

## SECTION J: STUDENT

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SECTION J: STUDENT  
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## STUDENT POLICIES GOALS

Through its policies that affect students, the Board seeks to advance these goals to:

1. enhance graduation from high school for all students;
2. promote faithful attendance;
3. ensure that the constitutional rights of all students as citizens in a democracy have practical meaning and application;
4. develop in students a deep sense of personal responsibility for their actions;
5. attend vigorously to matters of student safety, health and welfare and
6. deal justly and constructively with all students in matters of discipline.

[Adoption date: January 20, 2004]

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

## EQUAL EDUCATIONAL OPPORTUNITIES

All students of the District have equal educational opportunities.

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

[Adoption date: January 20, 2004]

LEGAL REFS.: Civil Rights Act, Title VI; 42 USC 2000d et seq.  
Civil Rights Act, (Amended 1972), Title VII; 42 USC 2000e et seq.  
Executive Order 11246, 1965, amended by Executive Order 11375  
Education Amendments of 1972, Title IX, Pub. L. No. 92-318 (1972)  
Individuals with Disabilities Education Act  
Vocational Rehabilitation Act of 1973, Section 504  
ORC 3313.64  
OAC 3301-35-02(a)(2)  
Americans with Disabilities Act; 42 USC 12112 et seq.

CROSS REFS.: AC, Nondiscrimination/Antiharassment  
ACA, Nondiscrimination on the Basis of Sex  
ACB, Nondiscrimination on the Basis of Disability  
GBA, Equal Opportunity Employment  
IGBA, Programs for Students with Disabilities  
IGBB, Programs for Gifted and Talented Students  
JFA, Student Due Process Rights

## SCHOOL ATTENDANCE AREAS

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

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

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.48; 3313.64; 3313.65; 3313.97  
3319.01

CROSS REF.: JECC, Assignment of Students to Schools

## COMPULSORY ATTENDANCE AGES

Under law, children between the ages of 6 and 18 are of compulsory school age. Every person of compulsory school age must attend a school which conforms to the State Minimum Standards prescribed by the State Board of Education until one of the following occurs.

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

The parent, guardian or any other individual having charge of any person who is of compulsory school age must send such person to school unless he/she is exempt as listed above.

HB-281 brings five-year-olds enrolled in school under Ohio's Compulsory Attendance Law. This means that if you have a five-year-old kindergarten student who is not attending school, you will be able to refer that youngster or his/her parent to court for truancy. The court will then be able to take action. Prior to the enactment of HB-281, compulsory attendance did not begin until the school term in which a child was six years of age — essentially compulsory attendance did not begin until a child was in first grade. Parents will be able to remove their five-year-old from compulsory attendance by withdrawing the youngster from school.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3321.01 et. seq.  
3331.02  
OAC 3301-35-02

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

ENTRANCE AGE  
(Mandatory Kindergarten)

Mandatory Kindergarten

No child shall be admitted to the first grade that has not successfully completed kindergarten. Upon request of a parent, the requirement of mandatory kindergarten may be waived by the District's pupil personnel services committee in the case of a child who is at least six years of age by August 1 of the year of admission, and who demonstrates to the satisfaction of the committee that he/she possesses the social, emotional, and cognitive skills necessary for first grade.

The pupil personnel services committee shall be composed of the following members:

1. an elementary school principal,
2. an elementary school guidance counselor,
3. a school psychologist and
4. a first grade teacher.

The committee's services shall be limited to the issuing of waivers allowing admittance to first grade without the successful completion of kindergarten. This process applies to a child who has attended a non-accredited kindergarten and whose parents wish to enroll him/her in firsts grade.

Early Entrance

The purpose of early entrance evaluation is to provide for individual differences in school readiness with an appropriate educational program and method of acceleration for the very few developmentally advanced children who might benefit from it. Early entrance evaluation is provided by O.R.C. Section 3321.01.

The legal age required for regular entrance to kindergarten shall be five years of age on or before August 1 of the year of admission. The legal age required for early entrance to kindergarten shall be five years of age on or before January 1.

The legal age required for regular entrance to first grade shall be six years of age on or before August 1 of the year of admission. The legal age required for early entrance to first grade shall be six years of age on or before January 1.

Criteria

The evaluation of a child for early entrance shall emphasize skills and characteristics that correlate with successful performance in an academic program. The Board has adopted the following standards to determine the eligibility of a child for early entrance:

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1. Intellectual Maturity

The child shall demonstrate exceptionally advanced mental maturity through performance on an individually administered intelligence test with the lower limit being an intelligence quotient of 125 for those with an August or September birth date, 130 for those with a October or November birth date, and 135 for those with a December birth date.

\* If student fulfills intelligence standard, eligibility will be determined by the following:

2. Pre-Academic/Academic Achievement

The child shall demonstrate exceptional academic achievement on standardized achievement tests and curriculum based assessment.

3. Social and Emotional Maturity

The child shall demonstrate exceptional social and emotional development that is advanced for the grade he/she is to enter, as measured through a norm referenced assessment.

4. Verbal Maturity

The child shall demonstrate exceptional understanding and use of vocabulary and verbal expression that is advanced for the grade he/she is to enter, as measured on the intelligence test in section a.

5. Physical Maturity

The child shall demonstrate exceptional visual-motor perception and muscular coordination, as measured on the kindergarten screening assessment.

Qualifying Factors

Children who have not attained the legal age for regular entrance to kindergarten or first grade and who have attended a nonaccredited kindergarten shall be evaluated for early entrance and be considered for the waiver of kindergarten at the request of their parents in accordance with this policy. The District's pupil personnel services committee shall make the determination of eligibility. The pupil personnel services committee shall be composed of the following members:

1. an elementary school principal;
2. an elementary school guidance counselor;

3. a school psychologist and
4. a teacher.

A child evaluated and accepted for early entrance to kindergarten is not required to be re-evaluated for entrance to first grade but may be re-evaluated upon request through the building principal.

Procedure

1. Parent Interview

The building principal shall meet with parents who have requested evaluation and shall explain that early entrance is intended to identify and admit only those children who are developmentally advanced and socially well adjusted. It shall be explained clearly that early admission shall be granted only according to the standards adopted by the Board.

2. Parent Application

The parent stating the reasons for the request shall make a written request for evaluation. The application forms shall be obtained from the building principal.

3. Evaluation

A certified school psychologist employed by the County Board of Education shall administer the tests to measure the intellectual, social, emotional, verbal, and physical readiness of the child for kindergarten in accordance with the standards adopted by the Board. The psychologist shall prepare a written report of all evaluative data.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3321.01  
OAC 3301-35-03(F)(1)

CROSS REF.: JEA, Compulsory Attendance Ages



APPLICATION FOR EARLY ENTRANCE EVALUATION

Child's Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Parent/Guardian's Name \_\_\_\_\_

Address \_\_\_\_\_ Zip Code \_\_\_\_\_

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

I wish to have my child evaluated for early entrance for the following reasons:

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CONSENT FOR EVALUATION

I hereby give my permission for \_\_\_\_\_ to receive an evaluation(s) by designated school personnel. I understand the evaluation information will be shared by teachers, principals, and other appropriate school personnel, and that the school District will forward educational records upon request to another school district or educational agency in which my child seeks or intends to enroll. I further understand that my granting of consent is voluntary on my part and I may revoke my consent at any time.

\_\_\_\_\_  
Signature of parent, legal guardian, custodian or student

\_\_\_\_\_  
Relationship to child

\_\_\_\_\_  
Date

## SCHOOL ADMISSION

It is the policy of the District to provide an outstanding education to all students who are lawfully entitled to attend this school District. The purpose of this policy is to delineate those students who are entitled to attend this District and at the same time to protect the taxpayers of this District from paying for the education of students who are not legally entitled to attend Bath without the payment of tuition.

### Students Entitled to Attend Without Either the Payment of Tuition by Parents or Special Board Permission

1. students whose parents are residents of this District;
2. students not residing in the districts where his/her parents reside but residing in this District that is in legal or permanent custody of a government agency or a person other than a natural or adoptive parent;
3. students residing in a home in the District;
4. students requiring special education;
5. students who have been placed for adoption with residents of the District unless the district of the parent's residence is required to admit the student;
6. students who are at least 18 but under 22 years of age who reside in the District apart from their parents, support themselves by their own labor and have not completed the high school curriculum or an individual education program;
7. married students under 18 years of age who are residents of this District;
8. students with a medical condition and whose parent is employed in the District as evidenced by a statement from the child's physician certifying that the child may require emergency medical attention and such other evidence as the Board may require;
9. for a period of 12 months a student residing with a person other than a parent in the District where the parent is serving outside the United States with the armed forces of the United States and intends to reside in the district upon returning to Ohio;
10. a student under age 22 who resides with a parent having a new house built in this District that supplies the appropriate sworn statement from the parent and the builder for a period up to 90 days;

11. a student under age 22, residing with a parent who has contracted to purchase a house in the District and who supplies an appropriate sworn statement for a period of up to 90 days or
12. a student whose parent is under the care of a shelter for domestic violence within this District.

Students admitted under these sections may allow this District to charge tuition to another school district.

Students Entitled to Attend Without The Payment of Tuition by Parents with Board Permission

1. Open enrollment students in accordance with Board policy and the provision of ORC 3313.97 and 3313.98;
2. students under the age of 22 who are attending school in this District and after the death of a parent are now residing in another school district for the remainder of the school year;
3. students under the age of 22 who reside in this school District with a grandparent, are in custody of their parents and do not require special education provided the school district of the parents' residence consents upon a finding that good cause exists;
4. residents of domiciles of foreign nations who request admission as foreign exchange students (not to exceed 1% of the High School enrollment);
5. residents or domiciles of the United States but not of Ohio who request admission as participants in an exchange program operated by a student exchange organization or
6. a student whose parents moved out of this school District after the beginning of the student's senior year in high school, for the balance of the school year.

Students Entitled to Attend Only by Payment of Tuition by Parents

1. students admitted to school as tuition students and not eligible to attend under any of the provision of Part I or II of this policy.

Academic Programs With Limited Enrollment

In order for a student to be eligible to participate in Academic Programs with Limited Enrollment (i.e., Summer Reading Academy) the student must:

1. be admitted and attending the District under any mandatory provision of ORC 3313.64 by the parent or guardian or
2. be admitted and attending the District under any of the optional provisions of ORC 3313.64 with approval of the Board or
3. be admitted and attending the District by the Board as a tuition student with tuition payments current or

4. be admitted for the year of enrollment for the program to the District as an open enrollment student or
5. be a resident or domiciliary of a foreign nation and be admitted to and attending the District as a foreign exchange student by the school principal (not to exceed 1% of the school enrollment).

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The guidance department shall verify in each case that all required documents, including medical forms, other school records, court orders, documents relating to custody and documents needed to prove residency or support, are on file as a condition of admission and participation in academic programs with limited enrollment.

The failure of a student admitted on a tuition basis to keep tuition payments current shall result in the exclusion of the student from academic programs with limited enrollment as well as the withholding of grades. Parents or guardians of students who request the admission of a student on a tuition basis shall be responsible for the payment of tuition even though another Ohio school district may be initially responsible for tuition payment. Out-of-state students will be admitted only upon payment of tuition directly by parents.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.48; 3313.64; 3313.67; 3313.671; 3313.672  
3317.08  
3319.321  
3321.01  
OAC 3301-35-03(F)

CROSS REFS.: AFI, Evaluation of Educational Resources  
JEE, Student Attendance Accounting (Missing and Absent Children)  
JHCB, Inoculations of Students



## ADMISSION OF HOMELESS STUDENTS

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

1. a supervised, publicly or privately operated shelter designed to provide temporary living accommodations (including welfare hotels, congregate shelters and transitional housing for the mentally ill);
2. an institution that provides a temporary residence for individuals intended to be institutionalized or
3. a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.

In compliance with the Stewart B. McKinney Homeless Assistance Act, the District must enroll a homeless student in either:

1. the school of origin for the remainder of the academic year or, if the student becomes homeless between academic years, for the following academic year or
2. the school which he/she would attend if he/she were a resident of the District.

The Board ensures that:

1. it reviews and revises Board policies and regulations to eliminate barriers to the enrollment, retention and success in school of homeless students;
2. it appoints a District liaison who ensures that homeless students enroll and succeed in school and
3. homeless students are provided with transportation services that are at least comparable to the service provided to nonhomeless students.

If the District receives sub grants to implement this policy, the liaison ensures compliance with the sub grant and coordinates services for homeless students with local social service agencies and programs, including those funded under the Runaway and Homeless Youth Act.

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

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

The District complies with the Ohio Department of Education's Plan Ohio and Federal law for the education of homeless children and youth.

[Adoption date: January 20, 2004]

LEGAL REF.: 42 USC Sections 11431 et seq.

CROSS REF.: AC, Nondiscrimination/Antiharassment



## ADMISSION OF NONRESIDENT STUDENTS

Nonresident students will not be accepted for enrollment on a tuition basis in the District except:

1. Students in the 12th grade whose parents move from the District during the school year may complete the school year upon the payment of tuition.
2. Students who wish to complete a school year under #1 must be enrolled as resident students for at least 15 school days at the beginning of the school year.
3. Nonresident students who are placed in homes in the District by the courts will be accepted on a tuition basis, if applicable. The tuition rate for these students will be charged at the state specified rate to the sending district. School guardianship requests will be discouraged.

In every case, tuition shall be paid in advance to the CFO/Treasurer of the District.

The tuition rate shall be set on a per-diem basis annually by the Board except as it applied to Item #2 above.

4. The Board will waive the payment of tuition, when foreign exchange students, sponsored under an approved exchange program, reside in the District temporarily.
5. Upon written request of a student, if 18 years of age or older, or of his/her parents, if under that age, and approval of this Board, any student under the age of 22 whose parents were residents of this school District and who have moved out of this District after the commencement of classes in the student's senior year, shall be entitled to attend the Bath High School without payment of tuition for the remainder of that school year and one additional semester if needed to meet graduation requirements.

In determining whether to permit attendance of a student under this policy, the Board shall consider the availability of space in the classes the student is taking or is likely to take in order to graduate and the best interests of both the student and the District.

To the extent that the information which the Board requires to make a decision upon a request for continued admission under this policy involves confidential student records, the Board may meet in executive session to consider the request.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3311.211  
3313.64; 3313.644; 3313.65

Bath Local School District, Lima, Ohio

3317.08  
3327.04; 3327.06  
OAC 3301-35-03; 3301-42-01

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

## ADMISSION OF EXCHANGE STUDENTS

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

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

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

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

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

[Adoption date: January 20, 2004]

## ADMISSION OF EXCHANGE STUDENTS

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

1. Exchange students must be associated with an organized foreign exchange program that is approved by the Ohio Association of Secondary School Administrators and/or National Association of Secondary School Principals. Such organizations must maintain either an office or a representative in central Ohio.
2. The sponsoring parents and/or representatives of the approved sponsoring organization must contact the designated coordinator of the foreign exchange student program in the high school guidance office.
3. Exchange students must have a host family assigned and accepted by July 1. If, after the July 1 deadline, a maximum of two foreign exchange students have not been registered, an organization may add one additional exchange student if that student will be registered for the entire school year. The maximum number of foreign exchange students to be enrolled in any given year is 10% of grade level.
4. The Board reserves the right to restrict the number of foreign exchange students in any given academic year. Organizations will be limited to two students each year unless space becomes available for another student after July 1.
5. The school reserves the right to deny enrollment to foreign exchange students if approval by the high school guidance office has not been given by July 1 preceding the year of desired enrollment.
6. In order to provide a quality education and to minimize potential disruption, the high school will not accept foreign exchange students after the school year has begun. However, students who were accepted before the July 1 deadline will not be denied enrollment due to late arrival.
7. Exchange students must be full-time students carrying a full academic classload. Enrollment eligibility shall be determined on an annual basis. Exchange students shall receive pass/fail grades only for purposes of class GPA ranking. The coordinator shall keep a record of the students' actual grades for permanent records.
8. Exchange students will not be accepted on a part-time basis. Part-time is defined as less than a full school day or school year.
9. Priority for enrollment will be granted to students enrolling in a level other than grade 12.

10. Exchange students completing grade 12 will receive a standard diploma (marked honorary) granted to regular high school graduates. Exchange students are not eligible for an honors diploma.

To receive a standard diploma (marked honorary), the exchange student must successfully complete a program of study developed by the principal/designee.

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

Exchange students may not be permitted to participate in the Ohio Proficiency Testing Program.

11. Exchange students are expected to share their cultural heritage to the fullest extent possible including topics such as government, economics, historical understanding and language.
12. Exchange students are subject to the same rules, fees and regulations of the Board as apply to all high school students.

(Approval date: January 20, 2004)



## ADMISSION OF INTERDISTRICT TRANSFER STUDENTS

The participating boards of education believe that students should, under certain prescribed circumstances, benefit from an interdistrict, open-enrollment policy. Guidelines for the transfer of students, based on criteria established by the schools/administration and in conjunction with recommendations from officials of the Ohio Department of Education are listed below. The specific criteria for this program shall be consistent with State law.

1. Any application for an interdistrict transfer for the coming school year must be submitted to the office of the Superintendent between January 6<sup>th</sup>, and the last Friday in May of the current school year. Applications will be acted upon not later than August 1<sup>st</sup> for the first round. If it is determined that space is available further applications will be considered and acted upon no later than the 2<sup>nd</sup> week of August.
2. No interdistrict transfer will be permitted if the enrollment of a grade level has been or will be exceeded by granting the transfer request.
3. Enrollment capacities are set for Bath Schools for grade levels and may change each year.

<u>Grade</u>	<u>Grade level Enrollment Limit</u>
K – 12	165

Available sections set individual high school class enrollment.

4. No student, once accepted by the receiving district, will be displaced for one year should enrollment exceed the limits stated above.
5. Enrollment in a special program, i.e., gifted, L.D., D.H., etc., will dictate which building a student must attend, as many units are cooperative among several districts and may not be housed in the child's district of residence. Excess costs will be charged back to the district of residence.
6. Districts are not required to institute any special education programs to serve transfer students.
7. All approved transfers are in effect for the coming school year.
8. Applicants shall be considered on a first-come, first-served basis with an assurance that applicants will not displace native students from academic programs.
9. Participating districts will accept no responsibility for the transportation of students to other districts unless it is deemed practical by the administration.
10. All applicants once accepted, must remain in the receiving district for the duration of the school year.

## Student Records

Students who have applied for the interdistrict open enrollment plan will have school records included with the application.

## At the Conclusion of the School Year

At the end of the third grading period, the parents of all students participating in the open enrollment program will be required to complete and return a letter of intent in regard to the succeeding school year, in accordance with the application window.

The letter of intent will include two choices:

1. \_\_\_\_\_ I am interested in reapplying for participating in the open enrollment program for the upcoming school year. I understand that I must reapply for consideration prior to the last Friday in May deadline, using the approved application form.
2. \_\_\_\_\_ My son/daughter will not return to Bath Schools in the upcoming school year.

## Notification

Once an applicant receives notification of acceptance, the applicant must file a letter of commitment (that the student will be attending Bath Local Schools) within 10 days to the Superintendent's office.

## Special Education Requirements

For the purpose of accepting Out-of-District students identified as learning disabled or developmentally handicapped under open enrollment, we establish the following class list and class size limits. This policy will enable Bath Local Schools to stay within State Department of Education guidelines when Bath students are identified and placed as learning disabled or developmentally handicapped students.

Out-of-District learning disabled and developmentally handicapped students will not be accepted when the special class LD and DH teacher at the elementary and middle school level is serving a total of eight children, or eight children during any one instructional period.

Out-of-District learning disabled and developmentally handicapped students will not be accepted when the special class LD teacher at the high school is serving a total of 12 children, or eight children during any one instructional period.

Out-of-District students who are entitled to speech/language services will be admitted so long as they do not exceed the case load limit which is based upon current personnel availability and will insure that all Bath students requiring these services currently as well as those who may be identified during the school year as in need of these services can be adequately served.

Transportation for Open Enrollment

The Bath Local Schools may accept students from another school district under open enrollment, district release, or under contract for transportation purposes only, to be transported by buses of the Bath Local Schools. Transportation of such students will be in accordance with the rules of the Bath Local Schools, which are as follows:

1. Transportation of such students shall not interfere with the daily operation of the transportation department nor the transportation of students of the District.
2. Transportation of such students shall be to or from a bus stop already in use for the buses of the Bath Local Schools.
3. Transportation of such students shall be to and from a stop agreed upon at time of release and shall be in effect for the entire school year.
4. The Bath Local Schools may elect not to transport any student under such release at a given time and will be stated at time of release.
5. The Bath Local Schools shall only be obligated after the completion of form #T-OE or form #T-DR.
6. Parents or legal guardians of such students are responsible for such students prior to being picked up at the stop in the morning and after being dropped off in the afternoon.
7. All rules and laws for transportation set forth by the Bath Local Schools and the state of Ohio will apply and supersede the rules and laws of the home school district.

(Adoption date: January 20, 2004)

(Revision date: February 22, 2006)

INTERDISTRICT OPEN ENROLLMENT APPLICATION

Date: \_\_\_\_\_ Student SS# \_\_\_\_\_ Student date of birth \_\_\_/\_\_\_/\_\_\_

Name of student: \_\_\_\_\_

Parent/Guardian's name: \_\_\_\_\_

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

Present school district of residence (should not be Bath Local) \_\_\_\_\_

School building presently attending: \_\_\_\_\_

Grade level of student for upcoming school year: \_\_\_\_\_

Is student enrolled in any special education or tutorial programs, or been suspended and/or expelled in the current or previous year: \_\_\_\_\_ No \_\_\_\_\_ Yes

One application must be submitted each year for each student requesting an interdistrict transfer. Students accepted for interdistrict enrollment must enroll in their resident district.

My signature indicates awareness that completion of this application does not provide any permission to change district attendance. It is merely a request to do so. I further understand that notice of approval or denial will be received no later than June 30.

My signature indicates that administrators of our district and the district where attendance is desired may exchange all information and records relative to my child.

Is transportation desired within the District? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, you will need to fill out the attached transportation form. Approval of your application is not a guarantee that Bath Local schools can accommodate your transportation.

Parent/Guardian's Signature \_\_\_\_\_ Date \_\_\_\_\_

\*Application for selection by first-come first-serve, must be received no later than the last Friday in May. Applications received after this May deadline will be reviewed on an individual basis dependent on class space availability.

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Official: \_\_\_\_\_ Date: \_\_\_\_\_

Approved \_\_\_\_\_ Rejected \_\_\_\_\_

Reason(s): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

TRANSPORTATION FOR OPEN ENROLLMENT FORM

Student's name \_\_\_\_\_

Address \_\_\_\_\_

Is entering the \_\_\_\_\_ grade in the \_\_\_\_\_ school year.

My phone number during the day is \_\_\_\_\_ and in the evening is \_\_\_\_\_.

All rules and laws for transportation set forth by the Bath Local Schools and the state of Ohio will apply and supersede the rules and laws of the home school district.

We have read the above and understand that we are responsible for our son/daughter prior to being picked up at the bus stop and after being dropped off at the bus stop.

Transportation Director

For the \_\_\_\_\_ school year, your son/daughter has been assigned to the following bus stop at

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ (description/address required)

on bus # \_\_\_\_\_

pick up time being approximately \_\_\_\_\_

Guardian \_\_\_\_\_ Date \_\_\_\_\_

Guardian \_\_\_\_\_ Date \_\_\_\_\_

School Official \_\_\_\_\_ Date \_\_\_\_\_

Student's file  
Principal  
Transportation office

## ADMISSION OF STUDENTS FROM NONCHARTERED OR HOME SCHOOLING

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

In making a placement decision, the Superintendent may consider:

1. the student's most recent annual academic assessment report;
2. whether to require the student to take any or all of the nationally normed, standardized achievement tests that are regularly scheduled for District students of similar age;
3. whether to require a student in grades 6-8 to take final exams for grade level placement;
4. whether to require a student in grades 9-12 to take final exams for credit only and
5. other evaluation information that may include interviews with the student and the parent.

Home schooled students must be enrolled in the District on a full-time basis in order to participate in cocurricular and extracurricular activities. Full-time enrollment is defined as five Carnegie units per semester.

Home schooled students must be enrolled in the District for a minimum of five Carnegie units in order to be selected as salutatorian or valedictorian for graduation purposes.

Students entering the Bath Local Schools from nonaccredited schools, whether in state or out, and/or home schooling and other noncertified programs may be evaluated by grade level/subject area teachers, or other designees assigned by the building principal. Placement shall be in accordance with the student's demonstrated ability on tests designed to assess knowledge and skills in the given grade or subject. These tests may include written examinations, oral discussions, demonstration of physical proficiency, portfolio, journal or other demonstrable evidence of competency or mastery of a particular grade/subject.

Credit and/or grade placement will be made at the discretion of the building principal on the basis of evidence and recommendations of persons conducting the examinations.

A student entering the Bath Local Schools under these circumstances may be permitted up to nine weeks to complete all evaluations. At the conclusion of the examination(s), the parent/guardian will be offered an explanation of the resulting grade/credit assignment.

Students who have been approved by the Superintendent of Bath Local Schools, including as designee of the County Superintendent, for an entire school year or for the remainder of a school

year or semester will be allowed to re-enroll in Bath Schools before completion of the approved semester or school year only if the Superintendent or designee determines that special circumstances exist to warrant such early re-enrollment, such as early recuperation from a medical condition.

Proficiency Testing for Home and Nonaccredited Schooled Students Residing in the District

In order to be eligible for Bath Local Schools to administer proficiency tests, a student must be registered and in attendance in one of Bath Local School's programs.

This policy is to ensure proper, accurate and representative testing data of actual enrolled and attending Bath Local School students to the state of Ohio.

[Adoption date: January 20, 2004]

LEGAL REF.: OAC 3301-34-06

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



## ASSIGNMENT OF STUDENTS TO SCHOOLS

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

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

[Adoption date: January 20, 2004]

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

CROSS REF.: JC, School Attendance Areas

STUDENT WITHDRAWAL FROM SCHOOL  
(Loss of Driving Privileges)

When the Superintendent receives information that a student of compulsory school age has withdrawn from school, the Superintendent must, within two weeks after the withdrawal, notify the registrar of motor vehicles and the county juvenile judge. Notification is not necessary if a student has withdrawn because of a change of residence or the student is enrolled in and attending, in accordance with District policy, an approved program to obtain a diploma or its equivalent.

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

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

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

The Superintendent notifies the registrar of motor vehicles and the juvenile judge of the county in writing of the suspension, expulsion, removal or permanent exclusion of a student within two weeks after such action is taken against a student for misconduct involving a firearm or other weapon. The notice is given to the registrar in the manner that the registrar requires by rule.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3319.321  
3321.13  
4507.061

Family Educational Rights and Privacy Act; 20 USC 1232g

## STUDENT ABSENCES AND EXCUSES

The Board strongly believes that consistent attendance and punctuality is an important factor in the pursuit of education.

Furthermore, we are entrusted by State law with accounting for the attendance of all students. Parents and students are also bound by Ohio school attendance laws which states that students must be present at school unless excused for one of the reasons listed below:

1. personal illness,
2. illness in the family,
3. quarantine of the home,
4. death in the family,
5. religious holidays,
6. family vacation or
7. an emergency or set of circumstances which receives approval of the principal.

The determination as to whether an absence is excused or unexcused rests with the building administrator. Truancy and unexcused absences will result in a zero grade being assigned for class work missed.

In addition to school imposed penalties, a pattern of truancy may be referred to Juvenile Court.

### Family Vacation

The Board believes that parents should make every effort to schedule their vacations in conjunction with the Board adopted school calendar. Although students have the opportunity to make up work missed, it is never possible to totally regain the information and learning experience provided by the daily classroom instruction and activities.

We know that some parents cannot control the dates of their vacation. We also realize that problems can possibly arise from leaving teen-age children at home along for long periods of time. It is for these reasons that students may be excused for family vacations if a request is made one week prior to the dates of absence and an approved vacation form has been completed. Failure to comply with this procedure may result in having days missed while on vacation to be counted as unexcused.

Final approval to be absent from school because of family vacations rests with the school administration.

1 of 2

It is the policy of the District that members of athletic teams and/or cocurricular clubs/activities are informed in writing prior to the beginning of each sport of the rules on missing practice during Christmas and Spring vacations. The coaches' rules must be applied uniformly to all members. A copy of the rules concerning Christmas and Spring vacations must be approved by the school administration and the high school athletic director(s) prior to the start of the activity and/or sport.

The Board authorizes the Superintendent to establish a hearing and notification procedure for the purpose of denying a student's driving privileges if that student of compulsory school age has been absent without legitimate excuse for more than 10 consecutive days, or a total of at least 15 days during a semester.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3321.01; 3321.04; 3321.13; 3321.14; 3321.38  
4507.061  
OAC 3301-35-02; 3301-35-03  
3301-51-13

CROSS REF.: JHC, Student Health Services and Requirements



## STUDENT ABSENCES AND EXCUSES

### Students Habitually Absent – Loss of Driving Privileges

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

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

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

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

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

(Approval date: January 20, 2004)

## TRUANCY

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

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

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

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

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

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

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

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

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

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

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

1 of 2

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

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

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3321.03-04; 3321.07-09; 3321.22; 3321.38  
3313.663

CROSS REF.: JED, Student Absences and Excuses



## STUDENT DISMISSAL PRECAUTIONS

### Dismissal of Individual Students during the School Day

Permission for a student to leave school when school is in session requires approval by the principal or a person specifically designed by him/her to exercise that authority. In evaluating requests for this permission, the authority gives primary consideration to the best interest of the student and/or public welfare. Requests will not be approved without a parent's or guardian's permission. When a request originates from a person other than the parents or guardian, the authority will contact the parent or guardian to obtain permission.

[Adoption date: January 20, 2004]

LEGAL REF.: ORC 3313.20

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

STUDENT ATTENDANCE ACCOUNTING  
(Missing and Absent Children)

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

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

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

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

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

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

The Board shall designate the Superintendent to develop informational programs for students, parents and community members relative to the subject of missing children.



[Adoption date: January 20, 2004]

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

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



## RELEASED TIME FOR RELIGIOUS INSTRUCTION

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

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

Individuals providing religious instruction are not permitted to promote student participation by directly contacting students on school premises or by encouraging students in the program to recruit their friends. All promotional activities for such instruction must be conducted off school grounds.

[Adoption date: January 20, 2004]

LEGAL REFS.: U.S. Const. Amend. I  
ORC 3321.04  
OAC 3301-51-13

CROSS REFS.: IGAC, Teaching About Religion  
JED, Student Absences and Excuses

## EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

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

1. holding a full-time Age and Schooling Certificate (GED) and being regularly employed;
2. receiving approved home instruction;
3. attending a private or parochial school or
4. having graduated from an approved high school.

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

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3321.02; 3321.03; 3321.04; 3321.07

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

## PERMANENT EXCLUSION

The Board, pursuant to State law, adopts the following as its official policy regarding permanent expulsion of students from school. A copy of this policy shall be posted in every school and copies will be made available to students upon request. All permanent expulsions, and related suspensions and expulsions from school shall be done in accordance with this policy.

### Suspension

If a suspension is based on a violation of this policy, and the student is 16 years of age or older, the notice of intent to suspend must include notification that the Superintendent may seek to permanently exclude the student if the student is convicted of or adjudicated a delinquent child for the violation.

The failure of the Superintendent or Board to provide notification of the possibility of a permanent exclusion shall not affect the validity of the suspension or the permanent exclusion.

### Expulsion

If an expulsion is based on a violation of this policy, and the student is 16 years of age or older:

1. the notice of intent to expel must include notification that the Superintendent may seek to permanently exclude the student if the student is convicted of or adjudicated a delinquent child for the violation.
2. the failure of the Superintendent or Board to provide notification of the possibility of a permanent exclusion shall not affect the validity of the expulsion or the permanent exclusion.

If a complaint is filed pursuant to State law alleging that the student is a delinquent child based upon the commission of the violation or the student is prosecuted as an adult for the commission of the violation, and if the resultant juvenile court or criminal proceeding is pending at the time the expulsion terminates, the Superintendent may file a motion with the court requesting an order to extend the expulsion for the lesser of an additional 80 days or the number of days remaining in the school year.

### Proscribed Conduct

A student may be permanently excluded from attending any Ohio public school if the student is convicted of, or adjudicated a delinquent child, for committing, when 16 years of age or older, one of the following criminal offenses:

1. Illegal conveyance or possession of deadly weapons or dangerous ordnance on school premises, in violation of ORC 2923.122.

2. Carrying concealed weapons on school property or at a school activity in violation of ORC 2923.12.

3. Selling or offering to sell or possessing a controlled substance in violation of ORC 2925.03 (A) (1), (4), (5), (6), (7), (9) or (10) on school property or at a school activity.
4. Committing one of the following on school property or at a school function if the victim at the time of the act was a school employee: aggravated murder in violation of ORC 2903.02, voluntary manslaughter in violation of ORC 2903.03; involuntary manslaughter in violation of ORC 2903.04; felonious assault in violation of ORC 2903.11; aggravated assault in violation of ORC 2903.12; felonious sexual penetration in violation of ORC 2907.12; rape in violation of ORC 2907.02; or gross sexual imposition in violation of ORC 2907.05; and
5. Complicity in any of the above described violations regardless of whether the act of complicity was committed on school property or at a school activity.

#### Principal's Duty to Report

If any school principal, acting within his/her official capacity, has knowledge of or observed a student committing a violation listed in Section IV, A of this policy, the principal:

1. shall report the violation to the Superintendent by the following day and
2. may report the act or violation to a law enforcement officer of the jurisdiction in which the act occurred or, if the student is a juvenile, he/she may report it to a law enforcement officer in the jurisdiction in which the student resides.

If the Superintendent decides that the student's continued attendance may endanger the health and safety of other students or employee because he/she has committed one of the offenses listed above, the Superintendent must give:

1. the pupil and his/her parents, guardian or custodian written notice of the intent to recommend that the Board adopt a resolution requesting the Superintendent of Public Instruction to permanently exclude the student from public attendance and
2. the Board a written recommendation of permanent exclusion, including the determination that the student's continued attendance poses a threat to the health and safety of other students and employees and a copy of proof of the conviction of or the adjudication as a delinquent child for a violation listed in this policy.

#### Board Resolution to Permanently Exclude the Board

1. May adopt a resolution, based on the Superintendent's recommendation, requesting that the Superintendent of Public Instruction permanently exclude the student. The resolution must be adopted within 14 days of receipt of the Superintendent's recommendation.

2. An adoption of a resolution, shall immediately:
  - A. forward the written resolution, proof of the student's conviction or adjudication, a copy of the student's entire school record and all other relevant information to the Superintendent of Public Instruction;

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- B. send a copy of the resolution to the student and his/her parent, guardian or custodian and
- C. designate a representative to present the case for permanent exclusion, including evidence in support, to the Superintendent of Public Instruction (or his/her designee). The representative may be an attorney.

#### Duty Not to Admit Student to School

No administrator of this District shall knowingly admit to any school a student who has been permanently excluded from public school attendance by the Superintendent of Public Instruction.

#### Superintendent's Recommendation to Revoke Permanent Exclusion

The Superintendent may issue a recommendation to the Board that the permanent exclusion be revoked. A finding that the permanently excluded student will no longer endanger the health and safety of other students or school employees must support the recommendation.

#### Probationary Admission

##### 1. Student Request for Probationary Admission

a permanently excluded student may request that the Superintendent admit him/her on a probationary basis. A probationary admission may not exceed 90 school days.

##### 2. Superintendent's Recommendation for Probationary Admission

If the Superintendent, the student and the student's parent, guardian, or custodian, or a designee all agree on a "Probationary Admission Plan," the Superintendent shall issue a recommendation to the Board that the student be admitted on a probationary basis. The recommendation should include a copy of the "Probationary Admission Plan" and the reasons for the recommendation. The Plan may include a treatment program, a behavioral modification program or any other program reasonably designed to meet the educational needs of the student and the disciplinary requirements of the school.

##### 3. Board's Adoption of Recommendation for Probationary Admission

The Board may adopt, by a majority vote, the Superintendent's recommendation for a probationary admission within 14 days after the Board receives the Superintendent's recommendation.

#### Revocation of Probationary Admission

1. If a student fails to comply with the “Probationary Admission Plan,” the Superintendent may remove the student immediately after a conference with him/her and issue a recommendation to the Board requesting that probationary admission be revoked.
2. The Board may adopt the resolution by a majority vote. If the Board does not adopt the Superintendent’s recommendation, the student shall continue to attend school under the “Probationary Admission Plan.”

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Extension of Probationary Admission Period

1. A student or the student's parent, guardian or custodian may request an extension at any time before the expiration of the 90-day probationary period. The request should be made to the Superintendent. The extension is not to exceed an additional 90 days.
2. The Superintendent and Board may recommend and grant subsequent probationary admission periods, each period not to exceed 90 days.
3. Any extension of a probationary admission shall be submitted subject to the adoption and approval of a "Probationary Admission Plan."

School Records

1. Duty to Maintain Student Records

Information regarding the permanent exclusion of a student shall be included in the student's official records and shall be included in any records sent to any school district that requests the student's records.

2. Duty to Expunge Student Records

When a permanently excluded student reaches 22 years of age or a permanent exclusion is revoked, the District shall remove and destroy all references to the exclusion from the student's file.

Certificate of High School Equivalence

The District may permit a person permanently excluded to seek a certificate of high school equivalence by attending any preparation course offered by the District, except those courses offered on District premises during normal school hours.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

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



## STUDENT RIGHTS AND RESPONSIBILITIES

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

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

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

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

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

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

[Adoption date: January 20, 2004]

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

Bath Local School District, Lima, Ohio

CROSS REFS.: ABC, Student Involvement in Decision Making (Also JFB)  
JFC, Student Conduct  
Student Handbook

## STUDENT DUE PROCESS RIGHTS

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

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

Due process procedures are:

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

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

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC Chapter 2506  
3313.66; 3313.661; 3313.662  
OAC 3301-35-03(G)(2)(c)

CROSS REFS.: JB, Equal Educational Opportunities  
JFC, all subcodes  
JGD, Student Suspension  
JGE, Student Expulsion

## STUDENT INVOLVEMENT IN DECISION MAKING

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

[Adoption date: January 20, 2004]

LEGAL REF.: OAC 3301-35-03

CROSS REFS.: BCE, Board Committees  
BCF, Advisory Committees to the Board  
JF, Student Rights and Responsibilities  
JFA, Student Due Process Rights  
JFC, Student Conduct  
Student Handbook

## STUDENT CONDUCT (Zero Tolerance)

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

A student who fails to comply with established school rules or with any reasonable request made by school personnel on school property and/or at school-related events is subject to approved student discipline regulations. The Superintendent/designee develops regulations which establish strategies ranging from prevention to intervention to address student misbehavior.

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

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

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

Whenever a student is suspended or expelled from school in accordance with State law for the possession of alcohol and drugs, the Superintendent may notify the registrar of motor vehicles and the juvenile judge of the county of the student’s residence. After receiving such notification the registrar of motor vehicles is required to suspend the temporary instruction permit or driver’s license of the student who is the subject of the notice. If a temporary permit or license has not been issued for that student, the registrar is prohibited from issuing a temporary permit or license. Driving privileges may be restored once the Superintendent notifies the registrar that the student has satisfied any conditions established by the Superintendent.

The Superintendent shall notify the registrar of motor vehicles and the juvenile judge of the county in writing of the suspension, expulsion, removal or permanent exclusion of a student within two weeks after such action is taken against a student for misconduct involving a firearm, knife, or other weapon. The notice shall be given to the registrar in the manner the registrar requires by rule.

Notification to the registrar of motor vehicles and the county judge must comply with ORC 3319.321 and the U.S. Family Educational Rights and Privacy Act of 1974 (FERPA) and accompanying regulations.

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In accordance with State law, a student whose driving privileges have been denied can file a petition with the juvenile court in which he/she resides for reinstatement.

No student shall engage in conduct prohibited by the Student Code of Conduct off of property owned or controlled by the District but that is connected to activities or incidents that have occurred on property owned or controlled by the District.

No student shall engage in conduct prohibited by the Student Code of Conduct that, regardless of where it occurs, is directed at an official or employees of the District or the property of an official or employee of the District.

The Superintendent is authorized to prohibit a student from participating in any particular or all extracurricular activities of the District or of a school of the District for the remainder of the season, semester, school year and/or the following season, semester or school year.

No high school credit shall be given for postsecondary courses any portion of which was taken during the period of an expulsion imposed by the Superintendent or extended by the Superintendent in accordance with law.

The Superintendent may expel a student 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 or property while the pupil is at school, on any other property owned or controlled by the Board, or at an interscholastic competition, an extracurricular event or any other school program or activity.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.20; 3313.534; 3313.66; 3313.661; 3313.662  
OAC 3301-35-03

CROSS REFS.: ABC, Student Involvement in Decision Making (Also JFB)  
EBC, Emergency Plans  
JFCA, Student Dress Code  
JFCEA, Gangs  
JFCJ, Weapons in the Schools  
JG, all subcodes  
Student Handbooks



## STUDENT DRESS CODE

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

Requirements include the following.

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

[Adoption date: January 20, 2004]

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

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

## CARE OF STUDENT PROPERTY WHILE ON SCHOOL PREMISES

It is the policy of the Board that no liability is assumed for private property belonging to students or their parents which is lost, stolen or damaged while on school property, unless such damage was caused by the negligent action by a school employee. This policy further directs the Superintendent to advise all employees of this policy to assure that students and their parents are notified as to the potential risk of personal loss if personal property is brought to schools.

[Adoption date: January 20, 2004]

## STUDENT CONDUCT ON SCHOOL BUSES

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

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

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

The Board's policy regarding bus riding privileges must be posted in a central location in each school building and made available to students upon request.

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

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3319.41  
3327.01; 3327.014  
OAC 3301-83-08

CROSS REFS.: JGA, Corporal Punishment  
Student Handbooks

## STUDENT CONDUCT ON SCHOOL BUSES

### Behavior

The driver shall be in charge of the bus at all times and is responsible for student behavior.

1. The driver may not exclude a student from the bus.
2. Reasonable conversation is permitted but is regulated by the driver.
3. Seats should be assigned.
4. Discipline
  - A. Loud talk, yelling or profanity are not permitted.
  - B. Eating on the bus is not permitted.
  - C. Pushing or crowding is to be avoided.
  - D. Windows are to be opened only with permission of the driver. Students are to keep head and arms inside the bus. Throwing things out the window is prohibited.
  - E. Students are to conduct themselves in an orderly manner at stops.
  - F. No noise or talking is permitted at railroad crossings.
  - G. The driver is responsible for behavior of students on the bus. Students misbehaving or not following the directions of the driver will be refused transportation as follows:
    - 1) Students with repeated infractions will have a written notice mailed home.
    - 2) Students receiving a second written notice may be refused transportation for up to 10 days.
    - 3) High school and middle school students may be subject to in-school suspension.
    - 4) A third notice will require a parent conference.

- 5) Expulsion from the bus for the remainder of the semester following all guidelines may be recommended at any time according to the gravity of offenses.

H. If students have assigned seats, they must sit in the assigned seat only.

Pets or any other animals are not permitted on the bus at any time.

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At Stops

1. Pick-up
  - A. Wait until the bus stops and the driver signals before crossing the road.
  - B. Look both ways.
  - C. Board and take seat as soon as possible.
2. Take-home
  - A. Stay in seat until bus stops.
  - B. Get off bus as quickly as possible.
  - C. Wait for driver's signal and look both ways before crossing road.

Students must ride only the bus to which they are assigned.

Damage done to a bus by a student will be paid for by the student.

Large groups visiting another student such as scouts, etc., can be accommodated only if space is available and with prior permission of the administration. All must have parent permission and an office bus pass.

(Approval date: January 20, 2004)



## GANGS

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

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

The Board directs the administration to establish regulations to ensure that any student wearing, carrying or displaying gang paraphernalia or exhibiting behavior or gestures which symbolize gang membership or causing and/or participating in activities which intimidate or affect the attendance of another student is subject to disciplinary action.

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

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.20; 3313.66; 3313.661

CROSS REFS.: AC, Nondiscrimination/Antiharassment  
JFC, Student Conduct  
JFCA, Student Dress Code  
JFCF, Hazing  
JGD, Student Suspension  
JGE, Student Expulsion

## HAZING

It is the policy of the Board that hazing activities of any type are inconsistent with the educational process and shall be prohibited at all times. No administrator, faculty member or other employee of the school District shall encourage, permit, condone or tolerate any hazing activities. No student, including leaders of student organizations, shall plan, encourage or engage in any hazing.

Hazing is defined as doing any act or coercing another, including the victim, to do any act of initiation to any student or organization that causes or creates a substantial risk of causing mental or physical harm to any person. Permission, consent or assumption of risk by an individual subjected to hazing does not lessen the prohibition contained in this policy.

Administrators, faculty members, and all other employees of the District shall be particularly alert to possible situations, circumstances or events which might include hazing. If hazing or planned hazing is discovered, involved students shall be informed by the discovering school employee of the prohibition contained in this policy and shall be required to end all hazing activities immediately. All hazing incidents shall be reported immediately to the Superintendent.

Administrators, faculty members, students and all other employees who fail to abide by this policy may be subject to disciplinary actions, and may be liable for civil and criminal penalties in accordance with State law.

The contents of this policy shall be distributed in writing to all students and District employees following its official adoption by the Board. In addition, this policy shall be incorporated into building, staff and student handbooks, and shall be the subject of discussion at employee staff meetings or inservice programs.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 2307.44  
2903.31

CROSS REFS: AC, Nondiscrimination/Antiharassment  
JFCEA, Gangs

## TOBACCO USE BY STUDENTS

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

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

The Board directs the Superintendent and CFO/Treasurer to inform all suppliers of goods and services to the District that it no longer makes purchases from vendors violating the Ohio Revised Code, including establishments in which cigarette vending machines are in locations other than those specifically provided for by State law.

[Adoption date: January 20, 2004]

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

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

## ALCOHOL USE BY STUDENTS/STUDENT DRUG ABUSE

### Philosophy Statement

The District recognizes its responsibility to provide all students with an environment conducive to the development of their maximum learning potential. The presence of alcohol and other drugs in the school or students with alcohol and other drug problems is a deterrent to learning, hereby limiting, interfering with, or inhibiting the primary responsibility vested in the educational system.

The District is concerned about the disruption of the learning environment of all students exposed to alcohol and other drug-related behaviors. The District is concerned about the health of its students. Students adversely affected by alcohol and other drugs in the schools increases the likelihood that the safety and well-being of our students will be disrupted through accidents, fights, absenteeism, poor academic performance, chronic discipline problems, etc.

The Board recognizes student alcohol and other drug use as wrong and harmful. Student alcohol and other drug use is a community problem requiring a community solution. Since the District is an integral part of the community, it is in the best interest of the community that steps be taken to promote, enhance, and maintain a drug-free school environment. The District also recognizes that alcohol and other drug use may lead to addiction, a treatable medical disease. In response, it is the policy to provide discipline as well as positive action to address alcohol and other drug use and/or dependency.

In developing this policy, the Board has tried to maintain a balance between compassion and aid to the students suffering from alcohol and other drug use, and the protection of the academic environment of students who wish to learn. It is recognized that the rights of students who do not use alcohol and other drugs must be protected. They should not have to be exposed to the possibility of being involved in illegal activities. The Board recognizes that the rights of administrators and teachers to perform their duties must be protected. They must take their place as educators and not perform the duties of police or a diagnostician. Additionally, it is important to recognize that the District is not a treatment program. Diagnosis, treatment and aftercare are complex processes that require trained specialists. Instead, our goals are education/prevention, intervention/referral and support/guidance.

The Board is responsible for establishing a policy and directing its implementation. It carries duties out through the District administrators and local, state and federal programs. The Board calls upon the administrators, faculty, staff, parents and students to collectively ensure the policy's success.

### Policy Statement

The Board shall not permit any student to possess, transmit, conceal, consume, show evidence of having consumed, use or offer for sale any alcoholic beverages, illegal drugs, unprescribed drugs,

look-alike drugs or any mind altering substance while on school grounds or facilities; at school sponsored events; in other situations under the authority of the District or in controlled vehicles. Included in this prohibition are any substances represented as a controlled substance, nonalcoholic beers, steroids, tobacco and tobacco products and drug paraphernalia.

Students found in violation of this policy will be subject to disciplinary action as described within the Student Code of Conduct up to and including expulsion and referral for prosecution. A reduction in penalty may be granted if the student receives professional assistance. Professional assistance may include, but not be limited to, an alcohol/drug education program; assessment with follow through based on the assessment findings, counseling, outpatient treatment or inpatient treatment. Students who need to take prescription or nonprescription medications must adhere to the policies described within the student handbook.

#### Driver Privileges Revoked

Whenever a student is suspended or expelled from school in accordance with ORC 3313.66 for the possession of alcohol or drugs, the Superintendent may notify the registrar of motor vehicles and the juvenile judge of the county of the student's residence. After receiving such notification the registrar of motor vehicles is required to suspend the temporary instruction permit or driver's license of the student who is the subject of the notice. If a temporary permit or license has not been issued for that student, the registrar is prohibited from issuing a temporary permit or license. Driving privileges may be restored once the Superintendent notifies the registrar that the student has satisfied any conditions established by the Superintendent.

Notification to the registrar of motor vehicles and the county judge must comply with ORC 3319.321 and the U.S. Family Educational Rights and Privacy Act of 1974 (FERPA) and accompanying regulations.

In accordance with State law, a student whose driving privileges have been denied can file a petition with the juvenile court in which he/she resides for reinstatement.

#### Education/Prevention

The District will take a comprehensive, progressive, age-appropriate approach in the development of curricula and programs, which promote positive life skill development and an awareness of the consequences associated with alcohol and other drug use. The guidelines, goals and objectives for prevention/education development will be based on information provided through our local advisory board, Ohio Department of Education, and the Ohio Prevention and Education Resource Center.

Additionally, opportunities for continued alcohol and other drug use prevention and intervention staff training and awareness will be made available in order to enhance the consistent implementation and success of this policy.

#### Intervention/Referral

It shall be the policy of Bath Local Schools to provide an intervention process designed to confront problem behaviors within students, which may indicate alcohol and other drug use. Intervention strategies will reflect a collaboration of staff administrators, guidance and drug free

schools program coordinator. Intervention strategies will be initiated but are not limited to the following circumstances:

1. students seeking help;
2. students exhibiting inappropriate, unusual or atypical behavior or

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3. disciplinary action involving violations of this policy and the Student Code of Conduct.

A working relationship exists between the District and local professional helping agencies in order to enhance familiarity, communication, referral and follow-up.

Students successfully completing an inpatient treatment program will not be penalized for days missed from school. Students will be recognized as absent due to medical reasons. Every effort will be made by Bath Schools to maintain contact with the treatment agency and provide academic instructional materials. Additionally, every effort will be made by the District to assure the students successful transition back into the school atmosphere.

#### Support/Guidance

Bath Local Schools recognize the importance of guidance activities, which provide support to students who are experiencing problems either directly or indirectly due to alcohol and other drug use. Therefore, programs such as individual guidance, support groups and mentorship programs will be utilized as a means of providing support and guidance to students within the school environment. Such activities may also be provided which promote drug-free lifestyles and support for students who are concerned in regards to a loved one's alcohol or other drug use.

#### Parent/Community

Parent involvement must coincide with school efforts in order for significant and consistent positive impact in regard to student alcohol and other drug use. Therefore, through the community arm of our drug-free schools program and guidance plan, parent education programs shall be made available to the community. These programs will focus on parental prevention and intervention strategies.

#### Other Policies Governing Student Alcohol and Other Drug Use

The Board has adopted a comprehensive eligibility code of conduct policy for student athletes and students involved in cocurricular and extracurricular activities. These policies represent a common philosophy regarding alcohol and other drug use and are administered in a similar fashion.

#### Student and Parent Notification

At the beginning of each school year the Student Code of Conduct is reviewed with every student as part of the orientation process. Compliance with these standards of conduct is mandatory and require a student signature each year in order to ensure student support and compliance.



[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 2925.01; 2925.37  
3313.66; 3313.661  
3719.011; 3719.41

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



## WEAPONS IN THE SCHOOLS

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

The definition of a firearm shall include any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer or any destructive device (as defined in 18 U.S.C.A. Sections 921-924) which includes but is not limited to any explosive, incendiary or poisonous gas, bomb, grenade or rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or device similar to any of the devices described above.

Students are prohibited from bringing a firearm on school property, in a school vehicle or to any school-sponsored activity. If a student brings a firearm on school property, in a school vehicle or to any school-sponsored activity, the Superintendent shall expel the student from school for a period of one calendar year. Any such expulsion shall extend, as necessary, into the school year following the school year in which the incident occurred. The Superintendent may reduce this requirement on a case-by-case basis in accordance with State law. In determining to reduce the one-year expulsion, if the student or parent requests in writing that the one year expulsion be reduced, the Superintendent shall consider in the individual case the pupils prior disciplinary record, prior academic record, and any extenuating circumstances.

Students are also prohibited from bringing knives on school property, in a school vehicle or to any school-sponsored activity. The definition of a knife includes, but is not limited to a cutting instrument consisting of a sharp blade fastened to a handle. If a student brings a knife on school property, in a school vehicle or to any school-sponsored activity, the Superintendent may expel the student from school, with the same expulsion implications as noted above.

The Superintendent may expel a student for a period of one year for bringing a firearm to an interscholastic competition, an extracurricular event, or any other school program or activity that is not located in a school or on property that is owned or controlled by the District.

Students who possess or use other dangerous weapons, which are defined but not limited to metal knuckles, straight razors, explosives, noxious irritation or poisonous gases, poisons, drugs or other items possessed with the intent to use, sell, harm, threaten or harass students, staff members, parents or community members may be expelled for up to 80 school days.

The Superintendent shall notify the registrar of motor vehicles and the juvenile judge in the County in writing of the suspension, expulsion, removal or permanent exclusion of a student within two weeks after such action is taken against a student for misconduct involving a firearm, knife or other weapon. The notice shall be given to the registrar in the manner the registrar requires by rules.



[Adoption date: January 20, 2004]

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

CROSS REFS.: JEGA, Permanent Exclusion  
JFC, Student Conduct  
JGD, Student Suspension  
JGDA, Emergency Removal of Student  
JGE, Student Expulsion  
Student Code of Conduct



## USE OF ELECTRONIC COMMUNICATIONS EQUIPMENT BY STUDENTS

Students will not possess a paging device or electronic communication equipment, such as a phone, while on school property during the course of a school day. An exception to this prohibition includes students who are in school-related attendance but who are also active members of a volunteer fire fighting organization or a volunteer emergency medical service organization. A “paging device” is a telecommunications device that emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor.

A person who discovers a student in possession of a paging device or any other electronic communication device, in violation of this policy, reports the violation to the principal, who confiscates the device, which is forfeited to the District and imposes appropriate discipline.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.20; 3313.753

CROSS REF.: Student Handbooks

**UNSAFE SCHOOLS**  
(Persistently Dangerous Schools)

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

Beginning in the 2004-2005 school year, a student attending a “persistently dangerous” school in this District or who becomes a victim of a “violent criminal offense,” “as determined by State law”, anywhere on District “grounds” or during school-sponsored activities is allowed to attend another school in the District that is not persistently dangerous that offers instruction at the student’s grade level. However, there is no transfer option if there is no other school in this District that offers instruction at the student’s grade level.

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

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

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

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

[Adoption date: January 20, 2004]

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

CROSS REFS.: JFC, Student Conduct (Zero Tolerance)  
JFCJ, Weapons in the Schools  
Student Handbooks

## PREGNANT STUDENTS

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

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

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

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

Students under the age of 18 are still subject to compulsory education requirements. Students 18 or older are encouraged to return to school after delivery and complete requirements for graduation.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3321.01; 3321.04

CROSS REF.: JEA, Compulsory Attendance Ages

## INTERROGATIONS AND SEARCHES

In order to insure the safety and well-being of all students, teachers, other school employees and guests, it is the policy of this District to authorize its administrators to search the clothing and personal effects of students where such a search is reasonably necessary under all the surrounding circumstances. In order to conduct such a search, it is not necessary that the administrator have probable cause to believe that a crime or violation of a school rule has occurred. It is necessary only for the administrator to have reasonable grounds, to believe that a search will produce evidence that a student has violated or is violating a law or school rule. If such reasonable grounds exist, an administrator may conduct a search of a student's person or personal effects. The search shall be reasonably related to the objectives of the search and not excessively intrusive in light of the age and gender of the student and the nature of the possible infraction that may have or may be occurring.

It is the policy of the Board that lockers made available for pupil use are and remain the property of and under the control of the Board at all times.

In furtherance of this policy, principals within this District and their designees which shall include assistant principals and the Superintendent of this school District may subject any student's locker and the contents thereof at any time to random search without regard to whether there is a reasonable suspicion that any locker or its contents contain evidence of a violation of a criminal statute or school rule.

The Superintendent is directed to post and maintain the following notice in a conspicuous place in each school building in this District which contains lockers for pupil use:

### Notice Of Policy On Searching Lockers

All lockers made available for pupil use are the property of the District. All such lockers and the contents thereof are subject to random search at any time by appropriate school officials without regard to whether there is reasonable suspicion that any locker or the contents thereof contain evidence of a violation of a criminal statute or school rule.

[Adoption date: January 20, 2004]

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

CROSS REF.: JHG, Reporting Child Abuse

## STUDENT DISCIPLINE

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

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

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

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

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

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

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

The Board requires a parent of a student who is suspended or expelled from school or who is truant or habitually absent from school to attend a parental education or training program. If the parent fails to attend the program, he/she will be charged with a misdemeanor of the fourth degree, punishable by a maximum fine of \$250 and imprisonment of up to 30 days.



[Adoption date: January 20, 2004]

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

CROSS REFS.: ECAB, Vandalism  
IGD, Cocurricular and Extracurricular Activities  
JG, all subcodes  
Student Handbooks



## CORPORAL PUNISHMENT

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

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

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

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.20  
3319.41

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

## STUDENT SUSPENSION

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

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

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

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

### Appeal Procedure

Should a student or a student's parent(s) choose to appeal the suspension, he/she must do so within 10 days of the notice of suspension. The procedure for such is provided in regulations approved by the Board. All witnesses are sworn and a verbatim record is kept of the hearing which may be held in executive session at the request of the student or his/her parent(s). The student may be excluded from school during the appeal process.

### Appeal to the Court

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

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[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

CROSS REFS.: JEGA, Permanent Exclusion  
JFC, Student Conduct  
JFCEA, Gangs  
JFCJ, Weapons in the Schools  
JGE, Student Expulsion



## EMERGENCY REMOVAL OF STUDENT

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

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

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

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

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

[Adoption date: January 20, 2004]

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

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

## STUDENT EXPULSION

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

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

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

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

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

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

### Permanent Exclusion

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

### Appeal to the Board

A student or a student's parent(s) may appeal the expulsion by the Superintendent to the Board or its designee. They may be represented in all such appeal proceedings and are granted a hearing before the Board or its designee. All witnesses are sworn and a verbatim record is kept of the hearing which may be held in executive session at the request of the student or parent(s). The student may be excluded from school during the appeal process.

Appeal to the Court

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

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

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.66; 3313.661; 3313.662

CROSS REFS.: ECAB, Vandalism  
JEGA, Permanent Exclusion  
JFCJ, Weapons in the Schools  
JGD, Student Suspension  
JGDA, Emergency Removal of Student



## STUDENT HEALTH SERVICES AND REQUIREMENTS

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

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

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

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

[Adoption date: January 20, 2004]

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

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

## PHYSICAL EXAMINATIONS OF STUDENTS

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

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

Parents have the right to refuse to allow their child to participate in nonemergency invasive physical examinations or screenings. Invasive physical exam is defined as any "medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion or injection into the body, but does not include a hearing, vision or scoliosis exam."

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

[Adoption date: January 20, 2004]

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

CROSS REF.: JHCB, Inoculations of Students

## INOCULATIONS OF STUDENTS

Students enrolled in kindergarten through grade 12 are required to have written proof on file at their public or nonpublic school that they have been immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles, mumps, rubella, and hepatitis B as set forth in Section 3313.6761 of the Ohio Revised Code. Pupils who have not been immunized by a “method of immunization approved by the Ohio Department of Health pursuant to Section 3701.13 of the Ohio Revised Code” are to be excluded from school attendance no later than 15 school days after admission.

Minimum immunization requirements are:

1. A minimum of four doses of DPT vaccine is required. If the fourth dose was administered prior to the fourth birthday, five doses are required.
2. A minimum of three doses of polio vaccine is required. If the third dose was administered prior to the fourth birthday, four doses are required.
3. Beginning with the fall 1999 school year, the requirements for the second dose of MMR vaccine apply to all kindergarten students and to all students in grades 7-12.
4. Effective January 1, 1999, all children entering kindergarten shall be required to provide evidence of having received three doses of Hepatitis B vaccine. The second dose must be administered at least 28 days after the first dose. The third dose must be administered at least two months after the second dose and at least four months after the first dose, and at least six months of age. This requirement shall be enforced progressively; therefore, the requirement shall be extended to kindergarten and first grade students in the year 2000, kindergarten, first, and second grades in 2001, etc.

The only children who are exempt are those with a medical or religious/philosophical exemption on file at the school. Under the Law (3313.671), children may be admitted to school if they are “in the process” of completing the required immunizations. “In the process” means they have already had a minimum of one DPT, one polio, one MMR, and one hepatitis B. Children who are not exempt and who are not “in the process” will not be admitted until they qualify. Additionally, those who are “in the process” must complete their series in a medically sound but timely manner, or they must lose their temporary waiver and are subject to exclusion from school.

[Adoption date: January 20, 2004]

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

Bath Local School District, Lima, Ohio

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

IMMUNIZATION EXEMPTION FORM  
(Religious, Good Cause and Medical Exemption Form)

Amended Substitute Senate Bill No 282, Ohio Revised Code,  
Sections 3313.671 Part (3) and (4)

Section 3313.671, part (3): A student who presents a written statement of his/her parent or guardian in which the parent or guardian objects to the immunization for good cause, including religious convictions, is not required to be immunized.

Section 3313.671, part (4): A child whose physician certifies in writing that such immunization against any disease is medically contraindicated is not required to be immunized against that disease. This section does not limit or impair the right of a board of education of a city, exempted village or local school district to make and enforce rules to secure immunization against poliomyelitis, rubeola, rubella, diphtheria, pertussis, tetanus and hepatitis B of the students under its jurisdiction.

I, the parent or guardian of the below named child, hereby object to the immunization(s) listed for the following reasons:

\_\_\_\_\_ Polio    \_\_\_\_\_ Diphtheria/Tetanus/Pertussis (DTP)

\_\_\_\_\_ Mumps, Measles, Rubella (MMR)    \_\_\_\_\_ Hepatitis B

Child's name \_\_\_\_\_

\_\_\_\_\_ Religious: List name of denomination \_\_\_\_\_

\_\_\_\_\_ Good cause: Please explain \_\_\_\_\_

\_\_\_\_\_ Medical reason: You must have a signed statement from your physician stating the condition and attach it to this form.

I further understand that during the course of an outbreak of any of the aforementioned vaccine preventable diseases that the student named here is subject to exclusion from school for the duration of the outbreak.

This action is necessary not only to protect this student, but the remainder of the students and faculty of the school.

Parent/Guardian's Signature \_\_\_\_\_

Address \_\_\_\_\_ Date \_\_\_\_\_

## COMMUNICABLE DISEASES

All students with signs or symptoms of diseases suspected as being communicable to others are given immediate attention and sent home if such action is indicated.

Any student suspected or reported to have a communicable disease is examined by a school nurse or public health nurse. Upon the recommendation of the school physician, the student may be excluded from school. Re-admission is dependent upon a decision by a physician, school nurse or public health nurse. In case of doubt, the school physician is consulted.

Parents are informed when a communicable disease occurs in their child's classroom or on the bus so that early signs or symptoms can be observed and appropriate preventive measures can be instituted.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.67; 3313.68; 3313.71  
3319.321  
3707.04; 3707.06; 3707.08; 3707.20; 3707.21; 3707.26

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

## COMMUNICABLE DISEASES

### Chicken Pox (Varicella)

Common Symptoms – Slight fever, skin eruptions of small blisters which scab. May be in the state of pimples, blisters and scabs at the same time.

Control – Incubation period usually 13-17 days. Exclude 7 days, including weekend, until all lesions are dry. If high fever or severe illness, consult physician. Report to the health department.

### Common Cold

Common Symptoms – Irritated throat, cough, watery discharge from nose and eyes, slight fever, chills, sneezing.

Control – Exclusion encouraged during first 24 - 72 hours. If high fever, severe symptoms, consult physician.

### Pinkeye (Conjunctivitis)

Common Symptoms – Redness, swelling, burning or itching of eye mucosa. May have yellow discharge and/or sensitivity to light.

Control – Same as common cold.

### Flu

Common Symptoms – Usually abrupt onset of fever, chills, headache, sore muscles and common cold symptoms.

Control – Same as common cold.

### Hepatitis (Infectious)

Common Symptoms – Usually abrupt onset with a loss of appetite, fever, abdominal discomfort, nausea and fatigue. Jaundice may follow in a few days.

Control – Incubation period may be 15 - 50 days; commonly 20 - 30 days. Exclude during first 14 days and at least 7 days after onset of jaundice. Consult physician. Gamma globulin usually administered to household contacts. Report to health department.

### Impetigo

Common Symptoms – Blisters that develop into crusted, yellowish sores usually on face, elbows, knees.

Control - Exclude until released by physician or lesions healed. Screen siblings and close friends.

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Measles (Rubeola)

Common Symptoms – Fever, runny eyes and nose, cough followed by blotchy, dusky-red rash. May have Koplik spots in mouth.

Control – Incubation 1-7 days. Consult physician. Usually antibiotics for intimate contacts. Report to health department. Exclude from school until released by physician.

Meningitis (Bacterial)

Common Symptoms – Sudden onset of fever and intense headache. May have behavioral changes including irritability or sluggishness.

Control – Incubation 1-7 days. Consult physician. Usually antibiotics for intimate contacts. Report to health department. Exclude from school until released by physician.

Meningitis (Viral, Aseptic)

Common Symptoms – Same as bacterial.

Control – Important to diagnose type of meningitis, as viral is much less serious disease. Report to health department. Exclude from school until released by physician.

Mononucleosis

Common Symptoms – Irregular fever, malaise, sore throat, posterior cervical lymphadenopathy.

Control – Incubation 2 - 8 weeks. Consult physician. Exclude if fever, systemically ill, or physician's advice.

Mumps

Common Symptoms – Usually fever followed by swelling under jaw in front of ear; one or both sides.

Control – Incubation 12 - 26 days. Exclude 9 days from onset or until swelling subsides. Encourage immunization.

Head Lice (Pediculosis)

Common Symptoms – Irritation, itching of scalp; presence of tiny gray insects and/or nits (eggs), especially around nape of neck and ears.

Control – Louse life cycle is about 1 month; eggs hatch in 10 days, lice mature in 2 weeks.  
Exclude while being treated from pediculicide shampoo and all nits removed. Consult physician.  
All family members, close friends, should be checked.

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### Body Lice

Common Symptoms – Intense itching with vertical excoriations usually on neck and trunk. Insects may be present in seams of clothing.

Control – As above for Head Lice.

### Ringworm

Common Symptoms – Ringlike lesions usually on exposed skin; may be dry, scaling or moist and crusted. May burn and itch.

Control – Exclude, consult physician. Re-admit when released by physician or skin is clear. Contacts not excluded.

### Athlete's Foot

Common Symptoms - Peeling, cracking, itching and blisters of skin between and around toes.

Control – Not excluded except from activities involving method of spread.

### Head Scalp

Common Symptoms – Loss of luster of hair, scaling of infected area, patchy baldness, brittle hair shafts.

Control – Exclude, consult physician. Re-admit when released by physician or negative to Blacklight.

### Rubella

Common Symptoms – Fever, malaise, rash and swollen nodes behind ears.

Control – Incubation period 14 - 21 days. Exclude at least four days from onset of rash. Consult physician. Report to health department. Enforce immunization requirement.

### Scabies

Common Symptoms – Small blisters, irritation or burrows under the skin between fingers, on arms, legs, back, or abdomen. Intense itching at night.

Control – May appear in days or weeks. Consult physician. Exclude until treated; itching may persist.



Strep Throat, Scarlet Fever

Common Symptoms – Usually sudden onset of fever, headache, sore throat, vomiting. If progression to scarlet fever, very red tongue, fine rash and peeling skin.

Whooping Cough

Common Symptoms – Fever, cough – worse at night. May cause vomiting. Characteristic whoop may develop in 2 weeks.

Control – Incubation 7-21 days. Exclude at least 10 days from onset. Consult physician. Report to health department. Enforce immunization.

(Approval date: January 20, 2004)



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

General Principles

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

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

There shall be no discrimination against employees who are HIV infected. The District provides equal opportunities for employment, retention and advancement for all staff members. Employees who are unable to perform their duties due to an illness, such as that related to HIV, shall retain eligibility for all benefits that are provided for other employees with long-term diseases or disabling conditions, utilizing the information/rights in any Negotiated Agreements or Board policies as appropriate. Changes in employment status or location due to HIV complications are made on a case-by-case basis.

Evaluating Students and Staff Who Are Infected with HIV

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

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



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

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

### Confidentiality

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

### HIV Advisory Committee

The President of the Board appoints an HIV Advisory Committee. The Committee consists of one member of the Board, the Superintendent, one principal, one teacher, the District's legal counsel, the school physician and a doctor who specializes in communicable diseases. Other persons who may be considered as members include a guidance counselor, a student and an official of the County Department of Health. The function of the HIV Advisory Committee is:

1. to keep informed regarding the latest medical developments and information regarding HIV;
2. to advise the Board regarding policies and regulations and any changes which the Committee recommends in such policies to the Board;
3. to advise the Board regarding the HIV education program;
4. to develop guidelines for Board consideration on hygienic practices in schools and
5. to assist any student, parent or employee who is seeking information about HIV.



HIV Education Program

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

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

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

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

[Adoption date: January 20, 2004]

LEGAL REFS.: Family and Medical Leave Act; 29 USC 2611 et seq.  
ORC 3313.67; 3313.68; 3313.71  
3319.13; 3319.141; 3319.321  
3701.13; 3701.14  
3707.06; 3707.08; 3707.20; 3707.21; 3707.26  
3709.20; 3709.21  
OAC 3301-35-02

CROSS REFS.: AC, Nondiscrimination/Antiharassment  
ACB, Nondiscrimination on the Basis of Disability  
EBBC, Bloodborne Pathogens  
GBA, Equal Opportunity Employment  
GBE, Staff Health and Safety  
GBL, Personnel Records

JB, Equal Educational Opportunities  
JO, Student Records  
Staff and Student Handbooks

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

Aids Evaluation Team Responsibilities

The AIDS Evaluation, as outlined, makes a recommendation to the Superintendent covering a student's or employee's attendance in school after having been diagnosed as having AIDS.

In making this determination for students, the team considers the:

1. behavior, neurological development and physical condition of the student;
2. expected type of interaction with others in the school setting and
3. impact on both the infected student and others in that setting.

In making this determination for employees, the team considers the:

1. physical condition of the school employee
2. expected type of interaction with others in the school setting and
3. impact on both the infected school employee and others in that setting.

(Approval date: January 20, 2004)

## ADMINISTERING MEDICINES TO STUDENTS

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

1. The school nurse or an appropriate person appointed by the Board supervises the secure and proper storage and dispensation of medications. The drug must be received in the container in which it was dispensed by the prescribing physician or others licensed to prescribe medication.
2. Written permission must be received from the parent(s) of the student requesting that the school nurse or an appropriate person comply with the physician's order.
3. The school nurse or other designated individual must receive and retain a statement which complies with State law and is signed by the physician who prescribed the drug or other person licensed to prescribe medication.
4. The parent(s) must agree to submit a revised statement, signed by the physician or other licensed individual who prescribed the drug, to the nurse or other designated individual if any of the information originally provided by the physician or licensed individual changes.
5. No employee who is authorized by the Board to administer a prescribed drug and who has a copy of the most recent statement is liable in civil damages for administering or failing to administer the drug, unless he/she acts in a manner which would constitute "gross negligence or wanton or reckless misconduct."
6. No person employed by the Board is required to administer a drug to a student except pursuant to requirements established under this policy. The Board shall not require an employee to administer a drug to a student if the employee objects, on the basis of religious convictions, to administering the drug.

Students have the right to possess and use a metered-dose inhaler or a dry-powder inhaler to alleviate asthmatic symptoms or before exercise to prevent the onset of asthmatic symptoms. The right applies at school or at any activity, event or program sponsored by or in which the student's school is a participant.

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



[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 2305.23; 2305.231  
3313.712; 3313.713  
OAC 3301-35-03

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



## ADMINISTERING MEDICINES TO STUDENTS

It is the policy of the District that a parent at home must administer all children's medication. Under exceptional circumstances, school personnel under the appropriate administrative regulations may administer medication.

If under exceptional circumstances a child is required to take oral medication during school hours and the parent cannot be at school to administer the medication, only the designated school employees will administer the medication in compliance with the regulations that follow:

Written instruction signed by the parent and/or physician for nonprescribed drugs or by both the parent and physician for all prescribed drugs must be provided as follows:

1. Child's name and address
2. Information about the prescribed drugs shall include:
  - A. name of medication
  - B. purpose of medication
  - C. time(s) to be administered
  - D. dosage
  - E. possible side effects
  - F. potential severe reactions that should be reported to the physician
  - G. one or more emergency phone numbers for the prescribing physician
  - H. beginning and termination date of medication
  - I. special instruction, if any
3. Prescription drugs at the elementary and middle schools shall be delivered by the parent/guardian to the school office in the original container in which they were dispensed by the physician or pharmacist.
4. Nonprescription drugs shall be in the original container with directions for use.
5. Other oral medication, such as aspirin, will not be administered to elementary children. Middle and high school children will be provided oral medication, such as aspirin, etc., if the appropriate form is signed and returned to the building principal.



6. The school nurse or principal will:
  - A. inform the appropriate school personnel of the medication;
  - B. keep a log of the administration of medication, directions and permission slips received. The log shall reflect the date, time and medication. The log shall be maintained for 36 months (three school years) following the current year and
  - C. return unused medication to the parent only.
7. The parents of the child must assume responsibility for informing the school nurse or principal of any change in the child's health or change in medication.
8. The District retains the discretion to reject requests for administration of medicine.
9. A copy of this regulation will be provided to parents upon their request for administration of medication in the schools.
10. All dental disease prevention programs, sponsored by the Ohio Department of Health and administered by school employees, parents, volunteers, employees of local health districts or employees of the Ohio Department of Health, which utilize prescription drugs for the prevention of dental disease and which are conducted in accordance with the rules and regulations of the Ohio Department of Health are exempt from all requirements of this policy. This policy adopted by the Board does not apply or otherwise regulate conduction of such dental disease prevention programs sponsored by the Ohio Department of Health.

#### Policy For Students Carrying Asthma Inhalers

By law students of school districts, community schools and chartered nonpublic schools are permitted to carry their asthma inhalers with the consent of the student's physician and parents. In addition, the law grants immunity to school districts, community schools and chartered nonpublic schools and their employees of good faith actions in connection with this permission.

The written permission form shall be provided to the building principal and the school nurse (or employee designed by the building principal if there is not a nurse located in the building). A copy will also be given to the bus driver.

The written approval shall include all of the following:

1. physician and parent/guardian written authorization;
2. student's name and address;
3. name and dose of the medication contained in the inhaler;

4. date administration is to begin and cease;

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5. written instructions that outline procedures school personnel should follow in the event the medication does not produce the expected relief from the student's asthma attack;
6. side effects or severe reactions that may occur to the child for whom the medication was prescribed or to any other child using the inhaler;
7. emergency phone numbers for physician, parent and/or guardian and
8. any other special instructions.

Inhalers must be carried in the student's backpack or other discrete location in their possession. They must keep their inhaler under their control at all times.

Students are asked to report to their teacher or the school nurse if the asthma inhaler is used. This is so that their symptoms can be monitored. If the inhaler is used on the bus, the student is to report to the bus driver so that they can be monitored in a seat near the bus driver.

(Approval date: January 20, 2004)



SELF-MEDICATION FOR ASTHMA INHALERS  
AUTHORIZATION FORM

Student \_\_\_\_\_ Address \_\_\_\_\_

Emergency phone number \_\_\_\_\_

Teacher \_\_\_\_\_

Bus Driver(s) \_\_\_\_\_ School building \_\_\_\_\_

Name of drug/inhaler \_\_\_\_\_ Dosage to be administered \_\_\_\_\_

Date administration is to begin \_\_\_\_\_

Date administration is to cease \_\_\_\_\_

Adverse reactions that should be reported to the physician: \_\_\_\_\_

Adverse reactions for unauthorized user: \_\_\_\_\_

Procedure to follow in the event that medication does not produce the expected relief from student's asthma attack: \_\_\_\_\_

Other special instructions: \_\_\_\_\_

\_\_\_\_\_  
Physician name

\_\_\_\_\_  
Physician phone number

\_\_\_\_\_  
Physician signature

\_\_\_\_\_  
Date

On behalf of my child, his/her other custodial parent and myself, I hereby request that Bath Local Schools allow my child to carry his/her asthma inhaler at all times. In requesting this, I can verify that I have witnessed my child using his/her inhaler and feel he/she is competent to self-administer the inhaler when symptoms warrant. I also attest that my child will keep the inhaler under control at all times and never share it with another student. I feel my child is mature enough to handle the inhaler responsibly and will report its use to an adult immediately so that the symptoms can be monitored. In addition, I hold harmless the Bath Local Schools and its officers, agents and employees in the administration or in the failure to administer this medication to my child.

\_\_\_\_\_  
Parent/Guardian name

\_\_\_\_\_  
Emergency contact phone number  
(home)

\_\_\_\_\_  
Parent/Guardian name

\_\_\_\_\_  
Emergency contact phone number  
(parent/work)

Date \_\_\_\_\_

MEDICATION PERMISSION FORM

Dear Parent:

Please complete the following form and have your doctor sign before returning to the school nurse.

Student's name

Address

School

Teacher's name

Name of drug

Dosage to be administered

Purpose of drug

Times/intervals in which medication is to be administered

Date medication is to begin

Date medication is to end

Any severe, adverse reactions which should be reported to the doctor:

One or more telephone numbers where the doctor can be reached:

Any special instructions for administering the drug:

Doctor's signature

Date

On behalf of myself, my child and his/her other custodial parent/guardian, if any, and on behalf of our heirs and assigns, I hereby request the Bath Local Schools to administer this medication to my child and I hold harmless the Bath Local School District and its officers, agents and

Bath Local School District, Lima, Ohio

employees in the administration to my child or in the failure to administer this medication to my child.

---

Parent's signature

---

Date

## STUDENT SAFETY

Instruction in courses in industrial technology, science, family consumer science, art, physical education, health and safety will include and emphasize safety and accident prevention.

Safety instruction will precede the use of material and equipment by students in applicable units of work in the courses listed above and instructors will teach and enforce all safety rules set up for the particular courses. These will include the wearing of protective eye devices in appropriate activities.

Teachers will instruct students not to accept gifts or automobile rides from strangers. The students will also be instructed to tell the teachers, their parents, police, or school patrols of any suspicious strangers.

Buildings will be inspected annually to detect and remedy health and safety hazards.

The Superintendent is authorized and directed to develop appropriate means for the implementation of this policy.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.60; 3313.643; 3313.96  
3705.05  
3737.73  
4107.31  
OAC 3301-35-03

CROSS REFS.: AFI, Evaluation of Educational Resources  
EB, Safety Program  
EBD, Crisis Management  
JEE, Student Attendance Accounting (Missing and Absent Children)  
JHG, Reporting of Child Abuse  
JHH, Notification About Sex Offenders

## REPORTING CHILD ABUSE

All school employees having good reason to believe that a child less than 18 years of age or a disabled child under 21 years of age has suffered abuse/neglect or is suffering any type of abuse or neglect are required by law to report such information.

Procedures for reporting will be made known to the school staff, and reports will be made promptly.

A person who participates in making such reports is immune from any criminal liability.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 2151.421  
3319.073

## REPORTING CHILD ABUSE

This regulation was developed to protect the physical, mental, and emotional well-being of the children in the District and shall comply with the reporting requirements of the state of Ohio.

Any school employee who has knowledge or reasonable cause to suspect abuse or neglect of a child shall immediately make an oral report to children services or the county welfare department. If neither of these agencies is available the report should be made to the local law enforcement agency.

Any school employee filing a suspected abuse report with the child services agency, county welfare officer or local law enforcement agency shall immediately notify his/her building principal or supervisor that such a report has been filed. The principal shall ensure that the suspected abuse has been properly reported and that an appropriate report is made.

Oral reports shall include such basic information as:

1. name and address of the child and his/her guardians,
2. the child's age,
3. the nature and extent of the child's injuries and any evidence of previous injuries and
4. any other information which may be helpful to the agency.

School personnel should not pressure the child to divulge information regarding an injury or other circumstances surrounding the abuse or neglect. It is the responsibility of the social worker and law enforcement agencies to investigate and prosecute possible abuse or neglect situations. School employees need not prove that abuse or neglect exists before reporting; they need only suspect that abuse or neglect has occurred.

The oral report should be followed by a written report entitled, "Confidential School Report of Suspected Child Abuse/Neglect", within 24 hours. The report, prepared by the principal or other appropriate staff member, should include information that is necessary and relevant for a proper investigation.

(Approval date: January 20, 2004)

## NOTIFICATION ABOUT SEX OFFENDERS

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

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

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

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

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC Chapter 2950, Section 149.93  
OAC Chapter 109:5-2

CROSS REF.: GBQ, Criminal Record Check

## STUDENT AWARDS AND SCHOLARSHIPS

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

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

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

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

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

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 9.20  
3313.20; 3313.36

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

## EMPLOYMENT OF STUDENTS

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

### Work Permits

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

### Inschool Employment

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

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

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.56; 3313.93  
3321.08-3321.11  
3331.01-3331.15  
Chapter 4109  
4111.02  
48 USC 1324a et seq.

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

## STUDENT GIFTS AND SOLICITATIONS

There are differences in the economic status of families represented by the students in the District, and the Board wishes to avoid any embarrassment to students or hardship on families which lack financial resources. The Board does not wish to burden the community with numerous, repeated solicitations by the students.

The following guidelines are in effect.

1. Teachers discourage gifts from students. Notes of appreciation are appropriate.
2. Charity or general solicitations from students are permitted only after written approval has been given by the Superintendent. The Superintendent annually approves all solicitations which are permitted in the schools.
3. There is no solicitation of money from local industries, businesses, District residents, parents or by any school organization without the approval of the Superintendent. All solicitations and fund-raising activities by student groups must be in compliance with the District's policy on student fund-raising activities.
4. When the graduating class wishes to present a gift to the school, it is encouraged to donate the balance of the class fund to a school service project, the school scholarship fund or to present a gift that has long-lasting benefit to all students in the District.
5. Permission is never given for the school to sponsor nonschool fund-raisers or to provide for student involvement in such activities.

[Adoption date: January 20, 2004]

LEGAL REF.: ORC 3313.20

CROSS REFS.: GBI, Staff Gifts and Solicitations  
IGDF, Student Fund-Raising Activities  
KI, Public Solicitations in the Schools  
KJ, Advertising in the Schools

## STAFF-STUDENT RELATIONS

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

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

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

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

1. Staff members shall not make derogatory comments to students regarding the school and/or its staff.
2. The exchange of purchased gifts between staff members and students is discouraged.
3. Staff-sponsored parties at which students are in attendance, unless they are a part of the school's extracurricular program and are properly supervised, are prohibited.
4. Staff members shall not fraternize, written or verbally, with students except on matters that pertain to school-related issues.
5. Staff members shall not associate with students at any time in any situation or activity which could be considered sexually suggestive or involve the presence or use of tobacco, alcohol or drugs.
6. Dating between staff members and students is prohibited.
7. Staff members shall not use insults or sarcasm against students as a method of forcing compliance with requirements or expectations.
8. Staff members shall maintain a reasonable standard of care for the supervision, control and protection of students commensurate with their assigned duties and responsibilities.
9. Staff members shall not send students on personal errands.

10. Staff members shall, pursuant to law and Board policy, immediately report any suspected signs of child abuse or neglect.

11. Staff members shall not attempt to counsel, assess, diagnose or treat a student's personal problem relating to sexual behavior, substance abuse, mental or physical health and/or family relationships but, instead, should refer the student to the appropriate individual or agency for assistance.
12. Staff members shall not disclose information concerning a student, other than directory information, to any person not authorized to receive such information. This includes, but is not limited to, information concerning assessments, ability scores, grades, behavior, mental or physical health and/or family background.

[Adoption date: January 20, 2004]

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

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



## STUDENT FEES, FINES AND CHARGES

The Ohio Revised Code states that notwithstanding the provisions of the code dealing with free public education, a board may establish by rule or regulation a schedule of fees for material utilized by students attending the District and may prescribe a schedule of charges for loss or damage or destruction of school apparatus, equipment, musical instruments, library materials and textbooks which are required to be furnished without charge. Therefore, this District enforces the payment of fees and charges by withholding the grades and credits of the pupils concerned. It is understood that students are expected to pay all debts incurred each school year and all bills must be paid prior to graduation.

The District, in its desire to provide the maximum of educational opportunities for each child regardless of the ability to meet the above outlined obligations, shall provide to any student determined to be indigent, a waiver of the requirements of this policy. Indigency shall be determined on a case-to-case basis in conjunction with all public agencies involved in the support of the indigent. This District ensures a compliance with the concept of a free public education and consequently, the District shall freely waive all requirements of the law if the student is determined to be indigent.

Occasionally, students will transfer to Bath School from another district where charges have not been paid. The student and his/her family shall make every effort to make payment promptly to allow credits to be transferred. In special hardship situations, credits may be awarded.

The Board recognizes the need for certain persons issuing personal checks for payment of various school purchases of goods and activities.

Personal checks shall be accepted only for goods and/or activities purchased. The check shall not be accepted in any amount exceeding the purchase.

If any checks issued to the District are returned to the CFO/Treasurer from a financial institution for nonpayment, there shall be a fee of \$10.00 charged to the payer. If the returned check is an error of the financial institution, this fee can be waived only by a written document from an official of the paying financial institution.

If those checks are not collected by the CFO/Treasurer within 30 days, the CFO/Treasurer is hereby directed to pursue the assistance of the Prosecuting Attorney for collection.

[Adoption date: January 20, 2004]

LEGAL REFS.: ORC 3313.642  
3329.06

CROSS REFS.: IGCB, Experimental Programs  
IGCD, Educational Options (Also LEB)

**APPLICATION FOR WAIVER OF STUDENT INSTRUCTIONAL MATERIALS FEES**

Under State Law in school districts which receive Disadvantaged Pupil Impact Aid (DPIA) funds, students who receive Aid to Dependent Children or Disability Assistance are eligible for a waiver of instructional fees. This does not apply to any fees that may be charged for extracurricular activities, fines, school pictures, parking fees or lunch charges. Please complete this application if your child is eligible for a waiver of fees.

\_\_\_\_\_  
Student Name Parent or Legal Guardian Name

\_\_\_\_\_  
Address City State Zip Code

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

**Please attach documentation that shows that your child is currently receiving ADC/DA.  
You may need to contact your case worker for this information.  
Applications WILL NOT be approved without this documentation.**

**RETURN THIS APPLICATION TO YOUR CHILD'S SCHOOL**

My signature certifies that the above information is true and correct and that I understand that school officials may verify the information on the application.

\_\_\_\_\_  
Signature (Parent or Legal Guardian) Date

For Office Use Only

Application Approved, Waiver Granted \_\_\_\_\_  
Application Rejected, Waiver Not Granted \_\_\_\_\_

## STUDENT RECORDS

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

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

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

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

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

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

The following rights exist:

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

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

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

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

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

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

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

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

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

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[Adoption date: January 20, 2004]

LEGAL REFS.: The Elementary and Secondary Education Act; 20 USC 1221 et seq.  
Family Educational Rights and Privacy Act; 20 USC Section 1232g  
ORC 149.41; 149.43  
1347.01 et seq.  
3317.031  
3319.32; 3319.321; 3319.33  
3321.12; 3321.13  
3331.13  
OAC 3301-35-04; 3301-35-07

CROSS REFS.: AFI, Evaluation of Educational Resources  
KBA, Public's Right to Know



## STUDENT RECORDS

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

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

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

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

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

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

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

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

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

#### ANNUAL NOTIFICATION

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

The notice includes:

1. the right of a parent(s) or eligible student to inspect and review the student's education records;
2. the intent of the District to limit the disclosure of information contained in a student's education records, except: (1) by the prior written consent of the student's parent(s) or the eligible student, (2) as directory information or (3) under certain limited circumstances, as permitted by law;

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

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

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

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

### LOCATIONS OF EDUCATION RECORDS

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

### PROCEDURE TO INSPECT EDUCATION RECORDS

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

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

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

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

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

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

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

#### FEES FOR COPIES OF RECORDS

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

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

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

The fee for copies provided under Federal law may not include the costs for search and retrieval. This fee is 25 cents per page (actual copying cost less hardship factor).

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

### DIRECTORY INFORMATION

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

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

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

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

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

### USE OF STUDENT EDUCATION RECORDS

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



1. a person duly elected to the Board;
2. a person certificated by the state and appointed by the Board to an administrative or supervisory position;
3. a person certificated by the state and under contract to the Board as an instructor;
4. a person employed by the Board as a temporary substitute for administrative, supervisory or teaching personnel for the period of his/her performance as a substitute or
5. a person employed by, or under contract to, the Board to perform a special task such as a secretary, a Treasurer, Board attorney or auditor for the period of his/her performance as an employee or contractor.

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

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

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

1. when students seek or intend to enroll in another school district or a postsecondary school (upon the condition that the student's parents be notified of the transfer, receive a copy of the record and have an opportunity for a hearing to challenge the content of the record);
2. when certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the District;
3. when parties who provide, or may provide, financial aid to students need the information to:
  - A. establish the student's eligibility for the aid;
  - B. determine the amount of financial aid;

- C. establish the conditions for the receipt of the financial aid or
- D. enforce the agreement between the provider and the receiver of financial aid;

4. if an Ohio law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials;
5. when the District has entered into a written agreement or contract for an organization to conduct studies on the District's behalf to develop tests, administer student aid or improve instruction;
6. when accrediting organizations need those records to carry out their accrediting functions;
7. when parents of eligible students claim the student as a dependent;
8. when it is necessary to comply with a judicial order or lawfully issued subpoena; the District makes a reasonable effort to notify the student's parent(s) or the eligible student before making a disclosure under this provision and
9. if the disclosure is an item of directory information and the student's parent(s) or the eligible student has not refused to allow the District to designate that item as directory information for that student.

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

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

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

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

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

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

The District does not release information contained in a student's education records, except directory information, to any third parties, except its own officials, unless those parties agree that the information is not redisclosed, without the parent(s)' or eligible student's prior written consent.

#### RECORDS OF REQUESTS FOR ACCESS AND DISCLOSURES MADE FROM EDUCATION RECORDS

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

The record includes:

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

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

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

#### PROCEDURES TO SEEK TO CORRECT EDUCATION RECORDS

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



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

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

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

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

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

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

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

The request is dated and signed by the requester.

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

1. studies the request;
2. discusses it with other school officials (the person who made the record or those who may have a professional concern about the District’s response to the request);

3. makes a decision to comply or decline to comply with the request and
4. completes the appropriate steps to notify the requester or moves the request to the next level for a decision.

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

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

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

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

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

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

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

At the hearing, the hearing officer provides the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's

education records are incorrect as shown in the requester's written request for a change in the records (second level).

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

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

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

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

(Approval date: January 20, 2004)



### Denial of Permission to Release Directory Information without Prior Written Consent

Dear Parent:

Certain directory information may be released to media, colleges, civic or school-related organizations and state or governmental agencies as well as published in programs for the athletic, music and theater presentations of this District.

Directory information includes the following kinds of information:

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

Please circle the specific categories of information, if any, listed above that you do **not** wish to be released without your specific prior written permission.

\_\_\_\_\_ The release of all Directory Information is denied.

This form must be completed and returned to the principal within 10 days after publication of the notice on "Directory Information" if the release of specific Directory Information is denied.

\_\_\_\_\_  
Name of Student

\_\_\_\_\_  
School

\_\_\_\_\_  
Grade

\_\_\_\_\_  
Parent's/Guardian's Signature

\_\_\_\_\_  
Date

## STUDENT SURVEYS

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

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

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

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

The collection, disclosure or use of student personal information for the purpose of marketing or selling that information, or providing the information to others for that purpose, is prohibited. This does not include personal information collected for the exclusive purpose of developing,

evaluating or providing educational products or services for, or to, students or educational institutions such as:

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

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

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

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

[Adoption date: January 20, 2004]

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

