonpublic school children with disabilities who are attending

nonpublic schools within the District's geographic boundaries. The District makes these decisions after consultation with nonpublic school representatives and parents of parentally placed nonpublic school children and through meetings to develop, review and revise services plans. A child with a disability attending a nonpublic school does not have an individual right to receive some or all of the special education and related services that the child would receive if enrolled in a public school.

E. EQUITABLE SERVICES PROVIDED

(1) THE SERVICES PLAN

- (a) The District, whether or not it is the child's school district of residence, convenes the services plan meeting, conference call, or video conference for each eligible child who will receive special education and any related services for children who attend nonpublic schools located within the District's geographical boundaries.
- (b) The District determines required participants at the services meeting.
- (c) The District ensures that a nonpublic school representative participates in the development or revision of the services plan.
- (d) The District conducts a meeting, conference call, or video conference at least annually to review and revise, if appropriate, each child's services plan.
- (e) The District uses the ODE required Services Plan PR-09 form for individually developing a services plan for each participating child that describes the specific special education and related services that the District will provide to the child. Parentally placed nonpublic school children with disabilities may receive a different amount of services than children with disabilities enrolled in the District.

(2) PROVISION AND LOCATION OF SERVICES

- (a) District personnel provide services to parentally placed nonpublic school children who attend nonpublic schools located within the District's geographical boundaries or the District provides services through a contract with an individual, association, agency, organization or other entity.
- (b) The District ensures that special education and related services, including materials and equipment, provided to parentally placed nonpublic school children with disabilities are secular, neutral and non-ideological.
- (c) The District, in consultation with the nonpublic school, will determine where services will be provided. Services may be provided on or off the premises of the nonpublic school. The District may provide services at the nonpublic school with the permission of that school.

(3) TRANSPORTATION

- (a) The District provides transportation to parentally placed nonpublic school children with disabilities who attend nonpublic schools located within the District's geographical boundaries if the services being provided under IDEA are being delivered at a location other than the nonpublic school the child is attending. The District provides transportation:
 - (1) From the child's nonpublic school or the child's home to the site other than the nonpublic school; and

- (2) From the service site to the nonpublic school or to the child' home depending on the timing of the services;
- (b) The District may include the cost of transportation to special education and related services that are being delivered at a location other than the nonpublic school in calculating whether it has met the requirements of spending a proportionate amount of federal funds that it receives to serve children with disabilities; and
- (c) The District provides transportation to all children, with and without disabilities, who reside within the District and who are parentally placed in chartered nonpublic schools following the requirements in ORC 3327.01.

F. DUE PROCESS COMPLAINTS AND COMPLAINTS TO ODE

Due process rights do not apply to the provision of special education and related services the District has agreed to provide through a services plan. However, the parents of a child with a suspected disability, or a child identified as having a disability, who is enrolled in a nonpublic school, have the right to file a due process complaint against the District where the nonpublic school is located regarding that District's failure to meet the child find requirements, including location, identification, evaluation and reevaluation of the child.

If the District receives a due process complaint requesting a due process hearing from the parents of parentally placed nonpublic school child, the District follows the procedures that apply to other due process complaints.

The parents of a child with a disability, who has been unilaterally placed in a nonpublic school, have the right to file a formal written complaint with ODE-OEC regarding a number of different issues, which are listed in 3301-51-08(L)(3) of the Operating Standards.

APPENDIX A

When to Provide

Prior Written Notice, Informed Consent and Procedural Safeguards Notice (*Whose IDEA Is This?*)

Steps in the Special Education Process	Action Required		
	Notification or Informed Consent	Prior Written Notice to Parents PR-01	Whose IDEA Is This?
1. Procedural safeguards must be provided to the parents once a year			X
2. Procedural safeguards must be provided upon request of the parents			X
3. Initial referral for a suspected disability		X	X
4. Initial evaluation	Informed consent (Parent Consent for Evaluation PR-04 form)	X	
5. Eligibility determination		X	
6. IEP meeting	Notification (Parent Invitation to Meeting PR-02 form)	Provide after an IEP, if parents do not agree or do not attend the meeting	
7. Reevaluation with assessments conducted	Informed consent (Parent Consent for Evaluation PR-04 form)	Provide before, and after if parents do not agree or disability category changes	
8. Reevaluation without further assessments conducted	Notification	May use this form to notify before, and provide after, if parents do not agree or disability category changes	
9. No reevaluation conducted		X	
10. Transfers from out of state and out of district	Informed consent (Parent Consent for Evaluation PR-04 form) (If an evaluation is to be conducted)	Provide only after an IEP, if parents do not agree	If moved from out of state
11. Change of placement	Informed consent (IEP PR-07 form)	Provide only after an IEP, if parents do not agree	
12. Change in the type and amount of services		Provide only after an IEP, if parents do not agree	
13. Exit from special education	Notification (Summary of performance if graduating or aging out of special education)	X	
14. District refuses services requested by parents		X	
15. District proposes/refuses to change disability category		X	
16. Releasing personally identifiable information	Informed consent (written consent)		
17. Destruction of personally identifiable information	Notification prior to destruction		
18. Transfer of parental rights	Statement included in IEP PR-07 form		X
19. Upon receipt of the first due process complaint or upon receipt of first state complaint in school year			X
20. Disciplinary change in placement		X	X
21. Revocation of consent		X	

Prior Written Notice, Informed Consent and Procedural Safeguards Notice (*Whose IDEA Is This?*)

1. Procedural safeguards must be provided to the parents once a year.

The school district must give a copy of the **procedural safeguards notice (*Whose IDEA Is This?*)** to the parents at least once a year, except as noted below:

- Upon initial referral or the parents request for evaluation;
- Upon request by the parents;
- Upon receipt of the first due process complaint or state complaint in a school year; and
- Upon a change in placement for disciplinary action.

2. Procedural safeguards must be provided upon request of the parents.

The school district must give a copy of the **procedural safeguards notice (*Whose IDEA Is This?*)** to the parents whenever the parents request.

3. Initial referral for a suspected disability

On the date of the referral, the district must provide the parents with a copy of the **procedural safeguards notice (*Whose IDEA Is This?*)**. For a parental referral, the date of referral is the date that the district received either the verbal or written request from the parents to conduct an evaluation. For a district referral, the date of referral is the date that the screening or review team decided an evaluation should be conducted. See Evaluation – 6.2 Request and Referral for Initial Evaluation. Within 30 days of the date of initial referral by the parents for a suspected disability, the district must provide the **Prior Written Notice to Parents PR-01** form to the parents if the district does not suspect a disability.

4. Initial evaluation

Within 30 days of the date of initial referral by the parents for a suspected disability, the district must provide the **Prior Written Notice PR-01** form to the parents and receive written, **informed consent (Parent Consent for Evaluation PR-04 form)** from the parents prior to conducting any assessments as part of an initial evaluation. A description of any evaluation procedures the district proposes to conduct must also be provided to the parents. (If the notice relates to an action proposed by the district that also requires parental consent, the district may give notice at the same time it requires parental consent.)

5. Eligibility determination

If the evaluation team determines that a child is not eligible for special education and related services the district will provide the parents the **Prior Written Notice to Parents PR-01** form once this determination is made. If the evaluation team determines that a child is eligible for special education and related services, see Item number 6, IEP Meeting.

6. IEP Meeting

The district must use the required **Parent Invitation PR-02** form to notify and invite the parents to an IEP meeting. Districts must take steps to ensure that one or both parents are present at each IEP meeting or are afforded the opportunity to participate. This requires that the district:

- Notify the parents of the IEP meeting early enough to ensure that they have an opportunity to attend; and
- Schedule the meeting at a mutually agreed upon time and place.

A district must provide the **Prior Written Notice to Parents PR-01** form after an IEP meeting, if the parents do not agree with the IEP or any portion of the IEP or do not attend the meeting.

A district must provide **prior written notice** to the parents and receive **written, informed consent** from the parents before the initial placement of a child in special education. The **IEP PR-07** form serves as prior written notice unless the parents disagree with the IEP. Written informed consent to initiate special education and related services is provided through the parents' signature on the IEP form.

7. Reevaluation with assessments conducted

A district must provide the **Prior Written Notice to Parents PR-01** form and obtain **informed parental consent (Parent Consent for Evaluation PR-05 form)** before conducting any tests or assessments as part of a reevaluation of a child with disabilities, unless the district has provided notice and the parents have failed to respond to reasonable attempts to obtain consent.

The district must provide the **Prior Written Notice to Parents PR-01** form after the reevaluation is completed, if the parents disagree with the reevaluation or the reevaluation results in a change in the child's disability category.

8. Reevaluation without further assessments conducted

If the evaluation team determines that no additional data are needed to determine that the child continues to be a child with a disability and to determine the child's educational needs, the evaluation team must notify the child's parents. The notification that no further assessments are necessary must include:

- The team's determination and the reasons for the determination; and
- The parents' right to request an assessment to determine whether the child continues to be a child with a disability and to determine the child's educational needs.

The **Prior Written Notice to Parents PR-01** form may be used for this notification as long as it includes the information listed directly above.

The district must provide the **Prior Written Notice to Parents PR-01** form after the reevaluation is completed, if the parents disagree with the reevaluation or the reevaluation results in a change in the child's disability category.

9. No reevaluation conducted

If the IEP team, including the parents, agrees that a reevaluation of a child is unnecessary, the district must provide the **Prior Written Notice to Parents PR-01** form.

10. Transfers from out of state and out of district

Upon the enrollment of a child with an existing IEP from another district or state, the district must convene the IEP team and determine if the team will accept the existing IEP or change the existing IEP. If the parents disagree with the IEP team on the IEP that will be implemented by the district, the **Prior Written Notice to Parents PR-01** form must be provided to the parents. See IEP – 7.1 General.

Transfers from out of state

If the child moved into the district from another state, the district must provide the parents with a copy of the **procedural safeguards notice (Whose IDEA Is This?)**.

If the district determines that a new evaluation is necessary for a child who transfers from out of state, the evaluation is considered an initial evaluation and the district must provide the **Prior Written Notice to Parents PR-01** form and obtain written parental consent (**Parent Consent for Evaluation PR-05 form**). See Evaluation – 6.2 Request and Referral for Initial Evaluation.

Transfers from out of district

If the child transfers into the district from another district in the state, the district provides the parents with a copy of the **procedural safeguards notice (Whose IDEA Is This?)** if the sending school district had not provided the parents with a copy during the current school year.

If the IEP team refers a child who transfers from another district in the state for additional evaluation, the evaluation is considered to be a reevaluation. The district must provide the **Prior Written Notice to the Parents PR-01** form and obtain written parental consent (**Parent Consent for Evaluation PR-05** form). See Evaluation – 6.5 Reevaluation.

11. Change of placement

The district must provide the **Prior Written Notice to Parents PR-01** form after an IEP meeting, if the parents do not agree with the IEP team's proposed change of placement on the continuum of alternative placement options. The district may not change the child's placement until the parents consent to the proposed change of placement.

12. Change in the type and amount of services

The district must provide the **Prior Written Notice to Parents PR-01** form after an IEP meeting, if the parents do not agree with the changes in the types and amount of services being proposed. The district may then proceed to implement the IEP.

13. Exit from special education

The district must provide the **Prior Written Notice to Parents PR-01** form whenever a child exits special education. In addition, for a child whose eligibility for special education terminates because the child is graduating with a regular diploma or exceeding the age eligibility for special education, the school district must provide the child with a **summary of the child's academic achievement and functional performance**, which shall include recommendations on how to assist the child in meeting the child's postsecondary goals.

14. District refuses services requested by parents

The district must provide the **Prior Written Notice to Parents PR-01** form to the parents any time the district refuses the request of the parents to provide special education and related services to the child.

15. District proposes/refuses to change disability category

The district must provide the **Prior Written Notice to Parents PR-01** form to the parents any time the district proposes or refuses to change the child's disability category. The ETR and the documentation of eligibility can be considered a prior written notice if all the elements required in a prior written notice are present in the ETR and determination of eligibility.

16. Releasing personally identifiable information

The district must obtain **written parental consent** prior to releasing any personally identifiable information about the child to any person or agency not entitled by law to see it, and to a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

17. Destruction of personally identifiable information

The school district must inform the parents when personally identifiable information collected, maintained and used is no longer needed to provide educational services to the child. The information must be destroyed at the request of the parents. However, a permanent record of a child's name, address, telephone number, grades, attendance record, classes attended, grade level completed and year completed shall be maintained without time limitation. This **notification may be in writing or provided verbally**. If provided verbally, the school district should document this notification in the child's education record.

18. Transfer of parental rights

One year before the child's 18th birthday, the district must notify both the child and the parents of the parental rights, under Part B, that will transfer to the child upon reaching the age of majority. The district also must provide the child with a copy of the **procedural safeguards notice (Whose IDEA Is This?)**. This notification is documented on the child's **IEP PR-07** form.

19. Upon receipt of the first due process complaint or upon receipt of the first state complaint in the school year

The school district must give the parents a copy of the **procedural safeguards notice (Whose IDEA Is This?)** upon receipt of the parents' first due process request. The Ohio Department of Education, Office for Exceptional Children gives the parents a copy of the **procedural safeguards (Whose IDEA Is This?)** upon the parents' filing of the first state complaint within the school year.

20. Disciplinary change in placement

Whenever a change of placement occurs due to disciplinary action, a copy of the **procedural safeguards notice (Whose IDEA Is This?)** and **Prior Written Notice PR-01** form must be provided.

21. Revocation of consent (must be in writing)

The district must provide the **Prior Written Notice to Parents PR-01** form if the parents of a child with a disability revoke consent in writing for the continued provision of all special education and related services. This notice must include:

- A summary of all of the supports and services the child will no longer receive, and any change in educational placement that will occur as a result of the revocation of consent.
- Statements that once the revocation takes effect, the district will not be considered to be in violation of its requirement to make FAPE available, is not required to convene an IEP meeting or develop an IEP, is not required to conduct a three year reevaluation, is not required to offer the child the discipline protections available under IDEA and is not required to amend the child's education records to remove any reference to the child's receipt of special education and related services.
- A statement that by revoking consent for special education and related services for the child, the parent is not waiving the right to request an initial evaluation or to receive services in the future.



Policy 4015: Students At-Risk of Not Qualifying for a High School Diploma

The Governing Authority seeks to ensure that all students have the opportunity to graduate with a high school diploma.

I. Criteria for Identifying At-Risk Students

The School shall develop criteria for identifying students who are at-risk of not qualifying for a high school diploma. Criteria shall include, but are not limited to, factors such as a student's lack of adequate progress in meeting the terms of the student's graduation plan, lack of attendance, and misconduct.

II. Procedures for Identifying At-Risk Students

The School shall develop criteria for identifying students who are at-risk of not qualifying for a high school diploma. Criteria shall include, but are not limited to, factors such as a student's lack of adequate progress in meeting the terms of the student's graduation plan, lack of attendance, and misconduct

III. Notification Process

The School shall develop a notification process in which it shall notify an at-risk student's parent, guardian, or custodian in each year that the student has been identified at-risk. The notification process shall include a written notification that includes the following:

- A. A statement that the student is at-risk of not qualifying for a high school diploma;
- B. A description of the School's curriculum requirements or the student's individualized education program and, as appropriate, the graduation conditions prescribed under Sections 3313.618 and 3313.619 of the Ohio Revised Code;
- C. A description of any additional instruction or support services available through the School.

IV. Additional Instructional or Support Services

The School shall assist with additional instructional or support services to help students qualify for a high school diploma. The instructional and support services may include any of the following:

- A. Mentoring Programs;
- B. Tutoring programs;



- C. High School credit through demonstrations of subject area competency under Section 3313.603(J) of the Ohio Revised Code;
- D. Adjusted curriculum options;
- E. Career-Technical programs;
- F. Mental health services;
- G. Physical health care services; or,
- H. Family engagement and support services.

V. Graduation Plans

The School shall develop a graduation plan for each student enrolled in grades 9-12. The graduation plan shall address the student's academic pathway to meet the curriculum requirements specified by the School and satisfy the graduation conditions, as appropriate, under Section 3313.618 or 3313.619 of the Ohio Revised Code. The graduation plan shall be developed jointly by the student and a School representative and updated annually until the student qualifies for a high school diploma. The School shall invite the student's parent, guardian, or custodian to assist in developing or updating the graduation plan.

- A. The School shall include a student's lack of progress in meeting the terms of a graduation plan or updated graduation plan as both a criterion and a procedure for identifying at-risk students as specified above.
- B. A graduation plan shall supplement the School's career advising policy adopted by the Governing Authority pursuant to Section 3313.6020 of the Ohio Revised Code.
- C. The School may use the individualized education program developed for the student pursuant to Section 3323.08 of the Ohio Revised Code in lieu of developing a graduation plan pursuant to this policy if the individualized education program contains academic goals substantively similar to a graduation plan.



Policy 4016: Title I Programs and Services

The Governing Authority elects to augment the education program of educationally disadvantaged students by the use of Federal funds and in accordance with Title I of the Amendments in the Elementary and Secondary School Improvement Act of 1965.

I. Plan Development

The Principal or his/her designee shall prepare and present to the Department of Education a plan for the delivery of services which meets the requirements of the law, including those described below. The plan shall be developed, evaluated and, when necessary, amended by professional staff members involved in its implementation, parents and other members of the community who will be served by the plan, and, if appropriate and applicable, federal, state, or local programs.

II. Assessment

The Title I plan must be based on a comprehensive needs assessment of the entire school, taking into account information on the academic achievement of children on required State assessments and the particular needs of children who are failing or at-risk of failing to meet such standards.

The School shall annually assess the educational needs of eligible children, as determined by Federal and State criteria. Such assessment shall include academic performance standards mandated by the Department of Education, as well as those determined by the School professional staff, that will assist in the diagnosis, teaching, and learning of the participating students.

III. Scope

The School shall determine whether the funds will be used to upgrade the educational program of the entire School and/or to establish or improve programs that provide services only for eligible students in greatest need of assistance. The program shall include the components required by law, as well as those agreed upon by participating staff and parents.

IV. Parent and Family Member Engagement

Parent and family member engagement shall meet the requirements of Section 1116 of the Act.



V. Comparability of Services

Title I funds will be used only to supplement, not supplant, state and local funds. The Principal or his/her designee shall take steps as necessary to achieve comparability of services.

The determination of the comparability of services may exclude, in accordance with federal regulations, state and local funds spent on compensatory education programs, bilingual education programs, and programs for educationally-disabled students. The determination of comparability will not take into account unpredictable changes in student enrollments or personnel assignments.

VI. Professional Development

Appropriate training will be provided to staff members who provide Title I services. The Principal or his/her designee shall develop administrative guidelines whereby members of the professional staff participate in the design and implementation of staff development activities and:

- A. Involve parents in the training, when appropriate;
- B. Combine and consolidate other available Federal and School funds; and
- C. Foster cooperative training with institutions of higher learning and other educational organizations, including school districts.

VII. Simultaneous Services

In accordance with law, a school offering Title I services may also serve other students with similar needs.

VIII. Parents' Right to Know

In accordance with Federal law, for each school that receives Title I funds, the School Director shall ensure that all parents of enrolled students are notified that they may request, and the School will provide, the following information regarding the student's classroom teachers:

- A. Whether the teacher(s) have met the state qualifications and licensing criteria for the grade levels and subject areas they are teaching.
- B. Whether the teacher(s) is/are teaching under any emergency or provisional status in which state requirements have been waived.



- C. The undergraduate major of the teacher(s) and their area of study or any certificates for graduate degrees earned.
- D. The qualifications of any paraprofessional providing services to their child(ren).
- E. In addition, the parents shall be provided:
 - 1. Information on the level of achievement of their child(ren) on the required state academic assessments; and,
 - 2. Timely notice if the student is assigned to a teacher who is not "highly qualified" as required, or if the student is taught for more than four weeks by a teacher who is not highly qualified.

Notices and Information shall be provided in an understandable and uniform format, and to the extent practicable, in a language the parents understand.

Policy 4017: Title IX Grievance Procedures – Employee and Student

The Governing Authority shall not discriminate on the basis of sex in the educational programs or activities of the School that receive federal financial assistance. This prohibition encompasses discrimination based on an individual's gender identity, including discrimination based on an individual's transgender status. The Governing Authority hereby designates the School Director as the Title IX Coordinator for the School.

The Title IX Coordinator's duties shall include, but not be limited to, coordinating the School's effort to comply with and carry out its responsibilities under Title IX and carry out an investigation of any complaint communicated to the School alleging its noncompliance with Title IX or alleging any uses which would be prohibited by Title IX in accordance with the procedures set forth hereinafter. The Title IX Coordinator may be assisted by such additional personnel as from time to time may be appointed.

Complaints involving alleged discrimination on the basis of sex in any program or activity that receives federal financial assistance, whether carried out by School employees, students, or third parties, shall be handled in accordance with the following procedure unless a policy has been adopted to deal with the specific discrimination. If a more specific policy exists, that policy shall be followed.

Step 1:

Any student or employee who has a complaint of alleged sex discrimination shall attempt promptly to resolve the complaint by discussion with the School Director or immediate supervisor in case of classified employees. If the immediate supervisor is the subject of the complaint, the complaint should be filed with the Title IX Coordinator. If the Title IX Coordinator is the subject of the complaint, the complaint can be filed directly to the Vice President of Operations. The complaint should be in writing and describe, in as much detail as possible, the facts of the situation. The Title IX Coordinator or supervisor shall keep a written record of the discussion and provide a copy to the student or employee involved.

Step 2:

If the complaint is not resolved in Step 1, the complainant may, within ten (10) calendar days after receiving an answer, file the complaint in writing with the Title IX Coordinator and mail a copy to the supervisor involved. The Title IX Coordinator shall arrange a meeting to discuss the complaint within ten (10) calendar days after receiving the written complaint, and subsequent meetings may be scheduled as agreed to by both parties. The Title IX Coordinator shall conduct an adequate, reliable, and impartial investigation of complaints, and shall allow the complainant to identify witnesses and other evidence. The Title IX Coordinator shall give a written answer to the complainant by certified mail, return receipt requested, within ten (10) calendar days after the final meeting regarding the complaint. A copy of the written answer shall also be provided to the respondent and the supervisor.

Step 3:

If the decision rendered by the Title IX Coordinator does not resolve the complaint to the satisfaction of the complainant or the respondent, such person can, within ten (10) calendar days, appeal in writing to the Management Company's Chief Executive Officer. The notice of appeal shall be sent to the Title IX Coordinator and a copy filed with the Chief Executive Officer. Failure to file such appeal within ten (10) calendar days from the receipt of the written memorandum of the Title IX Coordinator's action on said grievance shall be deemed a waiver of the right to appeal. The Chief Executive Officer shall hold a meeting within thirty (30) days, and the complainant and the respondent shall be advised in writing of the time, place, and date of the meeting.

The complainant and the respondent shall receive written notice of the meeting no less than five (5) calendar days in advance of the meeting. The Chief Executive Officer shall act upon such appeal officially no later than 30 days following the. Copies of the final decision shall be sent to the complainant, the respondent, the Title IX Coordinator, and the supervisor. The decision of the Chief Executive Officer shall be final.

If the grievance cannot be resolved through the above procedure, a request for an official interpretation may be filed with the U.S. Department of Education – Office for Civil Rights, Bank One Center, Room 750, 600 Superior Avenue East, Cleveland, Ohio 44114-7650.



Policy 4018: Test Administration and Materials Security

I. Test Administration

The School's annual calendar will include all required state assessment tests and ensure that they are properly scheduled according to the dates and times required by the department of education.

These policies and procedures shall guide the School's test administration and materials security. The school director or his/her designee is designated as the school's test coordinator and is responsible for the school's test administration and materials security, ensuring that the school is in compliance with all requirements. The test coordinator shall ensure that the school complies with all test security provisions while test materials are in the school's possession; ensure that all test provisions are complied with while each administration session is in progress; and account for all test materials, including booklets by serial number, CDs containing translations of the tests, English language proficiency listening and speaking CD's, and answer documents. The test coordinator shall appoint individuals to serve as examiner, administrators, monitors, translators or scribes and the individuals authorized to be present in the room during an assessment administration.

No person shall reveal, cause to be revealed, release, cause to be released, reproduce, cause to be reproduced any secure test materials through any means or medium. No unauthorized individuals will be permitted in an assessment room during the administration of an assessment.

II. Materials Security

The following procedures shall be followed for handling, tracking and maintaining security assessment materials before, during, and after an assessment administration.

- A. Upon delivery, the test coordinator shall take possession of all test materials and store them in a secure location at the school.
- B. For the administration of each assessment, the test coordinator shall give the appropriate testing materials to the test examiner(s). The examiner(s) is responsible for distributing, administering, proctoring, collecting, and securing all test materials while they are in their possession.



- C. Upon conclusion of the test administration, each examiner shall collect and return the materials to the test coordinator.
- D. The test coordinator shall then inventory and secure the materials until they have been picked up or delivered to a shipping company for return to the testing contractor. All steps in the process must be tracked in a written document.
- E. Not later than seven days after the completion of a test administration, all nonscorable and unused test booklets, unused secure answer documents, and any other materials specified by the department of education shall be shipped to the location and shipping specifications from the service provider.

III. Standards for the Ethical Use of Tests

The department of education has issued standards for the ethical use of tests. These standards ensure the integrity of the testing process and that test related practices are carried out with honesty, integrity, due process, and fairness.

The school's test coordinator shall annually provide all appropriate staff with the following information in writing: the standards defining what is an unethical and/or inappropriate practice as provided in the administrative code; how the standards will be monitored; the sanctions for any violations, including the circumstances to which the sanctions apply; and the school's established security procedures, which may include the test security provisions in Section 3301-13-05 of the Administrative Code and the guidelines in the "Ohio's State Tests Rule Book". Prior to each test, the test coordinator shall clearly define the purpose for the test.

IV. Test Security Violations – Investigation Procedures

The test coordinator or his/her designee is responsible to investigate any alleged test security violation. In conducting an investigation, the test coordinator shall gather all pertinent documentary evidence that may pertain to the alleged violation. In addition, witness interviews may be conducted as appropriate. If it is determined that there was a test security violation, the test coordinator shall notify the governing authority immediately and the department of education within ten days. The report to the department of education shall indicate the cause and results of the investigation as well as any actions taken.



The individual found to be in violation of a test security provision may be subject to disciplinary measures including termination and referral to the department of education's office of professional conduct, where they may face professional discipline including revocation of any license issued by the state board of education. In addition, answer sheet(s) may not be scored.



Policy 4019: Transportation of Students by Private Vehicle

The Governing Authority authorizes the incidental transportation by private vehicle of School students. Any such transportation must be approved in advance and in writing by the School Director or his/her designee. The parent/guardian 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.

No person shall be approved for the transportation of students in a private vehicle who is not an employee of SAM or an approved volunteer; or the parent of a student enrolled in the School; and the holder of a currently-valid license to operate a motor vehicle in the State of Ohio ("Approved Driver").

No person shall be permitted to transport students if s/he does not possess and maintain automobile liability and personal injury insurance.

I. **Guidelines for Transportation of a Student in a Private Vehicle**

These guidelines are to be followed whenever an Approved Driver will be transporting students by a private vehicle whether it is in his/her vehicle or another private vehicle:

- A. Determine that transportation by School vehicle or district provided transportation is unavailable or not feasible.
- B. Obtain written consent from each student's parent using forms developed by the management company. No student shall be allowed to ride in the vehicle without his/her parent's/guardian's written consent.
- C. Submit permission form to the School Director for his/her approval prior to the trip. Attach the parent consent forms to the request form.
- D. The approved driver shall have a copy of each student's Emergency Medical Authorization Form.
- E. The approved driver shall provide the School office with a list of names of the students who will be riding in the vehicle.
- F. An additional School Employee or other adult shall accompany the approved driver.

This guideline does not apply if an Employee regularly uses a private vehicle to transport School students on behalf of the School. In such case, the Employee must comply with the Ohio Pupil Transportation Operation and Safety Rules of OAC 3301-83 et seq.



Policy 4020: Student Records and Confidentiality

The school prohibits the release of student records and/or personally identifiable information except as provided by law and the school's relevant policies and procedures. A student's record is generally available to the student, parents/legal guardians, or school officials who have a legitimate educational interest in seeing information in the file.

I. Definitions

- A. "Eligible Student" is a student who is 18 years of age or older.
- B. "Directory Information" is defined as a student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, grade level, enrollment status, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, dates of graduation, and awards received.
- C. "Legitimate Educational Interest" is defined as an interest pertinent to the requestor's job description, contract, or other document of employment; pertaining to a task related to educating, disciplining, or providing educational or related services to a student or family or other similar types of interest.

II. Release of Information

- A. Release of Directory Information. The school may release directory information as provided under state and federal law without the consent of an eligible student or parent. Ohio law has a specific exception prohibiting the release of student directory information if the requestor intends to use the information in a profit-making plan or activity. If a request is for student directory information, the school will require disclosure of the requestor's identity and intended use of the directory information to ascertain whether the directory information is for use in a profit-making plan or activity. A student or parent may request that directory information not be released.
- B. Release of Personally Identifiable Information. The school will not generally release personally identifiable information, without the prior written consent of an eligible student or parent unless allowed or required by law. Instances include, but are not limited to, where the release is to:
 - 1. School officials, including management company personnel and/or the school's sponsor, who have a legitimate educational interest in the information;



2. Officials in other schools or educational institutions when the student is seeking to enroll.
3. State and/or federal officials for audit or criminal investigation purposes;
4. Respond to a court order/subpoena;
5. The department of education pursuant to an allowed purpose; or
6. A health or safety emergency where the information is necessary to protect the health or safety of a student or others.

The rules against release of personally identifiable information do not apply to a school official who releases information obtained through their personal knowledge or observation and not from the student's school records.

- C. **Inspection of Records.** The school shall provide eligible students and parents with an annual notice of their right to inspect the student's educational records within forty-five days of making a written request. Upon receiving a request, the school shall notify the parent or eligible student of the time and place where the records may be inspected. An eligible student or parent may also request an amendment of a record that they believe is inaccurate in writing. If the school determines that the requested amendment will not be made, the eligible student or parent shall be informed of the reasons for the decision their right to a hearing on the amendment request.
- D. **Recordkeeping.** The school shall keep a log in each student's file noting each request for the release of non-directory information including the source of and reasons for the request.

III. Notification Regarding the Federal Protection of Pupil Rights Amendment

The Management Company shall provide the following notice to parent's annually:

PPRA (20 U.S.C. § 1232h, 34 CFR Part 98) affords parents of students certain rights regarding, among other things, participation in surveys, the collection and use of information for marketing purposes, and certain physical exams. These include, but are not limited to, the right to:

- A. *Consent* before students are required to submit to a survey that concerns one or more of the following eight protected areas (protected information survey) if the survey is funded as part of a program administered by the U.S. Department of Education:
1. Political affiliations or beliefs of the student or student's parent;
 2. Mental or psychological problems of the student or student's family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;



5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged or analogous relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or student's parent; or,
 8. Income, other than as required by law to determine program eligibility.
- B. Receive notice and an opportunity to opt a student out of :
1. Any protected information survey administered or distributed to a student by a local educational agency that is a recipient of funds under an applicable program (LEA) if the protected information survey is either not funded as part of a program administered by the Department or is funded as part of a program administered by the Department but to which a student is not required to submit;
 2. Any non-emergency, invasive physical examination or screening required by an LEA as a condition of attendance; administered by the school and scheduled by the school in advance; and, that is not necessary to protect the immediate health and safety of a student, with some exceptions; and
 3. Activities of an LEA involving collection, disclosure, or use of personal information collected from students for the purpose of marketing or sale (or to otherwise distribute such information to others for that purpose), with some exceptions.



Policy 4021: Suspension, Expulsion, Removal, and Permanent Exclusion

The Governing Authority believes that keeping students in class is a high priority and that disciplinary actions such as suspension, expulsion or removal should only be used when absolutely necessary. However, the Governing Authority recognizes it may be necessary to suspend, expel, or remove students for misconduct. Therefore, the School's Superintendent, or person acting in said capacity, or Director may suspend, expel, or remove a student for misconduct according to law, this policy, and other policies of the Governing Authority. In addition to any school discipline, the Governing Authority may approve seeking a student's permanent exclusion by submitting the matter to the State Superintendent of Public Instruction for determination.

I. General Provisions

- A. The School shall not suspend, expel, or remove a student from school solely on the basis of the student's absences from school without legitimate excuse.
- B. A copy of this policy shall be posted in a central location at the School and made available to students upon request.
- C. No student shall be suspended, expelled, or removed except in accordance with this policy and/or other policies of the Governing Authority.
- D. No student shall be permanently excluded except in accordance with Sections 3301.121 and 3313.662 of the Revised Code.
- E. Except as described in Section 3313.668(B) of the Revised Code, any policy, program, or guideline adopted by the Governing Authority with regard to suspensions or expulsions pursuant to Section 3313.66(A) or (B) shall apply to any student, whether or not the student is enrolled at the School, attending or otherwise participating in any curricular program provided at a school operated by the Governing Authority or provided on any other property owned or controlled by the Governing Authority.
- F. The Governing Authority hereby delegates to the Superintendent the authority to establish a program and adopt guidelines under which the Superintendent may require a student, under suspension or expulsion to perform community service in conjunction with, or in place of, a suspension or expulsion, except for an expulsion for a firearm violation. The Superintendent may impose a community service requirement beyond the end of the school year in lieu of applying an expulsion into the next school year.



G. Suspension, expulsion, removal and/or permanent exclusion may be imposed for misconduct by a student that: occurs off property owned or controlled by the Governing Authority, but that is connected to activities or incidents that have occurred on property owned or controlled by Governing Authority; and/or, is directed at a School official or employee, or the property of a School official or employee, regardless of where it occurs.

II. **Suspension, Expulsion, Removal, Permanent Exclusion**

A student may be suspended, expelled, or removed for misconduct described in the Student Code of Conduct and Discipline Policy, unless limited by law, this policy, or other policies of the Governing Authority. The School's Superintendent or Director is authorized to suspend or remove a student and the School's Superintendent is authorized to expel a student and/or refer an expulsion to the Governing Authority to seek a referral to the State Superintendent for permanent exclusion. The types of misconduct specified in the Student Code of Conduct and Discipline Policy are fully incorporated herein as they currently exist or as subsequently amended by the Governing Authority.

A. Suspension. A student may not be suspended for more than 10 school days. A suspension may be either in-school or out-of-school. If at the time an out-of-school suspension is imposed there are fewer than 10 school days left in the school year, the remaining days shall not be applied to the following school year. In the alternative, the Superintendent may require the student to participate in a community service program or another alternate consequence for the number of hours equal to the remaining part of the period of the suspension. The student shall begin the student's community service or alternate consequence during the first full weekday of summer break. The School may develop a list of alternative consequences. In the event the student fails to complete community service or an alternative consequence, the Superintendent may determine the next course of action, which shall not include requiring the student to serve the remaining time of the out-of-school suspension at the beginning of the following school year.

1. If the student is serving an in-school suspension, the School Director shall ensure the student serves the suspension in a supervised learning environment.
2. During a suspension, the following parameters apply to completing and grading assignments missed because of a student's suspension:
 - a. The student shall complete any classroom assignment missed because of the suspension and receive at least partial credit for a completed assignment; and



- b. The student shall receive at least partial credit, within the discretion of the School Director, for a completed assignment.
 3. Grade reductions are permitted on account of the student's suspension within the discretion of the School Director.
 4. No student shall receive a failing grade on a completed assignment solely on account of the student's suspension.
 - B. Expulsion. Except as otherwise provided in law, this policy, or other policies of the Governing Authority, the Superintendent may expel a student from school for a period not to exceed the greater of eighty school days or the number of school days remaining in the semester or term in which the incident occurs that gives rise to the expulsion, unless the expulsion is extended as provided below. If there are less than eighty school days left in the school year at the time the incident that gives rise to the expulsion takes place, the Superintendent may apply any remaining part of all of the period of the expulsion to the following school year.
 1. The Superintendent shall expel a student for a period of one year for bringing a firearm to a school operated by the Governing Authority or onto any other property owned or controlled by the Governing Authority and may expel a student for a period not to exceed one year for bringing a firearm to an interscholastic competition, extracurricular event, or other school program/activity that is not located on School property or property owned/controlled by the Governing Authority. An expulsion under this division shall extend into the school year following the school year in which the incident giving rise to the expulsion takes place. The Superintendent may reduce an expulsion under this division on a case-by-case basis for the following reasons:
 - a. A recommendation from a group of persons knowledgeable of the student's educational needs in accordance with the Individual with Disabilities Education Act;
 - b. The student was unaware or did not understand that he or she was possessing a firearm or that the item is considered a firearm;
 - c. The student brought the item to School as part of an educational activity and did not realize it would be considered a firearm; and/or
 - d. The student may be eligible for participation in an alternative program.
 2. The Superintendent may expel a student for a period not to exceed one year for bringing a knife capable of causing serious bodily injury to a school operated by the Governing Authority, onto any other property owned or controlled by the Governing Authority, or to an



interscholastic competition, an extracurricular event, or any other program or activity sponsored by the School or in which the School is a participant, or for possessing a firearm or knife capable of serious bodily injury, at a school, on any other property owned or controlled by the Governing Authority, or at an interscholastic competition, an extracurricular event, or any other school program or activity, which firearm or knife was initially brought onto Governing Authority property by another person. The Superintendent may extend the expulsion, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.

3. The Superintendent may expel a student from school for a period not to exceed one year for committing an act that is a criminal offense when committed by an adult and that results in serious physical harm to persons as defined in Section 2901.01 (A)(5) of the Revised Code or serious physical harm to property as defined in Section 2901.01 (A)(6) of the Revised Code while the student is at school, on any other property owned or controlled by the Governing Authority, or at an interscholastic competition, an extracurricular event, or any other school program or activity. Any expulsion under this division shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.
4. The Superintendent of schools may expel a student from school for a period not to exceed one year for making a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat. Any expulsion under this division shall extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place.
5. For any expulsion authorized by subdivisions (B)(2) – (4), above, the Superintendent may reduce the discretionary one-year expulsion on a case-by-case basis for the following reasons, as applicable:
 - a. A recommendation from the group of persons knowledgeable of the student's educational needs in accordance with the Individual with Disabilities Education Act;
 - b. The student was unaware or did not understand that he or she was committing a prohibited act;
 - c. The student did not understand that a statement could reasonable be considered a bomb threat;
 - d. The student brought the item to School as part of an educational activity and did not realize it was a prohibited item; and/or
 - e. The student may be eligible for participation in an alternative program.
6. The terms "Firearm", "Knife capable of causing serious bodily injury", "Serious physical harm to persons", and "Serious physical harm to



property" are defined in the School's Student Code of Conduct and Discipline Policy.

7. The Superintendent shall initiate expulsion proceedings pursuant to this section with respect to any student who has committed an act warranting expulsion under the Governing Authority's policy regarding expulsion even if the student has withdrawn from school for any reason after the incident that gives rise to the hearing but prior to the hearing or decision to impose the expulsion. If, following the hearing, the student would have been expelled for a period of time had the student still been enrolled in the school, the expulsion shall be imposed for the same length of time as on a student who has not withdrawn from the School.

C. Due Process.

1. No student shall be issued an out-of-school suspension unless prior to the suspension the Superintendent or Director does both of the following:
 - a. Gives the student written notice of the intention to suspend the student and the reasons for the intended suspension and, if the proposed suspension is based on a violation listed in Section 3313.662(A) of the Revised Code and if the student is sixteen years of age or older, includes in the notice a statement that the Superintendent may seek to permanently exclude the student if the student is convicted of or adjudicated a delinquent child for that violation; and
 - b. Provides the student an opportunity to appear at an informal hearing before the School Director or their designee and challenge the reason for the intended suspension or otherwise to explain the student's actions.
2. No student shall be expelled unless prior to the student's expulsion, the Superintendent does the following:
 - a. Gives the student, the student's parent/guardian/custodian written notice of the intention to expel the student;
 - b. Provides the student, the student's parent/guardian/custodian an opportunity to appear before the Superintendent or their designee to challenge the reasons for the intended expulsion or otherwise explain the student's actions; and
 - c. The notice required by this section shall include the reasons for the intended expulsion, notification of the right to appear before the Superintendent or their designee, and notification of the time, date, and place to appear. The time to appear shall not be earlier than three or later than five school days after notice is given, unless



the Superintendent grants an extension of time at the request of the student, the student's parent/guardian/custodian, or representative. If an extension is given, the Superintendent shall provide notice of the new time, date, and place to appear. If the proposed expulsion is based upon a violation contained in Section 3313.662(A) of the Revised Code, and if the student was at least 16 years of age, the notice shall include a statement that the Superintendent may seek to permanently exclude the student if the student is convicted or adjudicated a delinquent child for that violation.

3. The Superintendent or Director, within one school day of a student's expulsion or suspension, shall notify in writing the parent/guardian/custodian of the student of the expulsion or suspension. In the case of an expulsion, the Superintendent or School Director, within one school day after the time of a student's expulsion, also shall notify in writing the treasurer of the Governing Authority. Each notice shall include the reasons for the expulsion or suspension, notification of the right of the student or the student's parent/guardian/custodian to appeal the expulsion or suspension to the Governing Authority or to its designee, to be represented in all appeal proceedings, to be granted a hearing before the Governing Authority or its designee in order to be heard against the suspension or expulsion, and to request that the hearing be held in executive session, notification that the expulsion may be subject to extension pursuant this policy if the student is sixteen years of age or older, and notification that the Superintendent may seek the student's permanent exclusion if the suspension or expulsion was based on a violation listed in Section 3313.662(A) of the Revised Code that was committed when the student was sixteen years of age or older and if the student is convicted of or adjudicated a delinquent child for that violation. The notice provided under this division shall specify the manner and date by which the student or the student's parent/guardian/custodian shall notify the Governing Authority of the student's, or the student's parent/guardian/custodian's intent to appeal the expulsion or suspension to the Governing Authority or its designee. If a student is expelled under this policy for more than twenty school days or for any period of time if the expulsion will extend into the following semester or school year, the Superintendent shall in the notice required under this section, provide the student and the student's parent/guardian/custodian with information about services or programs offered by public and private agencies that work toward improving those aspects of the student's attitudes and behavior that contributed to the incident that gave rise to the student's expulsion. The information shall include the names, addresses, and phone numbers of appropriate public and private agencies.



4. A student or the student's parent/guardian/custodian may appeal the student's expulsion by the Superintendent or suspension by a Superintendent or School Director to the Governing Authority or to its designee. If the student or the student's parent/guardian/custodian intends to appeal the expulsion or suspension to the Governing Authority or its designee, the student or the student's parent/guardian/custodian shall notify the Governing Authority in the manner and by the date specified in the notice. The student or the student's parent/guardian/custodian may be represented in all appeal proceedings and shall be granted a hearing before the Governing Authority or its designee in order to be heard against the suspension or expulsion. At the request of the student or of the student's parent/guardian/custodian, or attorney, the Governing Authority or its designee may hold the hearing in executive session but shall act upon the suspension or expulsion only at a public meeting. The Governing Authority, by a majority vote of its full membership or by the action of its designee, may affirm the order of suspension or expulsion, reinstate the student, or otherwise reverse, vacate, or modify the order of suspension or expulsion. The Governing Authority or its designee shall make a verbatim record of appeal hearings held under this section. The decisions of the Governing Authority or its designee may be appealed under Chapter 2506. of the Revised Code.
 5. This section shall not be construed to require notice and hearing in the case of normal disciplinary procedures in which a student is removed from a curricular activity for a period of less than one school day and is not subject to suspension or expulsion.
- D. Removal. If a student's presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process taking place either within a classroom or elsewhere on the school premises, the Superintendent, School Director, or Assistant School Director may remove a student from curricular activities or from the school premises, and a teacher may remove a student from curricular activities under the teacher's supervision, without the notice and hearing requirements for a suspension or expulsion. As soon as practicable, after making such a removal, the teacher shall submit in writing to the School Director the reasons for such removal.

If a student is removed from a curricular activity or from the school premises, written notice of the hearing and of the reason for the removal shall be given to the student as soon as practicable prior to the hearing, which shall be held on the next school day after the initial removal is ordered. The hearing shall be held in accordance with the requirements under the suspension provision above unless it is probable that the student may be subject to expulsion, in which case a hearing in accordance with expulsion provision above shall be held, except that the hearing shall be



held on the next school day after the date of the initial removal. The individual who ordered, caused, or requested the removal to be made shall be present at the hearing.

If the Superintendent or School Director reinstates a student in a curricular activity under the teacher's supervision prior to the hearing following a removal under this section, the teacher, upon request, shall be given in writing the reasons for such reinstatement.

E. Special Suspension, Expulsion, and Removal Provisions for Students in Grades Pre-K through 3.

1. Suspension or Expulsion

- a. Except as provided in law, this policy, or other policies of the Governing Authority, the School shall not issue an out-of-school suspension or expulsion for any student in grades Pre-K through 3.
- b. The School may issue an out-of-school suspension or expulsion to a student in any of grades Pre-K through 3 who has engaged in any of the behaviors described in Section 3313.66(B)(2) – (5) of the Revised Code.
- c. The School may issue an out-of-school suspension not to exceed ten days or an expulsion to a student in any of grades Pre-K through 3 who has not engaged in any of the behaviors described in Section 3313.66(B)(2) – (5) of the Revised Code only as necessary to protect the immediate health and safety of the student, the student's fellow classmates, the classroom staff and teachers, or other school employees.
- d. Whenever possible, the School Director shall consult with a mental health professional under contract with the school prior to suspending or expelling a student in any of grades Pre-K through 3. If the events leading up to suspension or expulsion indicate a need for additional mental health services, the student's School Director or the School's mental health professional shall, in any manner that does not result in a financial burden to the School, assist the student's parent or guardian with locating providers or obtaining those services, including referral to an independent mental health professional. Nothing in this division shall be construed to limit the responsibilities of the School with respect to the provision of special education and related services under Chapter 3323. of the Revised Code.
- e. A student in any of grades Pre-K through 3 who is suspended or expelled shall be afforded the same notice and hearing, procedural, and educational opportunities as prescribed for a suspension or expulsion pursuant to Section 3313.66 of the Revised Code.



- f. Nothing in this policy shall be construed to limit the authority of the School to issue an in-school suspension to a student in any of grades Pre-K through 3, provided that the in-school suspension is served in a supervised learning environment in accordance with Sections 3313.66(A)(2) and (K)(2) of the Revised Code.
2. Removal.
 - a. A student in any of grades Pre-K through 3 may be removed only for the remainder of the school day and shall be permitted to return to curricular and extracurricular activities on the school day following the day in which the student was removed.
 - b. If a student returns curricular and extracurricular activities on the next school day, the School shall not be required to provide written notice of a hearing and reasons for the removal.
 - c. The School shall not initiate a suspension or expulsion proceeding against a student in any of grades Pre-K through 3 who was removed pursuant to this section unless the student has committed an act described in Section 3313.668(B)(1)(a) or (b) of the Revised Code.
- H. Permanent Exclusion. Pursuant to Section 3313.662 of the Revised Code, a student may be permanently excluded by the Superintendent of Public Instruction if the student is convicted of or adjudicated a delinquent child for committing, when age 16 or older, an act that would be considered a criminal offense if committed by an adult and the act is a violation of any of the following sections of the Revised Code or provisions:
1. 2923.122 – Illegal conveyance or possession of a deadly weapon or dangerous ordnance or of object indistinguishable from firearm in a school safety zone.
 2. 2923.12 – Carrying concealed weapons, or 2925.03 – Trafficking, Aggravated Trafficking in Drugs, if committed on property owned or controlled by, or at an activity held under the auspices of, the governing authority.
 3. 2925.11 – Possession of Controlled Substances, other than what would be a minor drug offense, if committed on property owned or controlled by, or at an activity held under the auspices of, the governing authority.
 4. 2903.01 (Aggravated Murder), 2903.02 (Murder), 2903.03 (Voluntary Manslaughter), 293.04 (Involuntary Manslaughter), 2903.11 (Felonious Assault), 2903.12 (Aggravated Assault), 2907.02 (Rape), 2907.05 (Gross Sexual Imposition), 2907.12 (Repealed), if committed on property



owned or controlled by, or at an activity held under the auspices of, the governing authority, if the victim at the time of the commission of act was an employee of the governing authority.

5. Complicity in any of the above regardless of whether the act of complicity was committed on property owned or controlled by, or at an activity held under the auspices of the governing authority.

A Student may be suspended or expelled prior to permanent exclusion.

Upon obtaining or receiving proof that a Student has been convicted or adjudicated delinquent as provided above, the Superintendent or designee may issue to the Governing Authority a request that the student be permanently excluded from public school attendance if both of the following apply:

1. The Superintendent or the Superintendent's designee determines that the student's continued attendance in school may endanger the health and safety of other students or school employees and gives the student and the student's parent/guardian/custodian written notice that the Superintendent intends to recommend to the Governing Authority that the Governing Authority adopt a resolution requesting the Superintendent of Public Instruction to permanently exclude the student from public school attendance; and
2. The Superintendent or the Superintendent's designee forwards to the Governing Authority the Superintendent's written recommendation that includes the determinations the Superintendent or designee made pursuant to division (C)(1)(a) of this section and a copy of the proof the Superintendent received showing that the student has been convicted of or adjudicated a delinquent child for an applicable violation that was committed when the student was sixteen years of age or older.

The request shall comply with the requirements of Section 3313.662 of the Revised Code, including all relevant documentation or other evidence available. The request shall also include the name of the person who will present the School's case to the State Superintendent of Public Instruction. The Governing Authority, after considering all the evidence, which may include hearing of witnesses, shall take action within fourteen (14) days after receipt of the Superintendent's recommendation.

If the resolution is approved, the Governing Authority shall submit the resolution and all required documentation to the State Superintendent. A copy of the resolution shall be sent to both the student and the student's parent/guardian/custodian.



If the resolution is not approved, the Governing Authority shall notify the Superintendent. The Superintendent shall provide written notification of the Governing Authority's action to both the student and the student's parent/guardian/custodian.



Policy 4022: Access of Transgendered Individuals to Activities, Programs, and Facilities

The Board wishes to maintain an educational environment that supports the inclusion, safety, and privacy of all students. To that end, the School adopts the following policy and procedures.

I. Definitions

Terminology preferences may differ based on many factors, including religion, language, race, ethnicity, age, and/or culture. For the purpose of this policy, the following terms shall be defined to mean:

- A. "Transgender" - Having a gender identity that differs from societal expectations based on the individual's gender assigned at birth. A transgender male refers to an individual that identifies as male but was assigned the sex of female at birth. Conversely, a transgender female refers to an individual that identifies as female but was assigned the sex of male at birth.
- B. "Gender nonconforming" – An individual that does not behave in a way that conforms with the traditional expectations of his/her gender or whose gender expression does not fit neatly into a commonly recognized category of gender.
- C. "Gender identity" – A deeply held and sincere sense or psychological knowledge of one's own gender. An individual may have a different gender identity than the sex assigned to that individual at birth.
- D. "Gender expression" – The manner in which an individual represents or expresses his/her gender identity. This includes, but is not necessarily limited to, external appearance, characteristics, or behaviors typically associated with a specific gender or sex.
- E. "Gender transition" – The process through which some transgender individuals begin changing his/her gender expression in accordance with his/her gender identity. Gender transitions may include changes in the way an individual dresses, the name, and/or pronouns used to identify the individual, or the individual's physiology.

II. Identification of Transgender Students and Gender Transition Students

Any assertion made to the School by a student or parent/guardian(s) that a student is transgender will be accepted on case-by-case basis, though acceptance shall not be unreasonably withheld if the School has no reason to believe that the assertion was based on anything other than a sincerely



held belief. The School shall not require any medical or mental health diagnosis or treatment threshold as confirmation of a student's transgender status. Once the School has accepted a student's transgender status, the School shall take immediate steps to ensure that a transgender student is treated consistent with the terms of this policy.

At the request of a parent or student, the School Director or his/her designee shall meet with the parent/guardian(s) and/or student to discuss the School's role in supporting a student's gender transition. Students may choose to have their parents participate in the gender transition process, but parental participation will not be required. The School will strive to create a safe and accepting learning environment even if the student's family is unsupportive of a student's gender transition. Transgender students may initiate their gender transition at any time.

III. Confidentiality and Official Records

The following information shall be kept confidential and shall not be disclosed unless legally required or expressly authorized by the student or the student's parent or guardian:

- A. Student's sex, including transgender status;
- B. Birth name or sex assigned at birth;
- C. Medical information related to a student's transgender status or gender transition;
- D. Other records that may reveal a student's transgender status.

The School shall comply with all legal requirements to use a student's legal name, sex and/or gender pronouns on all official School records. To the extent that it is permitted by law, if a student legally changes his/her name, the School shall permit a student's official educational record to be amended to reflect that change upon receipt of both a parental request (or a request from an eligible student who has reached the age of eighteen) and documentation (e.g., court order, updated birth certificate, etc.) certifying the legal name change.

To the extent that a document is not required to use a student's legal name, sex, and/or gender pronouns, the School will use the name and gender pronouns preferred by the student and that reflect the student's gender identity.



All complaints or disagreements regarding the amendment of a student's educational record shall be decided by the School's superintendent or person acting in said capacity and/or the School's Title IX Grievance Procedures. Parents/guardians or eligible students shall have the right to insert a written comment statement into a student's educational record regarding any disagreements as to the contents of the record and/or the School's decision not to amend the records.

IV. Restroom and Locker Use

The School may continue to maintain separate restroom and locker room facilities based on sex. All students, including transgender students, may access the restroom and locker room facilities that correspond with the student's gender identity.

The School may provide one or more easily accessible unisex single-stall bathroom(s) for use by any student desiring privacy, regardless of the reason. No transgender student will be compelled to use a unisex or single-stall restroom, locker room, or changing area due to harassment or any other reason unless all other students are similarly required to do so.

If the School has locker rooms, it will support the inclusion, safety, and privacy of all students, regardless of their gender identity.

V. Names, Pronouns, and Appearance

Transgender students will be addressed by the name and pronoun corresponding to the student's gender identity, regardless of whether the student has obtained a court-ordered name or gender change.

School employees shall respect the gender expression of all students and must respect the right of a transgender student to dress in accordance with the student's gender identity. All students must comply with the School dress code, which shall be applied on a gender-neutral basis and will not be selectively or more strictly enforced against transgender students. The School shall not discipline or exclude transgender students from participating in or behaving in a manner that is inconsistent with their gender identity or that does not conform to traditional notions of masculinity or femininity.

VI. Single-Sex Classes and Other Sex-Specific Activities

In the event that the School provides non-vocational single-sex classes and/or extracurricular activities, the School shall allow transgender students to participate in those classes and/or activities consistent with their gender identity.



VII. Harassment and Bullying

Discrimination, bullying, and harassment on the basis of gender identity or expression are prohibited. Any form of harassment will be addressed pursuant to the School's Anti-Harassment, Intimidation, and Bullying Policy and/or the Title IX Grievance Procedure.

VIII. Activities Requiring Overnight Accommodations

Overnight activities are infrequent occurrences at the School. However, if a School activity requires students to spend the night either at the School or at any other location, the School shall not require a transgender student to stay in single-occupancy accommodations or to disclose personal information unless the same is required of other students.

The School may honor a student's voluntary request for a single-occupancy accommodation.

IX. Athletics

The School may operate or sponsor sex-segregated athletic teams when selection for such teams is based on competitive skill or when the activity involved constitutes a "contact sport." The School may consider age-appropriate, tailored requirements based on sound, current, and researched-based medical knowledge about the impact of a transgender student's participation on the competitive fairness of the sport and the safety of all student participants. To the extent the School is governed by or subject to the Ohio High School Athletic Association (OHSAA), the School will comply with the current OHSAA Handbook(s), Bylaw(s), and/or Policies relating to team membership and participation of transgender students.

The School will assert its own policy to authorities of all athletic programs sponsored by or related to the School if necessary, to meet the goals outlined herein.



Policy 4023: Assistance to English Language Learners and Immigrant Students

I. Language Instruction Educational Program

If the School receives Title I or Title III funds to provide a language instruction educational program, then not later than 30 days after the beginning of the school year, the School shall notify Parents of English language learners ("ELL") who are participating in or identified to participate in such a program of the following:

- A. the reasons for the child's identification as an ELL in need of placement in a language instruction educational program;
- B. the child's level of English proficiency, the method of assessment, and the status of the child's academic achievement;
- C. the methods of instruction used in the program or in other programs available to the child, including how those programs differ in content, instructional goals, and the use of English and a native language in instruction;
- D. how the program will meet the educational strengths and needs of their child;
- E. how the program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
- F. the specific exit requirements for the program, including the expected rate of transition from the program into non-ELL classrooms, and the expected rate of graduation from high school (including four-year and extended-year adjusted cohort graduation rates for such program), if Title I or Title III funds are used for high school students;
- G. in the case of a child with a disability, how the program meets the objectives of the child's individualized education program;
- H. information about the parent's rights to remove their child immediately from the program, to decline to enroll their child in the program or to choose another program or method of instruction, if available, and to select from among various programs and methods of instruction with the assistance of the School, if multiple programs or methods are offered by the School.

If the School identifies a student as an ELL during the school year, the School shall provide the above-listed notifications to the parents within two weeks of



placing the child in a language instruction educational program. A student shall not be admitted to or excluded from any such program or other federally funded program on the basis of surname or language-minority status.

Each School receiving Title I funds shall implement an effective means of outreach to parents of ELLs to inform the parents how they can be active participants in assisting their children to attain English proficiency, achieve at high levels within a well-rounded education, and meet the challenging State academic standards expected of all students. Such outreach must include holding, and sending notice of opportunities for, regular meetings for the purpose of developing and responding to recommendations from parents of students assisted under Title I or Title III.

All required notices and information shall be provided in an understandable and uniform format and, to the extent practicable, in a language the parent understands.

In order to obtain funding under Title III, federal law mandates that the School improve the education of its ELL and immigrant students by assisting the children to learn English and meet the state's academic standards. The School will use effective approaches and methodologies for teaching ELL and immigrant students.

The School shall implement an ELL plan to ensure that its programs are serving ELL students effectively. The ELL plan shall set forth affirmative steps that the School will take to rectify the language deficiency of its ELL students and to open its instructional program to these students. The steps shall include identifying and assessing students who need assistance; developing a program which, in the view of experts in the field, has a reasonable chance for success; ensuring that necessary staff, curricular materials, and facilities are in place and used properly; developing appropriate evaluation standards, including program exit criteria, for measuring the progress of students; and assessing the success of the program and modifying it where needed.

In implementing its ELL plan, the School may refer to Appendix 204.11-A which contains guidelines issued by the Ohio Department of Education for the Identification and Assessment of Limited English Proficient Students. The School may also utilize the form, included therein, to identify students whose home/native language is not English, to assess their English language, and to assist with the placement of students in an appropriate educational program.

The School shall comply with Title VI regulations that require a school to avoid discrimination on the basis of national origin in its programs and activities. To this end, the School shall provide any alternative language programs



necessary to ensure that ELL students have meaningful access to the School's programs.



Policy 4024: Visitors and Volunteers

Visitors

The Governing Authority welcomes and encourages parents, guardians, and others to visit the School. However, controls are necessary to protect the integrity of the educational program and provide for the safety of students, staff, and others.

The Principal or designee has the authority to prohibit the entry of any person to the School or to expel any person when there is reason to believe the presence of such person is detrimental to the good order of the School or who may be legally prevented from being on School grounds. If a person refuses to leave or creates a disturbance, the Principal or designee is authorized to request assistance from local law enforcement to remove the individual.

The Governing Authority delegates to the Management Company the authority to implement security systems, protocols, and/or procedures as it deems necessary to implement this policy.

Volunteers

The Principal has the authority and discretion on whether to accept the services of volunteers, when in their opinion, it benefits the School. Volunteers shall not have unsupervised access to students, except in an emergency, unless they have undergone a criminal background check. All Volunteers (both new and current) are hereby notified that the School may require submission of fingerprints at any time in order to conduct a criminal background check. If a criminal background check shows a violation on the list of prohibited offenses, the School shall not utilize the services of that Volunteer.



Policy 5002: Homeless Children and Youth

I. Definitions

- A. Homeless Children and Youth. Homeless children and youth are defined as children youth who lack a fixed, regular, and adequate nighttime residence. This term includes children and youth who are:
1. sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as doubled-up);
 2. living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
 3. living in emergency or transitional shelters;
 4. abandoned in hospitals;
 5. awaiting foster care placement, until December 10, 2016;
 6. children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings;
 7. children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
 8. migratory children who qualify as homeless because they are living in circumstances described above; or
 9. children displaced from their housing during naturally occurring disasters. When children and their families are displaced from their housing as a result of a natural disaster, there is often a period of instability in which various private organizations and local, State, and Federal agencies provide assistance. The School should determine such children's eligibility for McKinney-Vento services on a case-by-case basis. In making this determination, they should take into consideration the services that are available through these other sources.

When determining if the setting in which the family, child, or youth is lives is "substandard housing," the School may consider whether the setting is substandard due to a lack of fundamental utilities such as water, electricity, or heat; infestation with vermin, pests or mold; lack of basic functional parts of a home, such as a working kitchen, working toilet, or working shower; or, the presence of unreasonable dangers to adults, children, or persons with disabilities.

If a child or youth's living situation does not clearly fall into the situations described above, the School should consider the relative permanence of the living arrangements. Determinations of homelessness should be made on a case-by-case basis. Incarcerated children and youth and children and youth in foster care are not considered homeless.



- B. Unaccompanied Youth. The term "unaccompanied youth" includes a homeless child or youth not in the physical custody of a parent or guardian. This would include youth living in runaway shelters, abandoned buildings, cars, on the streets, or in other inadequate housing, children and youth denied housing by their families, and school-age unwed mothers living in homes for unwed mothers who have no other housing available.
- C. School of Origin. The school of origin is the school that the child or youth attended when permanently housed, or, the school in which the child or youth was last enrolled, including a preschool. When a child or youth completes the final grade level served by the school of origin, the term "school of origin" will include the designated receiving school at the next grade level for all feeder schools.

II. **School Liaisons for Homeless Children**

The School liaison serves as one of the primary contacts between homeless families and Staff, shelter workers, and other service providers. The liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed academically.

School liaisons help to ensure that:

- A. homeless children and youth are identified by school personnel and through outreach and coordination activities with other entities and agencies;
- B. homeless students are enrolled in, and have a full and equal opportunity to succeed in, the School;
- C. homeless children, youth, and their families have access to and receive educational services for which they are eligible, including services through Head Start programs, early intervention services under Part C of the Individuals with Disabilities Education Act (IDEA), and preschool programs administered by the School;
- D. homeless children, youth, and their families receive referrals to health, mental health and substance abuse, dental, housing, and other appropriate services;
- E. parents or guardians of homeless children and youth are informed of educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children;



- F. parents or guardians of homeless children and youth, and unaccompanied youth, are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing transportation services;
- G. enrollment disputes are mediated in accordance with the requirements of this policy and the McKinney-Vento Act;
- H. public notice of the educational rights of homeless students is disseminated to locations frequented by parents or guardians of homeless children and youth, and unaccompanied youth, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to them;
- I. immunizations or medical records are obtained;
- J. staff is trained on the requirements regarding immediate enrollment and receive professional development and other support;
- K. unaccompanied youth are enrolled in school, have opportunities to meet the same challenging State academic standards as are established for other children and youth, including through implementation of this Policy, and are informed of their status as independent students and that they may obtain assistance from the liaison to receive verification of that status for purposes of the Free Application for Federal Student Aid (FAFSA);
- L. policies are reviewed to ensure that they comply with this Policy;
- M. affidavits of residence or other forms replace typical proof of residency without creating barriers or delaying enrollment;
- N. school-based immunization or other opportunities for on-site immunizations are arranged;
- O. community-based or public agencies are contacted who may provide school uniforms;
- P. school records are accepted directly from families and youth;
- Q. previous schools are contacted for records and assistance with placement decisions;
 - 1. short-term educational assessments place students immediately while awaiting complete academic records;



2. families and youth are communicated with in a language they understand or in an accessible format, as appropriate, of their right to attend either their school of origin or local school;
3. staff places homeless children and youth and identifies and serve disabilities in accordance with the IDEA;
4. the School works with State Coordinators for the Department of Education concerning the provision of education and related support services to homeless children and youth, including collecting and providing reliable, valid, and comprehensive data;
5. understandable forms are written and accessible explaining decisions and rights to appeal; and
6. follow-up is timely concerning special education, language assistance, referrals, and services.

School liaisons may be able to identify preschool-aged homeless children by working closely with shelters and social service agencies in their area. In addition, the liaison should work with school personnel, who can inquire, at the time they are enrolling homeless children and youth in school, whether the family has preschool-aged children.

III. School Placement and Enrollment

The School shall make school placement determinations on the basis of the "best interest" of the homeless child or youth and shall:

- A. continue the child's or youth's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; and for the remainder of the academic year if the child or youth becomes permanently housed during an academic year; or,
- B. enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.
- C. In determining a child's or youth's best interest, the School must presume that keeping a homeless child or youth in the "school of origin" is in the child's or youth's best interest, unless doing so is contrary to the request of the youth's parent or guardian, or the unaccompanied youth. The School must consider student-centered factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, education, health, and safety of homeless children and youth, giving priority to the request of the parent or guardian or the unaccompanied youth. The School should also consider the placement of siblings when determining the best interest of the child.



- D. In the case of an unaccompanied youth, the School must ensure that the school homeless liaison assists in placement or enrollment decisions, gives priority to the views of the youth, and provides notice to the youth of the right to appeal the placement decision.
- E. If the School determines that it is not in the child's or youth's best interest to attend the school of origin or a school requested by the parent, guardian, or unaccompanied youth, the School must provide a written explanation of the reasons for its determination to the parent, guardian, or unaccompanied youth, together with information regarding the right to appeal the placement decision.

If a School is selected on the basis of a "best interest determination," it must immediately enroll the homeless child or youth, even if the child or youth is unable to produce the records normally required for enrollment (such as previous academic records, records of immunization and other required health records, proof of residency, birth certificates, or other documentation), has missed application or enrollment deadlines during any period of homelessness, or is subject to outstanding fees or fines, or excessive absences. The School must immediately contact the school last attended by the child or youth to obtain relevant academic or other records. If a child or youth needs to obtain immunizations or other required health records, the School must immediately refer the parent or guardian, or the unaccompanied youth, to the school homeless liaison, who must assist in obtaining the immunizations, screenings, or records. The records must be maintained so that they are available in a timely fashion when the child enters a new school or school district.

IV. Placement Disputes between a School and a Parent

If dispute arises over eligibility, or school selection or enrollment, the School must immediately enroll the homeless student in the school in which enrollment is sought by the parent or guardian, pending resolution of the dispute, including all available appeals. Similar provisions apply to placement of unaccompanied youth.

The School must provide the parent, guardian, or unaccompanied youth with a written explanation of any decisions related to school selection or enrollment made by the school or the Ohio Department of Education and the appeal rights. The School must refer the unaccompanied youth, parent, or guardian to the school homeless liaison, who must expeditiously carry out the dispute resolution process.

The School should consider the following strategies for effectively resolving school enrollment disputes:



- A. disputes should be resolved at the administrative, if possible;
- B. if other Schools are involved, representatives from all involved schools and the State should be present to resolve the dispute;
- C. a State-level appeal process, involving the State coordinator, should be available for appeals and resolution of inter-district disputes;
- D. the dispute resolution process should be as informal and accessible as possible, and allow for impartial and complete review;
- E. parents, guardians, and unaccompanied youth should be able to initiate the dispute resolution process directly at the school they choose, as well as with the homeless liaison's office;
- F. parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their position;
- G. students should be provided with all services for which they are eligible while disputes are resolved;
- H. written notice should be complete, as brief as possible, simply stated, and provided in a language the parent, guardian, or unaccompanied youth can understand. The notice should include:
 - 1. contact information for the School homeless liaison and State coordinator, with a brief description of their roles;
 - 2. a simple, detachable form that parents, guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process. (The School should copy the form and return the copy to the parent, guardian or youth for their records when it is submitted);
 - 3. a step-by-step description of how to dispute the School's decision;
 - 4. notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
 - 5. notice that "immediate enrollment" includes full participation in all school activities;
 - 6. notice of the right to appeal to the State if the School-level resolution is not satisfactory; and
 - 7. timelines for resolving School- and State-level appeals.

V. Prohibition Against Segregation

Homelessness is not sufficient reason to separate students from the mainstream school environment. Services provided with McKinney-Vento Act funds must not replace the regular academic program and must be



designed to expand upon or improve services provided as part of the School's regular academic program.

- A. If a State receives funds under the McKinney-Vento program, every district in that State – whether or not it receives a McKinney-Vento subgrant from the State – is prohibited from segregating homeless students in separate schools or in separate programs within schools, based on the child's or youth's status as homeless.
- B. Schools may not provide services with McKinney-Vento funds on school grounds in settings that segregate homeless children and youth from other children and youth [except as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless children and youth].

VI. Transportation

At request of the parent or guardian (or, in the case of an unaccompanied youth, the liaison), transportation shall be provided to or from the "school of origin" in accordance with the following requirements:

- A. If the homeless child or youth continues to live in the area in which the school of origin is located, that School must provide or arrange for the child's or youth's transportation to or from the school of origin.
- B. If the homeless child or youth continues his or her education in the school of origin but begins living in an area served by another local educational agency (LEA), the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally.

VII. Comparable and Coordinated Services

The School must provide services to each homeless child and youth that is comparable to services offered to other students in the School. Homeless children are also entitled to participate in the regular after-school program provided by the School, and the School must address barriers to their full participation in these programs. If no after-school programs are provided by the school or the programs provided do not meet the needs of homeless children, McKinney-Vento funds may be used for after-school services for homeless children, and for non-homeless children who are at risk of failing in, or dropping out of, school.



The School must provide comparable services to a homeless student who does not attend a Title I school. The School must reserve funds for homeless children who do not attend participating Title I schools and may, for instance, provide support services to children in shelters and other locations where homeless children live. Services should be provided to assist homeless students to effectively take advantage of educational opportunities.

VIII. Privacy

Information about a homeless child's or youth's living situation shall be treated as a student education record and shall not be deemed to be directory information.

IX. Forms

The Management Company is hereby delegated the authority to create necessary forms for the implementation of this policy.



Policy 5003: Missing and Absent Children

The Board believes in the importance of trying to decrease the number of missing children. Therefore, efforts will be made to identify possible missing children and notify the proper adults and agencies.

A student at the time of his/her initial entry to school shall present to the person in charge of admission any records given to him/her by the elementary or secondary school s/he most recently attended and a certification of birth issued pursuant to Section 3705.05 of the Ohio Revised Code or a comparable certificate or certification issued pursuant to the statutes of another state, territory, possession, or nation. Within twenty-four (24) hours of the student's entry into the school, a school official shall request the student's official records from the elementary or secondary school the student most recently attended. If the school the student claims to have most recently attended indicates that it has no records of the student's attendance or the records are not received within fourteen (14) days of the date of request, or the student does not present a certification of birth or comparable certificate or certification from another state, territory, possession, or nation, the Principal or his/her designee shall notify the law enforcement agency having jurisdiction in the area where the student resides of this fact and of the possibility that the student may, be a missing child, as this term is defined in Section 2901.30 of the Ohio Revised Code.

If the School receives notification from a law enforcement agency that it has made a missing child report for a current or a former student, then the School must mark the student's records so that whenever a copy of, or information regarding the records is requested, any School official responding to the request is alerted that the records are those of a reported missing child. In addition, when a request of records or information is received, the person in charge of admission must immediately report the request to the law enforcement agency that notified the School that the student might be a missing child. When forwarding a copy of, or information from the student's records in response to a request, the School must do so in such a way that the receiving school is not able to discern that the student's records are marked. The School must retain the mark in the records until notified that the student is no longer a missing child. Upon notification by a law enforcement agency that the student is no longer a missing child, the School must remove the mark from the student's records in such a way that it would be impossible to tell that the records were ever marked.

The School will also immediately give notice to the Ohio Attorney General's missing children clearinghouse and the law enforcement agency where the missing child resides if the School becomes aware that any missing child might be in attendance at the School. To the extent that it can, the School will also assist parents in the case of a missing student by coordinating with local law enforcement and the missing children clearinghouse.



Policy 5004: Parent and Family Engagement in Title I Programs

In accordance with the requirements of Federal law, programs supported by Title I funds must be planned and implemented in meaningful consultation with Parents and family members (family) of the students being served. Accordingly, the School establishes this parent and family engagement policy, which will be reviewed and approved annually by the Governing Authority and distributed to each family of children receiving Title I services. The School will address and strive to achieve the following:

- A. Involve family in the development of the School's Title I plans and in the development of support and improvement plans, if necessary;
- B. Provide coordination, technical assistance, and other support necessary to plan and implement effective family involvement activities;
- C. Coordinate and integrate family engagement strategies, to the extent feasible and appropriate, with other federal, state, and local laws and programs;
- D. In consultation with family, annually evaluate the content and effectiveness of the parent and family engagement policy in improving the academic quality of schools, including:
 - 1. Identifying barriers to greater family participation;
 - 2. Identifying the needs of family to assist with the learning of their children;
 - 3. Identifying strategies to support successful school and family interactions; and
 - 4. Designing evidence-based strategies for more effective family involvement based on the findings of the annual evaluation, and revising the parent and family engagement policy, if necessary;
- E. Provide opportunities for the informed participation of family who are English language learners, family with disabilities, and family of migratory children, including providing information and school reports in a format, and to the extent practicable, in a language such family can understand;
- F. Conduct meetings with family including provisions for flexible scheduling and assistance to family to better assure their attendance at meetings;
- G. Develop agendas for family meetings to include review and explanation of the curriculum, means of assessments, and the proficiency levels students are expected to achieve and maintain;
- H. Communicate information concerning school performance profiles and their child's individual performance to family;



- I. Assist family in helping their children in achieving the objectives of the program by such means as ensuring regular attendance, monitoring television-watching, providing adequate time and the proper environment for homework; guiding nutritional and health practices, and the like;
- J. Provide timely responses to family questions, concerns, and recommendations;
- K. Conduct other activities as appropriate to the Title I plan and State and Federal requirements.
- L. Convene an annual meeting at a convenient time to which all family of participating children are invited and encouraged to attend to explain the parents' rights to be involved and the school's obligations to develop a parent and family engagement plan. The School-Family Compact will be given to parents prior to school opening. It describes how the staff, family, and students will share the responsibility for improving student achievement. See Attached.
- M. Provide materials and training to help family work with students to improve achievement;
- N. Educate teachers, specialized instructional support personnel, school leaders, and other staff, with the assistance of family, about the value and utility of contributions of family, how to reach out to, communicate with, and work with family as equal partners, how to implement and coordinate family programs, and how to build ties between families and the school;
- O. Consider training family to enhance the involvement of other families;
- P. Consider establishing a family advisory council to provide advice on all matters related to family engagement programs;
- Q. Develop appropriate roles for community-based organizations and businesses in family engagement involvement activities.

The School shall reserve at least one percent of its Title I funds to carry out the activities described in this section, unless one percent constitutes less than \$5,000.00, in which case the School is not required to reserve a specific amount.



Policy 5005: Parental Involvement – Use of Evidence-Based Research

The School will use evidence-based research to provide the Parents of its Students with meaningful opportunities to participate effectively in their children's education to foster their children's achievement. The School will use evidence-based research to lower the barriers to the Parents' participation in school planning, review, and improvement.



Policy 5006: Parent and Foster Caregiver Engagement and Involvement

I. Introduction

The Governing Authority recognizes parents and families as children's first and most important teachers. When parents enroll their children in School, from preschool through high school, the responsibility of education and care is shared with the school and the community. Partnerships among families, schools and communities that are child centered and family strengthening can engage, guide, and motivate students to be productive citizens in a global society.

II. Purpose

This policy is designed to build consistent and effective communication between parents and foster caregivers of students enrolled in the School and the School's teachers and administrators. It provides the opportunity for parents and foster caregivers to be actively involved in their children's or foster children's education and to be informed of the following:

- A. The importance of the involvement of parents and foster caregivers in directly affecting the success of their children's or foster children's educational efforts;
- B. How and when to assist their children or foster children in and support their children's or foster children's classroom learning activities;
- C. Techniques, strategies, and skills to use at home to improve their children's or foster children's academic success and to support their children's or foster children's academic efforts at School and development as future responsible adult members of society.

Although research and existing federal, state and local policies use the terms parents and foster caregivers, the Governing Authority prefers to include families within the definition of those terms so that the policy is inclusive of children's primary caregivers who are not their biological parents, such as grandparents and other family members. In some cases, the terms might also represent professionals such as child service case managers, guardians, and parole officers who act as caregivers when a parent(s) is unavailable or needs support.



III. Parent and Foster Caregiver Involvement in Education

The School encourages parents and foster caregivers to be partners with the School in the education of their children. In order to establish and further this partnership, the School:

- A. Respects and values parents and foster caregivers as children's first teachers and the primary decision-makers in children's education.
- B. Assists parents and families in acquiring techniques, strategies and skills, by offering trainings and/or materials they can use to support children's at-home learning and academic success in School.
- C. Provides parents and families with timely and meaningful information in understandable language on Ohio's academic standards, state and local assessments, legal requirements and School policies so that they can make informed decisions about their children's academic future.
- D. Collaborates with community-based programs as appropriate, including health and human service providers, to ensure that, if needed, the parents and families have the resources they need to be involved in their children's education, growth and development;
- E. Coordinates and integrates parent and family involvement programs and activities into the School's educational programs, as applicable.

IV. Parent and Foster Caregiver Involvement in the School

The School encourages parents and foster caregivers to be involved in the School and shall promote:

- A. Respect, value and the involvement of parents and families as partners and decision-makers in School continuous improvement planning.
- B. Distribute this policy in easy-to-understand language.
- C. Creation of parent and family engagement activities that respect the various cultures, languages, practices and customs; and build relationships among parents, families and Schools through bridging economic and cultural barriers.
- D. Consistent and effective two-way communication between all students' parents, family members and School personnel.



- E. Preparation of parents and families to be involved in meaningful meetings and discussions with administrators, teachers and staff.
- F. Design of a range of meaningful opportunities for parents and families to be involved in Schools that reflect the specific needs and characteristics of parents and families in the School.
- G. Create welcoming and supportive School environments for parents and families that are child-centered and family-strengthening.
- H. Provide logistical support (e.g., transportation, childcare) so parents and families can participate in School-sponsored family involvement events.
- I. Encourage businesses and industries to offer parent- and family-friendly policies that support parent and family involvement in children's School activities.

V. Implementation

The School uses the following evidence-based practices and processes to effectively implement its parent and family involvement policies:

- A. Collaborate with health and human services agencies to provide access; coordinate support services for students, parents and families.
- B. Build strong partnerships and assist parents and families in connecting with entities such as community-based programs, higher-education institutions, libraries and business resources to enhance students' in-School and out-of-School learning opportunities, including field-based education, internships, mentoring programs, arts and sports programs, and community service activities.
- C. Offer ongoing and systematic professional development for administrators, teachers and pupil-services staff on the utility of building strong partnerships with families; the importance of reaching out to families through multiple communication pathways; designing meaningful parent conferences; and implementing and coordinating family involvement programs Schoolwide.
- D. Develop a comprehensive parent, family and community engagement plan with parents, families and community members, based on parent, family, student and School needs, with defined outcomes, measurements, strategies and activities grounded in research and logically linked to academic achievement; and incorporate into continuous improvement and School improvement plans.



- E. Evaluate annually and modify a comprehensive parent, family and community engagement plan using outcome data and input from families, students, School staff and community members.
- F. Dedicate fiscal, personnel, facilities and other resources to support the ongoing implementation of effective family and community engagement strategies with attention given to Schools with low-achieving students.
- G. Designate a management company position to perform the role of a parent and family coordinator, advocate or ombudsman to coordinate family and community engagement strategies. The designated person should be knowledgeable in School program planning, evaluation, group facilitation, community collaboration, cultural competence and family ecology.



Policy 5007: Reporting Child Abuse or Neglect

Ohio law places reporting obligations on school officials where child abuse or neglect is suspected. In order to protect children and ensure reporting obligations are followed, the Governing Authority has adopted the following policy and procedures.

I. Reporting Obligations and Procedures

- A. The reporting requirement applies to any individual assigned to work at the school as a licensed school psychologist, schoolteacher, school employee, or school authority.
- B. If any individual, as described above, working at the school reasonably suspects a child under 18, or a special education student under 21, has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect, that person must immediately report that knowledge, or reasonable suspicion, to the public children's services agency or to law enforcement in the county of the child's residence.
- C. The report must be by telephone, or in person, and followed up by a written report if requested by children's services or law enforcement. If requested by children's services or law enforcement, a written report must include:
 1. Names addresses of student and parents or guardians if known;
 2. Student's age, nature and extent of injuries, abuse or neglect that is known or reasonably suspected or believed. Or any threat under the same conditions; and
 3. Any other information that might be helpful in establishing the cause of the injury, etc., that is known to exist.
- D. The individual making the report shall inform the School Director and/or Management Company of the situation.
- E. In the event of a suspected child abuse incident where there are multiple mandated reporters involved, one mandated reporter can make the report on the incident on behalf of all mandated reporters.



Policy 5008: Athletics and Return to Play

I. Athletics

A. Prospective Student-Athletes

Participation in extra-curricular athletics is a privilege and one that comes with great responsibility. Students are encouraged to try out, if required, to be part of a team.

Student-athletes will be held to a high standard. Though it is also understood that the athletic field is a different dynamic than that of the classroom, and some behaviors conducive to one are not necessarily acceptable in the other. At a minimum, student-athletes are nonetheless expected to comply with the following expectations:

1. To be considered for participation, a student must have completed a physical exam clearing the student for physical activity prior to the season intended to participate. A copy of the physical must be turned into the School prior to any involvement in the athletic program. There will be no exceptions.
2. Students and their parents must review all materials provided by the School relating to sudden cardiac arrest and concussions and shall certify to the School that they understand the cardiac and concussion risks associated with participation in athletic activities.
3. A student-athlete may be considered ineligible to participate if he or she has a failing grade in any of the core subjects of math, English, science, or social studies for the previous grading period, including courses taken through the College Credit Plus program. Student-athletes also must maintain a minimum average of 65%.
4. Student-athletes are expected to behave appropriately on and off the field. Disruptive behavior, rudeness to an adult, or disrespect to peers will not be tolerated at a game, practice, or in the classroom.
5. Being a part of a team is a time consuming and important commitment. It should be taken seriously even while having fun. Attendance to practice and games is not optional. It is expected that Student-athletes will be at as close to 100% of scheduled practice and games as possible. Teammates and coaches rely on everyone being present to conduct appropriate drills and practice. Repeat offenders of missed practices without a valid excuse are subject for dismissal from the team. Missing a practice due to detention or suspension (whether in or out of school) will be considered an unexcused absence.



Some uniform items will be given to the student-athlete to keep, some will be available to buy, and some will remain property of the School. It is the responsibility of the Student-athlete to maintain his or her uniform, including wearing a clean uniform to all competitions. The student-athlete will be responsible for the replacement of any uniform that is the property of the School if the uniform is lost, stolen, or damaged. Grades and credits may be withheld, and a student-athlete may not participate in future sports upon refusal to cooperate with replacement of lost, stolen, or damaged uniforms.

II. Return to Play

No Students may participate in any interscholastic athletic activity (contest, practice, try-out, etc.) unless they have provided a completed form stating that the Student and his/her parent, guardian, or person in care or charge of the Student has received (a) the concussion and head injury information sheet required by R.C. 3707.52 and (b) the sudden cardiac arrest information sheet required by R.C. 3707.59 These forms are required to be provided for each athletic activity, each school year.

A. Concussions and Head Injuries.

Any student who exhibits signs, symptoms, or behaviors consistent with having sustain a concussion or head injury (such as loss of consciousness, headache, dizziness, confusion, or balance problems) while practicing for or during an interscholastic competition shall be immediately removed from the practice or contest by either (a) the individual who is serving as the Student's coach during that practice or competition or (b) an individual who is serving as a contest official or referee during the practice or competition.

Upon removing a Student from a practice or contest under this policy, the removing coach or referee shall not permit the Student to return to that practice or competition or to participate in any other practice or competition for which the coach or contest official is responsible **for the rest of that day.**

Following this mandatory removal for the rest of the day, the coach or contest officials shall not permit the Student to return to practice and/or competition until both of the following conditions are satisfied:

1. The Student's condition is assessed by a physician authorized under Chapter 4731 of the Ohio Revised Code to practice medicine and surgery or osteopathic medicine or surgery (M.D. or D.O.) or any other licensed health care provider that the Board authorizes under this policy to assess the Student who has been



removed from practice or competition.

2. The Student receives written authorization from a physician or other licensed health care provider authorized by the Board under this policy confirming that it is safe for the student to return to practice or competition.

For OHSAA interscholastic athletic teams, Students must submit a complete OHSAA Medical Authorization to Return to Play Form to his/her coach in order to resume participation in any school athletic practice or competition.

The Board may authorize a School employee or volunteer who is a licensed health care provider but who is not a physician to make the concussion assessment and grant authorization for a student to return to participation. Any individual authorized to assess a student under this policy shall act in accordance with one of the following as applicable to the provider's authority to practice in Ohio:

In consultation with a physician;

- Pursuant to the referral of a physician;
- In collaboration with a physician; or
- Under the supervision of a physician.

B. Sudden Cardiac Arrest

A Student may not participate in an athletic activity if the Student's biological parent, sibling, or child has previously experienced sudden cardiac arrest and the Student has not been evaluated and cleared for participation in an athletic activity by a physician authorized to practice medicine and surgery or osteopathic medicine and surgery under R.C. Chapter 4731.

Any Student who exhibits syncope or fainting at any time prior to, during, or following an athletic activity shall be removed from participation in an athletic activity by the individual serving as the Student's coach during that practice or competition. Following this mandatory removal, the coach shall not permit the Student to return to practice and/or competition until the Student is evaluated and cleared for return in writing by an authorized individual listed in R.C. 3313.531 o(E)(3). Any coach who violates this requirement may be subject to discipline.

Prior to the start of each athletic season, the School may hold an informational meeting for students, parents, guardians, persons having care or charge of a student, physicians, cardiologists, athletic trainers, or other relevant individuals regarding the symptoms and warning signs of



sudden cardiac arrest for all ages of students.

The School, Management Company, if any, Board members, and School or Management Company employees or volunteers, including coaches, are not liable in damages in a civil action for injury, death, or loss to person or property allegedly arising from providing services or performing duties under this policy, unless the act or omission constitutes willful or wanton misconduct. This policy does not eliminate, limit or reduce any other immunity or defense that the above individuals may be entitled to under Chapter 2744 of the Revised Code or any other provision of law.

C. Requirements for School Coaches

All individuals who serve as School coaches must possess a current Department of Education-issued Pupil Activity Program/Coaching Permit. When renewing this permit, all individuals must complete a concussion education course that has been approved by the Ohio Department of Health every three (3) years, or as otherwise required by the Ohio Department of Education to retain the permit. All individuals who serve as School coaches must complete, on an annual basis, the sudden cardiac arrest training course approved by the Ohio Department of Health under R.C.3707.59.

D. Requirements for Contest Officials and Referees

The Board shall not permit an individual to serve as a contest official or referee in any interscholastic athletic competition unless the official/referee:

1. Holds a pupil-activity program permit issued by the Department of Education; or,
2. Presents evidence that the individual has successfully completed an online training program to recognize symptoms of concussions and head injuries offered by the Department of Health, or a comparable training program authorized and required by an organization that regulates interscholastic conferences or events.



Policy 5009: Technology and Internet Acceptable Use

I. The use of technology and computer resources at the School is a revocable privilege. Failure to abide by this policy may render you ineligible to use the School's computer facilities and may bring additional disciplinary action.

This acceptable use policy outlines the guidelines and behaviors users are expected to follow when using school Technology, or personally owned devices.

- A. The Summit Academy network is intended for educational purposes.
- B. All activity over the Summit Academy's network or using Summit Academy technologies may be monitored and retained.
- C. Access to online content over the network will be restricted in accordance with Summit Academy policy and federal regulations, such as the Children's Internet Protection Act (CIPA).
- D. Users of the district network or other technologies are expected to alert IT staff of any concerns for safety or security.
- E. Connecting a personally owned device to Summit Academy's internal network is prohibited without express permission from the IT staff.

II. ACCEPTABLE USES OF COMPUTERS, NETWORKS AND SERVICES

Summit Academy's technology, computers, networks, and services may only be used for the following acceptable uses:

- A. Teaching and learning activities appropriate to Summit Academy's academic goals and objectives.
- B. Research supporting educational programs.
- C. Communications between faculty, staff, students, and others outside of Summit Academy containing messages or information, the content of which is not in conflict with this policy and district regulations.
- D. Communications between departments and/or individuals as necessary for the administrative functions of the district.

Technology includes, but is not limited to, Summit Academy networks, smart phones, radios, audio players, video recorders, audio recorders, video games, computers, electronic devices, software, Internet, e-mail and all other similar networks and devices. Users are expected to be responsible and use technology to which they have access appropriately.

Obscene, pornographic, threatening, or other inappropriate use of technology, including, but not limited to, e-mail, instant messaging, web pages, and the use of hardware and/or software which disrupts or interferes with the safety and welfare of the School community, is prohibited, even if such uses take place after or off School property (i.e., home, business, private property, etc.).

Failure to adhere to this policy and the guidelines below will result in disciplinary action as outlined in the Student Code of Conduct.

III. UNACCEPTABLE USES OF TECHNOLOGY/INTERNET INCLUDE BUT ARE NOT LIMITED TO:

A. Violating the conditions of federal and Ohio law dealing with students and employees' rights to privacy. Trespassing in others' folders, work, or files; copying other people's work or attempting to intrude onto other people's files; using other users' e-mail addresses and passwords.

B. Using profanity, obscenity or other language which may be offensive to another user; sending messages with derogatory or inflammatory remarks about an individual's race, sex, age, disability, religion, national origin or physical attributes via the Internet or Technology; bullying, insulting, intimidating, or attacking others; transmitting any material in violation of federal or state law.

C. Accessing profanity, obscenity, abusive, pornographic, and/ or impolite language or materials, accessing materials in violation of the Student Code of Conduct. Do not view, send, or access materials that you would not want your instructors and parents to see. Should a student encounter any inappropriate materials by accident, he/she should report it to their instructors immediately.

D. Violating copyright laws by illegally downloading or installing music, any commercial software, shareware, or freeware. You are required to strictly comply with all licensing agreements relating to any software. All copyright laws must be respected.



E. Plagiarizing works through the Internet or other Technology. Plagiarism is taking ideas of others and presenting them as if they were original to the user. 6. Damaging Technology devices, computers, computer systems or computer networks (for example, by the creation, introduction or spreading of computer viruses, physically abusing hardware, altering source codes or software settings, etc.).

F. Using the Technology or the Internet for commercial purposes or activities, which is defined as offering or providing goods or services or purchasing goods or services for personal use, and includes, but is not limited to, the following:

1. any activity that requires an exchange of money and/or credit card numbers;
2. any activity that requires entry into an area of service for which the School will be charged a fee;
3. any purchase or sale of any kind; and
4. any use for product advertisement or political lobbying.

G. Neither the Internet nor any other Technology may be used for any purpose which is illegal or against the School's policies or contrary to the School's mission or best interests.

H. Downloading and installing software onto your district provided devices is prohibited, unless you first have express permission from IT staff.

I. Using a VPN, proxy or any other means to bypass network protections put in place by Summit Academy, or to conceal your network activity.

All users are expected to be responsible, courteous, and thoughtful when using Technology and the Internet. Common sense should prevail. The use of the School computer network system should be in support of education and research, consistent with the educational mission or objectives of the School and in accordance with federal law, Ohio law and the Student Code of Conduct.

Students and Staff have no expectation of privacy with respect to the use of Technology, the network, the Internet, intranet or e-mail. The School monitors the online activities of students. Maintenance and monitoring of the School network system may lead to the discovery that a user has or is violating School policy or the law. Violations of School policy, the Student Code of Conduct or the law may result in severe penalties, up to and including expulsion.



The School makes no warranties of any kind, either express or implied, that the functions or the services provided by or through the School technology system will be error-free or without defect. The School will not be responsible for any damage users may suffer, including but not limited to, loss of data, interruptions of service, or computer viruses. The School is not responsible for the accuracy or quality of the information obtained through or stored on the School system. The School will not be responsible for financial obligations arising through the authorized use of the system.

In accordance with the Children's Internet Protection Act ("CIPA"), the School has placed a filter on its Internet access as one step to help protect its users from intentionally or unintentionally viewing inappropriate material. The School blocks the categories that are determined to be potentially inappropriate. However, families must be aware that some material accessible via the Internet contains illegal, defamatory, inaccurate, or potentially offensive language and/or images. While the goal of the School is to use Internet resources to achieve educational goals, there is always a risk of students accessing other materials. Parents should be aware of these risks.

The School will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms. The School will also educate students on cyberbullying awareness and response.

My signature attests that I have read the above Internet Acceptable Use Policy and I agree to abide by it.

Signature of Parent/Guardian: _____
Date_____

Signature of Student: _____
Date_____

Signature of Staff Member Date: _____
Date_____



Policy 6001: AED/CPR Training

The School shall provide training in the use of an automated external defibrillator ("AED") and cardiopulmonary resuscitation ("CPR") for all employees, including coaches and an athletic supervisors, except that the School shall not be required to provide training to substitutes; persons employed on an as-needed, intermittent or seasonal basis; or adult education instructors who are scheduled to work the full-time equivalent of less than 120 days per school year.

All new employees shall complete training prior to the first day of classes. Employees must thereafter complete training in both AED use and CPR at least once two years. Employees may voluntarily elect to complete CPR and AED training at their own expense through an independent provider, so long as the training is consistent with those provided by the School and the employee presents a certificate of completion to the Management Company. The School may elect to include AED training in its in-service training required under Ohio law.

Instruction shall also be offered to students in grades nine (9) to twelve (12), including instruction on the hands-on skills necessary to perform CPR and use an AED. Students who are incapable of performing the psychomotor skills necessary to perform CPR or use an AED shall be excused from CPR and AED instruction. The School shall utilize either: (a) an instructional program developed by the American Heart Association or the American Red Cross, that includes instruction in CPR and the use of an AED; or (b) any other nationally recognized instructional program that is based on the most current, evidence-based emergency cardiovascular care guidelines for CPR and AEDs.

Notwithstanding the above, the School shall not be required to provided AED or CPR instruction or training if the School is an internet - or computer-based community school or is a community school in which the majority of enrolled students are children with disabilities.



Policy 6002: Bloodborne Pathogens

I. Control

The School seeks to protect those Staff Members who may be exposed to blood-borne pathogens and other potentially-infectious materials in their performance of assigned duties at the School. If the School identifies a category of employee whose duties create a reasonable anticipation of exposure to blood and other infectious materials, then it shall contact its legal counsel to devise an appropriate procedure.

II. OSHA/Bloodborne Pathogens Exposure Control

A. Exposure Control Plan

The Management Company shall develop and implement an Exposure Control Plan to minimize or eliminate occupational exposure to bloodborne pathogens in accordance with the OSHA Bloodborne Pathogens Standards and the Ohio Employment Risk Reduction Standards, as amended. Universal precautions shall be observed to prevent contact with blood, bloody body fluids, or other potentially infectious materials. If differentiation between types of body fluids is difficult or impossible, the body fluids shall be considered potentially infectious materials.

The Exposure Control Plan must be readily available to all employees and their representatives. Personnel within each job category listed in the Exposure Control Plan shall be trained annually in and will be responsible for practicing the procedures outlined in the Exposure Control Plan in the event of exposure. Training for staff will be provided at no-cost and during work hours. The Management Company shall document the date, attendance and contents of each training session which shall be retained for three years.

B. Exposure Control Plan

The Management Company shall review and update the Exposure Control Plan at least annually and whenever necessary to reflect new or modified tasks and procedures that affect occupational exposure and to reflect new or revised employee positions with occupational exposure. Such review must take into account technological developments that reduce the risk of exposure to bloodborne pathogens.



C. Annual Review and Update

The Management Company must annually document consideration and implementation of appropriate commercially available and effective safer devices designed to eliminate or minimize occupational exposure. The Management Company shall include input from non-managerial employees responsible for student care who are potentially exposed to injuries from contaminated sharps in the identification, evaluation, and selection of effective work practice controls, and such solicitation must be documented in the Exposure Control Plan.



Policy 6003: Public Conduct on School Premises/Dangerous Weapons

I. Public Conduct

No person shall assault, strike, threaten, or menace a teacher, instructor, or person in charge of a class of students, or any school or management company employee while in the performance of their duties, or disrupt, disturb, or interfere with any activity conducted in or on the School premises, or unlawfully assault, strike, threaten, menace, follow, pursue, or lay hands upon a student or other person in or on the School premises, or on the way to or from School or a School-sponsored activity.

School officials have the authority to call a law enforcement officer if any individual violates this policy or other posted regulations or does not leave School property when requested to do so. The School Director may issue a "No Trespass" letter to any individual that violates this policy.

II. Dangerous Weapons

To create a safe working environment for employees and students, possession of a weapon on school premises, property, school transportation, or at a School sponsored activity/event is strictly prohibited. "Weapon" includes all firearms, illegal knives, deadly weapon, dangerous ordnance, or other weapon restricted by the law. The terms "deadly weapon" and "dangerous ordnance" are defined in R.C. 2923.11.

A. Scope. This policy applies to all persons, except:

1. law enforcement personnel or state or federal officers, agents, or employees who are authorized to carry deadly weapons or dangerous ordnance and are acting within the official duties of such position;
2. school resource officers or security officers employed by the Governing Authority or management company who are on duty and authorized to convey or possess deadly weapons or dangerous ordnance in(to) the school safety zone;
3. any other person with written authorization from the Governing Authority to convey or possess deadly weapons or dangerous ordnance in(to) the school safety zone according to law.

B. Exceptions

This policy prohibits possession and/or use of weapons at any time on School grounds, a School vehicle, or at a School sponsored event. However, an individual who is either a driver or passenger in a motor vehicle and who is immediately in the process of dropping off or picking up a child in a school safety zone may convey, attempt to convey, or



possess an unloaded handgun in(to) the school safety zone if one of the following applies:

1. the handgun is in a closed case, bag, box or other container that is in plain sight and that has a lid, cover or closing mechanism with a zipper, snap or buckle, which lid, cover or closing mechanism must be opened for a person to gain access to the handgun;
2. the handgun is located in a compartment that can be reached only by leaving the vehicle; or
3. the handgun is located in plain sight and secured in a holder for the purpose.

C. Consequences for Violation of this Policy

1. Violation by any School or management company personnel may result in severe disciplinary action, including discharge, at the School's or management company's sole discretion.
2. Violation by any student will be handled according to the Student Code of Conduct and Discipline policy.
3. Using or possessing a weapon on School grounds in violation of this policy will be considered an act of criminal trespass and will be grounds for immediate removal from School grounds and may result in criminal prosecution.

Any Individual that becomes aware of anyone violating this policy, shall immediately report it to the School Director or his/her designee.



Policy 6004: Emergency Preparedness

I. **Emergency Preparedness and Evacuation**

The safety of Staff and Students includes preparedness and planning for possible natural and manmade disasters. The Board authorizes the Management Company to develop a system of emergency preparedness which shall safeguard the health and safety of Students and Staff.

All threats to safety shall be identified by appropriate personnel and responded to promptly in accordance with the plan for emergency preparedness. All bomb threats shall require the immediate evacuation of the school building or location threatened.

The Management Company shall develop procedures for the handling of school emergencies which include:

- A. A schedule that allows for the routine practice of school safety procedures that will occur at least monthly while the school is in session through a combination of safety drills and fire drills;
- B. An annual training session for employees of the School regarding the procedures for conducting safety drills and fire drills;
- C. An annual test of the School's emergency management plan and procedures for reporting results of the test to the Department of Education, if and as required;
- D. A plan for the prompt and safe evacuation of any School building that shall be practiced at least six (6) times in fire drills conducted in accordance with law. If the School has smoke detectors or a sprinkler system in all classrooms of the School. If the School does not have smoke detectors or a sprinkler system in all classrooms, then fire drills must be conducted at least nine (9) times per year in accordance with the law;
- E. A plan for the safe dispersal of students from School property and for the sequestration of students in the School, in response to a threat involving an act of terrorism, a person in possession of a dangerous ordinance, or other violent situation, which shall be practiced at least three (3) times in safety drills, with at least one (1) drill requiring pupils to practice securing in



the School rather than evacuating. All safety drills shall be conducted in a manner consistent with the School's Emergency Management Plan and shall be made in conjunction with the police chief or other similar chief law enforcement officer in the jurisdiction in which the School resides;

- F. A plan to conduct one (1) theoretical safety drill to provide instruction to faculty and staff regarding procedures. The theoretical drill does not require student participation and may be conducted during annual training sessions on safety procedures;
- G. The designation of appropriate locations to shelter students in case of a tornado;
- H. Instructions in safety precautions to be taken in case of a tornado alert or warning and a plan for the prompt and safe procedure to shelter students in case of a tornado which shall be practiced at least one (1) time per month while school is in session during the "tornado season" of April 1 to July 31 conducted in accordance with law;
- I. Design of a communications system;
- J. Procedures to follow whenever any employee becomes aware of an emergency or impending emergency;
- K. Cooperation with such local officials and agencies such as the fire marshal and law enforcement, including a procedure for providing at least seventy-two (72) hours written notice to local law enforcement prior to conducting each school safety drill; and,
- L. Procedures for the School Director or his/her designee to provide a written record to the police chief or similar law enforcement officer of the jurisdiction in which the School is located certifying the date and time each safety drill was conducted in the prior school year and the anticipated date of each drill during the current school year, no later than December 5 of each school year.

II. **School Emergency Management Plan**

The School Director or his/her designee with supervisory authority shall examine the environmental conditions and operations of each School



building under his or her supervision to determine potential hazards to student and staff safety and shall propose operating changes to prevent dangerous circumstances and develop and adopt a comprehensive school emergency management plan to respond to such hazards ("EMP"). The EMP shall consist of four parts:

1. The emergency operations plan;
2. A floor plan that is unique to each floor of the School's building;
3. A site plan that includes all building property and surrounding property, and
4. An emergency contact information sheet.

The School Director shall consult with community law enforcement and safety officials, parents, and School employees when developing the EMP, and shall list the name, title (if applicable), contact information and signature of all participating parties in the final EMP.

A. Emergency Operations Plan

The emergency operations plan shall be contained in a single document designed to address and respond to all-hazards that may negatively impact the School, at minimum including the following events: an active shooter event; a hostage situation; a bomb threat; an act of terrorism; bullying; and any other natural or manmade hazards that the School Director or his/her designee knows of or should reasonably anticipate occurring that could compromise the health or safety of students, employees, administrators or property based on the results of a hazard identification and risk analysis for the School. The hazard and risk analysis shall also be included with the emergency operation plan.

The emergency operations plan shall be an all-hazards plan in compliance with the National Incident Management System ("NIMS") and plan operations shall be organized around five mission areas. These include:

1. Prevention: meaning the capabilities needed to deter, stop or avoid an imminent crime, threat or actual mass casualty event;



2. Protection: defined as the capabilities to secure the School against manmade and natural disasters, acts of violence, or other ongoing hazards;
3. Mitigation: meaning the capabilities needed to eliminate or reduce property damage, injury or loss of life by minimizing the impact of an emergency event and decreasing the likelihood of hazardous events;
4. Response: means the capabilities necessary to stabilize an emergency once it has already happened or is certain to occur in an unpreventable way by establishing a safe and secure environment in order to save lives and property; and
5. Recovery: meaning the capabilities necessary to restore a learning environment after an emergency situation.

Each protocol shall include procedures deemed appropriate by the School Director or his/her designee with supervisory authority for responding to threats and emergency events, respectively, including procedures for the notification of appropriate law enforcement personnel, calling upon specified emergency response personnel for assistance, and informing parents of affected students. When approved by the Ohio Building Code and noted in the School's certificate of occupancy, the emergency operations plan may also include the use of temporary door locking devices to prevent ingress and egress in emergency situations or during active shooter drills.

The emergency operations plan shall incorporate education procedures, including procedures that involve the use of training drills, to instruct students, staff and administrators on methods to avoid, deter, or stop an imminent crime or safety issue.

Prior to the opening day of each school year or upon initial enrollment, whichever is later, the School Director or his/her designee with supervisory authority shall inform each student enrolled in the School and the student's parent of the parental notification procedures included in the EMP.

B. EMP Test

The School Director or his/her designee with supervisory authority shall prepare and conduct at least one annual emergency management test, defined as a regularly scheduled drill, exercise, or activity that is designed



to assess and evaluate an emergency management plan. The emergency management test shall be either:

1. A tabletop exercise held in an informal setting to discuss of various issues regarding a hypothetical, simulated emergency;
2. A functional exercise conducted in a realistic, real-time environment designed to validate and evaluate the School's emergency capabilities by exercising plans, policies, and procedures through a projected exercise scenario with event updates that drive activity at the management level; or
3. A full-scale exercise involving multiple agencies, organizations, and jurisdictions in order to test and validate the School's many facets of preparedness.

Each exercise type shall be used at least once every 3 years and shall assess at least one hazard identified in the School's hazard and risk analysis. At least one representative from the local law enforcement agency, fire department, emergency medical services agency or behavioral health entities shall be invited to participate in or observe the emergency management test; however, actual observation or participation by any outside entities shall not be required. Students shall not be included in emergency management tests unless the School has received parental consent, and it is determined by the School Director or his/her designee that the student's participation would be beneficial to the School and would be appropriate given the student's age and understanding of the test's purpose.

The School Director or his/her designee with supervisory authority shall submit an after-action report documenting the emergency management test to the Ohio Department of Education no later than thirty (30) days after the test is completed.

The School shall also conduct routine safety drills, including at least one (1) theoretical drill, to provide students and staff with instruction on securing in the building or rapidly evacuating in response to a threat to the School involving an act of terrorism a person possessing a deadly weapon, or another act of violence requiring an immediate response.

The EMP shall be submitted electronically using the standardized forms developed by the Department of Education. The School Director or



his/her designee with supervisory authority shall review the EMP annually by July 1 and certify to the Department of Education that the plan is current and accurate. The EMP shall be updated and revised at least every three (3) years from the previous date of compliance. The School Director or his/her designee with supervisory authority must also submit an updated electronic copy of the EMP to the Department of Education whenever a major modification to the School building necessitates changes in the EMP's procedures or whenever the emergency contact information changes. Updated copies are due to the Department within ten (10) days of the adoption of any changes to the EMP. A copy of the EMP shall also be filed with each law enforcement agency having jurisdiction over the School building(s). Upon request, the EMP will be filed with the fire department and emergency medical service organization serving the political subdivision or county, respectively, in which the building is located.

The School Director or his/her designee with supervisory authority shall keep copies of this EMP in a secure place. Copies of the EMP and information pertaining to the School's safety protocols are not public records and shall be exempt from public disclosure or release in accordance with the Ohio Public Records Act.

The School will grant access to School buildings so that law enforcement personnel, the fire department for the political subdivision, emergency medical service organizations for the political subdivision, and emergency management agencies for the county in which the building is situated may hold emergency response training sessions. The training sessions must occur outside of student instructional hours, and the School Director or a designee of the School must be present during the sessions.



Policy 6005: Food Program

I. Food Standards

The Board shall create standards for the types of food and beverages sold or provided in the School and the time and place each type of food and beverage is sold or provided, in accordance with state law and based on the following guidelines:

- A. The types of foods and beverages sold in the School will:
 - 1. promote student health and reduce childhood obesity,
 - 2. significantly benefit the daily nutritional needs of students (per U.S. Department of Agriculture guidelines),
 - 3. align with School Wellness Policy requirements, and
 - 4. follow requirements provided under state and federal law.

- B. The Board or its designee shall consult with a licensed dietician, a registered dietetic technician or a certified/credentialed school nutrition specialist to assist in drafting a plan:
 - 1. for complying with and enforcing the nutritional standards governing the types of food and beverages that may be sold on the School premises in compliance with State law; and
 - 2. specifying the time and place each type of food or beverage may be sold.

- C. The times and locations of food and beverage sales to students on school grounds will be assigned based on nutrient intake needs and eating patterns of students and align with class schedules. With regard to non-breakfast/lunch food and beverage sales:
 - 1. The School will not operate vending machines offering foods or beverages that do not meet the nutritional standards established by the School during the school lunch period. The Board reserves the right to totally restrict the sale of non-nutritional foods and beverages in vending machines.



2. Bake sales and other school fundraising activities involving food and beverage items may not be held during a school meal period. The School will limit the frequency of bake sales and other food based fundraisers where non-nutritional foods and beverages will be sold based on the standard established by the Department of Education.
- D. The types of food and beverages provided, but not sold, to students will align with the School Wellness Program and any applicable requirements provided under state law. The Board may provide parents with a list of acceptable snacks that may be provided in the School.
- E. Annually, the food services supervisor shall review and recommend to the Board the types of foods and beverages for sale as part of the school breakfast and lunch programs. The Board may establish separate standards regulating the types of food and beverages to be sold to Staff Members and for special or extracurricular events.

II. Food Requirements

- A. Any food sold in Schools must:
1. Be a "whole grain-rich" grain product, or
 2. Have as the first ingredient a fruit, a vegetable, a dairy product, or a protein food (meat, beans, poultry, seafood, eggs, nuts, seeds, etc.);
or
 3. Be a combination food that contains at least 1/4 cup of fruit and/or vegetable.
- B. Entrees
1. Foods classified as entrées are exempt from the nutrition standards for competitive foods on the day of and the day after they are offered on the NSLP or SBP menu.
 2. Exempt entrée items offered as a competitive food must be offered in the same or smaller portion sizes as in the NSLP or SBP menu.
 3. Non-exempt entrée items must meet the following criteria as packaged or served (including any added accompaniments):



- ≤ 350 calories
- ≤ 480 mg sodium
- Total fat: $\leq 35\%$ of calories
- Saturated fat: $< 10\%$ of calories
- Trans fat: zero grams
- $\leq 35\%$ of weight from total sugars in foods

C. Non-Entrees

1. Foods not the definition of entrée must meet the following criteria as packages or served (including any added accompaniments):

- ≤ 200 calories
- ≤ 230 mg sodium (will change to ≤ 200 July 1, 2016)
- Total fat: $\leq 35\%$ of calories*
- Saturated fat: $< 10\%$ of calories*
- Trans fat: zero grams
- $\leq 35\%$ of weight from total sugars in foods*

D. Exempt foods from all nutrition standards include:

1. fresh fruits and vegetables with no added ingredients except water are exempt from all nutrient standards;
2. canned and frozen fruits with no added ingredients except water, or that are packed in 100% juice, extra light syrup, or light syrup are exempt from all nutrient standards;
3. canned vegetables with no added ingredients except water, or that contain a small amount of sugar for processing purposes to maintain the quality and structure of the vegetable are exempt from all nutrient standards; and
4. sugar-free chewing gum.

E. Foods exempt from the total fat standards include:

1. Reduced fat cheese (including part-skim mozzarella).
2. Nuts and seeds and nut/seed butters.



3. Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats.
 4. Seafood with no added fat.
 5. Foods exempt from the saturated fat standard
 6. Reduced fat cheese (including part-skim mozzarella).
 7. Nuts and seeds and nut/seed butters
- F. Foods exempt from the total sugar standard include:
1. Dried whole fruits or vegetables; dried whole fruit or vegetable pieces; and dehydrated fruits or vegetables with no added nutritive sweeteners.
 2. Dried whole fruits or fruit pieces with nutritive sweeteners that are required for processing and/or palatability purposes (i.e., cranberries, tart cherries, or blueberries).
 3. Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats.

III. Vending Machine Placement

The School will not operate any vending machines in any classroom where students are provided instruction unless the classroom also is used to serve students meals, or unless the vending machines at issue sell only milk, reimbursable meals, or food and beverage items that are part of a reimbursable meal and are available for sale as individually priced items in serving portions of the same size as in the reimbursable meal.

IV. Unpaid Meal Charges

A. Community Eligibility Provision (CEP)

Notwithstanding the information below, if the School is a Community Eligibility Provision (CEP) provider, the School shall provide reimbursable meals for breakfast and lunch to all students free of charge.

The School believes that all students should have access to healthy school lunches and wishes to minimize identification of students with insufficient



funds but recognizes the need to protect the financial stability of the school nutrition program. The School, as a school food authority, has established the following procedures, which will be implemented beginning in the 2017-2018 school year, (a) to handle situations in which a student eligible for reduced-price or full-price meal benefits has insufficient funds to pay for school meals, and (b) to collect unpaid meal charges and delinquent account debt.

Parents and students shall continue to comply with any and all School requests and procedures regarding pre-selection of meals, if applicable.

B. Unpaid Meal Charges

Students who qualify for free meals will not be denied a reimbursable meal even if they have previously accrued a negative balance. However, in these circumstances, students may be prohibited from purchasing a la carte or extra items. Students with unpaid meal charge debt who attend School with money to pay for a reduced-price or full-price meal at the time of that meal's service must be provided a meal, even if that student has accrued a negative balance. The School will not use the money intended to purchase a day's meal for repayment of a negative balance or other unpaid meal charge debt.

If a student does not have funds to pay for a reduced-price or full price meal at the time of that meal's service, they may pre-pay monthly for meals whenever possible. If the student carries a negative balance, this amount must be paid at time of pre-pay for the following month, as to avoid carrying debt throughout the school year.

The School will notify the parent in writing if a student's meal account falls below \$30.00. This notification will include the amount of any low or negative balance, expected payment date, consequences of non-payment, and information regarding where families can find assistance with applying for free and reduced-priced meals.



C. Collection of Delinquent or Bad Debt

The School shall consider debt delinquent and shall request payment ten (10) school days after the date in which the School provides parental notice of a student's negative account balance. The School Director or his/her designee will work directly with households to collect any delinquent meal charge debt and shall be responsible for managing charges and delinquent debt owed to the School. At the School Director's or his/her designee's discretion, the School may establish repayment plans for the collection of debt. Delinquent debt and repayment plans may carry over to the next school year.

If the School Director or his/her designee determines that delinquent debt is uncollectible at the end of the school year, the debt will be considered "bad debt." Bad debt may not be carried over to the next school year. Bad debt must be restored to the School and Nutrition Program from the general fund prior to the end of the same fiscal year. Bad debt may not be recovered using federal funds.

D. Notification

The School will communicate this policy in writing to all students and households at the beginning of each school year and upon a change in a student's eligibility for meal benefits. Forms and information regarding free or reduced-price lunch shall be available at the School office, and the School Director or his/her designee shall be available to answer questions regarding the meal program and any unpaid meal charge debt. The School shall not disclose the identities of students eligible for free or reduced-priced meals except to those individuals who require that information to carry out an activity authorized by the National School Lunch Act.

V. **Free and Reduced-Price Meals**

The School recognizes the importance of good nutrition to each student's educational performance.



The School shall provide eligible needy students with breakfast and/or lunch at a reduced rate or no charge to the student. Children eligible for free and reduced-price meals shall be determined by the criteria established by the Child Nutrition Program and National School Lunch Act. These criteria are issued annually by the Federal government through the State Department of Education.

The Board designates the School Director or his/her designee as the responsible party to determine the eligibility of students for free and reduced rate meals. Eligibility determinations may be appealed to the School Director or his/her designee at a formal hearing held pursuant to any applicable federal and state hearing procedures.

The School shall not overtly identify children receiving free and reduced price meals. No person shall be excluded from participation in, be denied the benefits of, or otherwise be subject to physical segregation or other discrimination under any program or activity for which the School receives federal financial assistance for food and nutrition services on the bases of race, color, national origin, age, disability, sex, gender identity, or income.

The School shall annually notify all interested persons of the availability, eligibility requirements, and application procedure for free and reduced rate meals by distributing an application to the family of each student enrolled in the School.

The School Director or his/her designee shall prepare and implement the necessary arrangements and guidelines to ensure proper operation of this program. She/he shall ensure that the appropriate policy attachments for Free and Reduced-Price Meals or Free Meals are properly completed and submitted for approval to the School Food Service Division of the Ohio Department of Education by the beginning of each School year.

VI. Food Services

All students will remain at school for lunch and will not be allowed to leave the School or any recreation areas or common areas without permission, or, if the School authorizes leaving the School for lunch, all students shall follow the



School's procedures and rules. Supervision of student activity in the lunchroom, recreation or common areas shall be the responsibility of the teacher or staff member in charge who may delegate this authority to others.

Any food service program provided or contracted for by the Board shall comply with Federal and State regulations pertaining to the counting, menus, selection, preparation, consumption, and disposal of food and beverages as well as to the fiscal management of the program. The contracted food service program shall be responsible for the planning as well as for the dietary and nutritional requirements of the meals served.

No person shall be excluded from participation in, be denied the benefits of, or otherwise be subject to physical segregation or other discrimination under any program or activity for which the School receives federal financial assistance for food and nutrition services on the bases of race, color, national origin, age, disability, sex, gender identity, or income. No student shall be denied access to meals or milk as a disciplinary action, either directly or indirectly.

Students eligible for free or reduced-price meals shall not be identified by the School through the use of separate cafeteria entrances, separate meal service lines, or use of any other method likely to result in the identification of such students. The names of students eligible to receive free or reduced-price meals or free milk shall not be published, posted, or announced under any circumstances. Meals served to students eligible to receive free or reduced-price meals shall be the same meals as those served to students paying full price. Under no circumstance shall an eligible student be required to work for his or her meal.

Governmental regulations do not permit serving meals at the student price to staff or other adults.

If the School is a food service operator, then it is required to post a sign at all hand washing sinks used by food employees notifying them to wash their hands.



The School Director or his/her designee shall submit a public release each school year informing the general public that the School participates in federal food service programs and providing information about free and reduced price meals. The School is not obligated to pay to publish the release, but the School Director or his/her designee must submit the release for publication to the media and to organizations in the School's geographic area that reach minority or under-represented groups, such as libraries, food pantries, and community action program agencies. The School must document the dates and locations of all media release submissions, including unsuccessful publication attempts.

Any school publication, including the School's website, that refers to any federal food service program or to the United States Department of Agriculture (USDA) must include the following statement:

"In accordance with Federal civil rights law and the U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing, or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the



complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

*(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, S.W.
Washington, D.C. 20250-9410;*

(2) fax: (202) 690-7742; or

(3) email: program.intake@usda.gov.

This institution is an equal opportunity provider."

If the publication material is too small to permit the full statement to be included, the material will, at a minimum, include the following condensed statement, in print size no smaller than the text: "USDA is an equal opportunity provider and employer."

The School shall prominently display the USDA "And Justice for All" poster in a location accessible to food service program participants. The poster must be 11" by 17." The School Director or his/her designee may obtain copies of the poster by contacting the USDA Midwest Regional Office at 77 West Jackson Boulevard, 20th Floor, Chicago, Illinois 60604-3057, or by calling (312) 353-6557.



Policy 6006: Head Lice and Bed Bugs Infestations

I. Head Lice

When a suspected case of head lice is brought to the School Director or his/her designee's attention, the Student will be examined. If the examination detects the presence of head lice and/or nits (lice eggs) in the scalp and hair, the Student's Parents will be informed via telephone of the discovery and of the Student's exclusion from classes. Parents will be advised to remove the Student from the School for proper pediculicide treatment. The School will give Parents a copy of Appendix 410-A Ohio Department of Health Head Lice Information Pamphlet. If any siblings attend the School, the siblings will be examined for head lice and/or nits.

After the Student has been treated and is ready to return to School, the Student must first report to the School Director's office or school nurse's office accompanied by an adult to be examined by the school nurse or School Director or his/her designee. The Student may return to class if the Student is free of both live head lice and nits. If a School Director or his/her designee is not satisfied that the Student is sufficiently free of live lice and/or nits as required by this policy, the Student will be sent home with the Parents and may attempt to return to School again the following day. The Student will be re-examined for live head lice one (1) week after the Student is allowed to return to class.

When lice are detected in a classroom, the rest of the class will be examined to identify the possible presence of lice or nits. When three or more Students in any classroom are found to have head lice, the School Director or his/her designee shall send informative materials home with each class member.

II. Bed Bug Infestations

When a suspected bed bug is found on a Student or their belongings, the School Director or his/her designee shall follow these guidelines:

1. Discreetly remove the child from the classroom so the School nurse (if any) or a qualified individual can perform an inspection of the child's clothing and other belongings (including but not limited to shoes, jackets, hats, books, backpacks, School supplies, etc.). Place any of the child's unneeded items, such as book bags, into a large plastic bag and tightly seal the bag. If the School has a washer or dryer available, the School may wish to wash and dry the clothing on the high heat setting. If a bed bug is found on a Student or his/her belongings, send home an inspection report letter.
2. Check areas where the Student sits or affected belongings may be placed for extended periods of time. Bed bugs are excellent hitchhikers,



and though they only feed on humans and rapidly retreat, they can be found in many locations.

3. Try to collect the specimen(s) using a tissue or a piece of gauze. Try not to crush the bugs. Multiple specimens can be very helpful in identification of the insect. If submitted insects are missing antennae, legs, or body segments, a precise identification often cannot be made. Do not call undue attention to any child. You may destroy other bugs found after submission by placing them in a sealed bag and disposing of the bag in the trash. **VERY IMPORTANT:** If a specimen is found on a Student or the Student's belongings, remove the specimen as instructed above. The parents are to be notified by the School Director or his/her designee if the specimen is a confirmed bed bug. Students should not be excluded from school due to bed bugs.
4. Listed below are two services available to identify insects. Please do not send live specimens via any postal or shipping service as insects can escape during shipment. Keep in mind, the post office will not deliver packages that leak. Be sure to check the websites for proper submission protocols.
 - The Ohio Department of Health (ODH) offers free service to Ohio residents:
http://www.odh.ohio.gov/odhPrograms/dis/zoonoses/vbdp/vb_def.aspx
 - The Ohio State University offers services for a small fee:
<http://www.ppdc.osu.edu>
5. Once received by the pest diagnostic agency, an entomologist will examine the specimen and then notify the School of the bug's identification with two days of receipt.
6. After positive identification, the School Director or his/her designee should provide the School community with the following information:
 - Parent or Guardian notification letter
 - Resources and additional information are available on Central Ohio Bed Bug Task Force web site at
<http://www.centralohiobedbugs.org>
7. Contact the parents or guardian to inform them of the bed bug presence on their child.
 - Suggest clean, freshly laundered (on high heat setting) and sealed change of clothing be sent to School (as long as needed).
 - Send only essential items to School with the Student and inspect items upon arrival at School. If possible, the School could offer to



- keep non-essential items overnight to help ensure the items are bed bug free.
- Suggest keeping School items sealed in a plastic bag or tote at home and limiting items going back and forth from home to School until infestation is treated.
8. Ongoing pest management should be overseen by the School Director or designee.
 9. When the decision is made that pesticides are going to be applied at the School for the control or prevention of bed bugs, the School should verify that their employee, or the pest control company hired, is properly licensed to apply pesticides. A list of licensed pest control companies and applicators can be found at www.agri.ohio.gov/apps/odaprs/pestfert-PRS-searchindex.aspx. Ask the company, "What is your experience with bed bugs?" (Bug bombs are not effective.)
 10. Vacuuming procedures to follow where bed bugs are found:
 - Vacuum affected areas where bed bugs are found during normal after-School cleaning schedule, including floor and baseboards.
 - Sprinkle about $\frac{1}{4}$ to $\frac{1}{2}$ cup of talcum powder on the last section of floor to be vacuumed.
 - Remove the bag and place in a tightly sealed plastic garbage bag for disposal.
 - Do not use the same vacuum bag if moving to an un-infested area.

*Information taken from Central Ohio Bed Bug Task Force
www.centralohiobedbugs.org*

Policy 6007: Health Examinations and Immunizations

Students enrolled in the School are required to have, at the time of initial entry into School and at the beginning of each School year thereafter, written evidence on file that they have been immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles (rubeola), mumps, chicken pox, rubella, hepatitis B, and meningococcal disease, as required by Ohio law and applicable Ohio Department of Health regulations and guidelines (collectively "Laws"). Adequate written evidence of such required immunizations shall consist of: (1) a signed physician's statement indicating that the Student has received the required immunizations, including the immunizations received and the date of receipt; or (2) a signed statement by the Parent indicating that the Student has received the required immunizations, including the immunizations received and the date of receipt. In the case of a Parent's statement, the School Director, in his/her sole discretion, may require any other evidence as s/he believes is needed to determine compliance with this policy including, but not limited to, a physician's statement.

The School shall keep an immunization record for each student, available in writing to the student's parent or guardian. No later than October 15 of each year, the School shall report a summary of the immunization records of all initial entry students to the director of health using the prescribed online reporting form, which may be accessed on the following website: <https://www.odh.ohio.gov/odhprograms/bid/immunization/schdayca.aspx>.

In the event that (1) a Student has not received the required immunizations OR the Student is not "in the process" of receiving the required immunizations, as defined in Laws, and (2) the Student's Parent has failed to submit adequate written evidence of the required immunizations as set forth in this policy, the Student shall be:

- Excluded from School until such time as the Student's Parent submits adequate written evidence that the Student has received the required immunizations or is "in the process" of receiving required immunizations as defined by law, or that the Student is exempted from immunization requirements in accordance with this policy.
- Permitted to remain in School for no more than fourteen (14) days after initial enrollment in the School or, for a student previously enrolled in the School, more than fourteen (14) days after the beginning of the school year.

Students who do not comply with this policy and any other immunization requirements of Laws shall be excluded from School no later than the fifteenth day after admission or, for students not being initially admitted, no later than the fifteenth (15th) day after the beginning of the school year.

Any Student who is admitted or commences a school year who is "in the process" of receiving the required immunizations, pursuant to Laws, and who does not complete the required immunizations, shall be excluded from School no later than the fifteenth (15th) day of the following school year.



Any Student who is excluded for failure to comply with this policy shall be readmitted upon submission to the School Director of adequate written evidence, as set forth above, of compliance with this policy and the Laws.

Students may be exempted from required immunizations, subject to any requirements of Laws under the following circumstances:

1. A Parent may present a written statement to the School Director of objection to immunization for good cause, including religious convictions.
2. A Parent may present a written statement signed by a physician certifying that certain or all required immunizations are medically contraindicated.
3. A Parent may present a written statement from the Parent or physician that the student has a history of measles (rubeola), mumps, and/or chicken pox and need not be immunized against the disease(s) for which the history so exists.
4. Pursuant to Ohio Department of Health regulations and guidelines, a parent may present laboratory testing results signed by a physician demonstrating that detectable rubella antibody is present in the Student and the Student need not be immunized against German measles (rubella).
5. Any other circumstances required by the Laws.

The School Director may require any other evidence s/he believes is needed to consider a request for exemption and, in his/her sole discretion, may determine whether to grant an exemption to required immunizations.

The School may deny admission to a Student otherwise exempted from the chicken pox immunization requirement, if the Director of the Ohio Department of Health ("ODH") notifies the School's School Director that a chicken pox epidemic exists in the School's population. The denial of admission shall cease when the ODH notifies the School Director that the epidemic no longer exists. The academic standing of a Student who is denied admission during a chicken pox epidemic may be preserved in accordance with the admission, testing, and other policies of the School, and subject to School Director and Governing Authority approval.

The Governing Authority and School shall follow the requirements and recommendations of Ohio law and the Ohio Department of Health, if any, with regard to tuberculosis testing of students.



Policy 6008: Peanut and Other Food Allergies

The School recognizes that food allergies, in some instances, may be severe and even life-threatening. The School has adopted this policy to create a framework for accommodating students with peanut and other food allergies and to reduce the likelihood of severe allergic reactions of students with known food allergies while at School. This food allergy policy shall be developed based on input from a committee made up of community members such as parents, school nurses, and other school employees, school volunteers, students, and community members.

I. Parent/Student Responsibility

- A. Parents, students, or students aged eighteen (18) or older, with food allergies must provide written notification to the School Director of such allergies at the beginning of each School year.
- B. Parents of students with life-threatening food allergies must provide the School with emergency medications, execute an Emergency Medical Authorization Form, and cooperate with the School to formulate a Food Allergy Action Plan as described below.
- C. Parents are responsible for educating their child on managing his/her food allergy at School, including, but not limited to, identifying "safe foods," by reviewing the weekly lunch menu together, and discussing the vigilance required to self-monitor food products sold at athletic events or special student sales, foods brought for potlucks or classroom celebrations, or foods served on School-sponsored trips.

II. School Responsibility

- A. The School must cooperate in the development of a Food Allergy Action Plan for students with life-threatening allergies. The Food Allergy Action Plan must address what actions will be taken to avoid exposure at School and what actions will be taken in the event of exposure. The Plan shall be developed through consultation between the School nurse (if any) (or other School staff or person if none), the student's parents, and the student's physician or allergist. Once created, this Plan should be reviewed and updated annually by the School, the student's parents, and the student's physician or allergist.
- B. The School will share the Food Allergy Action Plan developed with appropriate School staff.
- C. With the consent of the student's parents, a Food Allergy Action Plan may provide a mechanism for the School to notify the student's classmates.



and/or a student's classmates' parents of a life-threatening food allergy in the classroom.



Policy 6009: Reporting Accidents

All accidents on School property, on School testing sites, and at School-sponsored events must be reported to the School Director or his/her designee immediately. An accident report form must be completed as soon as possible following the accident and turned into the School Director or his/her designee. The accident report must also be reported to the Management Company administration. These reports must be compiled and summarized annually by the School Director.

Policy 6010: Health, Wellness, and Safety

The School believes that healthy students are more likely to successfully complete their formal education. The School recognizes that it plays an important role in the development of students' health and nutrition habits by providing nutritious meals and snacks, supporting the development of good eating habits, and promoting increased physical activity.

The Governing Authority sets forth the following goals in an effort to enable students to establish good health and nutrition habits:

I. Nutrition Promotion and Education Goals

- A. The School shall provide for interdisciplinary, sequential skill-based health education that supports hands-on classroom activities that promote health and reduce obesity.
- B. Nutrition and healthy living skills shall be integrated into classroom curriculum when appropriate.
- C. Students in grades pre-K – 12 shall receive nutrition education that is interactive and teaches the skills they need to adopt healthy eating behaviors.
- D. Nutrition education shall be offered and promoted in the School cafeteria as well as in the classroom with coordination between the foodservice staff and teachers.
- E. Nutrition education and promotion information will be shared with parents and the community.

II. Physical Education and Activity Goals

- A. Students shall be provided opportunities for physical activity during the school day through physical education classes, daily recess periods for elementary students, and the integration of physical activity in the classroom.
- B. Physical education classes shall stress physical fitness, encourage healthy, active lifestyles and consist of physical activities as part of the curriculum.
- C. Physical activity will not be used as a form of discipline or punishment.
- D. Physical activity and promotion information will be shared with parents and the community.



- E. The School shall encourage parents and the community to support physical activity, to be physically active role models, and to include physical activity at events.

III. Other School Based Activities

- A. School based activities shall promote student wellness and, if appropriate, shall encourage nutrition and physical education.
- B. Nutrition shall be considered when planning school-based activities such as classroom snacks, fundraisers, etc.
- C. The School will provide students with a clean and safe environment and adequate time for eating meals.

IV. Nutrition Guidelines

- A. In accordance with the School's Food Standards Policy, the food service program shall comply with Federal and State regulations pertaining to the selection, preparation, consumption, and disposal of food and beverages sold in the School.
- B. Any food provided outside of the food service program, but not sold during the school day on the School premises, shall align with the goals and standards stated in this Wellness Policy.
- C. Marketing of foods and beverages at the School during the school day shall be limited to those foods and beverages that meet the standards set forth in the School's Food Standard Policy. The Governing Authority reserves the right to further limit marketing of food and beverages.
- D. The food service program will provide all students affordable access to a variety of nutritious foods.

V. Implementation and Evaluation

- A. The School Director shall ensure that the School implements, complies with, and annually evaluates this Policy.
- B. The School will consult with administrators, Governing Authority members, parents, students, community members, school health professionals, physical education teachers (if applicable), or representatives of the school food authority. The committee will be provided the opportunity to participate in the development, implementation, periodic review, and



update of the Policy. In developing or updating goals, the committee will review and consider evidence-based strategies and techniques.

- C. At least once every three years, the School will measure the implementation of this Policy, focusing specifically on the extent to which the School has complied with the Policy, the extent to which the Policy compares to model local wellness policies, and the extent to which the School has progressed toward achieving its stated goals in the Policy. The School will create a written assessment for each periodic measurement that it will disseminate to students, their families, and other members of the community or post on its website. The School will make appropriate modifications to this Policy, if necessary, based on this assessment.
- D. At the start of each school year, the School will disseminate this Policy and information about its implementation to families of school children and other members of the community or post it on its website and will notify such individuals of changes to the Policy in the same manner.

VI. Policy Review and Inspections

- A. The School shall periodically review its health, wellness, and safety policies and procedures to ensure the safety of students, employees, and other persons using a school building from any known hazards in the building or on building grounds that pose an immediate risk to health or safety and to ensure that policies and procedures are in compliance with all state and federal laws and regulations regarding health and safety applicable to school buildings.
- B. If a health or safety inspection by local authorities notes any non-compliance, nuisance, or other condition, the management company shall take action to abate such condition as soon as reasonably possible.
- C. The management company shall develop any plans or procedures to comply with state or federal requirements regarding health and safety.

The School shall retain documentation demonstrating compliance with this Policy, including requirements related to community involvement, triennial assessments of this Policy, and public dissemination of this Policy and any updates thereto.



Policy 6011: Use of Medications

The School shall not be responsible for the diagnosis and treatment of student illness. The administration of prescribed medication and/or medically prescribed treatments to a student during school hours will be permitted only when failure to do so would jeopardize the health of the student, or the student would not be able to attend school if the medication or treatment were not made available during school hours, and, only if a physician's request is completed.

In the case of an emergency, only the custodial parent can authorize treatment or designate alternative individuals to make those decisions in his or her absence. However, if all reasonable measures to contact the custodial parent and his/her designees have failed, the School may seek authorization from an involved non-custodial parent (i.e., a parent who has rights of unsupervised visitation with the child).

For purposes of this policy, "medication" shall include all medicines including those prescribed by a physician or other licensed health professional authorized to prescribe medicine and any nonprescribed (over-the-counter) drugs, preparations, and/or remedies. "Treatment" refers both to the manner in which a medication is administered and to health-care procedures which require special training, such as catheterization.

The total responsibility for dispensing or administering any medication or treatment shall rest solely with the parent(s) and their child. Before any medication or treatment may be administered to any student during school hours, the School shall require the written prescription from the child's physician with detailed instructions, written promises of the physician and the parent to forward any changes in the prescription or instructions to the school immediately upon change and to ensure delivery to the appropriate staff. This must be accompanied by the written authorization and waiver of the parent. This document shall be kept on file in the main office of the School with the secured medical files.

Only medication in its original prescription bottle labeled with the date of prescription, student's name, and exact dosage will be administered and only in the presence of another adult. Parents, or students authorized in writing by physician and parents, may administer medication or treatment but only in the presence of an adult staff member assigned for that purpose.

Only Staff Members who are licensed health professionals or who have completed a Board-approved drug administration program conducted by a licensed health professional may administer to a student a drug prescribed for the student. They may also assist a student with self-administration of medications by doing the following: (1) remind the student when it is time to take a medication and observe to ensure that the student follows the directions on the container; (2) assist the student in the self-administration of medication by taking the medication in its container from the area where it is stored and handing the container with the medication in it to the student; and (3) assist upon request by or with the consent of, a physically impaired but mentally

alert student, in removing oral or topical medication from the container and in taking or applying the medication.

A licensed health professional, or a Staff Member who has completed a Board-approved drug administration program conducted by a licensed health professional, may administer any medication requiring intravenous or intramuscular injection or the insertion of a device into the body when both the medication and the procedure are prescribed by a licensed health professional authorized to prescribe drugs, and the nurse/Staff Member has completed any and all necessary training.

Students who may require administration of an emergency medication may have such medication, identified as stated above, stored in or by the School's office and administered in accord with this policy. The Principal or his/her designee may prepare and distribute administrative guidelines to ensure the proper implementation of this policy.

As long as the School or any person administering medication (a) is authorized by the Board to administer medication; (b) has the prescriber's signed statement; (c) has the parents signed authorization, which includes a promise to submit any changes to the prescription; and (d) the person has not acted in a grossly negligent or wonton or reckless manner, then that person shall not be liable for civil damages for administering or failing to administer medication .

Notwithstanding the above, written authorization or instructions from a health care provider are not required for the possession, use or application of nonprescription topical ointments designed to prevent sunburn, provided however, the School shall require written parental authorization for the application of sunscreen to a student by a School employee where application is not required pursuant to a student's Section 504 Plan or Individual Education Program. School employees authorized to apply sunscreen to students shall be of the same gender as the student and shall be observed by another same-gender employee during the application process. Sunscreen shall only be applied be in areas of exposed skin not otherwise covered by articles of clothing.



Policy 6012: Use of Drugs, Alcohol, Tobacco, or Other Stimulants

The use of drugs (including all illegal substances), alcohol, tobacco, or other stimulants on school premises or at school sponsored activities or events is prohibited. Other stimulants include betel nuts and other types of stimulants that present a health hazard and can have serious consequences both for the user and the non-user.

For purposes of this policy, "use of tobacco" shall mean all uses of tobacco, including, but not limited to, a cigar, cigarette, pipe, snuff, or any other matter or substances that contain tobacco, as well as electronic, "vapor," or other substitute forms of cigarettes. Additionally, "use of betel nuts" shall mean any and all use, possession, consumption or chewing of the areca nut (commonly known as the betel nut) or substances containing the areca nut.

The School shall confiscate any prohibited items. Confiscated items will not be returned. The management company shall post "No Smoking" signs where required and where appropriate on school premises.