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WADSWORTH CITY SCHOOL DISTRICT BOARD OF EDUCATION

WADSWORTH, OHIO

REGULAR STATED MEETING

MONDAY, OCTOBER 8, 2018, 7:00 p.m.

JAMES R. McILVAINE PERFORMING ARTS CENTER, 625 BROAD STREET

AGENDA

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Motion for Approval and Signing of Minutes
- V. Student/Staff Recognition

- A. October Students of the Month

<u>Student</u>	<u>Grade</u>	<u>School</u>
Ava Greenlees	04	*Franklin Elementary School
Jakoby Currens	04	Isham Elementary School
Austin Searcey	04	Lincoln Elementary School
Emily Burkey	04	Overlook Elementary School
Brandon Ball	04	Valley View Elementary School
Emily Gerber	05	Central Intermediate School
Ryan Satink	08	Wadsworth Middle School
Autum Witte	12	WHS Career-Technical
Scott McCune	12	WHS Career-Technical
Marraya Youngblood	12	Wadsworth High School
Anthony Batey	12	Wadsworth High School

*Franklin September Student of the Month, Cammy McVicker, Grade 04, will also be recognized.

- VI. Administrative Discussion Items, Presentations, and Updates

- A. State Report Card Presentation: Dr. Michele Evans
- B. Five-Year Financial Forecast Presentation: Mr. Doug Beeman
- C. Board of Education 2017-2018 Self-Evaluation and 2018-2019 Goal Setting
- D. Quality Profile
- E. Wadsworth Grizzlies Community Foundation

F. High School Student Parking Lot

VII. Administrative Items

A. PERSONNEL CONSENT ITEMS

1. Resignations
 - a) Clyde Waggoner, Aide position only, eff. 10/17/2018
2. Employments
 - a) Kacie Stallman, Non-teaching School Employee
 - b) Terry Radabaugh, Certified Substitute, eff. 10/4/2018
 - c) Supplemental Contracts, per attached list
 - d) Citrus Bowl Chaperones
 - e) Volunteers, per attached list
3. Recommendation to appoint Mr. Dan Chase to the Wadsworth City School District Business Advisory Council
4. Recommendation to grant Mr. Robert Wyrick 4 days and 2 hours of unpaid leave

B. ACTION CONSENT ITEMS

1. Recommendation to approve an overnight field trip to Camp Christopher for Franklin Elementary School third grade students on May 13-14, 2019
2. Recommendation to accept a \$1,899 donation from the Franklin PTO
3. Recommendation to approve an Agreement for Admission for Tuition Pupils Pursuant to Sections 3327.04, 3327.06, 3323.14, and 3317.08 O.R.C. with the Rittman Exempted Village Schools for the 2018-2019 school year
4. Recommendation to approve an Agreement for Excess Cost for Children with Disabilities Pursuant to Sections 3313.981 O.R.C., 3323.14 O.R.C., and Rule 3301-48-02(F) with the Green Local Board of Education for the 2018-2019 school year
5. Recommendation to accept the Wadsworth All Sports Boosters donation of a fence at Art Wright Stadium valued at \$63,840
6. Recommendation to accept a donation of books from OAESA to Overlook Elementary School valued at \$1,093.95
7. Recommendation to approve the 2018-2019 roster of the Wadsworth Advisory Committees to the Four Cities Compact
8. Recommendation to approve a first reading of the following Wadsworth City School District Board of Education Bylaws and Policies:

- a) 0131, Legislative (revised)
- b) 0142.2, Conflict of Interest (revised)
- c) 0164, Notice of Meetings (revised)
- d) 0165.1, Regular Meetings (revised)
- e) 0165.2, Special Meetings (revised)
- f) 0165.3, Recess/Adjournment (revised)
- g) 0166, Executive Session (revised)
- h) 0168, Minutes (revised)
- i) 0169.1, Public Participation at Board Meetings (revised)
- j) 1240.01, Non-Reemployment of the Superintendent (revised)
- k) 1422, Nondiscrimination and Equal Employment Opportunity (revised)
- l) 1541, Termination and Resignation (revised)
- m) 1662, Anti-Harassment (revised)
- n) 2111, Parent and Family Engagement (revised)
- o) 2260, Nondiscrimination and Access to Equal Educational Opportunity (revised)
- p) 2261, Title 1 Services (revised)
- q) 2261.01, Parent and Family Member Participation in Title 1 Programs (revised)
- r) 2261.03, District and School Report Card (new)
- s) 2370.01, Blended Learning (new)
- t) 2700, School Report Card (delete)
- u) 3122, Nondiscrimination and Equal Employment Opportunity (revised)
- v) 3140, Termination and Resignation (revised)
- w) 3362, Anti-Harassment (revised)
- x) 4122, Nondiscrimination and Equal Employment Opportunity (revised)
- y) 4140, Termination and Resignation (revised)
- z) 4162, Drug and Alcohol Testing of CDL License Holders and Other Employees Who Perform Safety Sensitive Functions (revised)
- aa) 4362, Anti-Harassment (revised)
- bb) 5517, Anti-Harassment (revised)
- cc) 5517.02, Sexual Violence (revised)
- dd) 5610, Removal, Suspension, Expulsion and Permanent Exclusion of Students (revised)
- ee) 5610.02, In-School Discipline (revised)
- ff) 5610.03, Emergency Removal of Students (revised)
- gg) 5611, Due Process Rights (revised)
- hh) 6423, Use of Credit Cards (revised)
- ii) 8141, Mandatory Reporting of Misconduct by Licensed Employees (revised)

9. Recommendation to accept a \$914 donation from the Valley View PTO

10. Recommendation to accept a \$1,924.32 donation for the CIS PTO

11. Recommendation to approve the Application for Membership to the Medina County Economic Development Corporation for the period of November 1, 2018 through October 31, 2019

12. Recommendation to approve the Jostens Yearbook Agreement Printing Terms for the 2017-2018, 2018-2019 and 2019-2020 school years
13. Recommendation to approve the Memorandum of Understanding for Medina County School Districts for the E4 Youth Summit 2018
14. Recommendation to approve Tasha Gillund as a Wadsworth High School graduate, having met the requirements through Ohio's 22+ Adult High School Diploma Program
15. Recommendation to approve the OTIS Contract Addendum
16. Recommendation to approve the following contracts between the Galaxy and the Wadsworth City School District Board of Education:
 - a) Junior Banquet
 - b) High School Prom
17. Recommendation to approve the following Memorandum of Understandings with the Wadsworth Education Association:
 - a) Release Time for WEA Co-Presidents
 - b) Biometric Screening
18. Recommendation to declare the following resident students impractical to transport, enabling their parents/guardians to apply for state transportation reimbursement for the 2018-2019 school year:
 - a) Aidan Spoerndle, to St. Hilary School (Fairlawn), Parents: Regenia & John Spoerndle
 - b) Parker Police, to St. Vincent/St. Mary (Akron), Parent: Stacey Hornfeck
 - c) Thomas Lucey, to Northside Christian (Wadsworth), Parents: Megan & Tom Lucey
 - d) Analise Lucey, to Northside Christian (Wadsworth), Parents: Megan & Tom Lucey
 - e) Connor Sams, to Archbishop Hoban (Akron), Parent: Amy Sams
 - f) Clara Milich, to Northside Christian (Wadsworth), Parent: Joanna Milich
 - g) Steven Milich, to Northside Christian (Wadsworth), Parent: Joanna Milich
 - h) Aiden Pallija, to Northside Christian (Wadsworth), Parents: Jeff & Kellie Pallija
 - i) Katelyn Pallija, to Northside Christian (Wadsworth), Parents: Jeff & Kellie Pallija
 - j) Elise Tanko, to Northside Christian (Wadsworth), Parents: Eric & Faith Tanko
 - k) Landen Krebs, to Northside Christian (Wadsworth), Parent: Holly Krebs
 - l) Elaine Gearhart, to Julie Billart School of St. Sebastian Parish (Akron), Parent: Elaine Gearhart
 - m) Dale Highsmith III, to Northside Christian (Wadsworth), Parent Katherine M. High
 - n) Tess Highsmith, to Northside Christian (Wadsworth), Parent: Katherine M. High

- o) Steven Milich, to Northside Christian (Wadsworth), Parent: Joanna Milich
- p) Clara Milich, to Northside Christian (Wadsworth), Parent: Joanna Milich
- q) Aaron Kornaker, to Archbishop Hoban (Akron), Parent: Gregory Kornaker

C. PERSONNEL ITEM

- 1. Recommendation to approve Linda Kramer as an OASIS tutor for the 2018-2019 school year

VIII. Items of the Treasurer

A. ACTION CONSENT ITEMS

- 1. Recommendation to adopt the FY 2019 five-year forecast and assumptions for submission to the Ohio Department of Education
- 2. Recommendation to accept the September financial reports as presented and subject to audit

IX. Legislative Update

X. Floor Items

XI. Board Member Items

A. National Principals Month

XII. Executive Session

WHEREAS, a public board of education may hold an executive session only after a majority quorum of this board determines by a roll call vote to hold such a session and only at a regular or special meeting for the sole purpose of the consideration of any of the following matters:

- A. To consider one or more, as applicable, of the check marked items with respect to a public employee or official:
 - 1. Appointment
 - 2. Employment ✓
 - 3. Dismissal
 - 4. Discipline
 - 5. Promotion
 - 6. Demotion
 - 7. Compensation
 - 8. Investigation of charges/complaints (unless public hearing requested)
- B. To consider the purchase of property for the public purposes or for the sale of property at competitive bidding
- C. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action

- D. Preparing for, conducting or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.
- E. Matters required to be kept confidential by federal law or rules or state statutes
- F. Specialized details of security arrangements where disclosure of the matters discussed might reveal information that could be used for the purpose of committing or avoiding prosecution for a violation of the law

NOW, THEREFORE BE IT RESOLVED, that the Wadsworth City Board of Education, by a majority of the quorum present at this meeting, does hereby declare its intention to hold an executive session on A2, as listed above.

XIII. Adjournment

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

EMPLOYMENTS October 8, 2018

Supplemental Contracts

Allison Pallija	Varsity Swimming Coach
Kate Goodrich	PDC Co-Chair (50% contract)
Sandra Mueller	PDC Co-Chair (50% contract)
Dave Derrig	PDC Member
Grant Fairhurst	PDC Member
Lisa Owens	PDC Member
Kristin Dodson	Boys/Girls Diving Coach
Mason Hicks	Varsity Asst. Swim Coach
Beth Thomas	Volunteer Diving Coach
Katie McKenzie	Performance Improvement Plan Mentor
Karla Gipson	Crossing Guard Supervisor (Franklin Elementary School)
Karla Gipson	Bus Ramp Duty (Franklin Elementary School)
Autumn Reeves	Varsity Asst. Swim Coach
Alexandra Richards	JV/Varsity Cheerleading Coach - Winter (50% contract)
Amanda Adams	JV/Varsity Cheerleading Coach - Winter (50% contract)
Alexandra Richards	Freshman Cheerleading Coach - Winter (50% contract)
Amanda Adams	Freshman Cheerleading Coach - Winter (50% contract)
Tom Mountjoy	Carpentry Job Site Teacher Assistant

Citrus Bowl Chaperones (Dec. 27, 2018-Jan. 2, 2019)

Jason Barnhart	Amy Doty	Jeanne Hines	Steven Magyar
Cindy Beeman	Daniel Doty	April Jira	Lorraine Negron
Doug Beeman	Heather Errante	Kelly Lee	David Ott
Dennis Bolen	Melissa Gerber	Polly Magyar	Chris Sieber
Mary Calderon	Lori Hanson		

Volunteers

Jason Antro	Paula Foutz	Laura Mattle	Elizabeth Roesnik
Ken Bagger	David Gale	Pat McCormick	Mona Rohrer
Nancy Bailey	Lisa Gale	Laura McDermitt	Kelly Rudolph
Janet Bemiller	Mary Galvin	Dawn McDonald	Sara Russell
Stephanie Blaha	Andrew Hall	Jacquie McMillen	Matt Seifert
Stephanie Bock	Kelly Hall	Teresa Megyes	Kristen Shurance
Bambi Bowser	Jennifer Haller	Barbara Micucci	Melanie Sindelar
Brooke Buxton	Suzette Hassinger	Pat Milo	Cortney Skidmore
Patricia Campbell	Lynette Hoffman	Jill Miller	Deborah Steiner
Kristina Cargill	Scott Hoffman	Lisa Moore	Stacey Stuchal
Pamela Cavanaugh	Sue Hooghkirk	Linda Nicodemus	Steven Taylor
Daniel Chase	Brenda Kibe	Jen Noll	Rebecca Tetlow
Jean Coe, eff. 10/8/18	Lauren Klancer	Sarah Oaks	Daniel Titus
Katie Craig	Nicole Kresowaty	Liz Olszewski	Katie Titus
Andrew Dahlem	Meggan Lilly	Jim Otanicar	Cathy Tomsho
Kalyn Davis	Charlotte Lisle	Anita Pavkov	Robin Valatka

Jennifer Dee
Christine Demrovsky
Natalie Doell
Elizabeth Errington
Amy Fleck

Nancy Liston
Natalie Loose, eff. 9/14/18
Crystal Maag
Nikki Madachik
Melissa Martin

Amanda Pethtel
Erica Price
Bonnie Rains
Christina Ramey
Janel Robinson

Lisa Wapenaar
Mark Wapenaar
Laura Williams
Michelle Workinger
Lisa Yund

**WADSWORTH CITY SCHOOL DISTRICT
BOARD OF EDUCATION
Regular Stated Meeting
October 8, 2018**

Agenda Detail Sheet

VI. Administrative Discussion Items, Presentations, and Updates

D. Quality Profile: The 2017-2018 Wadsworth City School District Quality Profile can be viewed by clicking [here](#).

E. Wadsworth Grizzlies Community Foundation: The Wadsworth Grizzlies Community Foundation, whose purpose is to provide supplemental resources for educators to enhance student learning, is looking for volunteers. The next foundation meeting is scheduled for Tuesday, October 9, at 6:00 p.m. at Valley View Elementary School. For more information, please contact representatives of the foundation at wgcboard@gmail.com.

F. High School Student Parking Lot: In an effort to enhance safety in the main high school student parking lot, Gabe Tudor, Assistant Superintendent; Steve Moore, High School Principal; Adam Innocenti, School Resource Officer; and Matt Hiscock, Director of Public Safety, City of Wadsworth; met at the end of August to review the student parking lot layout and determine what type of signage would enhance the safety of drivers. The map below details what was decided. The signage has been ordered and should be installed soon.



VII. Administrative Items

A. PERSONNEL CONSENT ITEMS

2.(a) Kacie Stallman: Ms. Stallman is being recommended to fill the aide position in Bear Cub Academy at Isham Elementary School left open by the movement of Ms. Sandy Watts to another position within our district.

2.(c) Tom Mountjoy (supplemental contract): Mr. Mountjoy is being recommended to fill the Carpentry Job Site Teacher Assistant position that was left open with the resignation of Mr. Joshua Kallai.

B. ACTION CONSENT ITEMS

- 7. Four Cities Compact Advisory Committees:** This recommendation is required annually to allow the volunteers to serve on the following Wadsworth High School program committees for the Compact: Automotive Technologies; Carpentry; Engineering Design & Technology; Family Consumer Science; Job Training Program; Marketing Education; Media Communications; and Programming Design Robotics.
- 8. Bylaw and Policy Updates:** The changes to Wadsworth City School District Board of Education policies being recommended for a first reading are necessary to align our district's policies with current law and/or best practices.
- 11. Medina County Economic Development Corporation Membership:** The Wadsworth City School District continues to benefit from services offered by the Medina County Economic Development Corporation, including job fairs, the manufacturing road show, and other connections and partnerships with local businesses. The recommendation to approve membership for our district in the Medina County Economic Development Corporation comes at a cost of \$1,500.00 for the period of November 1, 2018 through October 31, 2019. The membership is deemed as an important step in continuing to further our district's relationships with area businesses as we work to prepare students for their future careers.
- 12. Jostens Agreement:** The Jostens Yearbook Agreement Printing Terms being recommended for approval is for our high school yearbook.
- 13. Memorandum of Understanding for the E4 Youth Summit:** The Memorandum of Understanding for Medina County School Districts for the E4 Youth Summit 2018 being recommended for approval details the transportation arrangement for students from schools in Medina County for the E4 Youth Summit on October 26 and November 3, 2018.
- 15. OTIS Contract Addendum:** The OTIS Contract Addendum being recommended for approval adds the two (2) elevators in the Community Center (YMCA and Summa) to our district's OTIS contract. The fee for these elevators will be paid by the Community Center.
- 16. Galaxy Contracts:** The Contracts between the Galaxy and the Wadsworth City School District Board of Education being recommended for approval are for the

Junior Banquet which will be held on May 3, 2019 and the High School prom which will be held on May 18, 2019.

- 17. Wadsworth Education Association (WEA) Memorandum of Understandings (MOU):** The first MOU with WEA being recommended for approval provides release time for the Elementary WEA Co-President and the Middle School WEA Co-President in order to conduct Association business, per the Negotiated Agreement . The second MOU with WEA being recommended for approval allows WEA members who choose to participate in the fall biometric screening one of our district wellness initiatives, to receive \$25.

RECORD OF PROCEEDINGS

WADSWORTH CITY BOARD OF EDUCATION

Minutes of Special Meeting

Date: September 25, 2018

- E. H.B. 318 Safety: \$25,800 - To be used for Safety and SRO's, active shooter training, grade level educational resources, training to identify students with mental health issues or any other trainings to deal with school safety.

TREASURER ITEMS

18-09-85 Upon the recommendation of Treasurer Beeman, the motion was made by **Gordon**, seconded by **McComas**, to adopt the Action Consent Items for the September 25, 2018, Special Meeting, as presented:

A. ACTION CONSENT ITEMS

1. Recommendation to approve the FY2019 Certificate of Estimated Resources. (ATTACHED)
2. Recommendation to approve the FY2019 Permanent Appropriations Resolution. (ATTACHED)

VOTE: Yea – Gordon, Kramer, McComas, McDougal, Batey
Nay – None

Motion Carried,

EXECUTIVE SESSION

WHEREAS, a public board of education may hold an executive session only after a majority of a quorum of this board determines by a roll call vote to hold such a session and only at a regular or special meeting for the sole purpose of the consideration of any of the following matters:

- A. To consider one or more, as applicable, of the check-marked items with respect to a public employee or official:
1. Appointment
 2. **Employment**
 3. Dismissal
 4. Discipline
 5. Promotion

RECORD OF PROCEEDINGS

WADSWORTH CITY BOARD OF EDUCATION

Minutes of Special Meeting

Date: September 25, 2018

- 6. Demotion
 - 7. Compensation
 - 8. Investigation of charges/complaints (unless public hearing requested).
- B.** To consider the purchase of property for the public purposes or for the sale of property at competitive bidding.
- C.** Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.
- D.** Preparing for, conducting or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.
- E.** Matters required to be kept confidential by Federal law or rules or State statutes.
- F.** Regularized details of security arrangements where disclosure of the matters discussed might reveal information that could be used for the purpose of committing or avoid prosecution for a violation of the law.

NOW, THEREFORE, BE IT RESOLVED, that the Wadsworth City Board of Education, by a majority of the quorum present at this meeting, does hereby declare its intention to hold an executive session on A2 as listed above.

18-09-86 EXECUTIVE SESSION

The motion was made by **McComas**, seconded by **Kramer**, to enter Executive Session at **6:33** p.m.

VOTE: Yea – Kramer, McComas, McDougal, Batey, Gordon
 Nay – None

Motion Carried,

EXECUTIVE SESSION recessed at **7:25** p.m.

RECORD OF PROCEEDINGS

WADSWORTH CITY BOARD OF EDUCATION

Minutes of Special Meeting

Date: September 25, 2018

ADMINISTRATIVE ITEMS:

18-09-87 Upon the recommendation of Superintendent Hill, the motion was made by **Gordon**, seconded by **McComas**, to adopt the Personnel Consent Items from the September 25, 2018, Special Meeting, as presented:

A. PERSONNEL CONSENT ITEMS

1. Resignations:

a) Aubrey Durkey Var. Asst. Gymnastics Coach (eff. 09/17/18)

2. Employments:

a) Angela Snyder Non-Teaching (eff. 09/11/18)

b) Robin Pasco Non-Teaching (eff. 09/20/18)

c) Laurel Renninger Non-Teaching (eff. 09/24/18)

d) Kim Schreiber Exempt Substitute

e) Cory Ott Co-Director Children's Play (suppl.)

f) Aubrey Durkey Vol. Varsity Asst. Gymnastics Coach

g) Classified Substitutes

Justine Bragg (eff. 09/13/18)

Amanda Howard (eff. 09/13/18)

Thomas Parks (eff. 09/17/18)

Angela Snyder (eff. 09/18/18)

Kacie Stallman (eff. 09/18/18)

Sara Zaminska (eff. 09/17/18)

3. Recommendation to grant unpaid leave for up to two (2) years to Julie Erwin (eff. 09/18/18).

VOTE: Yea – McComas, McDougal, Batey, Gordon, Kramer

Nay – None

Motion Carried,

RECORD OF PROCEEDINGS

WADSWORTH CITY BOARD OF EDUCATION

Minutes of Special Meeting

Date: September 25, 2018

18-09-88 Upon the recommendation of Superintendent Hill, the motion was made by **Kramer**, seconded by **Gordon**, to adopt the Action Consent Items for the September 25, 2018, Special Meeting, as presented:

B. ACTION CONSENT ITEMS

1. Recommendation to approve an overnight trip to Southfield, MI, for Engineering and Programming students to attend a SME Prime Showcase, leaving October 14 and returning October 16, 2018.
2. Recommendation to approve the Field Trip Agreement with the SME Education Foundation. (ATTACHED)
3. Recommendation to approve the purchase of property for public purposes (274 Grandview Avenue, Wadsworth, OH 44281).
4. Recommendation to approve entering into a Memorandum of Understanding with the Wadsworth Educational Support Personnel Association OEA/NEA. (ATTACHED)
5. Recommendation to approve the 2018-2019 Preschool Handbook.
6. Recommendation to approve entering into an Agreement with Future Think. (ATTACHED)
7. Recommendation to approve the Schools PLP Agreement. (ATTACHED)

VOTE: Yea – McDougal, Batey, Gordon, Kramer, McComas
Nay – None

Motion Carried,

18-09-89 Upon the recommendation of Superintendent Hill, the motion was made by **Kramer**, seconded by **McComas**, to adopt the Action Item for the September 25, 2018, Special Meeting, as presented:

C. ACTION ITEM

1. Recommendation to approve the amendment to the Athletic Trainer Agreement with Summa Health. (ATTACHED)

VOTE: Yea – Batey, Kramer, McComas, McDougal
Nay – Gordon

Motion Carried,

RECORD OF PROCEEDINGS

WADSWORTH CITY BOARD OF EDUCATION

Minutes of Special Meeting

Date: September 25, 2018

18-09-90 ADJOURNMENT

The motion was made by **Batey**, seconded by **McComas**, to adjourn at **7:33** p.m.

VOTE: Yea – Kramer, McComas, McDougal, Batey, Gordon

Nay – None

Motion Carried,

(Signed) _____
Jody McDougal, President

(Attested) _____
Douglas D. Beeman, Treasurer

CONTRACT FOR HANDICAPPED PUPILS

Court or Parental Institutional Placement in a District other than the Parent(s) District of Residence

AGREEMENT FOR ADMISSION FOR TUITION PUPILS PURSUANT TO SECTIONS 3327.04, 3327.06, 3323.14, AND 3317.08 O.R.C.

District of Attendance

The Rittman Exempted Village Schools Board of Education hereby enters into a contract for admission (pursuant to Section 3327.04 O.R.C.) of the student(s) listed below with the Wadsworth City Schools Board of Education (District of Residence) for educational purposes for the school year of 2018 - 2019.

The Wadsworth City Schools Board of Education (District of Residence) hereby agrees to pay to the Rittman Exempted Village Schools Board of Education for each of the listed pupil(s) an amount equal to the tuition rate as calculated pursuant to Section 3317.08 of the Ohio Revised Code for the Rittman Exempted Village Schools School District (District of Attendance), and excess cost, if any, pursuant to Section 3323.14 O.R.C. for those pupils listed below.

The Rittman Exempted Village Schools Board of Education (District of Attendance) will include these court placed handicapped pupils in their ADM certification, pursuant to Section 3317.03 O.R.C. We hereby accept the pupil(s) listed below to our schools on terms described above.

Name of Student

Address of Student

- | | | |
|----|-------|-------|
| 1. | _____ | _____ |
| 2. | _____ | _____ |
| 3. | _____ | _____ |

Jan J. Ritchie
District of Attendance Superintendent Signature

9/7/18
Date

Mark Shook
District of Attendance Treasurer Signature

9/7/18
Date

District of Residence

We hereby acknowledge and approve the above listed pupil(s) to your schools on the terms described above for the school year 2018 - 2019.

District of Residence Superintendent Signature

Date

DSD 130
District of Residence Treasurer Signature

9/18/18
Date

**CONTRACT FOR CHILDREN WITH DISABILITIES
OPEN ENROLLMENT**

**AGREEMENT FOR EXCESS COST FOR CHILDREN WITH DISABILITIES
PURSUANT TO SECTIONS 3313.981 O.R.C., 3323.14 O.R.C., and RULE 3301-48-02(F)**

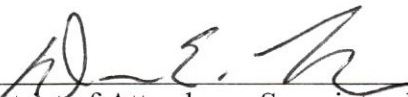
District of Attendance

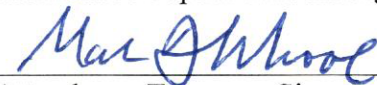
The Green Local Board of Education hereby enters into a contract (pursuant to Section 3313.981 O.R.C., 3323.14 O.R.C., and Rule 3301-48-02(F)) for the student(s) listed below with the Wadsworth City Schools Board of Education (District of Residence) for educational purposes for the school year of 2018-2019.

The Wadsworth City Schools Board of Education (District of Residence) hereby agrees to pay to the Green Local Board of Education (District of Attendance) for each of the listed pupil(s), an amount equal to the excess cost, if any, pursuant to Section 3323.14 of the Ohio Revised Code.

The Green Local Board of Education (District of Attendance) acknowledges that pupil(s) listed below will be reported in EMIS pointing back to the school district of residence and counted in the ADM of the District of Residence, pursuant to 3317.03 O.R.C. The Ohio Department of Education will make an adjustment deducting the per pupil formula aid amount times the FTE of pupils from the resident districts SF-3 and credit the attending district. The excess cost amount shall be calculated in accordance with the data submitted to the Ohio Department of Education on Form SF-6. We hereby accept the pupil(s) listed below to our schools on terms described above.

Name of Student	Address of Student
1.	
2.	
3.	
4.	
5.	

	<u>7-18-18</u>
District of Attendance Superintendent Signature	Date

	<u>9/26/18</u>
District of Attendance Treasurer Signature	Date

District of Residence

We hereby acknowledge and approve the above listed pupil(s) to your schools on the terms described above for the school year 2018 - 2019.

_____ District of Residence Superintendent Signature	_____ Date
---	---------------

_____ District of Residence Treasurer Signature	_____ Date
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COMPACT ADVISORY LISTS FY19**WADSWORTH**

Program	Teacher	Committee Member	Company	Represents
Automotive Technologies	P Alexander	Adam Etling	Land Rover Solon	Business/ Industry
Automotive Technologies	P Alexander	Drew Sims	VanDevere Chevrolet	Business/ Industry
Automotive Technologies	P Alexander	Frank Dennemiller	Mobile Service & Repair	Business/ Industry
Automotive Technologies	P Alexander	Jack Mills	Fred Martin Collision	Business/ Industry
Automotive Technologies	P Alexander	Jeff Collins	Retired Auto teacher/ lab assistant at MCCC	Secondary Education
Automotive Technologies	P Alexander	Jeff Mazzei	Fisher Federated Auto Parts	Business/ Industry
Automotive Technologies	P Alexander	Johnmark Ocheltree	Shearer Equipment	Business/ Industry
Automotive Technologies	P Alexander	Kevin Marzuli	Hastings Automotive	Business/ Industry
Automotive Technologies	P Alexander	Mike Tighe	AATEC Automotive Equipment	Business/ Industry
Carpentry	C Kallai	Austin Reddish	Senior Student	Student
Carpentry	C Kallai	Bill Simmons	Simmons Bros. Construction	Business/ Industry
Carpentry	C Kallai	Bill Smith	Stiner Lumber	Business/ Industry
Carpentry	C Kallai		CNK Construction	Secondary Education
Carpentry	C Kallai	Jesse Smith	Former Carpentry Teacher	Secondary Education
Carpentry	C Kallai	Joshua Kallai	Clean by Kallai Window Cleaning	Former Student
Carpentry	C Kallai	Kip Shipley	Wadsworth City School	Secondary Education
Carpentry	C Kallai	Mark Thompson	Thompson Excavating	Business/ Industry
Carpentry	C Kallai	Ryan McNeil	Ream Construction	Former Student
Engineering Design Technology	K Shipley	Ben Weber	Clampco	Former Student
Engineering Design Technology	K Shipley	Brent Kovacs	Dimension Engineering	Former Student
Engineering Design Technology	K Shipley	Brian Glowiak	SME Prime	Business/ Industry
Engineering Design Technology	K Shipley	Brian Steiner	Wooster Hospital	Business/ Industry
Engineering Design Technology	K Shipley	Chris Kallai	Kallai Construction	Business/ Industry
Engineering Design Technology	K Shipley	Dan Kandray	University of Akron	Post Secondary Education
Engineering Design Technology	K Shipley	Jackie Schulte	SFS Intec	Business/ Industry
Engineering Design Technology	K Shipley	Jenny Haskell	ALCOA	Business/ Industry
Engineering Design Technology	K Shipley	Josh Cramer	SME Prime	Business/ Industry
Engineering Design Technology	K Shipley	Karen Logan	Parker Hannifin	Business/ Industry
Engineering Design Technology	K Shipley	Kyle Keiper	WRL Advertising	Former Student
Engineering Design Technology	K Shipley	Pete Alexander	Wadsworth High School	Secondary Education
Engineering Design Technology	K Shipley	Rick Kortekaas	Real Alloy	Business/ Industry
Engineering Design Technology	K Shipley	Rodney Grover	SME Prime	Business/ Industry
Family Consumer Science	A Broadhurst	Carrie Knapp	Highland Local Schools	Secondary Education
Family Consumer Science	A Broadhurst	Chrystan Richardson	City of Cuyahoga Falls	Labor/ Local/ County/ Federal Govt Rep
Family Consumer Science	A Broadhurst	Dennis Ott	Ott Brothers Building & Design	Business/ Industry
Family Consumer Science	A Broadhurst	Jackie Hamilton	University of Akron	Post Secondary Education
Family Consumer Science	A Broadhurst	Kathy Ott	Ott Brothers Building & Design	Business/ Industry

Family Consumer Science	A Broadhurst	Shelly Rohrer	Wadsworth High School	Secondary Education
Family Consumer Science	A Broadhurst	Trish Swanson	Wadsworth City Schools	Secondary Education
Job Training	R Whited	Aaron Atkinson		Parents
Job Training	R Whited	Al Daviso	The University of Akron	Post Secondary Education
Job Training	R Whited	Christine Atkinson		Parents
Job Training	R Whited	Emily Osting	Wadsworth High School	Secondary Education
Job Training	R Whited	Erin Mauer	Windfall Industries	Community
Job Training	R Whited	Joe Patterson		Former Student
Job Training	R Whited	Karen Kriss	Opport. For Ohioans with Disabilities	Labor/ Local/ County/ Federal Govt Rep
Job Training	R Whited	Samantha Donaldson	Akron Canton Regional Foodbank	Business/ Industry
Marketing Education	S Everhart	Adam Todd	Fisherman's Central	Business/ Industry
Marketing Education	S Everhart	Amber Genet	Barberton Community Foundation	Community
Marketing Education	S Everhart	Annal D. Vyas	University of Akron	Post Secondary Education
Marketing Education	S Everhart	Brittany Brown	Akron Children's Hospital	Community
Marketing Education	S Everhart	Dwain Kibler	Retired Teacher/Community Member	Community
Marketing Education	S Everhart	Elizabeth Walters	Summit County Council	Business/ Industry
Marketing Education	S Everhart	Heather Roszcyk	Fund for Our Economic Future	Business/ Industry
Marketing Education	S Everhart	Kirk Norris	Hitchcock Fleming & Assoc Inc	Business/ Industry
Marketing Education	S Everhart	Logan Broadbent	General Electric	Business/ Industry
Marketing Education	S Everhart	Michael Wilson	Akron-Canton Regional Foodbank	Business/ Industry
Marketing Education	S Everhart	Nancy Likens	Soprema Senior Center	Community
Marketing Education	S Everhart	Patrick Bravo	Akron School Board & Summit County Land Bank	Secondary Education
Marketing Education	S Everhart	Sam DeDominicis	Student - Kent State Stark	Former Student
Marketing Education	S Everhart	Tammy DeDominicis	Teacher - Green Loacl Schools	Parents
Marketing Education	S Everhart	Victoria Lee	Barberton High School	Secondary Education
Marketing Education	S Everhart	Willy Kollman	University of Akron	Post Secondary Education
Media Communications	R Barnett	Charles Berg	Wadsworth High School	Secondary Education
Media Communications	R Barnett	Jess Byard	Red Point Digital	Business/ Industry
Media Communications	R Barnett	Juan Contreras Barberena	ZTV/University of Akron	Post Secondary Education
Media Communications	R Barnett	Justin Stine	Mosher Media	Business/ Industry
Media Communications	R Barnett	Kristen Stipkovich	Venture Products, Inc	Business/ Industry
Programming Design Robotics	J VanKirk	Ben Weber	Clampco	Former Student
Programming Design Robotics	J VanKirk	Brent Kovacs	Dimension Engineering	Former Student
Programming Design Robotics	J VanKirk	Brian Glowiak	SME Prime	Business/ Industry
Programming Design Robotics	J VanKirk	Brian Steiner	Wooster Hospital	Business/ Industry
Programming Design Robotics	J VanKirk	Chris Kallai	Kallai Construction	Business/ Industry
Programming Design Robotics	J VanKirk	Dan Kandray	University of Akron	Post Secondary Education
Programming Design Robotics	J VanKirk	Jackie Schulte	SFS Intec	Business/ Industry
Programming Design Robotics	J VanKirk	Jenny Haskell	ALCOA	Business/ Industry
Programming Design Robotics	J VanKirk	Josh Cramer	SME Prime	Business/ Industry
Programming Design Robotics	J VanKirk	Karen Logan	Parker Hannifin	Business/ Industry

Programming Design Robotics	J VanKirk	Kyle Keiper	WRL Advertising	Former Student
Programming Design Robotics	J VanKirk	Pete Alexander	Wadsworth High School	Secondary Education
Programming Design Robotics	J VanKirk	Rick Kortekaas	Real Alloy	Business/ Industry
Programming Design Robotics	J VanKirk	Rodney Grover	SME Prime	Business/ Industry

Book	Policy Manual
Section	Vol. 37, No. 1 - August 2018
Title	Vol. 37, No. 1 - August 2018 OVERVIEW
Number	1-OVERVIEW
Status	From Neola

UPDATE**VOLUME 37 NUMBER 1****August 2018****OVERVIEW AND COMMENTS**

All production related materials and questions should be directed to the Coshocton Office at 632 Main Street, Coshocton, Ohio 43812 (phone 800-407-5815, fax 740-622-2557). Billing questions should be directed to the Stow Office at 3914 Clock Pointe Trail, Suite 103, Stow, Ohio 44224 (phone 330-926-0514, fax 330-926-0525).

Please do not retype Neola materials before returning them for processing. We prefer to have the original materials returned after you have marked them indicating which changes and additions you choose to have/not have for your District. If a District chooses not to adopt a policy or administrative guideline, the District is still obligated to follow applicable Federal and State laws relating to that section.

The proposed new, revised, and replacement policies, administrative guidelines and forms included in this update have been thoughtfully prepared and reviewed by Neola's legal counsel for statutory compliance. If you make changes, or substitute in its entirety policies or other materials of your own drafting, those materials should be reviewed by your legal counsel to verify compliance. Neola does not review district-specific edits to update materials or District-specific policies for statutory compliance.

If a policy or guideline is marked as a revision, the changes have been marked in bold (to add material) and crossed out (to delete material). As you review a revised policy or guideline, you may choose to accept one, many or all of the changes provided. If a policy or guideline is marked as a replacement, that means there have been enough changes made that justify a complete, clean replacement copy. As you review a replacement policy or guideline, you should also check the materials you have in your current policy or guideline to see if there is some specific wording you want included in the replacement policy. If so, any wording from the current policy should be added using "Track Changes" or the editing tools in the Board Docs platform in the replacement policy or guideline before returning it electronically to the Coshocton office for processing.

If the District authors language and adds it to a policy template or deletes content that is not marked as a choice in the policy template, then these actions will constitute District-specific edits.

Policies that are to be deleted from the policy manual require Board action to rescind the policy.

Your Neola Associate will contact you in the near future to schedule an appointment to review this update and ensure you are current on this and previous updates.

If you are not an administrative guidelines client, you did not receive those materials in this packet. Contact your Associate for more information about becoming an administrative guidelines client.

Processing Update Materials

If you will be making changes to these Update documents electronically, use "Track Changes" or editing tool in the Board Docs platform to mark the Neola materials indicating which of the proposed revisions and additions you choose to include or not include for your District, or to make additional edits, before returning them electronically for processing. Be sure to leave the "track changes" and marked up version as the one you submit to the production office in Coshocton, Ohio.

District-Specific Material

If the District chooses, during any step of the Update process, to incorporate District-specific material into a new policy or guideline that has been proposed or to insert District-specific material into a current policy or guideline for which revisions have been proposed in an update issued by Neola, then the District agrees to hold Neola harmless for those District-specific edits and acknowledges that Neola's warranty for legal challenges to that District-specific language in that policy or guideline will not be in effect. In addition, Neola retains ownership of the text from the original policy template that remains in a policy to which District-specific material has been added. District-specific materials include the following:

- A. Materials from the District's existing materials that the District requests be incorporated during the drafting process;
- B. New materials that the District develops in their entirety and exclusive of Neola; and
- C. Revisions or deletions that substantively depart from Neola's templates.

Further, Neola does not recommend the use or incorporation of District-specific materials. Neola will, at the request of the District, incorporate District-specific materials into the licensed materials, with the implicit understanding that the District bears all risks associated with the District's decision to request that such District-specific materials be incorporated. Neola reserves the right to, but is not obligated to, advise the District to seek its own legal review of District-specific materials.

Notice Regarding Legal Accuracy

Neola is vigilant in providing policy language to clients that has been vetted for legal accuracy by outside legal counsel. Should questions arise as to the legal compliance or accuracy of Neola materials, it is our expectation that Neola's counsel would have the opportunity to assist in the resolution of such a claim. Please notify the Neola corporate office if an issue arises in which such a review or assistance is necessary.

Policies in this update have been reviewed by either Ennis Britton Co., L.P.A. or Peters Kalail & Markakis Co., L.P.A. for consistency with Federal and State law.

Changes in OTES Policy is Coming

Among the various bills signed by Governor Kasich on August 3, 2018, was Senate Bill 216, initially dubbed the "Education Deregulation Bill." Among its many provisions, this legislation took yet another effort at reforming the Ohio Teacher Evaluation System (OTES).

The bill specifies the new policy will become operative at the expiration of a district's current collective bargaining agreement (CBA) that is in effect on the effective date of SB 216. However, the statute further provides that a board of education has until no later than July 1, 2020 to adopt a revised policy. Therefore, Districts with CBAs that expire prior to July 1, 2020 may need to adopt a revised policy and begin implementation before 2020. This same issue of timing occurred when OTES was initially adopted into law in 2011. Even though Boards were not required to adopt a policy until July 2013, some districts had to modify policies and implement OTES sooner because of this timing issue. Contact Board counsel to discuss implementation if the district's CBA expires prior to 2020.

Neola intends to address these necessary policy changes in the 2019 Winter Update, which should be well in advance of the various compliance dates.

Legal Alert

Included with this update are legal alerts printed on green paper. These include:

- A. ESC Bill Changes Options for Local Districts
- B. Changes to Graduation Requirements – Update
- C. Significant Legislative Changes for Nonteaching Employees in Non-Civil Service Districts
- D. "Fair Share" Fees Ruled Unconstitutional
- E. OTES Changes Again in Senate Bill 216

BYLAWS AND POLICIES

Bylaw 0131 – Legislative (Revised)

Language has been added to this bylaw adding the expectation that Board members are covered by the Board's policies.

This revision is recommended but not required.

Bylaw 0141 – Number (ESC Only). (Revised)**Bylaw 0143.1 - Addition of Appointed Members (ESC Only). (Revised)**

These bylaws have been revised as a result of the passage of HB 438, which allows ESC Boards to appoint members to the Board. The law added language regarding qualifications and limitations on the number and representation of client districts.

If ESC Boards wish to appoint additional members to the Board, these revisions should be adopted.

Bylaw 0141.2 - Conflict of Interest (Revised)

Some additional provisions of the Ohio Ethics Law have been added to this bylaw based on recent conflicts that have been publicized in Ohio districts. The recommended changes provide a more complete picture of Ohio's Ethics laws applicable to public officials.

Revisions to this bylaw are strongly recommended for adoption.

Bylaw 0164 - Notice of Meetings (Revised)**Bylaw 0165.1 - Regular Meetings (Revised)****Bylaw 0165.2 - Special Meetings (Revised)**

Emergency meetings were added to the bylaw, along with an addition regarding notice of a special meeting.

Bylaw 0165.3 - Recess/Adjournment (Revised)

This Bylaw was revised to include how recess and adjournment is subject to Ohio's public records law regarding notice of public meetings.

These bylaws have been revised in an attempt to clarify language and practices that have been questioned by client districts during the recent past. Since in almost all cases, the District's web page has become a primary notification site, it has been incorporated into the notice procedures as the default rather than an option. In some instances, language from statute has been added to provide specific direction.

These revisions reflect the current state of the law and should be adopted to maintain accurate policies.

Bylaw 0166 - Executive Session (Revised)

This Bylaw was revised to include statutory language and specifically the audit meeting exempt from the Sunshine Law.

This revision reflects the current state of the law and should be adopted to maintain accurate policies.

Bylaw 0168 – Minutes (Revised)

This revision adds statutory language regarding preparation and filing of the minutes and a revision to expand the type of recordings that are made.

This revision is recommended for adoption.

Bylaw 0169.1 - Public Participation at Board Meetings (Revised)

This Bylaw has been revised to reflect current case law on public participation and a drafting note has been provided for one of the options to explain how the option operates in practice. An addition was made to the presiding officer's rights to run the meeting without disruption.

This revision is recommended for adoption.

Policy 1240.01 - Non-Reemployment of the Superintendent (Revised)**Policy 1541/3140/4140 – Termination and Resignation (Revised)**

These policies have been revised to include language that emphasizes the requirement for employees to have and maintain a current license for their position of employment. Although long a requirement and a basic expectation for employment, recent situations have occurred, resulting in findings for recovery being issued in Ohio districts.

These revisions are strongly recommended for adoption.

Policy 1422/3122/4122 - Nondiscrimination and Equal Employment Opportunity (Revised)

Policy 1662/3362/4362 - Anti-Harassment (Revised)**Policy 2260 Nondiscrimination and Access to Equal Educational Opportunity. (Revised)****Policy 5517 - Anti-Harassment (Revised)****Policy 5517.02 - Sexual Violence (Revised)**

Revisions to these policies include a section addressing the District's responsibility to maintain investigatory records acquired or created during processes of investigation and review of complaints and/or allegations of discrimination or harassment. Such records have been routinely been required by the U.S. Department of Education's Office for Civil Rights (OCR) during their review of such cases.

These revisions are strongly recommended for adoption.

Policy 2111 - Parent and Family Engagement (Revised)**Policy 2261 Title I Services (Local Only)(Revised)****Policy 2261.01 – Parent and Family Member Participation in Title I Programs (Local Only)(Revised)****Policy 2261.03 - District and School Report Card (Local Only)(New)****Policy 2700 - School Report Card (Local Only)(DELETE)**

Revisions to these policies reflect requirements of the Every Student Succeeds Act (ESSA) amendments to the Elementary and Secondary Education Act and components of the State's plan for implementing these provisions. Revisions include definitions and focus on parent and family engagement, attention to supplement v supplant requirements, and data collection and reporting requirements.

These revisions are strongly recommended for adoption.

Policy 2370.01 - Blended Learning (NEW)

This new policy and guideline were added at the request of clients. Both documents are needed, but only if the District chooses to offer "Blended Learning" as an educational opportunity for students. Specific provisions of state law and Ohio Administrative Code (OAC 3301-35-03) require the adoption of a policy and the development of program guidelines and procedures.

This new P/AG is offered only for those offering Blended Learning.

Policy 4162 – Drug and Alcohol Testing of CDL License Holders and Other Employees Who Perform Safety Sensitive Functions (Revised)

This policy has been revised to reflect the latest rule changes by the U.S. Department of Transportation (DOT). These revisions have been cited in recent DOT audits of districts in several regions.

This revision reflects the current state of Federal regulations and should be adopted to maintain accurate policies.

Policy 5610 – Removal, Suspension, Expulsion, and Permanent Exclusion of Students (Revised)**Policy 5610.02 – In-School Discipline (Revised)****Policy 5610.03 – Emergency Removal of Students (Revised)****Policy 5611 – Due Process Rights (Revised)**

These revisions are required by HB 318. More policy changes will be necessary moving forward based on the prospective restrictions to student disciplinary measures enacted in this legislation. Future updates will provide policy revisions and guidance on those changes.

These revisions reflect the current state of the law and should be adopted to maintain accurate policies.

Policy 6320 Purchasing and Bidding (Revised)

Revisions are based on feedback from clients and provide guidelines on purchasing and competitive bidding. To alleviate confusion around what "must" be competitively bid and what districts "should" consider when making major purchases outside of mandatory bidding, Policy 6320 has been revised to reflect the statutory framework and standards. For clarification purposes, the policy has been retitled as "Purchasing and Bidding."

These changes include updated language on urgent necessity, security and protection of school property, and joint purchasing.

These revisions are strongly recommended for adoption.

Policy 6325 - Procurement – Federal Grants/Funds (Revised)

These revisions are in response to the issuance of Memorandum M-18-18 by the U.S. Office of Management and Budget raising the financial thresholds in several categories of procurement utilizing Federal funds. Be sure that established thresholds are consistent with those established in Policy 6320 and State law.

This revised policy is strongly recommended for adoption together with revisions to Policy 6320.

Policy 6423 – Use of Credit Cards (Revised)

This policy has been revised to reflect the requirements of Sub. H. B. 312. The legislation specifies certain procedures for the use of credit card accounts by the District and requires adoption of a policy and periodic review of use and security measures for such accounts. The law becomes effective on November 2, 2018.

These revisions reflect the current state of the law and should be adopted to maintain accurate policies.

Policy 8141 - Mandatory Reporting of Misconduct by Licensed Employees (Revised)

Certain individuals who are assigned to perform duties in any of eight pupil services areas must hold dual licenses issued by both the Ohio Department of Education ("ODE") and a separate professional board under state law. The eight areas include a school audiologist, school social worker, school speech language pathologist, school nurse, occupational therapist, occupational therapist assistant, physical therapist, and physical therapist assistant. Dual licensed employees must adhere to all licensure requirements of both ODE and the separate state professional board, including rules of professional conduct, in order to maintain appropriate licensure to remain eligible to practice in a school setting.

Under R.C. 4723.34, a school district is required to submit a report to the nursing board when the conduct involves a school nurse. This requirement is in addition to a district's obligation to submit a report of possible misconduct to ODE under the Licensure Code of Professional Conduct for Educators. Note that a district is also required to submit a misconduct report to the nursing board for any employee who is issued a license or permit by the nursing board even if the individual's position does not require a license from ODE. Because pupil services personnel are also licensed by two state boards, a school district should consistently submit a report of possible misconduct to both ODE and the other applicable board for investigation.

This revision is strongly recommended for adoption.

Policy 8403 - School Resource Officer (New)

This new policy is offered as an option based on provisions of H.B. 318. It provides some qualification and structure to the role of school resource official and cites considerations for contractual services with any local law enforcement agency. A "Model" Memorandum of Understanding for such contracts is provided by the Ohio Department of Education.

ADMINISTRATIVE GUIDELINES

AG 2370.01 - Blended Learning (NEW)

See note on Policy 2370.01.

AG 5610 – Suspension and Expulsion (Revised)

AG 5610.02 – In-School Discipline (Revised)

AG 5610.03 – Emergency Removal of Students (Revised)

See note on Policy 5610/5610.02/5610.03.

AG 6320A – Purchasing (Revised)

This AG has been modified to reflect changes to Policy 6320 and to remove outdated references to color-coded forms. Districts are encouraged to make sure that your process is appropriately documented as a written procedure.

AG 6320C1 – Bidding (Revised)

This AG has been modified to narrow its scope to actual bidding circumstances in conformance with the law and revised Policy 6320.

AG 6423 – Use of Credit Cards (Revised)

See note on Policy 6423.

Special Update – April 2018

Policy/AG 2271 – College Credit Plus (Revised)**AG 8310A – Public Records (Revised)**

A new rule, O.A.C. 333-1-65.13, was issued in January 2018 to regulate the implementation of the College Credit Plus program. Legislative changes were included in H.B. 49 (June 2017) and revisions to Policy/Administrative Guideline 2271 were issued in the Volume 36 Number 1 Update in August 2017. This Special Release included further revisions as required by Ohio Administrative Code, dealing with underperforming students participating in the program. While the dismissal criteria and procedures are prescribed in the rule, each District must define the academic progress that a student must achieve in order to be reinstated to the college credit plus program on CCP probation or without restrictions.

This rule was first be applied for the summer term of the 2018-2019 academic year.

Also included in this Special Release is revised AG 8310A – Public Records. The Ohio History Connection is charged with the development, updating and/or revision of the Schedule of Records Retention and Disposition, and in reviewing requests for disposal of obsolete records. A revised records retention schedule was recently published, resulting in a significant revision to the AG. Note that before the records retention schedule is considered in effect for the District, it must first be signed by a local responsible official and local records commission chair, the State Archives, and the State Auditor's Office.

The revisions in these documents reflect the current state of the law and should be adopted to maintain accurate policies, guidelines, and forms. These documents were released to all Ohio clients in April 2018. If additional copies are needed, please check with your Associate or contact Neola's Production Office.

COMMENTS**Electronic Access to Management Documents**

If you are interested in finding out more about Neola's system for producing the District's policies, guidelines, and forms as well as other documents such as handbooks and negotiated agreements on the Internet, ask your Neola representative for a demonstration in your office. All that is required is that you have a computer and access to the Internet.

Reviewing Board Minutes

A feature of your subscription to the Update Service is the review of your District's Board minutes to identify action that results in new policy or revision to existing policy. If such action has been taken and copies of the related materials have not been submitted to the Coshocton Office, the District will be contacted and additional information regarding the action will be requested. Please take advantage of this valuable service by sending copies of your Board minutes to the Coshocton Office for review.

Last Modified by Andrew Hill on September 26, 2018

Book Policy Manual

Section Ready for Production

Title Vol. 37, No. 1 - August 2018 Revised LEGISLATIVE

Number po0131

Status

Adopted November 19, 2007

0131 - **LEGISLATIVE**

The Board of Education shall make such rules and regulations as are necessary for its governance and the governance of its employees and students of its grounds or premises by adopting bylaws and policies for the organization and operation of this Board and this School District and shall be bound to follow such bylaws and policies. R.C. 3313.20

Those bylaws and policies which are not dictated by the statutes or rules of the State Board of Education or ordered by the Superintendent of Public Instruction, or a court of competent authority may be adopted, amended, and repealed at any meeting of the Board,

☒ provided the proposed adoption, amendment, or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have remained on the agenda of each succeeding Board meeting until approved or rejected.

☒ except that

☒ the Board may upon a vote

☒ equivalent to that for adoption, amendment, or repeal

and where compelling reasons exist, cause to suspend at any time the operation of a bylaw or policy herein contained, provided the suspension does not conflict with law, and such suspension shall terminate at the next meeting of the Board or at such earlier time as is specified in the motion to suspend.

~~☐ These bylaws and policies may be adopted or amended at a single meeting of the Board in an emergency. An emergency shall be defined for purposes of this rule as any situation or set of circumstances which the Board has reason to believe will close the schools or jeopardize the safety or welfare of the students or employees of the District.~~

~~☐ Any resolution adopted under emergency conditions shall expire automatically at the first public meeting of the Board following the abatement of the emergency unless the Board moves to adopt said resolution in final form.~~

Bylaws shall be adopted, amended, repealed, or suspended by (an affirmative vote of three (3) members) (a 4/5's vote of the full Board). Policies shall be adopted, amended, or repealed by (an affirmative vote of three (3) members) (a majority vote of the full Board).

The adoption, modification, repeal, or suspension of a Board bylaw or policy shall be recorded in the minutes of the Board. All bylaws and policies shall be printed in the Board policy manual. Any policy or part of a policy that is superseded by a term in a negotiated agreement shall no longer be in force and effect as a policy.

☒ The Board may adopt, amend, or repeal rules of order for its own operation by simple resolution of the Board passed by a majority of those present and voting.

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Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised CONFLICT OF INTEREST
Number	po0141.2
Status	
Adopted	November 19, 2007
Last Revised	May 11, 2009

0141.2 - **CONFLICT OF INTEREST**

A Board member shall not have any direct or indirect pecuniary interest in a contract with the District; nor shall s/he furnish directly any labor, equipment, or supplies to the District; nor shall s/he be employed by the Board in any capacity for compensation.

In the event a Board member is employed by a corporation or business which furnishes goods or services to the School District, the Board member shall declare his/her association with the organization and refrain from debating or voting upon the question of the contract. It is not the intent of this policy to prevent the District from contracting with corporations or businesses because a Board member is an employee of the firm. The policy is designed to prevent placing a Board member in a position where his/her interest in the public schools and his/her interest in his/her place of employment might conflict and to avoid appearances of conflict of interest even though such conflict may not exist.

Among the conflicts which law specifically forbids:

- A. the prosecuting attorney or city attorney from serving on the Board of Education;
- B. a Board member from serving as the school dentist, physician, or nurse;
- C. a Board member from being employed for compensation by the Board;
- D. a Board member from having, directly or indirectly, any pecuniary interest in any contract with the Board;
- E. a Board member from accepting a reward, gift, or reduction in price for favoring, recommending, or advocating the introduction, adoption, or use in the school of a textbook, map, chart, or any other school supply;
- F. a Board member, for a period of one (1) year after leaving office, from accepting employment with the Board where such employment was authorized by the Board while s/he was a member thereof;
- G. a Board member from soliciting or using the authority or influence of his/her office to secure employment with the Board;
- H. a Board member from voting, deliberating, participating in discussions, or otherwise using the authority or influence of his/her office to create a position with the School District or to set the compensation for such position where s/he is considering, or is being considered for, employment in that position;
- I. a Board member from having an interest in a ~~the~~ contract for the purchase of property, supplies, or fire insurance by any county, township, municipal corporation, board of education, or public institution anywhere in the State of Ohio, if such contract exceeds \$150 unless the contract is let by competitive bidding;
- J. a Board member from being involved in any aspect of the hiring process including, but not limited to, discussing, deliberating, interviewing, or voting on a contract with that person as a teacher or instructor if s/he is related to that person as spouse, father, mother, step-parent, brother, sister, minor child, step-child, grandparent, grandchild, or any other person related by blood or marriage that resides in the same household as the Board member;
- K. a Board member from authorizing or using the authority or influence of office to secure authorization of a public contract in which the Board member, a member of his/her family, or any of his/her business associates has an interest;
- L. a Board member from authorizing or using the authority or influence of office to secure the investment of public funds in any share, bond, mortgage or other security in which the Board member, any member of his/her family, or any of his/her

business associates have an interest, or receives any brokerage, origination or servicing fees, or is an underwriter;

- M. a Board member from having an interest in the profits or benefits of a public contract entered into by the District with which s/he is connected;
- N. a Board member from using the authority or influence of office to secure anything of value or the promise of anything of value to the Board member, from soliciting or accepting anything of value that is of such a character as to manifest an improper and substantial influence upon the Board member with respect to his/her duties.

Board members shall not accept any form of compensation from a vendor or other improper source that is seeking to do business with the District, is doing business with the District, is regulated by or interested in matters before the District. ~~vendors that might influence their decision on the eventual purchase of equipment, supplies, or services. Furthermore, Board members shall not accept any form of compensation from a vendor after a decision has been made to purchase equipment, supplies, or services from a vendor.~~ In addition, Board members shall not enter into a contractual arrangement with a vendor seeking to do business with the District, or a vendor with whom the District is doing business, whereby an individual Board member receives compensation in any form for services rendered. Such compensation or things of value are ~~include, but is~~ not limited to, cash, check, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a Board member receives such compensation, the Board member shall immediately notify the Treasurer, in writing, that s/he received such compensation and shall thereafter promptly transmit such compensation to the Treasurer.

Nothing herein shall prevent a Board member who attends a conference held by an association of public officials and employees from accepting a meal, or attending a reception or open house, the cost of which is financed by a private party so long as the meal, reception, or open house is: 1) of an ordinary, routine character; 2) at an educational or informational event; and 3) open to all of the public officials and employees attending the event. ~~See Ohio Ethics Commission Advisory Opinion No. 2002-02 (6/13/2002).~~ A Board member is prohibited from improperly using his/her position to secure the donation of the cost of a meal, reception, or open house at a conference of an association of public officials and employees to which s/he or his/her Board belongs, while the Board member is simultaneously engaged in governmental business or regulatory activity directly affecting the related interests of the person solicited.

A Board member whose spouse is an employee in the District may not vote, authorize, or use the influence of his/her office to secure approval of an employment contract with his/her spouse. Neither may s/he vote, deliberate, discuss, or otherwise attempt to influence a collectively-bargained, negotiated agreement affecting his/her spouse if the spouse is an officer, executive committee member, or member of the negotiating team or committee of the employee organization or if the agreement includes provisions for health insurance under which said Board member is covered as a benefit of the spouse's employment.

Board members are responsible for knowledge of the ethics law applicable to their public service as an elected official in the State of Ohio. Board members should seek guidance on the application of Ohio's ethics law prior to acting. This policy is an overview, not a complete statement of Ohio's ethics laws.

R.C. 102.03(D)(E)(F), 2921.42(A)(3), 2921.44(D-F)

R.C. 2921.02, 3313.13, 3313.33, 3313.70, 3319.21

Ohio Ethics Commission Advisory Opinion No. 2002-02 (6/13/2002).

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Legal R.C. 102.03(D)(E)(F), 2921.42(A)(3), 2921.44(D-F),
R.C. 2921.02, 3313.13, 3313.33, 3313.70, 3319.21
Ohio Ethics Commission Advisory Opinion No. 2002-02 (6/13/2002).

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised NOTICE OF MEETINGS
Number	po0164
Status	
Adopted	November 19, 2007
Last Revised	October 14, 2013

0164 - NOTICE OF MEETINGS

- A. A schedule of the time and place of ~~fall~~ **[each]** regular meeting(s) shall be ~~published annually~~ posted annually on the District website, published in the official newspaper(s) and posted at the District office ~~and~~
- ~~(-) each school.~~
- ~~(-) the public library.~~
- ~~(-) the District office.~~
- ~~(-) _____.~~

The notice shall also contain the following statement: "Upon request to the Superintendent, the District shall make reasonable accommodation for a disabled person to be able to participate in this activity."

- B. Notice of the time, place, and purpose of each special meeting shall be given to the news media twenty-four (24) hours in advance of the meeting, except that when an emergency requires the immediate official action of the Board, the member(s) calling the meeting shall immediately notify the media requesting such notice of the time, place, and purpose of the meeting and shall post the notice on the District's website. ~~R.C. 121.22~~
- C. Notice of meetings at which ~~the any~~ specific type of public business is to be discussed shall be sent to all persons requesting such notice,
- (X)** provided that such persons supply the Board with stamped, addressed envelopes for the purpose.
- D. The Treasurer shall notify all Board members of each Board meeting in writing no later than two (2) ~~_____~~ days in advance of the meeting. Such notice shall include the time, place, and purpose of the meeting.
- E. Posting such meeting material to the District's website shall establish a reasonable method whereby any person may determine the time and place of all regularly scheduled meetings and the time, place, and purpose of all special meetings.

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Legal	R.C. 121.22
	R.C. 3313.16

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised REGULAR MEETINGS
Number	po0165.1
Status	
Adopted	November 19, 2007
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0165.1 - REGULAR MEETINGS

Regular meetings of the Board shall be public and held at least once every two (2) months. The time of such meeting shall be fixed at the organization meeting. R.C. 121.22, 3313.15

- A. It shall be the responsibility of the Superintendent, in cooperation with the Board President, to prepare an agenda of the items of business to come before the Board at each regular meeting.
- B. The agenda of the regular monthly meeting or special meetings shall be accompanied by a report from the Superintendent on information relating to the District with such recommendations as s/he shall make.

Each agenda shall contain the following statement:

"This meeting is a meeting of the Board of Education in public for the purpose of conducting the School District's business and is not to be considered a public community meeting. There is a time for public participation during the meeting as indicated in agenda item ____."

- C. The agenda for each regular meeting shall be mailed or delivered to each Board member so as to provide proper time for the member to study the agenda. Generally, the agenda should be mailed no later than three (3) days prior to the meeting, or delivered so as to provide time for the study of the agenda by the member. The agenda for a special meeting shall be delivered at least twenty-four (24) hours before the meeting, consistent with provisions calling for special meetings.
- D. The Board shall transact business according to the agenda prepared by the Superintendent and submitted to all Board members in advance of the meeting. The order of business may be altered and items added at any regular meeting by a majority vote of the members present.
- E. Consent Agenda

The Board shall use a consent agenda to keep routine matters within a reasonable time frame.

The following routine business items may be included in a single resolution for consideration by the Board.

1. minutes of prior meetings
2. bills for payment
3. hiring of personnel
4. resolutions that require annual adoption, such as bank signatories, ~~Ohio High School Athletic Association~~ association membership(s), etc.
5. resignations and leaves
6. Action and other like items

A member of the Board may request any item be removed from the consent resolution. No vote of the Board will be required to remove an item from the consent agenda. A single member's request shall cause it to be relocated as an action item

eligible for discussion.

F. Rescheduled Regular Meeting

The agenda for a rescheduled regular meeting shall be the agenda that had been established for that regular meeting and the agenda may be modified pursuant to "regular meeting" procedures detailed in Bylaw 0165.1 - Regular Meetings.

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised SPECIAL MEETINGS
Number	po0165.2
Status	
Adopted	November 19, 2007
Last Revised	October 14, 2013

0165.2 - SPECIAL MEETINGS

Special meetings of the Board shall be public. R.C. 121.22

- A. Special meetings which include emergency meetings, shall be called by the President or the Treasurer or by two (2) members of the Board by serving a written notice of the time and place of such meeting upon each Board member at least two (2) days in advance of the meeting. The notice shall be signed by the official or members calling the meeting. R.C. 3313.16
- B. The agenda for a special meeting, ~~other than a rescheduled regular meeting,~~ is limited to the purpose(s) set forth in the public notice that is provided at least twenty-four (24) hours in advance of the meeting. At the special meeting, the Board may only discuss those issues set forth on the agenda, whether in open session or executive session.
- C. ~~Emergency meetings are a subset of special meetings of the Board, and may be called by the President, Treasurer, or by two (2) members of the Board. Notice of the time, place, and purpose(s) of an emergency meeting will be given immediately to Board members and to the news media that have requested notification. The agenda for an emergency meeting is confined to the announced purpose(s) of the meeting.(-)~~

~~DRAFTING NOTE: Emergency meetings are not addressed in State law; however, case law suggests that public bodies may convene this type of special meeting when a situation requires immediate official action. If such action is not actually necessary, eg., where a Board has waited until the last minute to act on a matter that could have been addressed earlier, courts have and may well again invalidate the action as a violation of the Open Meeting law. As such, emergency meetings should be carefully considered and we recommend consultation with legal counsel prior to calling one.]~~

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised RECESS/ADJOURNMENT
Number	po0165.3
Status	
Adopted	November 19, 2007

0165.3 - **RECESS/ADJOURNMENT**

The Board may adjourn or recess at any time. The recessed or adjourned meeting, when reconvened, shall take up its agenda at the point where the motion to adjourn or recess was acted upon. Due to State public meeting notice requirements, notice of a new meeting is required where a meeting is ended by adjournment. Meetings may not be recessed from day to day but may be recessed for a period of time on a day scheduled for a regular or special meeting.

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised EXECUTIVE SESSION
Number	po0166
Status	
Adopted	November 19, 2007

0166 - **EXECUTIVE SESSION**

The Board and its committees and subcommittees reserve the right to enter into~~meet privately in~~ executive session solely to discuss one (1) or more of the following issues that are exempted from public sessions:

- A. consideration of the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee, or official
- B. investigation of charges or complaints against a public employee, official, licensee, or student unless such employee, official, licensee or student requests a public meeting; except that consideration of the discipline of a Board member for conduct related to the performance of his/her duties or his/her removal from office shall not be held in executive session
- C. consideration of the purchase of property for public purposes, or sale or other disposition of unneeded, obsolete, unfit-for-use~~of~~ property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest
- D. discussion with the Board's legal counsel, of disputes involving the Board that are the subject of pending or imminent court action
- E. preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of employment
- F. matters required to be confidential by Federal law or regulations or State statutes
- G. specialized details of security arrangements and emergency response protocols where disclosure might reveal information that could jeopardize the District's security
- H. consideration of confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:
 - 1. the information is directly related to a request for economic development assistance that is to be provided or administered under one of the statutes referenced in R.C. 121.22(G)(8)(1), or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project, and
 - 2. an unanimous quorum of the Board or its subcommittee determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project

No official action may be taken in executive session. R.C. 121.22

Collective bargaining meetings between employers and employee organizations are private and not subject to R.C. 121.22. R.C. 4117.21

Audit conferences conducted by the Auditor of State or independent certified public accountants with District officials concerning the District's audit are exempt from R.C. 121.22.

An executive session will be held only at a regular or special meeting. After the meeting is convened, any member may make a motion for an executive session, and must state the purpose or purposes of the session by citing one (1) or more of the reasons set forth above. If the session is to discuss a personnel matter listed in paragraph A above, the particular subject for which the session has been called must be identified in the motion. The motion does not need to name the person. Upon receiving a second to the motion and a majority roll-call vote of those present and voting, the chairperson shall declare the Board in executive session.

[X] In keeping with the confidential nature of executive sessions, no member of the Board, committee or subcommittee shall disclose the content of discussions that take place during such sessions.

All members of the Board, committee(s) or subcommittee(s) are entitled to attend executive sessions. The Board, committee or subcommittee may invite any other person to attend an executive session.

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised MINUTES
Number	po0168
Status	
Adopted	November 19, 2007
Last Revised	October 14, 2013

0168 - MINUTES

The Treasurer shall keep reasonably comprehensive minutes of all its meetings showing the time and place, the members present, the subjects considered, a summary of the deliberations sufficient enough for the public to understand the basis for the Board's actions, the actions taken, the vote of each member on roll-call votes, and any other information required to be shown in the minutes by law, which shall be promptly prepared, filed, and available to the public. ~~(R.C.121.22, 149.43, 3313.26)~~ Minutes of executive sessions shall reflect the general subject matter of discussions. R.C. 121.22

[X] The Treasurer shall provide each Board member with a copy of the minutes of the last meeting no later than three (3) days before the next regular meeting.

~~() Tape recordings shall be made of each meeting of the Board as an administrative aid and shall be preserved as public documents of the Board. The tape recordings shall also be referred to in the written minutes.~~

The minutes of Board meetings shall be considered at the next succeeding meeting where they shall be read (unless waived ~~by law~~), corrected (if necessary), and approved. The approved minutes shall be signed by the Treasurer and the President.

The approved minutes shall be filed in the Treasurer's office in a prescribed minute book as a permanent record of official Board proceedings.

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Legal R.C. 149.43, 3313.26

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised PUBLIC PARTICIPATION AT BOARD MEETINGS
Number	po0169.1
Status	
Adopted	November 19, 2007
Last Revised	July 12, 2010

0169.1 - PUBLIC PARTICIPATION AT BOARD MEETINGS

The Board of Education recognizes the value to school governance of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest. The Board offers public participation to members of the public in accordance with the procedures below. The Board applies these procedures to all speakers, and does not discriminate based on the identity of the speaker, content of the speech, or viewpoint of the speaker.

[☒] The Board is also committed to conducting its meetings in a productive and efficient manner that assures that the regular agenda of the Board is completed in a reasonable period of time, honors the voluntary nature of the Board's time and using that time efficiently, and allows for a fair and adequate opportunity for input to be considered. Consequently, public participation at Board meetings will be governed by the following principles:

- A. ~~[] Any person or group wishing to place an item on the agenda shall register their intent with the Superintendent no later than _____ days prior to the meeting and include:~~

~~() name and address of the participant;~~

~~() group affiliation, if and when appropriate;~~

~~() topic to be addressed;~~

~~Such requests shall be subject to the approval of the Superintendent and the Board President.~~

- B. [☐] In order to permit the fair and orderly expression of such comment, the Board shall provide a period for public participation

(☒) at every regular meeting of the Board

~~() at all public meetings of the Board~~

~~() at those public meetings of the Board during which action may be taken~~

and publish rules to govern such participation in Board meetings.

The presiding officer of each Board meeting at which public participation is permitted shall administer the rules of the Board for its conduct.

The presiding officer shall be guided by the following rules:

- A. (☒) Public participation shall be permitted

(☒) as indicated on the order of business.

~~() before the Board takes official action on any issue of substance.~~

~~() at the discretion of the presiding officer.~~

- B. (☒) Anyone having a legitimate interest in the actions of the Board may participate during the public portion of a meeting.

- C. ~~() Attendees must register their intention to participate in the public portion of the meeting upon their arrival at the meeting.~~
- D. (☒) Participants must be recognized by the presiding officer
- (☒) and will be requested to preface their comments by an announcement of their name,
- (☒) address, and
- (☒) group affiliation, if and when appropriate.
- E. (☒) Each statement made by a participant shall be limited to three (3) minutes duration, unless extended by the presiding officer.
- F. (☒) No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
- G. (☒) All statements shall be directed to the presiding officer; no person may address or question Board members individually.
- H. ~~() Tape Audio or video recordings are permitted. The person operating the recorder should contact the Superintendent prior to the Board meeting to review possible placement of the equipment, and must agree to abide by the following conditions:~~
- ~~1. No obstructions are created between the Board and the audience.~~
 - ~~2. No interviews are conducted in the meeting room while the Board is in session.~~
 - ~~3. No commentary, adjustment of equipment, or positioning of operators is made that would distract either the Board or members of the audience while the Board is in session and not disrupt the meeting.~~
- I. (☒) The presiding officer may:
1. (☒) prohibit public comments that are frivolous, repetitive, and/or harassing;
 2. (☒) interrupt, warn, or terminate a participant's statement when the statement is too lengthy, ~~personally directed,~~ abusive, off-topic, ~~antagonistic,~~ obscene, or irrelevant;
 3. (☒) request any individual to leave the meeting when that person does not observe reasonable decorum or is disruptive to the conduct of the meeting;
 4. (☒) request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting;
 5. (☒) call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action;
 6. (☒) waive these rules.
- (☒) with the approval of the Board when necessary for the protection of privacy or the administration of the Board's business.

[☒] The portion of the meeting during which the participation of the public is invited shall be limited to thirty (30) minutes _____, unless extended by a vote of the Board.

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R.C. 3313.20

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No.1 - August 2018 Revised NON-REEMPLOYMENT OF THE SUPERINTENDENT
Number	po1240.01
Status	
Adopted	November 19, 2007
Last Revised	May 11, 2009

1240.01 - **NON-REEMPLOYMENT OF THE SUPERINTENDENT**

The Board of Education has an obligation to the citizens of this District to employ the professional leadership best trained and equipped to meet the educational needs of the students. It shall meet that obligation by retaining only the best qualified person as Superintendent of Schools.

If the services of the Superintendent are found to be unsatisfactory to the Board, s/he shall be notified by the Board President.

(**X**) and given an opportunity to correct the conditions.

If his/her services continue to be unsatisfactory, the Superintendent shall be notified in writing by the Board President, as approved by the Board. Notification of its intent not to reemploy his/her services shall be given in accordance with the Superintendent's contract.

If the Superintendent fails to maintain required licensure throughout the term of employment, s/he will be immediately suspended without pay and such failure is grounds for termination.

Reporting Professional Misconduct

Consistent with Policy 8141 and State law, the Board will file a report to the Ohio Department of Education, on forms provided for that purpose, matters of professional misconduct on the part of the Superintendent, as a licensed professional, including a conviction of the Superintendent of certain enumerated crimes and/or conduct which is determined to be unbecoming to the teaching profession. Reports of any investigation regarding whether or not the Superintendent has committed an act or offense for which the Board is required to make a report to the Ohio Department of Education shall be kept in the personnel file of the Superintendent. Should the Ohio Department of Education determine that the results of that investigation do not warrant initiating an action suspending, revoking, or otherwise limiting the Superintendent's license, the report(s) of any investigation will be moved to a separate public file.

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Legal R.C. 3319.01, 3319.16

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Number	po1422
Status	
Adopted	October 14, 2013

1422 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, military status, ancestry, genetic information (collectively, "Protected Classes"), or any other legally protected category, in its programs and activities, including employment opportunities.

District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs").

~~{NOTE: School Districts are advised to appoint both a male and a female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs may also serve as the District's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim of discrimination that pertains to the other CO.}~~

Director of the Four Cities Compact

~~(Name)~~

(Name)

Director of Student Services

(School District Title)

(School District Title)

330-336-3571

330-336-3571

(Telephone Number)

(Telephone Number)

524 Broad St. Wadsworth, OH 44281

524 Broad St. Wadsworth, OH 44281

(Office Address)

(Office Address)

~~(E-mail Address)~~

~~(E-mail Address)~~

The names, titles, and contact information of these individuals will be published annually:

- ~~() in the staff handbooks.~~
- ~~() in the School District Annual Report to the public.~~

C. (☒) on the School District's web site.

D. ~~() on each individual school's web site.~~

E. ~~() in the School District's calendar.~~

F. ~~() _____.~~

The COs are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination/retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other District-level official so that the Board may address the conduct. Any administrator, supervisor, or other District-level employee or official who receives such a complaint shall file it with the CO ~~() at his/her first convenience~~ (☒) within two (2) school days.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the employee within two (2) business days to advise him/her of the Board's intent to investigate the wrongdoing.

Investigation and Complaint Procedure (See Form 1422 F2)

Any employee who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights, the Ohio Civil Rights Commission ("OCRC") or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop quickly inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who believes s/he has been unlawfully discriminated or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the parties (the alleged target of the discrimination/retaliation and individual(s) alleged to have engaged in the discrimination) agree to participate in it.

Employees who believe that they have been unlawfully discriminated/retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee or any other adult member of the School District community against a student will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe doing so, the individual should tell or otherwise inform the person who engaged in the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The complaining individual should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the person who allegedly engaged in the unlawful conduct of his/her concerns is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination, such as sexual discrimination, the CO may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully discriminated/retaliated against may make an informal complaint, either orally or in writing: 1) to a building administrator; 2) directly to one of the COs; and/or 3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide employees who believe they are being unlawfully discriminated/retaliated against with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful discrimination/retaliation, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the individual about how to communicate his/her concerns to the person who allegedly engaged in the discriminatory/retaliatory behavior.
- B. Distributing a copy of Policy 1422 - Non-Discrimination as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works.
- C. If both parties agree, the CO may arrange and facilitate a meeting between the individual claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

~~All materials generated as part of the informal complaint process will be retained by the COs in accordance with the Board's records retention policy. (See Policy 8310)~~

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant"), may file a formal complaint, either orally or in writing, with a principal, the CO, Superintendent, or other District-level employee. Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a principal, Superintendent, or other District-level employee, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process, the CO should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person who allegedly engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deems appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent"), that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 1422 - Non-Discrimination. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful discrimination/retaliation. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used. () The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or the designee, the Superintendent must either issue a final decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

If the Superintendent determines the Complainant was subjected to unlawful discrimination/retaliation, she/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

~~**[] The decision of the Superintendent shall be final.**~~

OR

[X] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Superintendent's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

[END OF OPTIONS]

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the employee alleging the unlawful discrimination/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The Complainant may be represented, at his/her own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

~~All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy.~~

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not

substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/ complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged

receipt of the no contact orders;

- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student and/or Employee Handbooks or Codes of Conduct);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;

~~{DRAFTING NOTE: The following options should be selected if the District concludes that the following items are not adequately encompassed in the preceding paragraphs.}~~

- N. ~~(-) documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials reviewed and/or presented during the training.]~~
- O. ~~(-) documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;~~
- P. ~~(-) copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;~~
- Q. ~~(-) copies of any notices sent to the complainant and alleged perpetrator in advance of any interview or hearing;~~
- R. ~~(-) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the complainant or the alleged perpetrator.~~

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Legal

R.C. 4112.01, 4112.02

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

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

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

34 C.F.R. Part 110 (7/27/93)

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C., 2000e, et seq., Civil Rights Act of 1964

29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended

29 C.F.R. Part 1635

Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised TERMINATION AND RESIGNATION
Number	po1541
Status	
Adopted	May 11, 2009
Last Revised	February 8, 2010

1541 - **TERMINATION AND RESIGNATION**

Termination

The employment contract of an administrator may be suspended and/or terminated, upon a majority vote of the Board of Education, for good and just cause including disclosing a question to a student on a State-mandated assessment. In such cases, the Board shall abide by due process, statutory procedures, and any applicable terms of the administrator's employment contract.

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

Resignation

An administrator may resign in accordance with law and any applicable terms of his/her employment contract.

Reporting Professional Misconduct

Consistent with Policy 8141 and State law, the Board and/or the Superintendent will file a report to the Ohio Department of Education, on forms provided by the Department for that purpose, matters of professional misconduct on the part of licensed professional administrators, including a conviction of the administrator of certain enumerated crimes and/or conduct which is determined to be unbecoming to the teaching profession. Reports of any investigation regarding whether or not a licensed professional administrator has committed an act or offense for which the Board is required to make a report to the Ohio Department of Education shall be kept in the personnel file of the administrator. Should the Ohio Department of Education determine that the results of that investigation do not warrant initiating an action suspending, revoking, or otherwise limiting that licensed professional staff administrator's license or permit, the report(s) of any investigation will be moved to a separate public file.

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Legal	R.C. 3319.02, 3319.15, 3319.151, 3319.16, 3319.161, 3319.31, 3319.313, 3319.39 A.C. 3301-73-21
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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised ANTI-HARASSMENT
Number	po1662
Status	
Adopted	October 14, 2013

1662 - **ANTI-HARASSMENT**

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

~~[] The District will offer counseling services to any person found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.~~

For purposes of this policy, "School District community" means students, administrators, and professional and classified staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

Other Violations of the Anti-Harassment Policy.

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive

enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome

suggestive or insulting sounds or whistles; obscene telephone calls.

- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- J. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- K. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in Ohio Revised Code 2907.03. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the

characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Reports and Complaints of Harassing Conduct

Members of the School District community, which includes all staff, and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer at his/her first convenience.

Members of the School District community or third parties who believe they have been unlawfully harassed by another member of the School District community or a third party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Principal informed of the status of the Policy 1662 investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers".

[NOTE: School Districts are advised to appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The Compliance Officers may also serve as the District's Section 504 and Title IX Coordinators.]

~~(Name)~~	~~(Name)~~
<u>Director of the Four Cities Compact</u>	<u>Director of Student Services</u>
(School District Title)	(School District Title)
<u>330-336-3571</u>	<u>330-336-3571</u>
(Telephone Number)	(Telephone Number)
<u>524 Broad St. Wadsworth, OH 44281</u>	<u>524 Broad St. Wadsworth, OH 44281</u>
(Office Address)	(Office Address)
~~(E-mail Address)~~	~~(E-mail Address)~~

The names, titles, and contact information of these individuals will be published annually:

- A. ~~() in the parent and staff handbooks.~~
- B. ~~() in the School District Annual Report to the public.~~
- C. (X) on the School District's web site.
- D. ~~() on each individual school's web site.~~
- E. ~~() in the School District's calendar.~~
- F. ~~()~~

The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another

individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the person alleging the harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) business days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

Investigation and Complaint Procedure (See Form 1662 F1)

Any employee or other member of the School District community or third party (e.g., visitor to the District) who believes that s/he has been subjected to unlawful harassment or retaliation may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment or retaliation and a process for rendering a decision regarding whether the claim of legally prohibited harassment or retaliation, was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights, the Ohio Civil Rights Commission ("OCRC") or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or third party who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint and will only be utilized where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in such process.

Employees, other members of the School District community, or third parties who believe that they have been unlawfully harassed or retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving a District employee, any other adult member of the School District community, or a third party against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator; 2) directly to one of the Compliance Officers; and/or 3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide employees, other members of the School District community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the individual about how to communicate the unwelcome nature of the behavior to the alleged harasser.
- B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the individual claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

~~All materials generated as part of the informal complaint process will be retained by the Compliance Officers in accordance with the Board's records retention policy and/or Student Records policy. (See Policy 8310 and Policy 8330)~~

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in writing, with a teacher, Principal, the Compliance Officer, Superintendent, or other District employee. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, Principal, Superintendent, or other District employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer or designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. (X-) A Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature

of the allegations and provided with a copy of any relevant administrative guidelines, including the Board's Anti-Harassment Policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. **(X)** The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

~~**[] The decision of the Superintendent shall be final.**~~

OR

[X] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Superintendent's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

[END OF OPTIONS]

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or third party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

~~All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the School Board's records retention policy. Any records that are considered student education records in accordance with the Family Educational Rights and Privacy Act or under Ohio's student records law will be maintained in a manner consistent with the provisions of the Federal and State laws.~~

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effects.

Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

State law defines certain contact between a teacher and a student as "sexual battery." If the Compliance Officer or a designee has reason to believe that the Complainant has been the victim of criminal conduct as defined in Ohio's Criminal Code, such knowledge should be immediately reported to local law enforcement.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Allegations Involving Conduct Unbecoming the Teaching Profession/Suspension

The Superintendent will report to the Ohio Department of Education, on forms provided for that purpose, matters of misconduct on the part of licensed professional staff members convicted of sexual battery, and will, in accordance with Policy 8141, suspend such employee from all duties that concern or involve the care, custody, or control of a child during the pendency of any criminal action for which that person has been arrested, summoned and/or indicted in that regard.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student and/or Employee Handbooks or Codes of Conduct);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;

~~{DRAFTING NOTE: The following options should be selected if the district concludes that the following items are not adequately encompassed in the preceding paragraphs:}~~

- ~~N. (–) documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials reviewed and/or presented during the training.]~~
- ~~O. (–) documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;~~
- ~~P. (–) copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;~~
- ~~Q. (–) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the complainant or the alleged perpetrator.~~

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Legal

R.C. 4112.02

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

20 U.S.C. 1681 et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

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

29 C.F.R. Part 1635

29 U.S.C. 6101, The Age Discrimination Act of 1975

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

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 1983

National School Boards Association Inquiry and Analysis - May 2008

Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised PARENT AND FAMILY ENGAGEMENT
Number	po2111
Status	
Adopted	November 19, 2007
Last Revised	January 14, 2015

2111 - PARENT AND FAMILY ~~INVOLVEMENT~~ENGAGEMENT

The Board of Education recognizes and values parents and families as children's first teachers and decision-makers in education. The Board believes that student learning is more likely to occur when there is an effective partnership between the school and the student's parents and family. Such a partnership between the home and school and greater involvement of parents and family members in the education of their children generally result in higher academic achievement, improved student behavior, and reduced absenteeism. This policy shall serve as the District policy, as well as the Parent and Family Engagement policy for each school in the District.

The Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act of 2015 (ESSA), defines the term "parent" to include a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the child's welfare).

In accordance with statute and the State Board of Education Parent and Family Involvement policy, the term "family" is used in order to include a child's primary caregivers, who are not the biological parents, such as foster caregivers, grandparents, and other family members and responsible adults who play significant roles in providing for the well-being of the child.

~~In accordance with statute and the State Board of Education Parent and Family Involvement Policy, use of the term "families" is used in order to include children's primary caregivers, who are not their biological parents, such as foster caregivers, grandparents, and other family members.~~

In cultivating partnerships with families and communities, the Board establishes the following expectations and objectives for meaningful parent and family engagement: ~~is committed to the following:~~

A. Relationships with Families

1. ~~(→)~~ cultivating school environments that are welcoming, supportive, and student-centered; ⁴
2. ~~(→)~~ providing professional development for school staff that helps build partnerships between families and schools; ^{2,3,4}
3. ~~(→)~~ providing family activities that relate to various cultures, languages, practices, and customs, and bridge economic and cultural barriers; ^{2,3}
4. ~~(→)~~ providing coordination, technical ~~support~~ assistance and other support assist schools in planning and implementing family involvement activities. ³
5. (.)_____.

B. Effective Communication

1. ~~(→)~~ providing information to families to support the proper health, safety, and well-being of their children;
2. ~~(→)~~ providing information to families about school policies, procedures, programs, and activities; ^{2,3,4}

3. ~~(→)~~ promoting regular and open communication between school personnel and students' family members; ^{1, 4}
4. ~~(→)~~ communicating with families in a format and language that is understandable, to the extent practicable; ^{2,3}
5. ~~(→)~~ providing information and involving families in monitoring student progress; ³
6. ~~(→)~~ providing families with timely and meaningful information regarding Ohio's academic standards, State and local assessments, and pertinent legal provisions; ^{2,3,4}
7. ~~(→)~~ preparing families to be involved in meaningful discussions and meetings with school staff. ^{2,3,4}
8. (.)_____.

C. Volunteer Opportunities

1. ~~(→)~~ providing volunteer opportunities for families to support their children's school activities; ^{1,3}
2. ~~(→)~~ supporting other needs, such as transportation and child care, to enable families to participate in school-sponsored family involvement events. ^{3,4}
3. (.)_____.

D. Learning at Home

1. ~~(→)~~ offering training and resources to help families learn strategies and skills to support at-home learning and success in school; ^{1,2,3,4}
2. ~~(→)~~ working with families to establish learning goals and help their children accomplish these goals; ¹
3. ~~(→)~~ helping families to provide a school and home environment that encourages learning and extends learning at home. ^{1,2,3,4}
4. (.)_____.

E. ~~Involving~~ Engaging Families in Decision Making and Advocacy.

1. ~~(→) involving~~ engaging families as partners in the process of school review and continuous improvement planning; ^{3,4}
2. ~~(→) involving~~ engaging families in the development of its District-wide parent and family engagement ~~involvement~~ policy and plan, and distributing the policy and plan to families. ^{2,3,4}
3. (.)_____.

F. Collaborating with the Community

1. ~~(→)~~ building constructive partnerships and connecting families with community-based programs and other community resources; ^{2,3,4}
2. ~~(→)~~ coordinating and integrating ~~family involvement~~ parent and family engagement programs and activities with District initiatives and community-based programs that encourage and support families' participation in their children's education, growth, and development. ^{2,3,4}
3. (.)_____.

Implementation

The Superintendent will provide for a comprehensive plan to engage parents, families, and community members in a partnership in support of each student's academic achievement, the District's continuous improvement, and individual school improvement plans. The District's plan, as well as each school's plan will provide for annual evaluation, with the ~~involvement~~ meaningful engagement of parents and families, of the plan's content, effectiveness and identification of barriers to participation by parents and families with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background; the needs of parents and family members to assist with the learning of

their children (including engaging with school personnel and teachers); and the strategies to support successful school and family interaction. Each school plan will include the development of a written school-parent compact jointly with parents for all children participating in Title I, Part A activities, services, and programs. The compact will outline how parents, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership to help children achieve the State's high standards. Evaluation findings will be used in the annual review of the Parent and Family ~~Involvement~~ Engagement policy and to improve the effectiveness of the District plan. This policy will be updated periodically to meet the changing needs of parents, families, and the schools.

¹Indicates R.C. 3312.472 State Requirements

²Indicates IDEA 2004 Section 650 & 644 parent involvement requirements

³Indicates Title I Section 1118 parent involvement requirements

⁴Indicates State Board Parent and Family Involvement Policy recommendations

[NOTE: Districts should select all items (~~options~~) included in this template in order to have a policy that meets the requirements of State and Federal law and program requirements of the Ohio Department of Education (ODE) and Title I.]

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Legal

R.C. 3313.472

Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY
Number	po2260
Status	
Adopted	November 19, 2007
Last Revised	October 14, 2013

2260 - **NONDISCRIMINATION AND ACCESS TO EQUAL EDUCATIONAL OPPORTUNITY**

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationship and/or personal sense of self-worth. As such, the Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or transgender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its educational programs or activities.

The Board also does not discriminate on the basis of Protected Classes in its employment policies and practices as they relate to students, and does not tolerate harassment of any kind.

Equal educational opportunities shall be available to all students, without regard to the Protected Classes, age (unless age is a factor necessary to the normal operation or the achievement of any legitimate objective of the program/activity), place of residence within the boundaries of the District, or social or economic background, to learn through the curriculum offered in this District. Educational programs shall be designed to meet the varying needs of all students.

In order to achieve the aforesaid goal, the Superintendent shall:

A. Curriculum Content

review current and proposed courses of study and textbooks to detect any bias based upon the Protected Classes; ascertaining whether or not supplemental materials, singly or taken as a whole, fairly depict the contribution of both genders, various races, ethnic groups, etc. toward the development of human society;

B. Staff Training

develop an ongoing program of in-service training for school personnel designed to identify and solve problems of bias based upon the Protected Classes in all aspects of the program;

C. Student Access

1. review current and proposed programs, activities, facilities, and practices to verify that all students have equal access thereto and are not segregated on the basis of the Protected Classes in any duty, work, play, classroom, or school practice, except as may be permitted under State and Federal laws and regulations;
2. verify that facilities are made available, in accordance with Board Policy 7510 - Use of District Premises, for non-curricular student activities that are initiated by parents or other members of the community, including but not limited to any group officially affiliated with the Boy Scouts of America or any other youth group listed in Title 36 of the United States Code as a patriotic society;

D. District Support

verify that like aspects of the District program receive like support as to staff size and compensation, purchase and maintenance of facilities and equipment, access to such facilities and equipment, and related matters;

E. Student Evaluation

verify that tests, procedures, and guidance and counseling materials, which are designed to evaluate student progress, rate aptitudes, analyze personality, or in any manner establish or tend to establish a category by which a student may be judged, are not differentiated or stereotyped on the basis of the Protected Classes.

District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (also known as "Civil Rights Coordinators") (hereinafter referred to as the "COs").

[NOTE: School Districts are advised to appoint both a male and a female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs may also serve as the District's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two (2) COs, there should always be a CO available to investigate a claim of discrimination that pertains to the other CO.]

~~(Name)~~	~~(Name)~~
<u>Director of the Four Cities Compact</u>	<u>Director of Student</u>
<u>Services</u>	
(School District Title)	(School District Title)
<u>330-336-3571</u>	<u>330-336-3571</u>
(Telephone Number)	(Telephone Number)
<u>524 Broad St. Wadsworth, OH 44281</u>	<u>524 Broad St. Wadsworth, OH</u>
<u>44281</u>	
(Office Address)	(Office Address)
~~(E-mail Address)~~	~~(E-mail Address)~~

The names, titles, and contact information of these individuals will be published annually:

- A. ~~() in the parent/student and staff handbooks.~~
- B. ~~() in the School District Annual Report to the public.~~
- C. (**X**) on the School District's web site.
- D. ~~() on each individual school's web site.~~
- E. ~~() in the School District's calendar.~~
- F. ~~()~~

The COs are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination Act of 1975 is provided to students, their parents, staff members, and the general public. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

The Superintendent shall annually attempt to identify children with disabilities, ages 3-22, who reside in the District but do not receive public education. In addition, s/he shall establish procedures to identify students who are Limited English Proficient (LEP), including immigrant children and youth, to assess their ability to participate in District programs, and develop and administer a

program that meets the English language and academic needs of these students. This program shall include procedures for student placement, services, evaluation, and exit guidelines and shall be designed to provide students with effective instruction that leads to academic achievement and timely acquisition of proficiency in English. As a part of this program, the District will evaluate the progress of students in achieving English language proficiency in the areas of listening, speaking, reading and writing, on an annual basis (see AG 2260F).

Reports and Complaints of Unlawful Discrimination and Retaliation

Students and all other members of the School District community and third parties are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the CO ~~() at his/her first convenience~~ (☒) within two (2) school days.

Members of the School District community, which includes students or third parties, who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may constitute unlawful discrimination based on a Protected Class, the Principal shall report the act to one of the COs who shall investigate the allegation in accordance with this policy. While the CO investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the CO's written report. The CO shall keep the Principal informed of the status of the Policy 2260 investigation and provide him/her with a copy of the resulting written report.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation of a student is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the student, if age eighteen (18) or older, or the student's parents if the student is under the age eighteen (18), within two (2) school days to advise s/he/them of the Board's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure

Any student who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights ("OCR"). The Cleveland Office of the OCR can be reached at 1350 Euclid Avenue, Suite 325, Cleveland, Ohio 44115; Telephone: (216) 522-4970; Fax: (216) 522-2573; TDD: (216) 522-4944; E-mail: ocr.cleveland@ed.gov; Web: <http://www.ed.gov/ocr>.

Informal Complaint Procedure

The goal of the informal complaint procedure is to quickly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes s/he has been unlawfully discriminated or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint.

The informal process is only available in those circumstances where the parties (the alleged target of the discrimination and individual(s) alleged to have engaged in the discrimination) agree to participate in it.

Students who believe that they have been unlawfully discriminated/retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee or any other adult member of the School District community against a student will be formally investigated.

As an initial course of action, if a student feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe doing so, the individual should tell or otherwise inform the person who engaged in the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The complaining individual should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the person who allegedly engaged in the unlawful conduct of his/her concerns is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination, such as sexual discrimination, the CO may advise against the use of the informal complaint process.

A student who believes s/he has been unlawfully discriminated/retaliated against may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator in the school the student attends; 2) to the Superintendent or other District-level employee; and/or 3) directly to one of the COs.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide students who believe they are being unlawfully discriminated/retaliated against with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming unlawful discrimination/retaliation, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the student about how to communicate his/her concerns to the person who allegedly engaged in the discriminatory/retaliatory behavior.
- B. Distributing a copy of Policy 2260 - Non-Discrimination and Access to Equal Educational Opportunity as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- C. If both parties agree, the CO may arrange and facilitate a meeting between the student claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

~~All materials generated as part of the informal complaint process will be retained by the COs in accordance with the Board's records retention policy and/or Student records policy. (See Policy 8310 and Policy 8330)~~

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the student elects to file a formal complaint initially, the formal complaint process shall be implemented.

A student who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant") may file a formal complaint, either orally or in writing, with a teacher, Principal, or other District employee at the student's school, the CO, Superintendent, or another District employee who works at another school or at the District level. Due to the sensitivity surrounding complaints of unlawful discrimination, timelines are flexible for initiating the complaint process; however, individuals

should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a teacher, Principal, or other District employee at the student's school, Superintendent, or other District employee, either orally or in writing, about any complaint of discrimination/retaliation, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process, the CO should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in; the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person alleged to have engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deems appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation. (☒) A Principal will not conduct an investigation unless directed to do so by the CO.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent") that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 2260 - Non-Discrimination. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO or designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful discrimination/retaliation. The CO's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if unlawful discrimination or retaliation occurred, a preponderance of evidence standard will be used. (☒) The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or designee, the Superintendent must either issue a final decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) days. At the conclusion of the additional investigation, the Superintendent shall issue a final written decision as described above.

If the Superintendent determines the Complainant was subjected to unlawful discrimination/retaliation, she/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

~~[] The decision of the Superintendent shall be final.~~

OR

[X] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Superintendent's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

[END OF OPTIONS]

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the student alleging the unlawful discrimination/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The Complainant may be represented, at his/her own cost, at any of the above described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a Complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

~~All records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the Family Educational Rights and Privacy Act or under Ohio's student records law will be maintained in a manner consistent with the provisions of the Federal and State law.~~

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination/retaliation by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information, provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy must retain all information, documents, electronically stored information, and electronic media (as defined in Policy 8315) created and received as part of an investigation, which may include, but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student and/or Employee Handbooks or Codes of Conduct);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;

~~[DRAFTING NOTE: The following options should be selected if the District concludes that the following items are not adequately encompassed in the preceding paragraphs:]~~

- N. ~~(-) documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials~~

~~reviewed and/or presented during the training.}~~

- O. ~~(-) documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;~~
- P. ~~(-) copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;~~
- Q. ~~(-) copies of any notices sent to the complainant and alleged perpetrator in advance of any interview or hearing;~~
- R. ~~(-) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the complainant or the alleged perpetrator.~~

The information, documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal and/or State law (e.g., student records).

These investigative records and materials created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

A.C. 3301-35-02(A)

R.C. 3301.0711, 3302.01, 3302.03, 3313.61, 3313.611, 3313.612, 3317.03

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

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

42 U.S.C. Section 2000 et seq., Civil Rights Act of 1964

42 U.S.C. Section 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

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

29 C.F.R. Part 1635

34 C.F.R. Part 110 (7/27/93)

Vocational Education Program Guidelines for Eliminating Discrimination and Denial of Services, Department of Education, Office of Civil Rights, March 1979

~~Title III of the No Child Left Behind Act of 2001~~

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A.C. 3301-35-02(A)

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Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised TITLE I SERVICES
Number	po2261
Status	
Adopted	November 19, 2007

2261 - TITLE I SERVICES

The Board of Education elects to augment the educational program of educationally disadvantaged students by the use of Federal funds and in accordance with Title I of the Elementary and Secondary Education Act of 1965, as amended. ~~Amendments to the Elementary and Secondary School Improvement Act of 1965.~~

The Superintendent shall prepare and present to the Ohio Department of Education a plan for the delivery of services which meets the requirements of the law, including those described below. The plan shall be developed by appropriate staff members and parents of students who will be served by the plan. The District will periodically review and revise the plan, as necessary.

A. Assessment

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

B. Scope

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

C. Participation

The Title I program shall be developed and evaluated in consultation with parents and professional staff members, including teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, charter school leaders, [in a District that has charter schools], administrators and other school appropriate personnel involved in its implementation. Appropriate training will be provided to staff members who provide Title I services. Parent participation shall be in accord with Board Policy 2261.01 and shall meet the requirements of Section 1118-6 of the Act.

D. Supplement Not Supplant and Comparability of Services

Title I funds will be used only to supplement, not to supplant, State and local funds. The District will document its compliance with the supplement not supplant provisions by using a written methodology that ensures State and local funds are allocated to each school on the same basis, regardless of whether a school receives Title I funding. ~~The Superintendent shall use State and local funds to provide educational services in schools receiving Title I assistance that, taken as a whole, are at least comparable to services being provided in schools that are not receiving Title I assistance.~~

The Superintendent shall use State and local funds to provide educational services in schools receiving Title I assistance that, taken as a whole, are at least comparable to services being provided in schools that are not receiving Title I assistance. The determination of the comparability of services may exclude ~~in accordance with Federal regulations,~~ State and local funds expended for language instruction educational programs and the excess costs of providing services to children with disabilities as determined by the District. ~~spent on compensatory education programs, bilingual education programs, and programs for educationally disabled students.~~ The determination of comparability of services will not take into account unpredictable changes in student enrollments or personnel assignments that occur after the beginning of a school year.

In order to achieve comparability of services, the Superintendent shall assign teachers, administrators, and auxiliary personnel and provide curriculum materials and instructional supplies in an equitable manner throughout the District.

E. Professional Development

~~The Superintendent shall develop administrative guidelines whereby m~~Members of the professional staff ~~may~~shall participate in the design and implementation of staff development activities that ~~meet the requirements of Section 1119 of the Act and:~~

1. (☒) involve parents in the training, when appropriate;
2. (☒) combine and consolidate other available Federal and District funds;
3. (☒) foster cooperative training with institutions of higher learning and other educational organizations including other school districts;
4. (☒) allocate part of the staff development to the following types of strategies:
 - a. (☒) performance-based student assessment;
 - b. (☒) use of technology;
 - c. (☒) working effectively with parents;
 - d. (☒) early childhood education;
 - e. (☒) meeting children's special needs;
 - ~~(☐) fostering gender equitable education;~~
 - ~~(☐) provide opportunities for paraprofessionals to work toward licensing as professional educators.~~

F. ~~Simultaneous Services~~

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

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Legal 20 U.S.C. 6301 et seq.
 34 C.F.R. Part 200, et seq.

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised PARENT AND FAMILY MEMBER PARTICIPATION IN TITLE I PROGRAMS
Number	po2261.01
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2261.01 - **PARENT AND FAMILY MEMBER PARTICIPATION IN TITLE I PROGRAMS**

In accordance with the requirements of Federal law, programs supported by Title I funds must be planned and implemented in meaningful consultation with parents and family members of the students being served.

Each year the Superintendent shall work with parents and family members of children served in Title I Programs in order to jointly develop and agree upon a proposed written parent and family engagement~~involvement~~ policy to establish expectations for the involvement of such parents and family members in the education of their children. The proposed policy shall be reviewed and approved annually by the Board of Education and distributed to parents and family members of children receiving Title I services. The proposed policy must establish the District's expectations and objectives for meaningful parent and family involvement, and describe how the School District will:

- A. involve parents and family members in the development of the School District's Title I plans and any State-mandated comprehensive support and improvement plans~~in the process of school review and improvement, if necessary;~~
- B. provide coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools in planning and implementing effective parent involvement activities to improve student achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education;
- C. ~~build the schools' and parents' capacity for strong parental involvement;~~
- D. coordinate and integrate parent and family engagement~~involvement~~ strategies, to the extent feasible and appropriate, with other Federal, State, and local laws and programs~~with parent involvement strategies under other programs such as Head Start, Reading First, Early Reading First, Even Start, Parents and Teachers, and Home Instruction for Preschool Youngsters;~~
- E. with meaningful involvement of parents and family members,~~in consultation with parents,~~ annually evaluate the content and effectiveness of the parent and family engagement~~involvement~~ policy in improving the academic quality of schools, including:
 1. identifying barriers to greater parent participation (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background);
 2. ~~designing strategies for more effective parental involvement; and,~~
 3. ~~revising the parental involvement policy if necessary;~~
 4. the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and
 5. strategies to support successful school and family interactions.
- F. use the findings of the above-referenced evaluation to:

1. design evidence-based strategies for more effective parental involvement; and,
 2. revise the parent and family engagement policy, if necessary;
- G. ~~involve parents of children receiving Title I services in deciding how Title I funds reserved for parent involvement activities will be allocated;~~ involve parents in the activities of the District's Title I schools, which may include establishing a parent advisory board that may be charged with developing, revising and reviewing the parent and family engagement policy;
- H. provide ~~full~~ opportunities for the informed participation of parents and family members (including parents and family members who have ~~with~~ limited English proficiency and/or ~~parents with~~ disabilities, and parents and family members of migratory children, including providing information and school reports in a format, and to the extent practicable in a language, such parents can understand;
- I. conduct meetings with parents including provisions for flexible scheduling and assistance to parents to better assure their attendance at meetings;
- J. develop agendas for parent meetings to include review and explanation of the curriculum, means of assessments, and the proficiency levels students are expected to achieve and maintain;
- K. provide opportunities for parents to formulate suggestions, interact and share experiences with other parents, and participate appropriately in the decision-making about the program and revisions in the plan;
- L. involve parents in the planning, review, and improvement of the Title I program;
- M. communicate information concerning school performance profiles and their child's individual performance to parents;
- N. assist parents in helping their children in achieving the objectives of the program by such means as ensuring regular attendance, monitoring television-watching, providing adequate time and the proper environment for homework; guiding nutritional and health practices, and the like;
- O. provide timely responses to parental questions, concerns, and recommendations;
- P. coordinate and provide technical assistance and other support necessary to assist Title I schools to develop effective parent participation activities to improve academic achievement;
- Q. conduct other activities as appropriate to the Title I plan and State and Federal requirements.

The Board will reserve the requisite percent of its allocation of Federal Title I funds to carry out the above-described activities. Parents and family members of children receiving Title I services shall be involved in the decisions regarding how the reserved funds are allotted for parent involvement activities. Reserved funds shall be used to carry out activities and strategies consistent with the Board's parent and family engagement policy (Policy 2111), including at least one (1) of the following:

- A. Supporting schools and nonprofit organizations in providing professional development for the District and school personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.
- B. Supporting programs that reach parents and family members at home, in the community, and at school.
- C. Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members.
- D. Collaborating, or providing subgrants to schools to enable such schools to collaborate, with community-based or other organizations or employers with a record of success in improving and increasing parent and family engagement.
- E. Engaging in any other activities and strategies that the Board determines are appropriate and consistent with its parent and family engagement policy.

The Superintendent must also assure that each Title I participating school develops a specific written plan, with parental involvement and agreement, which includes provisions regarding the following:

- A. Each principal must convene an annual meeting at a convenient time to which all parents of participating children are invited and encouraged to attend to explain the parents' rights to be involved and the school's obligations to develop a ~~parental involvement plan~~ parent and family engagement policy.

- B. Meetings with parents of children receiving Title I services must be scheduled at flexible times with assistance such as child care, transportation, home visits, or similar aid offered to parents to encourage their involvement.
- C. Parents must be involved in an organized, on-going and timely way in the development, review, and improvement of parent involvement activities, including the planning, review and improvement of the school parent and family engagement policy, and the joint development of the schoolwide program plan, if appropriate.
- D. Parents of participating students must be provided with:
 - 1. timely information about the Title I program and the school's parent and family engagement~~involvement~~ policy;
 - 2. a description and explanation of the curriculum in use at the school, the forms of academic assessment used to measure student progress, and the achievement~~proficiency~~ levels expected;
 - 3. regular meetings, upon request, for parents to make suggestions, and to participate as appropriate, in decisions relating to the education of their children, and receive responses regarding the parents' suggestions about their student's education as soon as practicably possible.
- E. If the written plan is not satisfactory to the parents of participating children, the school must submit any parents' comments when it presents the plan to the Superintendent.
- F. As a component of the school ~~level parental involvement~~ parent and family engagement policy, the principal for each school shall coordinate the development of a school-parent compact jointly with parents of children served under Title I which outlines how the school staff, the parents, and the student will share responsibility for improved student academic achievement~~improvement~~ and the means by which the school and parents will build and develop a partnership to help students achieve the State's high standards. The compact must:
 - 1. describe the school's responsibility to provide a high quality curriculum and instruction in a supportive, effective learning environment;
 - 2. describe the ways in which each parent is responsible for supporting ~~parent's responsibility to support~~ their child's learning environment such as monitoring attendance, homework, extra-curricular activities and excessive television watching; volunteering in the classroom; and participating, as appropriate, in decisions relating to the education of their children and their positive use of extra-curricular time;
 - 3. address the importance of parent/teacher communication on an on-going basis through at least annual parent teacher conferences to discuss the child's achievement and the compact; frequent progress reports to the parents on their child's progress; ~~and~~ reasonable access to the staff and to observe and participate in classroom activities and regular two-way, meaningful communication between family members and school staff, and, to the extent practicable, in a language that family members can understand.
- G. Parents of children receiving Title I services must be notified about their school's parent and family engagement ~~policy~~~~involvement policies~~ in an understandable and uniform format, and to the extent practicable, in a language the parents can understand. These policies must also be made available to the community.
- H. School ~~level~~ parent and family engagement~~involvement~~ policies must be updated~~evaluated~~ periodically to ~~consider whether they~~ meet the changing needs of parents and the schools.

In order to involve parents in the education of their children and to support a partnership among the school, parents and the community for improving ~~students~~ student academic achievement, the Superintendent and building principals must include provisions in the School District and school ~~level~~ parent and family engagement~~involvement~~ policies regarding:

- A. assisting parents of children served under Title I in understanding such topics as the State's academic standards, State and local academic ~~content and~~ assessments ~~standards, Title I, and in understanding~~ how to monitor their child's progress and how to work with educators to improve their child's achievement;
- B. providing materials and training to help parents work with their children to improve achievement, such as literacy training and using technology (including education about the harms of copyright privacy);
- C. educating teachers, specialized instructional support~~pupil services~~ personnel, school leaders (including principals), and other staff, with the assistance of parents, about the value and utility of contributions of parents, how to reach out to, communicate with, and work with parents as equal partners, how to implement and coordinate parent programs, and how to build ties between parents and the school;

- D. to the extent feasible and appropriate, coordination and integration of parent involvement programs and activities with other Federal, State and local programs (including public preschool programs), and conducting other activities that encourage and support parents more fully participating in the education of their children (e.g., parent resource centers);
- E. providing information related to school and parent programs, meetings, and other activities to parents of participating children in a format, and, to the extent practicable, in a language the parents can understand;
- F. providing such reasonable support for parent involvement activities as parents may request.

In order to build the School District's capacity for parent involvement, the Superintendent and building principals may also:

- A. involve parents in the development of training for teachers and administrators and other educators to improve the effectiveness of such training;
- B. provide necessary literacy training from Title I funds if the District has exhausted all other reasonably available sources of funding for such training;
- C. pay reasonable and necessary expenses associated with parental involvement activities to enable parents to participate in school-related meetings and training sessions, including transportation and child care costs;
- D. train parents to enhance the involvement of other parents;
- E. arrange school meetings at a variety of times, or conduct in-house conferences between teachers or other educators who work directly with participating children, with parents who are unable to attend such conferences at school, in order to maximize parental involvement and participation;
- F. adopt and implement model approaches to improving parental involvement in Title I programs;
- G. establish a District-wide parent advisory council to provide advice on all matters related to parental involvement programs;
- H. develop appropriate roles for community-based organizations and businesses in parental involvement activities.

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Legal 20 U.S.C. 6318 et seq.
 34 C.F.R. Part 200 et seq.

Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 New DISTRICT AND SCHOOL REPORT CARD
Number	po2261.03
Status	

2261.03 - **DISTRICT AND SCHOOL REPORT CARD**

Each School District that receives Title I, Part A funds must prepare and publicly disseminate a report card on the performance and operations of the District. Report cards must be concise and presented in an understandable and uniform format that is developed in consultation with parents and accessible to persons with disabilities and, to the extent practicable, in a language that parents can understand. **[Drafting Note: The District must make the report card meaningfully accessible to parents and stakeholders who are limited English proficient.]**

The report shall contain the information called for on the form issued by the Ohio Department of Education in accordance with State and Federal law. The report must include 1) an overview section and 2) a detail section.

Report cards must begin with a clearly labeled overview section that is prominently displayed. The overview section of District report cards must include information on key metrics of State, District, and school performance and progress and is intended to help parents and other stakeholders quickly access and understand such information and provide context for the complete set of data included in the report.

The overview section of the annual report card must include for the District as a whole and each school, if appropriate:

- A. student achievement data (i.e., the number and percentage of students at each level of achievement on the State mathematics, reading/language arts, and science assessments), including how achievement in the District compares to State as a whole and, for each school in the District, how that school compares to the District and the State as a whole;
- B. English language proficiency of English learners (i.e., the number and percentage of English learners achieving English language proficiency as measured by Ohio's English proficiency assessment);
- C. performance on each measure within the Academic Progress indicator used by the State for elementary schools and secondary schools that are not high schools;
- D. high school graduation rates, including the four (4) year adjusted cohort and the extended-year adjusted cohort;
- E. performance on each measure within any School Quality or Student Success indicator used by the State;
- F. school identifying information, including student membership count and Title I participation status;
- G. summative determination for each school;
- H. whether the school was identified for comprehensive support and improvement or targeted support and improvement, and the reason(s) for such identification.

The overview section must include disaggregated data for specific student subgroups as required by the United States Department of Education (e.g., each major racial and ethnic group; children with disabilities; English learners; and economically disadvantaged students).

Report cards must include student achievement data overall and by grade, including the percentage of students at each level of achievement as determined by the State for all students and disaggregated by each major racial and ethnic group, gender, disability status, migrant status, English proficiency status, status as economically disadvantaged, status as a homeless student/youth, status as a child in foster care, and status as a student with a parent who is a member of the Armed Forces on active duty (which includes full-time National Guard duty). Data for these subgroups must be included in the detail section of report cards if it is not included in the overview section.

The details section of the District report card must include the remaining information required in the statute and applicable regulations. A District need not include information in the detail section of the report if it includes such information in the overview

section. The annual report detail section must include, if appropriate:

- A. student achievement data (i.e., the number and percentage of students at each level of achievement on the State mathematics, reading/language arts, and science assessments), including how achievement in the District compares to State as a whole and, for each school in the District, how that school compares to the District and the State as a whole;
- B. percentages of students assessed and not assessed in each subject (i.e. participation rates on required assessments);
- C. extent alternate assessments aligned with alternate academic achievements standards were used for students with the most significant cognitive disabilities (i.e., the number and percentage of students assessed using alternate academic achievement standards, by grade and subject);
- D. as applicable, number and percentage of recently arrived English learners exempted from one administration of the reading/language arts assessments or whose results are excluded from certain State indicators;
- E. high school graduation rates, including the four (4) year adjusted cohort, and the extended-year adjusted cohort;
- F. postsecondary enrollment rates for each high school;
- G. information collected and reported in compliance with the Civil Rights Data Collection (CRDC) under 20 U.S.C. 3413(c)(1);
- H. progress toward State-designed long-term goals for academic achievement, graduation rates, and English learners achieving English language proficiency (including measurements of interim progress);
- I. level of performance on each indicator included in State accountability system including, as applicable, results on each individual measure within each indicator not already included in the school overview section;
- J. information on educator qualifications;
- K. information on per-pupil expenditures (i.e., actual personnel and actual non-personnel; for the District as a whole and each school);

[Note: The District and school report cards must include per-pupil expenditures of Federal, and State/local funds, disaggregated by source of funds; District expenditures not allocated to public schools; and the web address to the procedures for calculation.]

- L. State performance on the National Assessment of Educational Progress (NAEP) – math and reading, grades 4 and 8;
- M. description and Results of State accountability system (the District may provide the web address or URL of, or a direct link to, a State plan or other location on the Ohio Department of Education’s web site to meet this requirement);
- N. additional information best-suited to convey the progress of each school.

[Note: District report cards must include the following NAEP data: 1) the percentage of students at each NAEP achievement level (below basic, basic, proficient, and advanced) in the aggregate; 2) participation rate for students with disabilities; and 3) participation rate for English learners.]

- O. other information as required by the State Department of Education.

When presenting data on a report card, the District shall protect the privacy of individuals and the privacy of personally identifiable information contained in students’ education records in accordance with the Family Educational Rights and Privacy Act (FERPA) and R.C. Section 3319.321.

The District’s annual report card information must be made publicly available through such means as posting on the District’s web site and distribution to local media and public agencies. **[Note: If the District does not operate a web site, the District must make report available to the public in another manner determined by the Board.]**

The Board will provide the school level overview directly to all parents in each school served by the District annually. **[Note: The District may send the report card overview to the parents of students enrolled in each school in the District directly through the U.S. mail, via email, or through other means such as sending the report card overview home to parents in the child’s backpack or distribute the report card during parent-teacher conferences.]**

The data from the local report card is to be used by each of the schools and the District as a whole in revising and upgrading school and District improvement plans.

Legal 20 U.S.C. 6314
 34 C.F.R. 200.31(h)(I)
 A.C. 3301-35-02, 3301-35-02 (B)

Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 New BLENDED LEARNING
Number	po2370.01
Status	

2370.01 - **BLENDED LEARNING**

The Board of Education authorizes the operation of a blended learning environment as an educational opportunity for students. Students participating in blended learning shall have the ability to earn credits by demonstrating proficiency of knowledge or skills through competency-based learning models rather than a minimum number of days or hours in a classroom or on a digital learning device. Students may advance from grade to grade based upon credits earned.

If the school alters the hours that it is open for instruction in order to adapt blended learning opportunities that apply to all students, the school shall be released from school year hourly requirements in R.C. 3313.48(A).

The Superintendent is authorized to develop program guidelines and specific procedures to address the following requirements:

- A. The means of personalization of student centered learning models to meet the needs of each student.
- B. The evaluation and review of the quality of on-line curriculum delivered to students.
- C. The assessment of each participating student's progress through the curriculum. Students shall be permitted to advance through each level of the curriculum based on demonstrated competency/mastery of the material.
- D. The assignment of a sufficient number of teachers to ensure a student has an appropriate level of interaction to meet the student's personal learning goals. Each participating student shall be assigned to at least one (1) teacher of record. **[NOTE: A school or classroom that implements blended learning cannot be required to have more than one (1) teacher for every 125 students.]**
- E. The method by which each participating student will have access to the digital learning tools necessary to access the on-line or digital content.
- F. The means by which each school shall use a filtering device or install filtering software that protects against internet access to materials that are obscene or harmful to juveniles on each computer provided to or made available to students for instructional use. The school shall provide such device or software at no cost to any student who uses a device obtained from a source other than the school.
- G. The means by which the school will ensure that teachers have appropriate training in the pedagogy of the effective delivery of on-line or digital instruction.

The Superintendent will collect, report, and track program data annually in accordance with data reporting guidelines and provide regular reports to the Board.

The Superintendent shall establish the necessary administrative guidelines and procedures to comply with State law which will thereafter be properly communicated to both students and their parents.

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Legal O.A.C. 3301-35-03

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 RESCIND SCHOOL REPORT CARD
Number	po2700
Status	
Adopted	November 19, 2007

~~2700—SCHOOL REPORT CARD~~

~~Prior to October 31st of each year, the Superintendent shall prepare and publicly disseminate a report on the performance and operations of the District to all schools and parents in an understandable and uniform format and, to the extent practicable, in a language that parents can understand.~~

~~The report shall contain the information called for on the form issued by the State Department of Education in accordance with State and Federal law. In any year that the School District receives Title I funds, the annual report must include, if appropriate:~~

- ~~A. The number and percentage of schools identified for school improvement and how long they have been in that category.~~
- ~~B. Information regarding student achievement on statewide academic assessments, comparing the District and the State as a whole.~~
- ~~C. For each individual school:~~
 - ~~1. whether it has been identified for school improvement;~~
 - ~~2. information that shows how student achievement on statewide academic assessment compared to other students in the School District and to the State as a whole.~~

~~This information must be made publicly available through such means as posting on the internet and distribution to local media and public agencies.~~

~~The data from the local report card is to be used by each of the schools and the District as a whole in revising and upgrading school and District improvement plans.~~

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Legal 20 U.S.C. 6311

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Number	po3122
Status	
Adopted	November 19, 2007
Last Revised	October 14, 2013

3122 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, military status, ancestry, genetic information (collectively, "Protected Classes"), or any other legally protected category, in its programs and activities, including employment opportunities.

District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (also known as "Civil Rights Coordinator") (hereinafter referred to as the "COs").

[NOTE: School Districts are advised to appoint both a male and a female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs may also serve as the District's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two COs, there should always be a CO available to investigate a claim of discrimination that pertains to the other CO.]

~~(Name)~~	~~(Name)~~
<u>Director of the Four Cities Compact Services</u>	<u>Director of Student</u>
(School District Title)	(School District Title)
<u>330-336-3571</u>	<u>330-336-3571</u>
(Telephone Number)	(Telephone Number)
<u>524 Broad St. Wadsworth, OH 44281</u>	<u>524 Broad St. Wadsworth, OH</u>
(Office Address)	(Office Address)
~~(E-mail Address)~~	~~(E-mail Address)~~

The names, titles, and contact information of these individuals will be published annually:

- ~~() in the staff handbooks.~~
- ~~() in the School District Annual Report to the public.~~
- (**X**) on the School District's web site.

D. ~~() on each individual school's web site.~~

E. ~~() in the School District's calendar.~~

F. ~~() _____.~~

The COs are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other District-level official so that the Board may address the conduct. Any administrator, supervisor, or other District-level employee or official who receives such a complaint shall file it with the CO ~~() at his/her first convenience~~ **(X)** within two (2) school days.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the employee within two (2) business days to advise him/her of the Board's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure (See Form 3122 F2)

Any employee who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights, the Ohio Civil Rights Commission ("OCRC") or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to quickly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who believes s/he has been unlawfully discriminated or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the parties (the alleged target of the discrimination/retaliation and individual(s) alleged to have engaged in the discrimination) agree to participate in it.

Employees who believe that they have been unlawfully discriminated/retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee or any other adult member of the School District community against a student will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe doing so, the individual should tell or otherwise inform the person who engaged in the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The complaining individual should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the person who allegedly engaged in the unlawful misconduct of his/her concerns is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination, such as sexual discrimination, the CO may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully discriminated/retaliated against may make an informal complaint, either orally or in writing: 1) to a building administrator; 2) directly to one of the COs; and/or 3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide employees who believe they are being unlawfully discriminated/retaliated against with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful discrimination/retaliation, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the individual about how to communicate his/her concern to the person who allegedly engaged in the discriminatory/retaliatory behavior.
- B. Distributing a copy of Policy 3122 - Non-Discrimination as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works.
- C. If both parties agree, the CO may arrange and facilitate a meeting between the individual claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

~~All materials generated as part of the informal complaint process will be retained by the COs in accordance with the Board's records retention policy. (See Policy 8310)~~

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant"), may file a formal complaint, either orally or in writing, with a Principal, the CO, Superintendent, or other District-level employee. Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a Principal, Superintendent, or other District-level employee, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process, the CO should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in; the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person who allegedly engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent"), that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 3122 - Non-Discrimination. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provide recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful discrimination/retaliation. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used. **(X)** The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or the designee, the Superintendent must either issue a final decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

If the Superintendent determines the Complainant was subjected to unlawful discrimination/retaliation, s/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

~~**[]** The decision of the Superintendent shall be final.~~

OR

[X] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Superintendent's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

[END OF OPTIONS]

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the employee alleging the misconduct pursues the complaint. The Board also reserves the right to have the formal

complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The Complainant may be represented, at his/her own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

~~All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy.~~

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;

- C. any documentation that memorializes the actions taken by District personnel related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student and/or Employee Handbooks or Codes of Conduct);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;

~~{DRAFTING NOTE: The following options should be selected if the District concludes that the following items are not adequately encompassed in the preceding paragraphs:}~~

- ~~N. (–) documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials reviewed and/or presented during the training.]~~
- ~~O. (–) documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;~~
- ~~P. (–) copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;~~
- ~~Q. (–) copies of any notices sent to the complainant and alleged perpetrator in advance of any interview or hearing;~~
- ~~R. (–) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the complainant or the alleged perpetrator.~~

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Legal

R.C. 4112.01, 4112.02

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

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

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

34 C.F.R. Part 110 (7/27/93)

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C., 2000e, et seq., Civil Rights Act of 1964

29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended

29 C.F.R. Part 1635

Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No.1 - August 2018 Revised TERMINATION AND RESIGNATION
Number	po3140
Status	
Adopted	November 19, 2007
Last Revised	February 8, 2010

3140 - **TERMINATION AND RESIGNATION**

Termination

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

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

Resignation

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

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

Reporting Professional Misconduct

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

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

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Legal	R.C. 3319.02, 3319.15, 3319.151, 3319.16, 3319.161, 3319.31, 3319.313
	R.C. 3319.39
	A.C. 3301-73-21

Last Modified by Andrew Hill on September 26, 2018

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Title	Vol. 37, No. 1 - August 2018 Revised ANTI-HARASSMENT
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Status	
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3362 - **ANTI-HARASSMENT**

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

~~[] The District will offer counseling services to any person found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.~~

For purposes of this policy, "School District community" means students, administrators, and professional and classified staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive

enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome

suggestive or insulting sounds or whistles; obscene telephone calls.

- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- J. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- K. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in R.C. 2907.03. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical

impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Reports and Complaints of Harassing Conduct

Members of the School District community, which includes all staff, and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer at his/her first convenience.

Members of the School District community or third parties who believe they have been unlawfully harassed by another member of the School District community or a third party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Principal informed of the status of the Policy 3362 investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers".

[NOTE: School Districts are advised to appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The Compliance Officers may also serve as the District's Section 504 and Title IX Coordinators.]

~~(Name)~~	~~(Name)~~
<u>Director of the Four Cities Compact</u>	<u>Director of Student</u>
<u>Services</u>	
(School District Title)	(School District Title)
<u>330-336-3571</u>	<u>330-336-3571-</u>
(Telephone Number)	(Telephone Number)
<u>524 Broad St. Wadsworth, OH 44281</u>	<u>524 Broad St. Wadsworth, OH</u>
<u>44281</u>	
(Office Address)	(Office Address)
~~(E-mail Address)~~	~~(E-mail Address)~~

The names, titles, and contact information of these individuals will be published annually:

- A. ~~(-) in the parent and staff handbooks.~~
- B. ~~(-) in the School District Annual Report to the public.~~
- C. (**X**) on the School District's web site.
- D. ~~(-) on each individual school's web site.~~
- E. ~~(-) in the School District's calendar.~~

F.

The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the person alleging the harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer, or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) business days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

Investigation and Complaint Procedure (See Form 3362 F1)

Any employee or other member of the School District community or third party (e.g., visitor to the District) who believes that s/he has been subjected to unlawful harassment or retaliation may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment or retaliation and a process for rendering a decision regarding whether the claim of legally prohibited harassment or retaliation was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment, or retaliation timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights, the Ohio Civil Rights Commission ("OCRC") or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or third party who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint and will only be utilized where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in such process.

Employees, other members of the School District community, or third parties who believe that they have been unlawfully harassed or retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving a District employee, any other adult member of the School District community, or a third party against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator; 2) directly to one of the Compliance Officers; and/or 3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide employees, other members of the School District community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the individual about how to communicate the unwelcome nature of the behavior to the alleged harasser.
- B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the individual claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

~~All materials generated as part of the informal complaint process will be retained by the Compliance Officers in accordance with the Board's records retention policy and/or Student Records policy. (See Policy 8310 and Policy 8330)~~

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in writing, with a teacher, principal, the Compliance Officer, Superintendent, or other District employee. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, Superintendent, or other District employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer or designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. (☒) A Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant administrative guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. (☒) The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

~~☐ The decision of the Superintendent shall be final.~~

OR

[☒] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Superintendent's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

[END OF OPTIONS]

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or third party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

~~All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the School Board's records retention policy. Any records that are considered student education records in accordance with the Family Educational Rights and Privacy Act or under Ohio's student records law will be maintained in a manner consistent with the provisions of the Federal and State laws.~~

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

State law defines certain contact between a teacher and a student as "sexual battery." If the Compliance Officer or a designee has reason to believe that the Complainant has been the victim of criminal conduct as defined in Ohio's Criminal Code, such knowledge should be immediately reported to local law enforcement.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Allegations Involving Conduct Unbecoming the Teaching Profession/Suspension

The Superintendent will report to the Ohio Department of Education, on forms provided for that purpose, matters of misconduct on the part of licensed professional staff members convicted of sexual battery, and will, in accordance with Policy 8141, suspend such employee from all duties that concern or involve the care, custody, or control of a child during the pendency of any criminal action for which that person has been arrested, summoned and/or indicted in that regard.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;

- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student and/or Employee Handbooks or Codes of Conduct);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;

~~{DRAFTING NOTE: The following options should be selected if the district concludes that the following items are not adequately encompassed in the preceding paragraphs:}~~

- ~~N. () documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials reviewed and/or presented during the training.]~~
- ~~O. () documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;~~
- ~~P. () copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;~~
- ~~Q. () copies of any notices sent to the complainant and alleged perpetrator in advance of any interview or hearing;~~
- ~~R. () copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the complainant or the alleged perpetrator.~~

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Legal

R.C. 4112.02

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

20 U.S.C. 1681 et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

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

29 C.F.R. Part 1635

29 U.S.C. 6101, The Age Discrimination Act of 1975

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

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 1983

National School Boards Association Inquiry and Analysis - May 2008

Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY
Number	po4122
Status	
Adopted	November 19, 2007
Last Revised	October 14, 2013

4122 - **NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, military status, ancestry, genetic information (collectively, "Protected Classes"), or any other legally protected category, in its programs and activities, including employment opportunities.

District Compliance Officers

The Board designates the following individuals to serve as the District's "Compliance Officers" (also known as "Civil Rights Coordinator") (hereinafter referred to as the "COs").

[NOTE: School Districts are advised to appoint both a male and a female CO in order to provide complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The COs may also serve as the District's Section 504 Compliance Officer/ADA Coordinator and Title IX Coordinator. Additionally, by appointing two COs, there should always be a CO available to investigate a claim of discrimination that pertains to the other CO.]

<u>Director of the Four Cities Compact</u>	<u>Director of Student</u>
<u>Services</u>	
~~(Name)~~	~~(Name)~~
(School District Title)	(School District Title)
<u>330-336-3571</u>	<u>330-336-3571</u>
(Telephone Number)	(Telephone Number)
<u>524 Broad St. Wadsworth, OH 44281</u>	<u>524 Broad St. Wadsworth, OH</u>
<u>44281</u>	
(Office Address)	(Office Address)
~~(E-mail Address)~~	~~(E-mail Address)~~

The names, titles, and contact information of these individuals will be published annually:

- ~~() in the staff handbooks.~~
- ~~() in the School District Annual Report to the public.~~
- (**X**) on the School District's web site.

D. ~~() on each individual school's web site.~~

E. ~~() in the School District's calendar.~~

F. ~~() _____.~~

The COs are responsible for coordinating the District's efforts to comply with applicable Federal and State laws and regulations, including the District's duty to address in a prompt and equitable manner any inquiries or complaints regarding discrimination, retaliation or denial of equal access. The COs shall also verify that proper notice of nondiscrimination for Title II of the Americans with Disabilities Act (as amended), Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendment Act of 1972, Section 504 of the Rehabilitation Act of 1973 (as amended), and the Age Discrimination in Employment Act of 1975 is provided to staff members and the general public. Any sections of the District's collectively-bargained, negotiated agreements dealing with hiring, promotion, and tenure need to contain a statement of nondiscrimination similar to that in the Board's statement above. In addition, any gender-specific terms should be eliminated from such contracts. A copy of each of the Acts and regulations on which this notice is based may be found in the CO's office.

Reports and Complaints of Unlawful Discrimination and Retaliation

Employees are encouraged to promptly report incidents of unlawful discrimination and/or retaliation to an administrator, supervisor, or other District-level official so that the Board may address the conduct. Any administrator, supervisor, or other District-level employee or official who receives such a complaint shall file it with the CO ~~() at his/her first convenience~~ (**X**) within two (2) school days.

Employees who believe they have been unlawfully discriminated/retaliated against are entitled to utilize the complaint process set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment. While there are no time limits for initiating complaints under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

The COs will be available during regular school/work hours to discuss concerns related to unlawful discrimination/retaliation. COs shall accept complaints of unlawful discrimination/retaliation directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint, either directly or through a school building administrator, a CO will begin either an informal or formal process (depending on the request of the person alleging the discrimination/retaliation or the nature of the alleged discrimination/retaliation), or the CO will designate a specific individual to conduct such a process. The CO will provide a copy of this policy to any person who files a complaint. In the case of a formal complaint, the CO will prepare recommendations for the Superintendent or oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of discrimination/retaliation that are reported to them to the CO within two (2) business days of learning of the incident/conduct.

Any Board employee who directly observes unlawful discrimination/retaliation is obligated, in accordance with this policy, to report such observations to one of the COs within two (2) business days. Additionally, any Board employee who observes an act of unlawful discrimination/retaliation is expected to intervene to stop the misconduct, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the misconduct. Thereafter, the CO or designee must contact the employee within two (2) business days to advise him/her of the Board's intent to investigate the alleged wrongdoing.

Investigation and Complaint Procedure (See Form 4122 F2)

Any employee who believes that s/he has been subjected to unlawful discrimination or retaliation may seek resolution of his/her complaint through the procedures described below. The formal complaint procedures involve an investigation of the individual's claims and a process for rendering a decision regarding whether the charges are substantiated.

Due to the sensitivity surrounding complaints of unlawful discrimination or retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful discrimination or retaliation with the United States Department of Education Office for Civil Rights, the Ohio Civil Rights Commission ("OCRC") or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to quickly stop inappropriate behavior and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for an employee who believes s/he has been unlawfully discriminated or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint. The informal process is only available in those circumstances where the parties (the alleged target of the discrimination/retaliation and individual(s) alleged to have engaged in the discrimination) agree to participate in it.

Employees who believe that they have been unlawfully discriminated/retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

All complaints involving a District employee or any other adult member of the School District community against a student will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully discriminated/retaliated against and s/he is able and feels safe doing so, the individual should tell or otherwise inform the person who engaged in the allegedly discriminatory/retaliatory conduct that it is inappropriate and must stop. The complaining individual should address the alleged misconduct as soon after it occurs as possible. The COs are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the person who allegedly engaged in the unlawful misconduct of his/her concerns is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful discrimination, such as sexual discrimination, the CO may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully discriminated/retaliated against may make an informal complaint, either orally or in writing: 1) to a building administrator; 2) directly to one of the COs; and/or 3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the COs who will either facilitate an informal resolution as described below, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide employees who believe they are being unlawfully discriminated/retaliated against with a range of options aimed at bringing about a prompt resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful discrimination/retaliation, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the individual about how to communicate his/her concern to the person who allegedly engaged in the discriminatory/retaliatory behavior.
- B. Distributing a copy of Policy 4122 - Non-Discrimination as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works.
- C. If both parties agree, the CO may arrange and facilitate a meeting between the individual claiming discrimination/retaliation and the individual accused of engaging in the misconduct to work out a mutual resolution.

While there are no set time limits within which an informal complaint must be resolved, the CO or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

~~All materials generated as part of the informal complaint process will be retained by the COs in accordance with the Board's records retention policy. (See Policy **8310**)~~

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes s/he has been subjected to unlawful discrimination/retaliation (hereinafter referred to as the "Complainant"), may file a formal complaint, either orally or in writing, with a Principal, the CO, Superintendent, or other District-level employee. Due to the sensitivity surrounding complaints of unlawful discrimination and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs. If a Complainant informs a Principal, Superintendent, or other District-level employee, either orally or in writing, about any complaint of discrimination or retaliation, that employee must report such information to the CO within two (2) business days.

Throughout the course of the process, the CO should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, the discriminatory/retaliatory conduct; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the CO shall ask for such details in an oral interview. Thereafter, the CO will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the CO will consider whether any action should be taken in the investigatory phase to protect the Complainant from further discrimination or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the person who allegedly engaged in the misconduct. In making such a determination, the CO should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the CO may still take whatever actions s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the CO or designee will initiate a formal investigation to determine whether the Complainant has been subjected to unlawful discrimination/retaliation.

Simultaneously, the CO will inform the individual alleged to have engaged in the discriminatory or retaliatory conduct (hereinafter referred to as the "Respondent"), that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant policies and/or administrative guidelines, including Policy 4122 - Non-Discrimination. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the CO or a designee will attempt to complete an investigation into the allegations of discrimination/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the CO or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful discrimination/retaliation as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful discrimination/retaliation. The CO's recommendations must be based upon the totality of the circumstances. In determining if discrimination or retaliation occurred, a preponderance of evidence standard will be used. (☒) The CO may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the CO or the designee, the Superintendent must either issue a final decision regarding whether the charges have been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

If the Superintendent determines the Complainant was subjected to unlawful discrimination/retaliation, s/he must identify what corrective action will be taken to stop, remedy, and prevent the recurrence of the discrimination/retaliation. The corrective action should be reasonable, timely, age-appropriate and effective, and tailored to the specific situation.

~~☐ The decision of the Superintendent shall be final.~~

OR

☒ A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Superintendent's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

[END OF OPTIONS]

The Board reserves the right to investigate and resolve a complaint or report of unlawful discrimination/retaliation regardless of whether the employee alleging the misconduct pursues the complaint. The Board also reserves the right to have the formal

complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

The Complainant may be represented, at his/her own cost, at any of the above-described meetings/hearings.

The right of a person to a prompt and equitable resolution of the complaint shall not be impaired by the person's pursuit of other remedies such as the filing of a complaint with the Office for Civil Rights or the filing of a court case. Use of this internal complaint procedure is not a prerequisite to the pursuit of other remedies.

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the Respondent(s), and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent(s).

During the course of a formal investigation, the CO or designee will instruct each person who is interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of an investigation is expected not to disclose to third parties any information that s/he learns and/or provides during the course of the investigation.

~~All public records created as a part of an investigation of a complaint of discrimination/retaliation will be maintained by the CO in accordance with the Board's records retention policy.~~

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful discrimination by taking appropriate action reasonably calculated to stop and prevent further misconduct. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter. In those cases where unlawful discrimination/retaliation is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against an employee, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Retaliation against a person who makes a report or files a complaint alleging unlawful discrimination/retaliation, or participates as a witness in an investigation is prohibited. Specifically, the Board will not retaliate against, coerce, intimidate, threaten or interfere with any individual because the person opposed any act or practice made unlawful by any Federal or State civil rights law, or because that individual made a charge, testified, assisted or participated in any manner in an investigation, proceeding, or hearing under those laws, or because that individual exercised, enjoyed, aided or encouraged any other person in the exercise or enjoyment of any right granted or protected by those laws.

Education and Training

In support of this policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and discrimination in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;

- C. any documentation that memorializes the actions taken by District personnel related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student and/or Employee Handbooks or Codes of Conduct);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;

~~{DRAFTING NOTE: The following options should be selected if the district concludes that the following items are not adequately encompassed in the preceding paragraphs:}~~

- ~~N. () documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials reviewed and/or presented during the training.]~~
- ~~O. () documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;~~
- ~~P. () copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;~~
- ~~Q. () copies of any notices sent to the complainant and alleged perpetrator in advance of any interview or hearing;~~
- ~~R. () copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the complainant or the alleged perpetrator.~~

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

Legal

R.C. 4112.01, 4112.02

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

Fourteenth Amendment, U.S. Constitution

20 U.S.C. Section 1681, Title IX of Education Amendment Act

20 U.S.C. Section 1701 et seq., Equal Educational Opportunities Act of 1974

20 U.S.C. Section 7905, Boy Scouts of America Equal Access Act

42 U.S.C. 6101 et seq., Age Discrimination Act of 1975

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

34 C.F.R. Part 110 (7/27/93)

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C., 2000e, et seq., Civil Rights Act of 1964

29 U.S.C. 701 et seq., Rehabilitation Act of 1973, as amended

29 C.F.R. Part 1635

Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No.1 - August 2018 Revised TERMINATION AND RESIGNATION
Number	po4140
Status	
Adopted	November 19, 2007
Last Revised	January 12, 2009

4140 - **TERMINATION AND RESIGNATION**

The employment of a classified staff member may, upon a majority vote of the Board of Education, be suspended and/or terminated for violation of Board policies and in accordance with the criteria and procedures set forth in the

~~() Civil Service rules,~~

(**X**) Ohio revised code,

~~() applicable terms of any collectively bargained agreement,~~

as appropriate.

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

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

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

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

Reporting Professional Misconduct

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

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Legal	R.C. 3319.081, 3319.31, 3319.313, 3319.39 A.C. 3301-73-21
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Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No 1 - August 2018 Revised DRUG AND ALCOHOL TESTING OF CDL LICENSE HOLDERS AND OTHER EMPLOYEES WHO PERFORM SAFETY SENSITIVE FUNCTIONS
Number	po4162
Status	
Adopted	November 19, 2007
Last Revised	April 9, 2018

4162 - DRUG AND ALCOHOL TESTING OF CDL LICENSE HOLDERS AND OTHER EMPLOYEES WHO PERFORM SAFETY SENSITIVE FUNCTIONS

The Board of Education believes that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the school vehicle. To fulfill such a responsibility, each driver, as well as others who perform safety-sensitive functions with Board-owned and/or operated ("Board-owned") vehicles must be mentally and physically alert at all times while on duty. To that end, the Board has established this policy and others related to employees' health and well-being.

For purposes of this policy and the guidelines associated with the policy, the following definitions shall apply.

- A. The term illegal drug means drugs and controlled substances, the possession or use of which is unlawful, pursuant to Federal, State, and local laws and regulations.
- B. The term controlled substance includes any illegal drug and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally-obtained prescription drug used for its intended purpose in its prescribed quantity unless such use would impair the individual's ability to safely perform safety-sensitive functions.
- C. The term controlled substance abuse includes excessive use of alcohol as well as prescribed drugs not being used for prescribed purposes, in a prescribed manner, or in the prescribed quantity.
- D. The term safety-sensitive functions includes all tasks associated with the operation and maintenance of Board-owned vehicles. This term further includes any period in which an individual is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.
- E. The term CDL license holder means all regular and substitute bus drivers, other staff members who may drive students in Board-owned vehicles or inspect, repair, and maintain Board-owned vehicles.
- F. The term while on duty means all time from the time the CDL license holder begins to work or is required to be in readiness for work until the time s/he is relieved from work and all responsibility for performing work.

The Board expects all CDL license holders to comply with Board Policy 4122.01 on Drug Free Schools which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times. Further, the Board concurs with the Federal requirement that all CDL license holders should be free of any influence of alcohol or controlled substance while on duty.

The Board directs the Superintendent to establish a drug and alcohol testing program whereby each regular and substitute bus driver, as well as any other staff member who holds a CDL license, is tested for the presence of alcohol in his/her system as well as for the presence of the following controlled substances:

- A. Marijuana
- B. Cocaine
- C. Opioids

D. Amphetamines

E. Phencyclidine (PCP)

~~[] OPTION #1~~

~~The drug tests are to be conducted in accordance with Federal and State regulations a.) prior to employment, **(Controlled Substances Only)**, b.) for reasonable cause, c.) upon return to duty after any alcohol or drug rehabilitation, d.) after any accident, e.) on a random basis, and f.) on a follow-up basis.~~

[X] OPTION #2

The drug tests are to be conducted in accordance with Federal and State regulations a.) prior to employment, b.) for reasonable cause, c.) upon return to duty after any alcohol or drug rehabilitation, d.) after any accident, e.) on a random basis, and f.) on a follow-up basis.

~~[] Candidates shall also be tested for the presence of alcohol in their system prior to employment.~~

[END OF OPTIONS]

Any staff member who tests positive shall be prohibited from performing or continuing to perform his/her safety-sensitive functions (e.g., driving any Board-owned vehicle) and be referred to the District's Employee Assistance Program.

Furthermore, if during any test the lab determines that an adulterant has been added to the specimen, then:

(**X**) the test will be considered positive and the employee shall be prohibited from driving any school vehicle and be referred to the District's Employee Assistance Program.

(**X**) the employee will be re-tested with an observed collection to prevent the addition of an adulterant to the specimen.

Any staff member who refuses to submit to a test shall be prohibited from performing or continuing to perform his/her safety-sensitive functions (e.g., driving any Board-owned vehicle).

Staff member who voluntarily disclose that they have an addiction to alcohol or controlled substances may participate in the Employee Assistance Program, and will qualify for the receipt of medical insurance benefits for treatment of alcohol or substance abuse, including follow-up care, to the extent that such benefits are provided for or offered in the Board's health insurance package. Voluntary disclosure of an alcohol or drug addiction by a staff member will not subject the staff member to disciplinary action unless such disclosure is made after the staff member is selected to be tested or immediately prior to the selection of staff members to be tested. Nothing herein shall prevent the Board from disciplining a staff member for misconduct associated with his/her alcohol and/or drug use regardless of whether the employee has disclosed that s/he has an alcohol or drug addiction.

A staff member will be subject to disciplinary action, up to and including termination, for any of the following reasons:

- A. reports for duty or performs work while having an alcohol concentration of 0.04 or greater
- B. reports for duty or performs work while testing positive for using a prohibited drug, or while being under the influence of a prohibited drug
- C. refuses to submit to drug and/or alcohol testing
- D. alters or attempts to alter or unduly influence alcohol and/or drug testing results
- E. fails to remain readily available for post-accident testing (including notifying his/her supervisor of his/her location, if the staff member leaves the scene of the accident prior to the submission of a post-accident test, unless the staff member's departure is to obtain necessary emergency medical care)

Prior to the beginning of the testing program, the Board shall provide a drug-free awareness program which will inform each CDL license holder about:

- A. the dangers of illegal drug use and controlled substance and alcohol abuse;
- B. Board Policy 4122.01 - Drug-Free Workplace, Policy 4161 -Unrequested Leaves of Absence/Fitness for Duty, Policy 4170 - Substance Abuse, and Policy 4170.01 - Employee Assistance Program;
- C. the topics identified in AG 4162A;
- D. the sanctions that may be imposed for violations of Policy 4122.01.

All time spent undergoing an alcohol or controlled substance test, including travel time, will be paid at the staff member's regular rate of pay, or at his/her overtime rate, if applicable. Any staff member who is not allowed to return to work while awaiting test results will be compensated during the waiting period for all work time lost, including overtime, if applicable. The Board shall pay all costs associated with the administration of alcohol and controlled substance tests. This includes testing of the "split specimen" at a Federally certified laboratory if so requested by a staff member. The Board will not pay for the employee's time while not on duty, if the split specimen test results are positive.

Alcohol and drug test results shall be protected as confidential medical records as appropriate under the Americans With Disabilities Act (i.e. test results shall be provided on a right to know basis - the employee, the employer, and the substance abuse professional - and the results shall not be presented until analyzed by a Medical Review Officer).

A tested individual, upon written request, will have access to any records relating to his/her use of drugs and alcohol, including any records pertaining to his/her drug and alcohol tests. A tested individual must provide written authorization before his/her test result can be provided to any other person except a government agency specified in the applicable Federal regulations.

All tests shall be conducted in accordance with Federal testing guidelines and be performed by a laboratory that is Federally certified (i.e. testing procedures and devices used will be as set forth in 49 C.F.R. Part 40).

The alcohol and drug testing program shall be under the direction of the Superintendent.

The Superintendent shall arrange for the required amount of training for appropriate staff members in drug recognition, in the procedures for testing, and in the proper assistance of staff members who are subject to the effects of substance abuse.

The Superintendent shall submit, for Board approval, a contract with a certified laboratory to provide the following services:

- A. testing of all first and second test urine samples
- B. clear and consistent communication with the District's Medical Review Officer (MRO)
- C. methodology and procedures for conducting random tests for controlled substances and alcohol
- D. preparation and submission of all required reports to the District, the MRO, and to Federal and State governments

The Superintendent shall also select the agency or persons who will conduct the alcohol breathalyzer tests, the District's MRO, and the drug collection site(s) in accordance with the requirements of the law.

Educational Materials Related to Certain Federal Regulations, Board Policies, and Procedures

CDL License Holders and other employees who perform safety-sensitive functions will be provided educational materials at the time of hire or at any time when required to operate a school vehicle. The educational materials shall explain the requirements of applicable Federal regulations and the Board's policies and District's procedures with respect to meeting these Federal regulations. The Board designates (X) the Transportation Supervisor as the individual responsible for providing educational materials to CDL License Holders and other employees who perform safety-sensitive functions. The educational materials will include, at a minimum, the following: ~~Educational materials explaining the requirements of the Federal regulations and of the Board's policies and procedures to meet the Federal regulations shall be provided to all staff members, including the following:~~

- A. the contact information for (X) the Transportation Supervisor, ~~who is the individual name of the person~~ designated by the Board to answer questions about the educational materials
- B. a statement that all CDL License Holders and other employees who perform safety-sensitive functions are subject to 49 C.F.R. 382, which is a Federal regulation that addresses the misuse of alcohol and other controlled substances
- C. information sufficient to make clear to employees the period of the work day during which they are required to comply with the regulations
- D. information concerning prohibited ~~what~~ ~~conduct is prohibited~~
- E. the circumstances under which employees are subject to testing for alcohol and/or controlled substances
- F. the procedures for testing for the presence of alcohol and controlled substances in order to protect the employee and the integrity of the testing process, to safeguard the validity of the test results, and to confirm the results are attributed to the correct employee, including post-accident information, procedures, and instructions required under Federal regulations
- G. the requirement that staff members must submit to alcohol and controlled substance testing as required by the regulations

- H. an explanation of what constitutes a refusal to be tested for alcohol or controlled substances and the attendant consequences
- I. the consequences of testing positive, including the requirements of immediate removal from safety-sensitive functions, and the procedures regarding referral, evaluation, and treatment
- J. the consequences for employees found to have ~~for a test indicating~~ an alcohol concentration ~~of greater than 0.02 or greater but less than 0.04, and~~
- K. information concerning the effects of alcohol and ~~drug misuse~~ controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol problem (the employee's or a co-worker's); and available methods of intervening when a drug or alcohol and/or controlled substances problem is suspected (including confrontation and how to refer someone to an Employee Assistance Program or to management), and
- L. information regarding the requirement that certain personal information collected and maintained under 49 C.F.R., Part 382 be reported to the Commercial Driver's License Drug and Alcohol Clearinghouse

These materials are to be distributed to each staff member upon being hired or transferred into a covered position thereafter. A staff member who refuses to sign the requisite statement shall be prohibited from performing any safety sensitive functions. Each staff member must sign a statement certifying receipt of these materials. Each employee (and labor organization representing Board employees) shall receive written notice of the availability of this information, and the identity of the Board's designated representative in charge of answering employee questions about the materials.

Return-to-Duty (Safety-Sensitive Positions)

Employees who are removed from performing safety-sensitive functions as a result of this policy must take and pass return-to-duty test before returning to performing safety-sensitive functions. The return-to-duty test will not occur until after a Substance Abuse Professional (SAP) has determined that the employee has successfully complied with prescribed education and/or treatment. The employee must have a negative drug test result and/or an alcohol test with an alcohol concentration of less than 0.02 before resuming performance of safety-sensitive duties.

Subject to any collective bargaining agreement or other legal requirements, employees who are eligible to return to performing safety-sensitive functions may not do so without the approval of the Superintendent.

49 C.F.R. ~~Part 382-101 et seq.~~

34 C.F.R. Part 40

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Legal 49 C.F.R. Part 382
 34 C.F.R. Part 40

Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised ANTI-HARASSMENT
Number	po4362
Status	
Adopted	November 19, 2007
Last Revised	October 14, 2013

4362 - **ANTI-HARASSMENT**

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age, religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as "unlawful harassment"), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

~~[] The District will offer counseling services to any person found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.~~

For purposes of this policy, "School District community" means students, administrators, and professional and classified staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of harassment, when responsibility for reporting and/or investigating unlawful harassment charges comprises part of one's supervisory duties.

Definitions

Bullying

Bullying rises to the level of unlawful harassment when one or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes, that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or

physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

"Harassment" means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or education may be adversely affected by not submitting to sexual advances.
- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome

suggestive or insulting sounds or whistles; obscene telephone calls.

- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. In the context of employees, consensual sexual relationships where such relationship leads to favoritism of a subordinate employee with whom the superior is sexually involved and where such favoritism adversely affects other employees or otherwise creates a hostile work environment.
- J. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- K. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment.

NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in R.C. 2907.03. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the

characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like. Such harassment may further occur where conduct is directed at or pertains to a person's genetic information.

Reports and Complaints of Harassing Conduct

Members of the School District community, which includes all staff, and third parties are encouraged to promptly report incidents of harassing conduct to an administrator, supervisor or other School District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any administrator, supervisor, or other District official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer at his/her first convenience.

Members of the School District community or third parties who believe they have been unlawfully harassed by another member of the School District community or a third party are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Principal informed of the status of the Policy 4362 investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers".

[NOTE: School Districts are advised to appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The Compliance Officers may also serve as the District's Section 504 and Title IX Coordinators.]

_____	_____
~~(Name)~~	~~(Name)~~
<u>Director of the Four Cities Compact</u>	<u>Director of Student</u>
<u>Services</u>	
(School District Title)	(School District Title)
<u>330-336-3571</u>	<u>330-336-3571</u>
(Telephone Number)	(Telephone Number)
<u>524 Broad St. Wadsworth, OH 44281</u>	<u>524 Broad St. Wadsworth, OH</u>
<u>44281</u>	
(Office Address)	(Office Address)
_____	_____
~~(E-mail Address)~~	~~(E-mail Address)~~

The names, titles, and contact information of these individuals will be published annually:

- A. ~~()~~ in the parent and staff handbooks.
- B. ~~()~~ in the School District Annual Report to the public.
- C. **(X)** on the School District's web site.
- D. ~~()~~ on each individual school's web site.
- E. ~~()~~ in the School District's calendar.
- F. ~~()~~ _____

The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the individual in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed with a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the person alleging the harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer, or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) business days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

Investigation and Complaint Procedure (See Form 4362 F1)

Any employee or other member of the School District community or third party (e.g., visitor to the District) who believes that s/he has been subjected to unlawful harassment or retaliation may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment or retaliation and a process for rendering a decision regarding whether the claim of legally prohibited harassment or retaliation was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment, or retaliation timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of any individual to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights, the Ohio Civil Rights Commission ("OCRC") or Equal Employment Opportunity Commission ("EEOC").

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student, other member of the School District community, or third party who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint and will only be utilized where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in such process.

Employees, other members of the School District community, or third parties who believe that they have been unlawfully harassed or retaliated against may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving a District employee, any other adult member of the School District community, or a third party against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if an individual feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

An individual who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator; 2) directly to one of the Compliance Officers; and/or 3) to the Superintendent or other District-level employee.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide employees, other members of the School District community, or third parties who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the individual claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the individual about how to communicate the unwelcome nature of the behavior to the alleged harasser.
- B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the individual claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

~~All materials generated as part of the informal complaint process will be retained by the Compliance Officers in accordance with the Board's records retention policy and/or Student Records policy. (See Policy 8310 and Policy 8330)~~

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the individual elects to file a formal complaint initially, the formal complaint process shall be implemented.

An individual who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in writing, with a teacher, principal, the Compliance Officer, Superintendent, or other District employee. Due to the sensitivity surrounding complaints of unlawful harassment and retaliation, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, Superintendent, or other District employee, either orally or in writing, about any complaint of harassment or retaliation, that employee must report such information to the Compliance Officer or designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. (X) A Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant administrative guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. (☒) The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within five (5) business days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within five (5) business days. At the conclusion of the additional investigation, the Superintendent must issue a final written decision as described above.

~~☐ The decision of the Superintendent shall be final.~~
OR

☒ A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Superintendent's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

[END OF OPTIONS]

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the member of the School District community or third party alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights the Complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is

interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

~~All public records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the School Board's records retention policy. Any records that are considered student education records in accordance with the Family Educational Rights and Privacy Act or under Ohio's student records law will be maintained in a manner consistent with the provisions of the Federal and State laws.~~

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its recurrence, and remedy its effect.

Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

State law defines certain contact between a teacher and a student as "sexual battery." If the Compliance Officer or a designee has reason to believe that the Complainant has been the victim of criminal conduct as defined in Ohio's Criminal Code, such knowledge should be immediately reported to local law enforcement.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Allegations Involving Conduct Unbecoming the Teaching Profession/Suspension

The Superintendent will report to the Ohio Department of Education, on forms provided for that purpose, matters of misconduct on the part of licensed classified staff members convicted of sexual battery, and will, in accordance with Policy 8141, suspend such employee from all duties that concern or involve the care, custody, or control of a child during the pendency of any criminal action for which that person has been arrested, summoned and/or indicted in that regard.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but

not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student and/or Employee Handbooks or Codes of Conduct);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;

~~{DRAFTING NOTE: The following options should be selected if the district concludes that the following items are not adequately encompassed in the preceding paragraphs:}~~

- ~~N. () documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials reviewed and/or presented during the training.]~~
- ~~O. () documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;~~
- ~~P. () copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;~~
- ~~Q. () copies of any notices sent to the complainant and alleged perpetrator in advance of any interview or hearing;~~
- ~~R. () copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the complainant or the alleged perpetrator.~~

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Legal

R.C. 4112.02

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

20 U.S.C. 1681 et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

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

29 C.F.R. Part 1635

29 U.S.C. 6101, The Age Discrimination Act of 1975

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

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

42 U.S.C. 2000ff et seq., The Genetic Information Nondiscrimination Act

42 U.S.C. 1983

National School Boards Association Inquiry and Analysis - May 2008

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5517 - **ANTI-HARASSMENT**

General Policy Statement

It is the policy of the Board of Education to maintain an education and work environment that is free from all forms of unlawful harassment, including sexual harassment. This commitment applies to all School District operations, programs, and activities. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment. This policy applies to unlawful conduct occurring on school property, or at another location if such conduct occurs during an activity sponsored by the Board.

The Board will vigorously enforce its prohibition against discriminatory harassment based on race, color, national origin, sex (including sexual orientation and transgender identity), disability, age (except as authorized by law), religion, ancestry, or genetic information (collectively, "Protected Classes") that are protected by Federal civil rights laws (hereinafter referred to as unlawful harassment), and encourages those within the School District community as well as third parties, who feel aggrieved to seek assistance to rectify such problems. The Board will investigate all allegations of unlawful harassment and in those cases where unlawful harassment is substantiated, the Board will take immediate steps to end the harassment, prevent its reoccurrence, and remedy its effects. Individuals who are found to have engaged in unlawful harassment will be subject to appropriate disciplinary action.

~~[] The District will offer counseling services to any person found to have been subjected to unlawful harassment, and, where appropriate, the person(s) who committed the unlawful harassment.~~

For purposes of this policy, "School District community" means students, administrators, and professional and classified staff, as well as Board members, agents, volunteers, contractors, or other persons subject to the control and supervision of the Board.

For purposes of this policy, "third parties" include, but are not limited to, guests and/or visitors on School District property (e.g., visiting speakers, participants on opposing athletic teams, parents), vendors doing business with, or seeking to do business with, the Board, and other individuals who come in contact with members of the School District community at school-related events/activities (whether on or off School District property).

Other Violations of the Anti-Harassment Policy

The Board will also take immediate steps to impose disciplinary action on individuals engaging in any of the following prohibited acts:

- A. Retaliating against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation.
- B. Filing a malicious or knowingly false report or complaint of unlawful harassment.
- C. Disregarding, failing to investigate adequately, or delaying investigation of allegations of unlawful harassment, when responsibility for reporting and/or investigating harassment charges comprises part of one's supervisory duties.

Definitions

Bullying

Bullying rises to the level of unlawful harassment when one (1) or more persons systematically and chronically inflict physical hurt or psychological distress on one (1) or more students or employees and that bullying is based upon one (1) or more Protected Classes,

that is, characteristics that are protected by Federal civil rights laws. It is defined as any unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by an adult or student, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational or work environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school or work performance or participation; and may involve:

- A. teasing;
- B. threats;
- C. intimidation;
- D. stalking;
- E. cyberstalking;
- F. cyberbullying;
- G. physical violence;
- H. theft;
- I. sexual, religious, or racial harassment;
- J. public humiliation; or
- K. destruction of property.

Harassment

Harassment means any threatening, insulting, or dehumanizing gesture, use of technology, or written, verbal or physical conduct directed against a student or school employee that:

- A. places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- B. has the effect of substantially interfering with a student's educational performance, opportunities, or benefits, or an employee's work performance; or
- C. has the effect of substantially disrupting the orderly operation of a school.

Sexual Harassment

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

- A. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment, or status in a class, educational program, or activity.
- B. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
- C. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity.

Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Prohibited acts that constitute sexual harassment may take a variety of forms. Examples of the kinds of conduct that may constitute sexual harassment include, but are not limited to:

- A. Unwelcome sexual propositions, invitations, solicitations, and flirtations.
- B. Unwanted physical and/or sexual contact.
- C. Threats or insinuations that a person's employment, wages, academic grade, promotion, classroom work or assignments, academic status, participation in athletics or extra-curricular programs or events, or other conditions of employment or

education may be adversely affected by not submitting to sexual advances.

- D. Unwelcome verbal expressions of a sexual nature, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; the unwelcome use of sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls.
- E. Sexually suggestive objects, pictures, videotapes, audio recordings or literature, placed in the work or educational environment, which may embarrass or offend individuals.
- F. Unwelcome and inappropriate touching, patting, or pinching; obscene gestures.
- G. A pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another.
- H. Remarks speculating about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history.
- I. Inappropriate boundary invasions by a District employee or other adult member of the School District community into a student's personal space and personal life.
- J. Verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Not all behavior with sexual connotations constitutes unlawful sexual harassment. Sex-based or gender-based conduct must be sufficiently severe, pervasive, and persistent such that it adversely affects, limits, or denies an individual's employment or education, or such that it creates a hostile or abusive employment or educational environment, or such that it is intended to, or has the effect of, denying or limiting a student's ability to participate in or benefit from the educational program or activities.

NOTE: Sexual conduct/relationships with students by District employees or any other adult member of the School District community is prohibited, and any teacher, administrator, coach, or other school authority who engages in sexual conduct with a student may also be guilty of the criminal charge of "sexual battery" as set forth in R.C. 2907.03. The issue of consent is irrelevant in regard to such criminal charge and/or with respect to the application of this policy to District employees or other adult members of the School District community.

Race/Color Harassment

Prohibited racial harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's race or color and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working, and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's race or color, such as racial slurs, nicknames implying stereotypes, epithets, and/or negative references relative to racial customs.

Religious (Creed) Harassment

Prohibited religious harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's religion or creed and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's religious tradition, clothing, or surnames, and/or involves religious slurs.

National Origin/Ancestry Harassment

Prohibited national origin/ancestry harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's national origin or ancestry and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's national origin or ancestry, such as negative comments regarding customs, manner of speaking, language, surnames, or ethnic slurs.

Disability Harassment

Prohibited disability harassment occurs when unwelcome physical, verbal, or nonverbal conduct is based upon an individual's disability and when the conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate

in or benefit from a class or an educational program or activity. Such harassment may occur where conduct is directed at the characteristics of a person's disabling condition, such as negative comments about speech patterns, movement, physical impairments or defects/appearances, or the like.

Reports and Complaints of Harassing Conduct

Students and all other members of the School District community and third parties are encouraged to promptly report incidents of harassing conduct to a teacher, administrator, supervisor, or other District official so that the Board may address the conduct before it becomes severe, pervasive, or persistent. Any teacher, administrator, supervisor, or other District employee or official who receives such a complaint shall file it with the District's Anti-Harassment Compliance Officer ~~() at his/her first convenience~~ (☒) within two (2) school days.

Members of the School District community, which includes students, or third parties who believe they have been unlawfully harassed are entitled to utilize the Board's complaint process that is set forth below. Initiating a complaint, whether formally or informally, will not adversely affect the complaining individual's employment or participation in educational or extra-curricular programs. While there are no time limits for initiating complaints of harassment under this policy, individuals should make every effort to file a complaint as soon as possible after the conduct occurs while the facts are known and potential witnesses are available.

If, during an investigation of alleged bullying, aggressive behavior and/or harassment in accordance with Policy 5517.01 - Bullying and Other Forms of Aggressive Behavior, the Principal believes that the reported misconduct may have created a hostile work environment and may have constituted unlawful discriminatory harassment based on a Protected Class, the Principal shall report the act of bullying, aggressive behavior and/or harassment to one of the Anti-Harassment Compliance Officers who shall investigate the allegation in accordance with this policy. While the Compliance Officer investigates the allegation, the Principal shall suspend his/her Policy 5517.01 investigation to await the Compliance Officer's written report. The Compliance Officer shall keep the Principal informed of the status of the Policy 5517 investigation and provide him/her with a copy of the resulting written report.

Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers".

[NOTE: School Districts are advised to appoint both a male and a female Compliance Officer in order to provide Complainants with the option to report their concerns to an individual of the gender with which they feel most comfortable. The Compliance Officers may also serve as the District's Section 504 and Title IX Coordinators.]

~~(Name)~~	~~(Name)~~		
<u>Director of the Four Cities Compact</u>		<u>Director of Student</u>	
<u>Services</u>			
(School District Title)	(School District Title)		
<u>330-336-3571</u>	<u>330-336-3571</u>		
(Telephone Number)	(Telephone Number)		
<u>524 Broad St. Wadsworth, OH 44281</u>		<u>524 Broad St. Wadsworth, OH</u>	
<u>44281</u>			
(Office Address)	(Office Address)		
~~(E-mail Address)~~	~~(E-mail Address)~~		

The names, titles, and contact information of these individuals will be published annually:

- A. ~~() in the parent and staff handbooks.~~
- B. ~~() in the School District Annual Report to the public.~~
- C. (☒) on the School District's web site.
- D. ~~() on each individual school's web site.~~
- E. ~~() in the School District's calendar.~~
- F. ~~()~~

The Compliance Officers will be available during regular school/work hours to discuss concerns related to unlawful harassment, to assist students, other members of the District community, and third parties who seek support or advice when informing another individual about "unwelcome" conduct, or to intercede informally on behalf of the student, other member of the School District

community or third party in those instances where concerns have not resulted in the filing of a formal complaint and where all parties are in agreement to participate in an informal process.

Compliance Officers shall accept complaints of unlawful harassment directly from any member of the School District community or a visitor to the District, or receive complaints that are initially filed within a school building administrator. Upon receipt of a complaint either directly or through a school building administrator, a Compliance Officer will begin either an informal or formal process (depending on the request of the person alleging the harassment or the nature of the alleged harassment), or the Compliance Officer will designate a specific individual to conduct such a process. In the case of a formal complaint, the Compliance Officer will prepare recommendations for the Superintendent or will oversee the preparation of such recommendations by a designee. All members of the School District community must report incidents of harassment that are reported to them to the Compliance Officer within two (2) business days of learning of the incident.

Any Board employee who directly observes unlawful harassment of a student is obligated, in accordance with this policy, to report such observations to one of the Compliance Officers within two (2) business days. Additionally, any Board employee who observes an act of unlawful harassment is expected to intervene to stop the harassment, unless circumstances make such an intervention dangerous, in which case the staff member should immediately notify other Board employees and/or local law enforcement officials, as necessary, to stop the harassment. Thereafter, the Compliance Officer or designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) school days to advise s/he/them of the Board's intent to investigate the alleged misconduct, including the obligation of the Compliance Officer or designee to conduct an investigation following all the procedures outlined for a formal complaint.

Investigation and Complaint Procedure

Any student who believes that s/he has been subjected to unlawful harassment may seek resolution of his/her complaint through either the informal or formal procedures as described below. Further, a process for investigating claims of harassment or retaliation and a process for rendering a decision regarding whether the claim of legally prohibited harassment or retaliation was substantiated are set forth below.

Due to the sensitivity surrounding complaints of unlawful harassment or retaliation, time lines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. Once the formal complaint process is begun, the investigation will be completed in a timely manner (ordinarily, within fifteen (15) business days of the complaint being received).

The informal and formal procedures set forth below are not intended to interfere with the rights of a student to pursue a complaint of unlawful harassment or retaliation with the United States Department of Education Office for Civil Rights.

Informal Complaint Procedure

The goal of the informal complaint procedure is to stop inappropriate behavior and to investigate and facilitate resolution through an informal means, if possible. The informal complaint procedure is provided as a less formal option for a student who believes s/he has been unlawfully harassed or retaliated against. This informal procedure is not required as a precursor to the filing of a formal complaint.

Students who believe that they have been unlawfully harassed may initiate their complaint through this informal complaint process, but are not required to do so. The informal process is only available in those circumstances where the parties (alleged target of harassment and alleged harasser(s)) agree to participate in the informal process.

Students who believe that they have been unlawfully harassed may proceed immediately to the formal complaint process and individuals who seek resolution through the informal procedure may request that the informal process be terminated at any time to move to the formal complaint process.

However, all complaints of harassment involving a District employee or any other adult member of the School District community against a student will be formally investigated. Similarly, any allegations of sexual violence will be formally investigated.

As an initial course of action, if a student feels that s/he is being unlawfully harassed and s/he is able and feels safe doing so, the individual should tell or otherwise inform the harasser that the conduct is unwelcome and must stop. Such direct communication should not be utilized in circumstances involving sexual violence. The complaining individual should address the allegedly harassing conduct as soon after it occurs as possible. The Compliance Officers are available to support and counsel individuals when taking this initial step or to intervene on behalf of the individual if requested to do so. An individual who is uncomfortable or unwilling to inform the harasser of his/her complaint is not prohibited from otherwise filing an informal or a formal complaint. In addition, with regard to certain types of unlawful harassment, such as sexual harassment, the Compliance Officer may advise against the use of the informal complaint process.

A student who believes s/he has been unlawfully harassed may make an informal complaint, either orally or in writing: 1) to a teacher, other employee, or building administrator in the school the student attends; 2) to the Superintendent or other District-level

employee; and/or 3) directly to one of the Compliance Officers.

All informal complaints must be reported to one of the Compliance Officers who will either facilitate an informal resolution as described below on his/her own, or appoint another individual to facilitate an informal resolution.

The School District's informal complaint procedure is designed to provide students who believe they are being unlawfully harassed with a range of options designed to bring about a resolution of their concerns. Depending upon the nature of the complaint and the wishes of the student claiming unlawful harassment, informal resolution may involve, but not be limited to, one or more of the following:

- A. Advising the student about how to communicate the unwelcome nature of the behavior to the alleged harasser.
- B. Distributing a copy of the anti-harassment policy as a reminder to the individuals in the school building or office where the individual whose behavior is being questioned works or attends.
- C. If both parties agree, the Compliance Officer may arrange and facilitate a meeting between the student claiming harassment and the individual accused of harassment to work out a mutual resolution. Such a meeting is not appropriate in circumstances involving sexual violence.

While there are no set time limits within which an informal complaint must be resolved, the Compliance Officer or designee will exercise his/her authority to attempt to resolve all informal complaints within fifteen (15) business days of receiving the informal complaint. Parties who are dissatisfied with the results of the informal complaint process may proceed to file a formal complaint. And, as stated above, parties may request that the informal process be terminated at any time to move to the formal complaint process.

~~All materials generated as part of the informal complaint process will be retained by the Compliance Officer in accordance with the School Board's records retention policy and/or Student records policy. (See Policy 8310 and Policy 8330)~~

Formal Complaint Procedure

If a complaint is not resolved through the informal complaint process, if one of the parties has requested that the informal complaint process be terminated to move to the formal complaint process, or if the student elects to file a formal complaint initially, the formal complaint process shall be implemented.

A student who believes s/he has been subjected to offensive conduct/harassment/retaliation hereinafter referred to as the "Complainant", may file a formal complaint, either orally or in writing, with a teacher, principal, or other District employee at the student's school, the Compliance Officer, Superintendent, or another District employee who works at another school or at the district level. Due to the sensitivity surrounding complaints of unlawful harassment, timelines are flexible for initiating the complaint process; however, individuals should make every effort to file a complaint within thirty (30) calendar days after the conduct occurs while the facts are known and potential witnesses are available. If a Complainant informs a teacher, principal, or other District employee at the student's school, Superintendent, or other District employee, either orally or in writing, about any complaint of harassment, that employee must report such information to the Compliance Officer or designee within two (2) business days.

Throughout the course of the process, the Compliance Officer should keep the parties informed of the status of the investigation and the decision-making process.

All formal complaints must include the following information to the extent it is available: the identity of the individual believed to have engaged in, or be engaging in, offensive conduct/harassment/retaliation; a detailed description of the facts upon which the complaint is based; a list of potential witnesses; and the resolution sought by the Complainant.

If the Complainant is unwilling or unable to provide a written statement including the information set forth above, the Compliance Officer shall ask for such details in an oral interview. Thereafter, the Compliance Officer will prepare a written summary of the oral interview, and the Complainant will be asked to verify the accuracy of the reported charge by signing the document.

Upon receiving a formal complaint, the Compliance Officer will consider whether any action should be taken in the investigatory phase to protect the Complainant from further harassment or retaliation, including, but not limited to, a change of work assignment or schedule for the Complainant and/or the alleged harasser. In making such a determination, the Compliance Officer should consult the Complainant to assess his/her agreement to the proposed action. If the Complainant is unwilling to consent to the proposed change, the Compliance Officer may still take whatever actions s/he deem appropriate in consultation with the Superintendent.

Within two (2) business days of receiving the complaint, the Compliance Officer or a designee will initiate a formal investigation to determine whether the Complainant has been subjected to offensive conduct/harassment/retaliation. (X) A Principal will not conduct an investigation unless directed to do so by the Compliance Officer.

Simultaneously, the Compliance Officer will inform the individual alleged to have engaged in the harassing or retaliatory conduct, hereinafter referred to as the "Respondent", that a complaint has been received. The Respondent will be informed about the nature of the allegations and provided with a copy of any relevant administrative guidelines, including the Board's Anti-Harassment policy. The Respondent must also be informed of the opportunity to submit a written response to the complaint within five (5) business days.

Although certain cases may require additional time, the Compliance Officer or a designee will attempt to complete an investigation into the allegations of harassment/retaliation within fifteen (15) business days of receiving the formal complaint. The investigation will include:

- A. interviews with the Complainant;
- B. interviews with the Respondent;
- C. interviews with any other witnesses who may reasonably be expected to have any information relevant to the allegations;
- D. consideration of any documentation or other information presented by the Complainant, Respondent, or any other witness that is reasonably believed to be relevant to the allegations.

At the conclusion of the investigation, the Compliance Officer or the designee shall prepare and deliver a written report to the Superintendent that summarizes the evidence gathered during the investigation and provides recommendations based on the evidence and the definition of unlawful harassment as provided in Board policy and State and Federal law as to whether the Complainant has been subjected to unlawful harassment. The Compliance Officer's recommendations must be based upon the totality of the circumstances, including the ages and maturity levels of those involved. In determining if discriminatory harassment or retaliation occurred, a preponderance of evidence standard will be used. (X) The Compliance Officer may consult with the Board's legal counsel before finalizing the report to the Superintendent.

Absent extenuating circumstances, within ten (10) school days of receiving the report of the Compliance Officer or the designee, the Superintendent must either issue a final decision regarding whether the complaint of harassment has been substantiated or request further investigation. A copy of the Superintendent's final decision will be delivered to both the Complainant and the Respondent.

If the Superintendent requests additional investigation, the Superintendent must specify the additional information that is to be gathered, and such additional investigation must be completed within ten (10) school days. At the conclusion of the additional investigation, the Superintendent shall issue a final written decision as described above.

~~[] The decision of the Superintendent shall be final.~~
OR

[X] A Complainant or Respondent who is dissatisfied with the final decision of the Superintendent may appeal through a signed written statement to the Board within five (5) business days of his/her receipt of the Superintendent's final decision.

In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representatives within twenty (20) business days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) business days of this meeting. The decision of the Board will be final.

[END OF OPTIONS]

The Board reserves the right to investigate and resolve a complaint or report of unlawful harassment/retaliation regardless of whether the student alleging the unlawful harassment/retaliation pursues the complaint. The Board also reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy or in such other manner as deemed appropriate by the Board or its designee.

Privacy/Confidentiality

The School District will employ all reasonable efforts to protect the rights of the Complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the Board's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations. All records generated under the terms of this policy and related administrative guidelines shall be maintained as confidential to the extent permitted by law. Confidentiality, however, cannot be guaranteed. All Complainants proceeding through the formal investigation process will be advised that their identities may be disclosed to the Respondent.

During the course of a formal investigation, the Compliance Officer or his/her designee will instruct all members of the School District community and third parties who are interviewed about the importance of maintaining confidentiality. Any individual who is interviewed as part of a harassment investigation is expected not to disclose any information that s/he learns or that s/he provides during the course of the investigation.

~~All records created as a part of an investigation of a complaint of harassment will be maintained by the Compliance Officer in accordance with the Board's records retention policy. Any records that are considered student education records in accordance with the Family Educational Rights and Privacy Act or under Ohio's student records law will be maintained in a manner consistent with the provisions of the Federal and State law.~~

Sanctions and Monitoring

The Board shall vigorously enforce its prohibitions against unlawful harassment by taking appropriate action reasonably calculated to stop the harassment and prevent further such harassment. While observing the principles of due process, a violation of this policy may result in disciplinary action up to and including the discharge of an employee or the suspension/expulsion of a student. All disciplinary action will be taken in accordance with applicable State law and the terms of the relevant collective bargaining agreement(s). When imposing discipline, the Superintendent shall consider the totality of the circumstances involved in the matter, including the ages and maturity levels of those involved. In those cases where unlawful harassment is not substantiated, the Board may consider whether the alleged conduct nevertheless warrants discipline in accordance with other Board policies, consistent with the terms of the relevant collective bargaining agreement(s).

Where the Board becomes aware that a prior remedial action has been taken against a member of the School District community, all subsequent sanctions imposed by the Board and/or Superintendent shall be reasonably calculated to end such conduct, prevent its reoccurrence, and remedy its effects.

Retaliation

Any act of retaliation against a person who has made a report or filed a complaint alleging unlawful harassment, or who has participated as a witness in a harassment investigation is prohibited.

Allegations Constituting Criminal Conduct: Child Abuse/Sexual Misconduct

State law requires any school teacher or school employee who knows or suspects that a child with a disability under the age of twenty-one (21) or that a child under the age of eighteen (18) has suffered or faces a threat of suffering a physical or mental wound, disability or condition of a nature that reasonably indicates abuse or neglect of a child to immediately report that knowledge or suspicion to the county children's services agency. If, during the course of a harassment investigation, the Compliance Officer or a designee has reason to believe or suspect that the alleged conduct reasonably indicates abuse or neglect of the Complainant, a report of such knowledge must be made in accordance with State law and Board Policy.

State law defines certain contact between a teacher and a student as "sexual battery." If the Compliance Officer or a designee has reason to believe that the Complainant has been the victim of criminal conduct as defined in Ohio's Criminal Code, such knowledge should be immediately reported to local law enforcement.

Any reports made to a county children's services agency or to local law enforcement shall not terminate the Compliance Officer or a designee's obligation and responsibility to continue to investigate a complaint of harassment. While the Compliance Officer or a designee may work cooperatively with outside agencies to conduct concurrent investigations, in no event shall the harassment investigation be inhibited by the involvement of outside agencies without good cause after consultation with the Superintendent.

Allegations Involving Conduct Unbecoming the Teaching Profession/Suspension

The Superintendent will report to the Ohio Department of Education, on forms provided for that purpose, matters of misconduct on the part of licensed professional staff members convicted of sexual battery, and will, in accordance with Policy 8141, suspend such employee from all duties that concern or involve the care, custody, or control of a child during the pendency of any criminal action for which that person has been arrested, summoned and/or indicted in that regard.

Education and Training

In support of this Anti-Harassment Policy, the Board promotes preventative educational measures to create greater awareness of unlawful discriminatory practices. The Superintendent or designee shall provide appropriate information to all members of the School District community related to the implementation of this policy and shall provide training for District students and staff where appropriate. All training, as well as all information, provided regarding the Board's policy and harassment in general, will be age and content appropriate.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;
- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student and/or Employee Handbooks or Codes of Conduct);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;

~~{DRAFTING NOTE: The following options should be selected if the district concludes that the following items are not adequately encompassed in the preceding paragraphs:}~~

- N. ~~(-) documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials reviewed and/or presented during the training.]~~
- O. ~~(-) documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;~~
- P. ~~(-) copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;~~
- Q. ~~(-) copies of any notices sent to the complainant and alleged perpetrator in advance of any interview or hearing;~~
- R. ~~(-) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the complainant or the alleged perpetrator.~~

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Legal

R.C. 4112.02

20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)

20 U.S.C. 1681 et seq.

29 U.S.C. 621 et seq., Age Discrimination in Employment Act of 1967

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

29 U.S.C. 6101, The Age Discrimination Act of 1975

42 U.S.C. 2000d et seq.

42 U.S.C. 2000e et seq.

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

42 U.S.C. 1983

National School Boards Association Inquiry and Analysis - May, 2008

Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised SEXUAL VIOLENCE
Number	po5517.02
Status	
Adopted	November 16, 2015

5517.02 - **SEXUAL VIOLENCE**

The Board of Education does not discriminate on the basis of race, color, national origin, sex (including sexual orientation or transgender identity), disability, age (except as authorized by law), religion, military status, ancestry, or genetic information (collectively, "Protected Classes") in its education programs and activities. The Board is committed to maintaining an education and work environment that is free from all forms of unlawful harassment, including sexual harassment.

Sexual harassment, including sexual violence, interferes with students' rights to receive an education free from discrimination, and, in the case of sexual violence, is a crime. Pursuant to its Title IX obligations, the Board is committed to eliminating sexual violence in all forms and will take appropriate action against any individual found responsible for violating this policy. To further its commitment against sexual violence, the Board provides reporting options, an investigative and disciplinary process, and other related services as appropriate.

This policy applies to all student complaints, whether filed by a student, his/her parent, an employee, or third party on the student's behalf. It applies to all District operations, programs, and activities, as well as to unlawful conduct occurring on school property or during a Board-sponsored activity. All students, administrators, teachers, staff, and all other school personnel share responsibility for avoiding, discouraging, and reporting any form of unlawful harassment.

Definitions

Sexual Harassment

As detailed further in Policy 5517, sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature. Sexual harassment may involve the behavior of a person of either gender against a person of the same or opposite gender.

Examples include, but are not limited to:

- A. unwelcome sexual propositions, invitations, solicitations, and flirtations;
- B. unwanted physical and/or sexual contact;
- C. threats or insinuations implying that a person's conditions of education may be adversely affected by not submitting to sexual advances;
- D. unwelcome sexual verbal expressions, including graphic sexual commentaries about a person's body, dress, appearance, or sexual activities; unwelcome sexually degrading language, jokes or innuendoes; unwelcome suggestive or insulting sounds or whistles; obscene telephone calls;
- E. sexually suggestive objects, pictures, videotapes, audio recordings or literature;
- F. unwelcome and inappropriate touching, patting, or pinching; obscene gestures;
- G. a pattern of conduct, which can be subtle in nature, that has sexual overtones and is intended to create or has the effect of creating discomfort and/or humiliation to another;
- H. speculations about a person's sexual activities or sexual history, or remarks about one's own sexual activities or sexual history;
- I. inappropriate boundary invasions into a student's personal space and personal life; and

- J. verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping that does not involve conduct of a sexual nature.

Sexual Violence

Sexual violence, as used in this policy, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age, intellectual or other disability, or use of drugs or alcohol).

Sexual violence includes rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by school employees, other students, or third parties. All such acts of sexual violence are forms of sexual harassment and, in turn, sex discrimination prohibited by Title IX.

Harassing conduct creates a hostile environment when it interferes with or limits a student's ability to participate in or benefit from the school's program. A single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. For example, a single instance of rape is sufficiently severe to create a hostile environment.

Anti-Harassment Compliance Officers

The Board designates the following individuals to serve as "Anti-Harassment Compliance Officers" for the District. They are hereinafter referred to as the "Compliance Officers."

[NOTE: For the complainant's comfort, districts are advised to appoint both a male and a female Compliance Officer. The Compliance Officers may also serve as the District's Section 504/ADA and Title IX Coordinators.]

_____ (Name)	_____ (Name)
<u>Director of the Four Cities Compact</u>	<u>Director of Student</u>
<u>Services</u>	
_____ (School District Title)	_____ (School District Title)
<u>330-336-3571</u>	<u>330-336-3571</u>
_____ (Telephone Number)	_____ (Telephone Number)
<u>524 Broad St. Wadsworth, OH 44281</u>	<u>524 Broad St. Wadsworth, OH</u>
<u>44281</u>	
_____ (Office Address)	_____ (Office Address)
_____ (E-mail Address)	_____ (E-mail Address)

The names, titles, and contact information of these individuals will be published annually:

- A. ~~() in the student, parent, and staff handbooks.~~
- B. ~~() in the School District Annual Report to the public.~~
- C. (**X**) on the School District's web site.
- D. ~~() on each individual school's web site.~~
- E. ~~() in the School District's calendar.~~
- F. ~~() _____~~

The Compliance Officers are available during regular school/work hours to discuss Title IX questions, sexual violence concerns, and to assist students, other members of the School District community, and third parties. Compliance Officers shall accept sexual violence complaints directly from any members of the School District community or a visitor to the District, as well as those initially filed within a school building administrator. Upon receiving a complaint, the Compliance Officer or designee will discuss confidentiality issues with the complainant (and his/her parent, if the complainant is a minor), and open an investigation as described below.

Complaint Procedures

Reporting

Students and Board employees are required, and parents, community members, and third parties are encouraged, to report sexual violence promptly to a teacher, administrator, supervisor, or other school official. Reports can be made orally or in writing, and should be as specific as possible. The person making the report shall identify the alleged victim, perpetrator(s), and witness(es),

and describe in detail what occurred, including date(s), time(s), and location(s). The District, however, will investigate and address all reports to the extent possible.

A student has a right to file criminal and/or Title IX complaints simultaneously. A student does not need to wait until the Title IX investigation is completed before filing a criminal complaint. Likewise, questions or complaints relating to sexual violence or any other Title IX concerns may also be filed with the U.S. Department of Education's Office for Civil Rights.

~~{OPTIONAL: The District's harassment reporting form (Form 5517.02 F1) is an optional, but not required, way to report sexual harassment, including sexual violence. This form is available at _____.~~}

Any teacher, administrator, supervisor, or other school employee or official who receives such a complaint shall file it with the District's Compliance Officer within two (2) school days, and shall comply with his/her mandatory reporting responsibilities pursuant to R.C. 2151.412. The Compliance Officer will oversee the District's investigation and response to any Title IX-related complaints, but s/he may delegate the investigative process to another individual ("Designee"). The Board reserves the right to have the formal complaint investigation conducted by an external person in accordance with this policy.

Confidentiality

The District respects students' privacy and will only disclose information regarding alleged sexual violence to individuals who are responsible for handling the school's response, the student's parents (if the student is a minor or is considered a dependent under Section 152 of the Internal Revenue Code), or as otherwise required by law. During the course of a formal investigation, the Compliance Officer/designee will instruct all interviewees about the importance of maintaining confidentiality. Interviewees will be directed not to disclose any information that s/he learns or that s/he provides during the course of the investigation to third parties.

Students or their parents sometimes ask that the students' names not be disclosed to the alleged perpetrators or that no investigation or disciplinary action be pursued to address the alleged sexual violence. Upon such a request, the Compliance Officer/designee will inform the student and his/her parent that honoring the request may limit the District's ability to respond fully to the incident, including pursuing disciplinary action against the alleged perpetrator. The official will also explain that Title IX includes protections against retaliation, and that school officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

Should the student or his/her parents continue to request complete confidentiality, the Compliance Officer/designee will balance the student's privacy request with the District's obligation to provide a safe and non-discriminatory environment for all students. Should the official determine that the District can honor the student's or parent's request and remain in compliance with its Federal and State obligations, the District may limit its investigation and/or formal action against the alleged perpetrator. The District will, however, take other action to address the sexual violence. This may include increasing monitoring and security, offering schedule changes, and conducting climate surveys.

If the Compliance Officer/designee determines that the District must disclose the student's identity to an alleged perpetrator, s/he will inform the student and his/her parents prior to disclosure. The District will then afford interim protection measures to the student as appropriate.

Investigation

The District is committed to investigating all sexual violence complaints in an adequate, reliable, impartial, and prompt manner. The investigation will seek to determine whether the conduct occurred, and if so, what actions the school will take to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and remedy its effects.

The investigation may include:

- A. interviewing the complainant, perpetrator, and any witnesses;
- B. reviewing law enforcement investigation documents;
- C. reviewing student and personnel files;
- D. gathering and examining other relevant documents or evidence; and
- E. providing a disciplinary hearing as needed.

The District affords both parties a balanced and fair process. Specifically, the complainant has the same rights throughout the proceeding as the alleged perpetrator. Both parties, for example, will have an equal opportunity to present relevant witnesses and other evidence at a disciplinary hearing. Likewise, the District's appeal process is available to both parties. The District, however, does not require complainants to be present for the hearing or appeal. Further, the District will not permit parties to personally question or cross-examine each other directly.

~~[OPTION]~~

~~[+] Additionally:~~

- A. ~~(-) The District permits both parties to have legal counsel or other advisors at any stage of the proceedings. Any restrictions on legal counsel participation apply to both parties equally.~~
- B. ~~(-) The District permits both parties to submit third-party testimony.~~
- C. ~~(-) The District permits both parties to be present for the entire hearing, but it will not require the complainant and alleged perpetrator to be present in the same room at the same time.~~

~~[END OF OPTION]~~

In resolving a complaint, the District uses a preponderance of the evidence standard, determining whether it is more likely than not that sexual violence occurred.

Timeline

The Compliance Officer/designee must contact the student, if age eighteen (18) or older, or the student's parents if under the age eighteen (18), within two (2) school days after receipt of a report of sexual violence to advise s/he/them of the Board's intent to investigate the alleged misconduct. The Compliance Officer/designee will also inform the alleged perpetrator of the opportunity to submit a written response to the complaint within five (5) business days. The District's investigation, including a disciplinary hearing process (but not appeal), may take up to sixty (60) calendar days to complete. This timeframe may be extended on a case-by-case basis, depending on the complexity and severity of the matter, criminal investigation requirements, and school breaks. During this period, the District will provide the complainant with periodic updates on the status of the investigation.

Interim Measures

During the investigation, the District will take interim steps to facilitate the complainant's equal access to its education programs. These steps may include, but are not limited to: 1) notifying the complainant of his/her options to avoid contact with the alleged perpetrator; 2) allowing the complainant to change his/her academic, extracurricular, transportation, dining, and working situation as appropriate; and 3) informing complainant of other available resources, such as counseling, legal assistance, and victim advocacy. Specific interim measures will be considered and offered on a case-by-case basis.

Notice

Upon completing its investigation, the District will notify both parties in writing about the outcome of the complaint and any appeal. Specifically, the District will notify the complainant: 1) as to whether the investigation substantiated the allegations; 2) of individual remedies offered to the complainant; 3) of sanctions imposed on the perpetrator that directly relate to the complainant; and 4) other steps the District has taken to eliminate the hostile environment and prevent recurrence. The alleged perpetrator will be notified of the investigation's result and disciplinary consequence to him/her, if any. The District will not notify the alleged perpetrator about the individual remedies afforded to the complainant. All aforementioned notifications will comply with Federal and State privacy laws, including the Family Education Rights and Privacy Act (FERPA).

Remedies

The District will provide a prompt and equitable resolution. If the investigation substantiates the complaint, the District will take steps to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and remedy its effects. In addition to imposing disciplinary consequences on the perpetrator, the District will consider the following individual and global remedies, on a case-by-case basis.

- A. providing medical, counseling, and academic support services to the complainant and/or perpetrator;
- B. re-arranging schedules at the complainant's request;
- C. affording the complainant extra time to complete or retake classes without academic penalty;
- D. reviewing any disciplinary proceedings against the complainant;
- E. training or retraining employees;
- F. developing materials on sexual violence;
- G. conducting sexual violence prevention programs; and

H. conducting climate checks.

The District will not offer mediation in cases involving sexual violence. Disciplinary consequences against offenders may include suspension, expulsion, termination, and any other sanctions the Board deems appropriate. Any discipline meted out to offenders will comply with special education and Section 504 laws and regulations.

Appeals Process

Both complainants and perpetrators may appeal the outcome of the investigation. Any appeal opportunities afforded to the alleged perpetrator are also afforded to the complainant. Any party wishing to appeal the outcome of the investigation must submit a written appeal to the Board within ten (10) school days after receipt of the written notice of the outcome of the investigation. The Board shall, within twenty (20) work days, conduct a hearing concerning the appeal. The Board shall provide a written decision to the appealing individual within ten (10) work days following completion of the hearing.

Retaliation

Federal law strictly prohibits retaliation against a complainant or witness. The District will inform complainant of this prohibition and direct him/her to report retaliation, whether by students or school officials, to the Compliance Officer. Upon learning of retaliation, school officials will take strong responsive action as appropriate.

Training

All staff will be trained so they know to report harassment to appropriate school officials. This training will include practical information about how to identify and report sexual harassment, including sexual violence. The training will be provided to any employees likely to witness or receive complaints involving sexual harassment and/or sexual violence, including teachers, school law enforcement unit employees or school resource officers, school administrators, school counselors, and health personnel. Further, school administrators responsible for investigating allegations of sexual harassment and sexual violence will be trained how to conduct such investigations and respond properly to such charges.

Retention of Investigatory Records and Materials

All individuals charged with conducting investigations under this policy shall retain all documents, electronically stored information ("ESI"), and electronic media (as defined in Policy 8315) created and/or received as part of an investigation, which may include but not be limited to:

- A. all written reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- B. any narratives that memorialize oral reports/allegations/complaints/grievances/statements/responses pertaining to an alleged violation of this policy;
- C. any documentation that memorializes the actions taken by District personnel related to the investigation and/or the District's response to the alleged violation of this policy;
- D. written witness statements;
- E. narratives, notes from, or audio, video, or digital recordings of witness interviews/statements;
- F. e-mails, texts, or social media posts that directly relate to or constitute evidence pertaining to an alleged violation of this policy (i.e., not after-the-fact commentary about or media coverage of the incident);
- G. notes or summaries prepared contemporaneously by the investigator in whatever form made (e.g., handwritten, keyed into a computer or tablet, etc.), but not including transitory notes whose content is otherwise memorialized in other documents;
- H. written disciplinary sanctions issued to students or employees and other documentation that memorializes oral disciplinary sanctions issued to students or employees for violations of this policy;
- I. dated written determinations/reports (including summaries of relevant exculpatory and inculpatory evidence) and other documentation that memorializes oral notifications to the parties concerning the outcome of the investigation, including any consequences imposed as a result of a violation of this policy;
- J. documentation of any interim measures offered and/or provided to complainants and/or the alleged perpetrators, including no contact orders issued to both parties, the dates the no contact orders were issued, and the dates the parties acknowledged receipt of the no contact orders;

- K. documentation of all actions taken, both individual and systemic, to stop the discrimination or harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects;
- L. copies of the Board policy and/or procedures/guidelines used by the District to conduct the investigation, and any documents used by the District at the time of the alleged violation to communicate the Board's expectations to students and staff with respect to the subject of this policy (e.g., Student and/or Employee Handbooks or Codes of Conduct);
- M. copies of any documentation that memorializes any formal or informal resolutions to the alleged discrimination or harassment;

~~{DRAFTING NOTE: The following options should be selected if the district concludes that the following items are not adequately encompassed in the preceding paragraphs.}~~

- N. ~~(-) documentation of any training provided to District personnel related to this policy, including but not limited to, notification of the prohibitions and expectations of staff set forth in this policy and the role and responsibility of all District personnel involved in enforcing this policy, including their duty to report alleged violations of this policy and/or conducting an investigation of an alleged violation of this policy; [REMINDER: Documentation of training should be maintained regardless of whether there is an investigation of an alleged violation of this policy. It is best practice to maintain a log of all staff members who participate in a training, along with the date, time and location of the training, and a copy of the materials reviewed and/or presented during the training.]~~
- O. ~~(-) documentation that any rights or opportunities that the District made available to one party during the investigation were made available to the other party on equal terms;~~
- P. ~~(-) copies of any notices sent to the alleged perpetrator/responding party of the allegations constituting a potential violation of this policy;~~
- Q. ~~(-) copies of any notices sent to the complainant and alleged perpetrator in advance of any interview or hearing;~~
- R. ~~(-) copies of any documentation or evidence used during informal and formal disciplinary meetings and hearings, including the investigation report, and any written responses submitted by the complainant or the alleged perpetrator.~~

The documents, ESI, and electronic media (as defined in Policy 8315) retained may include public records and records exempt from disclosure under Federal (e.g., FERPA, ADA) and/or State law (e.g., R.C. 3319.321) – e.g., student records and confidential medical records.

The documents, ESI, and electronic media (as defined in Policy 8315) created or received as part of an investigation shall be retained in accordance with Policy 8310, Policy 8315, Policy 8320, and Policy 8330 for not less than three (3) years, but longer if required by the District's records retention schedule.

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Legal	20 U.S.C. 1681 et seq., Title IX of the Education Amendments of 1972 (Title IX)
	20 U.S.C. 1400 et seq., The Individuals with Disabilities Education Improvement Act of 2004 (IDEIA)
	42 U.S.C. 2000c et seq., Title IV of the Civil Rights Act of 1964
	42 U.S.C. 2000d et seq.
	42 U.S.C. 2000e et seq.
	42 U.S.C. 1983
	34 C.F.R. Part 106
	Dear Colleague Letter on Sexual Violence (Office for Civil Rights, 2011)
	OCR's Revised Sexual Harassment Guidance (2001)

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Book	Policy Manual
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5610 - **REMOVAL, SUSPENSION, EXPULSION, AND PERMANENT EXCLUSION OF STUDENTS**

The Board of Education recognizes that exclusion from the educational program of the schools, whether by emergency removal, out-of-school suspension, expulsion, or permanent exclusion, is the most severe sanction that can be imposed on a student in this District, and one that cannot be imposed without due process. However, the Board has zero tolerance of violent, disruptive or inappropriate behavior by its students.

No student is to be removed, suspended out-of-school, expelled and/or permanently excluded unless his/her behavior represents misconduct as specified in the Student Code of Conduct/Student Discipline Code approved by the Board. The Code shall also specify the procedures to be followed by school officials when implementing such discipline. In addition to the procedural safeguards and definitions set forth in this policy and the student/parent handbook, additional procedures and considerations shall apply to students identified as disabled under the IDEA, ADA, and/or Section 504 of the Rehabilitation Act of 1973. (See Policy 5605 "Suspension/Expulsion of Disabled Students.")

Students may be subject to discipline for violation of the Student Code of Conduct/Student Discipline Code even if that conduct occurs on property not owned or controlled by the Board but where such conduct is connected to activities or incidents that have occurred on property owned or controlled by the Board, or conduct that, regardless of where it occurs, is directed at a District official or employee, or the property of such official or employee.

For purposes of this policy and the Student Code of Conduct/Student Discipline Code, the following shall apply:

- A. "Emergency removal" shall be the exclusion of a student who poses a continuing danger to District property or persons in the District or whose behavior presents an on-going threat of disrupting the educational process provided by the District. (See Policy 5610.03 "Emergency Removal")
- B. "Suspension" shall be the temporary exclusion of a student by the Superintendent, principal, assistant principal, or any other administrator from the District's instructional program for a period not to exceed ten (10) school days. Suspension shall not extend beyond the current school year, if at the time a suspension is imposed, fewer than ten (10) days remain in the school year.

The Superintendent may instead require a student to participate in a community service program or another alternative consequence for a number of hours equal to the remaining part of the period of the suspension. The student shall be required to begin such community service program or alternative consequence during the first full week day of summer break.

The Superintendent may develop a list of appropriate alternative consequences, and set forth such list in the applicable guidelines.

In the event, the student fails to complete the required community service or the assigned alternative consequence, the Superintendent may determine the next course of action. Such course of action, however, shall not include requiring the student to serve the remaining time of the suspension at the beginning of the following year.

The procedures for suspension are set forth in the Student Code of Conduct/Student Discipline Code and Policy 5611 - Due Process Rights.

Students are permitted to make up all work missed during a suspension for full credit.

- C. "Expulsion" shall be the exclusion of a student from the schools of this District for a period not to exceed the greater of eighty (80) school days or the number of school days remaining in a semester or term in which the incident that gives rise to the expulsion takes place or for one (1) year as specifically provided in this policy and the Student Code of Conduct/Student Discipline Code. Only the Superintendent may expel a student. The procedures for expulsion are set forth in the Student Code of Conduct/Student Discipline Code and Board Policy 5611 "Due Process Rights".

1. Firearm or Knife

Unless a student is permanently excluded from school, the Superintendent shall expel a student from school for a period of one (1) year for bringing a firearm or knife capable of causing serious bodily injury to a school building or on to any other property (including a school vehicle) owned, controlled, or operated by the Board, to an interscholastic competition, an extra-curricular event, or to any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, except that the Superintendent may reduce this period on a case-by-case basis in accordance with this policy. Similarly, the Superintendent shall expel a student from school for a period of one (1) year for possessing a firearm or knife capable of causing serious bodily injury at school or on any other property (including a school vehicle) owned, controlled, or operated by the Board, at interscholastic competition, an extra-curricular event, or at any other school program or activity that is not located in a school or on property that is owned or controlled by the Board, except the Superintendent may reduce this period on a case-by-case basis in accordance with this policy. The expulsion may extend, as necessary, into the school year following the school year in which the incident that gives rise to the expulsion takes place. The Superintendent shall refer any student expelled for bringing a firearm (as defined in 18 U.S.C. 921(a)(3)) or weapon to school to the criminal justice or juvenile delinquency system serving the District.

A firearm is defined as 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 silencer, or any destructive device. A destructive device, includes, but is not limited to any explosive, incendiary, or poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or other similar device.

A knife capable of causing serious bodily injury is defined as any weapon or cutting instrument consisting of a blade fastened to a handle; a razor blade; or any similar device (including sharp, metal martial arts weapons such as ninja throwing stars) that is used for, or is readily capable of, causing death or serious bodily injury.

The Superintendent may, in his/her sole judgment and discretion, modify or reduce such expulsion in writing, to a period of less than one(1) year, on a case-by-case basis, upon consideration of the following:

- a. Applicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student's disability);
- b. The degree of culpability given the age of the student and its relevance to the misconduct and/or punishment and/or evidence regarding the probable danger posed to the health and safety of others, including evidence of the student's intent and awareness regarding possession of the firearm or knife capable of causing serious bodily injury; and/or
- c. The academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

2. Violent Conduct

If a student commits an act at school, on other school property, at an interscholastic competition, extra-curricular event, or any other school program or activity and the act:

- a. would be a criminal offense if committed by an adult;
- and
- b. results in serious physical harm to person(s) as defined in R.C. 2901.01(A)(5), or to property as defined in R.C. 2901.01(A)(6)

the Superintendent may expel the student for a period of up to one (1) year. The Superintendent may extend the expulsion into the next school year or reduce the expulsion as necessary on a case-by-case basis as specified below. The student need not be prosecuted or convicted of any criminal act to be expelled under this provision.

The Superintendent may, in his/her sole judgment and discretion, reduce such expulsion to a period of less than one (1) year, on a case-by-case basis, upon consideration of the following:

- a. Applicable State or Federal laws and regulations relating to students with disabilities (for example, where the incident involves a student with a disability and the misconduct is determined by a group of persons knowledgeable about the child to be a manifestation of the student's disability);

or

- b. other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

If at the time of the expulsion, there are fewer days remaining in the school year than the number of days of the expulsion, the Superintendent may apply any or all of the remaining period to the following school year.

3. Bomb Threats

If a student makes a bomb threat to a school building or to any premises at which a school activity is occurring at the time of the threat, the Superintendent may expel the student for a period of up to one (1) year. The Superintendent may extend the expulsion into the next school year or reduce the expulsion as necessary on a case-by-case basis as specified below. The student need not be prosecuted or convicted of any criminal act to be expelled under this provision.

The Superintendent may, in his/her sole judgment and discretion, reduce such expulsion to a period of less than one (1) year, on a case-by-case basis, for the following reasons:

- a. for students identified as disabled under the IDEA, ADA, and Section 504 of the Rehabilitation Act of 1973, upon recommendation from the group of persons knowledgeable of the student's educational needs;

or

- b. other extenuating circumstances, including, but not limited to, the academic and disciplinary history of the student, including the student's response to the imposition of any prior discipline imposed for behavioral problems.

If at the time of the expulsion, there are fewer days remaining in the school year than the number of days of the expulsion, the Superintendent may apply any or all of the remaining period to the following school year.

- D. "Permanent exclusion" shall mean the student is banned forever from attending a public school in the State of Ohio. (See Policy 5610.01)

If a student is expelled for more than twenty (20) school days or for any period of time that extends into the next school year, the Superintendent shall provide the student and his/her parents with the names, addresses, and telephone numbers of those public or private agencies in the community which offer programs or services that help to rectify the student's behaviors and attitudes that contributed to the incident(s) that caused the expulsion.

If the Superintendent determines that a student's behavior on a school vehicle violates school rules, s/he may suspend the student from school bus-riding privileges for the length of time deemed appropriate for the violation and remediation of the behavior. Any such suspension must comply with due process and the Student Code of Conduct/Student Discipline Code.

The Board authorizes the Superintendent to provide for options to suspension/expulsion of a student from school which may include alternative educational options.

The Superintendent shall initiate expulsion proceedings against a student who has committed an act that warrants expulsion under Board policy even if the student withdraws from school prior to the hearing or decision to impose the expulsion. The expulsion must be imposed for the same duration it would have been had the student remained enrolled.

The Board may temporarily deny admittance to any student who has been expelled from the schools of another Ohio district or an out-of-state district, if the student's expulsion period set by the other district has not expired. The expelled student shall first be offered an opportunity for a hearing. This provision also applies to a student who is the subject of a power of attorney designating

the child's grandparent as the attorney-in-fact or caretaker authorization affidavit executed by the child's grandparent and is seeking admittance into the schools of this District in accordance with Policy 5111.

The Board may temporarily deny admittance to any student who has been suspended from the schools of another Ohio district, if the student's suspension period set by the other district has not expired. The suspended student shall first be offered an opportunity for a hearing before the Board.

When a student is expelled from this District, the Superintendent shall send written notice to any college in which the expelled student is enrolled under Postsecondary Enrollment Options at the time the expulsion is imposed. The written notice shall indicate the date the expulsion is scheduled to expire.

If the expulsion is extended, the Superintendent shall notify the college of the extension.

The Superintendent may require a student to perform community service in conjunction with or in place of a suspension or 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.

Definitions/Procedures

- A. **Suspension** is defined as the denial to a student, for a school period of at least one (1) but no more than ten (10) school days, of permission to attend school and/or to take part in any school function. Suspension may be extended beyond the current semester or school year.
- ~~When the alleged misconduct becomes known, the student will be given written notice of the intention of suspension and the reasons for such action by the Superintendent, principal, or assistant principal. The student will be given an opportunity to appear at an informal hearing before the Superintendent, Superintendent's designee, principal or assistant principal and challenge the reasons for the possible suspension or otherwise explain his/her actions.~~
- ~~Within one (1) school day after the time of a student's suspension, the Superintendent or principal shall send written notice of the suspension to the student and his/her parent, guardian or custodian and the Treasurer of the Board. The notice shall specify the duration of the suspension and the reasons therefore. It also shall include notification of the right of the student of his/her parent, guardian or custodian to appeal the suspension to the Board or its designee within five (5) days of the suspension in order to be heard against the suspension, to be represented in the appeal proceeding and to request that such hearing be held in executive session.~~
- ~~This procedure shall not and need not be followed in cases where a student is removed from one or more curricular activities for a period of less than twenty four (24) hours and is not subject to suspension.~~
- ~~Students are permitted to make up all work missed during a suspension for full credit.~~
- B. **Expulsion** is defined as the denial to the student, for a period exceeding ten (10) school days, of permission to attend school and to take part in any school function or the denial or permission to attend a particular class or classes or to take part in an activity for such a period. Expulsions may extend beyond the current semester or school year.
- ~~Prior to any expulsion, the Superintendent shall give the student and his/her parent, guardian or custodian written notice of the intention to expel and shall provide the student and his/her parent, guardian, or custodian with an opportunity to appear before the Superintendent or his/her designee and challenge the reasons for the intended expulsion or otherwise explain the student's actions.~~
- ~~The notice shall include the reasons for the intended expulsion, notification of the right of the student, guardian, custodian or their representative to appear before the Superintendent or his/her designee to hear and to challenge the reasons for the intended expulsion or otherwise to explain the student's actions, and notification of the time and place to appear. The time to appear shall not be sooner than three (3) nor later than five (5) days after the notice has been mailed unless the Superintendent grants an extension of time at the request of the student, his/her guardian, custodian or representative. Such extensions shall not exceed five (5) days. If an extension of time is granted, the Superintendent shall notify the student and his/her parent, guardian, custodian or representative of the new time and place to appear.~~
- ~~Within one (1) school day after the time of any expulsion, the Superintendent shall send written notice to the student and his/her parent, guardian or custodian and the Treasurer of the Board. The notice shall specify the duration of the expulsion and the reasons therefore. It also shall include notification of the right of the student of his/her parent, guardian or custodian to appeal the expulsion to the Board or to its designee within fourteen (14) days of the expulsion in order to be heard against such expulsion, to be represented in the appeal proceeding, to be granted a hearing before the Board or its designee in order to be heard against the expulsion and to request that such hearing be held in executive session.~~
- ~~This procedure shall not and need not be followed in cases when a student is removed from one or more curricular activities for a period of less than twenty four (24) hours and is not subject to expulsion.~~
- ~~Any act that would be a criminal offense when committed by an adult that results in serious physical harm to persons or property (as defined in R.C. 2901.01) may result in expulsion up to one (1) year. Additionally, violations of the weapons in schools policy may result in expulsion of up to one (1) year. The Superintendent may reduce the one year (1) expulsion on a case by case basis. Matters which might lead to a reduction of the expulsion period include: an incident involving a disabled student and the incident is a manifestation of the disability; the age of the student and its relevance to the punishment; the prior disciplinary history of the student; and/or the intent of the perpetrator or any other reason relevant to each incident.~~

~~Notice of expulsion will be sent to any college in which the expelled student is enrolled.~~

- C. **Emergency Removal** is defined as the denial to a student whose presence poses a continuing danger to persons or property or an on-going threat of disrupting the academic process taking place either within a classroom or elsewhere on the school premises for a period not exceeding three (3) school days, of permission to attend school and to take part in any school function.

~~Pending completion of the procedures set forth in sections A or B, when circumstances are such that a student's continuing presence in school is reasonably certain to pose a continuing danger to persons or property or an on-going threat of disrupting the academic process taking place either within the classroom or elsewhere, on the school premises or at school-sponsored or related activities or events, the Superintendent or principal or assistant principal may remove a student from curricular or extracurricular activities or from the school premises, without complying with the notice and hearing requirements of section A or B. In like circumstances, a teacher may remove a student from curricular or extracurricular activities under his/her supervision, without complying with the notice and hearing requirements of section A or B. As soon as practicable after making such removal, the teacher shall submit the reasons, in writing, for such removal to the principal. If a student is removed under this subparagraph, written notice of the reason(s) for the removal and written notice of the hearing to be held regarding the removal shall be given to the student, as soon as practicable, prior to the hearing. The hearing must be held within three (3) school days from the time the initial removal is ordered.~~

~~The hearing shall be held in accordance with the procedure set forth in section A above, pertaining to suspension, unless it is probable that the student may be subject to expulsion. In that event, hearings shall be held in accordance with the procedure set forth in section B above, except that the hearing shall be held within three (3) school days of the initial removal. The school official who ordered, caused or requested the student's removal under this Article shall be present at the hearing. This procedure shall not and need not be followed in cases when a student is removed from one (1) or more curricular activities for a period of less than twenty four (24) hours and is not subject to suspension or expulsion.~~

- D. **Permanent Exclusion**—The Board may seek the permanent exclusion of a student sixteen (16) years of age or older who is either convicted in criminal court or adjudicated delinquent by a juvenile court for any of the following offenses that occur on school grounds or at a school function:

- ~~1. Illegal conveyance or possession of deadly weapons or dangerous ordinance.~~
- ~~2. Carrying concealed weapons.~~
- ~~3. Selling or offering to sell or possessing a controlled substance.~~
- ~~4. Aggravated murder, murder, voluntary manslaughter, involuntary manslaughter, felonious assault, rape, gross sexual imposition or felonious sexual penetration if the victim is a school employee.~~
- ~~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.~~

~~When a proposed suspension is for any of the above reasons and the student is age sixteen (16) or older, the parent and student will be notified that the student may also be subject to permanent exclusion from school if the student is convicted or adjudicated a delinquent child for that violation. Any action to permanently exclude a student will be in compliance with R.C. 3313.662.~~

- E. **Disciplinary Removal** is an action less severe than suspension, expulsion or emergency removal and is defined as the removal of the student from a class or from participation in an extracurricular activity. No disciplinary removal may extend beyond five (5) days:

- ~~1. A student may be removed from a class or other curricular activity where the student engages in conduct which tends to interfere with or disrupt the class or curricular activity or for violation of code or school rules and regulations.~~
- ~~2. A student may be removed from an extracurricular activity in which s/he has been accepted or qualified for membership where the student engages in conduct which tends to interfere with or disrupt the extracurricular activity or where the student violates the rules or regulations which govern participation in the extracurricular activity.~~
- ~~3. Before a student is removed from a curricular or extracurricular activity for more than twenty four (24) hours, the student shall be given written notice of the intention to remove and the reasons for the intended disciplinary removal. The student will be given an opportunity to appear at an informal hearing before the Superintendent, Superintendent's designee, principal or assistant principal to challenge the reasons for the intended disciplinary removal or otherwise explain his/her actions.~~

- F. **In-School Detention** is less severe than suspension and is defined as a removal of the student, for a period of at least one (1) but not more than ten (10) days, from his/her regularly scheduled classes.

~~Before a student is placed on in-school detention, the student shall be given written notice of the intention to impose in-school detention and the reasons for the intended in-school detention. The student will be given an opportunity to appear at an informal hearing before the Superintendent, Superintendent's designee, principal, or assistant principal to respond to the reasons (or otherwise explain his/her actions) for the intended in-school detention. No additional notices or appeal rights are required.~~

Appeals to the Board

- A. Pursuant to the Code of Student Suspension, Expulsion or Removal, a student or his/her parent, guardian or custodian may appeal his/her suspension, expulsion or removal to the Board or its designee. Notice of such appeal shall be filed, in writing, with the Treasurer of the Board within five (5) days of the suspension or within fourteen (14) days of the expulsion. The

~~student or his/her parent, guardian or custodian may be represented in the appeal proceeding and shall be granted a hearing before the Board or its designee to be heard against the suspension or expulsion.~~

~~If an appeal is taken before the Board or its designee, such appeal may, upon the request of the student, his/her parent, guardian or custodian or attorney, be heard in executive session.~~

~~The Board, by a majority vote of its full membership, or by the action of its designee, may affirm the suspension or expulsion or may reinstate the affected student or may otherwise reverse, vacate or modify the order of suspension or expulsion.~~

- ~~B. The Director of Instruction and Professional Development is hereby appointed as designee to hear all suspension appeals. As designee, the Director of Instruction and Professional Development's decision shall be considered automatically adopted by the Board, without the necessity for any further Board action.~~
- ~~C. The Board shall hear its own expulsion appeals, unless it appoints a designee, on a case by case basis. In the case of expulsion, all expulsions may be heard in executive session at the election of the party appealing. The Board shall take action on the expulsion appeal in public session.~~
- ~~D. A verbatim record shall be kept of all hearings under this paragraph.~~
- ~~E. Decisions of the Board or its designee may be appealed under Chapter 2506 of the revised code.~~

Searches

In accordance with Policy 5771, school officials may search a student or a student's property when there are reasonable grounds to suspect the presence of contraband that violates the law or school rules. Dogs trained in the detection of illegal drugs and/or weapons may patrol school facilities and premises. A dog altering to an object is considered reasonable grounds for a search. Vehicles on school property are also subject to search. Student lockers are the property of the Board and are subject to search based on reasonable suspicion of the violation of the law or school rules and to random searches without regard to reasonable suspicion.

Times and Places Applicable

Unless otherwise noted in the individual section, this code shall be applicable to any conduct: on school grounds or property adjacent to school grounds; during, before and after school hours, on school grounds at any other time when the school or the school grounds are being used by a school-related group; off school grounds at a school-sponsored activity, function or event; on a school bus or conveyance; or at any other time when the student is subject to the authority of the school. The rules and standards also apply to conduct off school premises which is connected to activities or incidents that have occurred on school property. The rules and standards also apply to any misconduct, regardless of where it occurs, that is directed at a District employee or official or the property of such employee or official.

Substantive Provisions

Misconduct for which suspension/expulsion may be imposed:

- A. Tobacco: students shall not possess, use, transmit, conceal or sell cigarettes or tobacco. State law prohibits students from smoking in any school building. This includes possession or the use of matches and/or lighters. No warning will be given for smoking violations. A student is considered smoking when seen with a cigarette, leaving a discarded one or any other evidence indicating smoking.
- B. Dress and Appearance: Students shall not violate school rules relating to dress and appearance. Students shall attend school dressed in a manner which is clean, not hazardous to their safety or the safety of others, and which does not distract from the educational environment.
- C. Truancy, Tardiness or Class Cutting: Students shall not be absent from all or any portion of the regularly scheduled classes or other mandatory activities without school authorization and parental consent. A student is considered tardy to first period if s/he is not in his/her assigned seat when the late bell rings.
- D. Profane, Vulgar or Improper Language or Gestures: Students shall not speak or write profane, vulgar, derogatory, demeaning or other improper or inappropriate language, or use profane, vulgar or other improper inappropriate gestures or signs or engage or attempt to engage in profane, vulgar or other improper or inappropriate actions. Student attire containing profanity or obscenity is prohibited.
- E. Insubordination (also referred to as Failure to Comply with Directives): This is defined as failing to follow the directives of school personnel or otherwise acting in defiance of school authority. Students shall comply with directives, requests and orders of teachers, student teachers, substitute teachers or other appropriate school personnel.
- F. Failure to Accept Discipline or Punishment: Students shall not refuse to accept discipline or punishment from teachers, student teachers, substitute teachers, educational aides, bus drivers, principals or other appropriate school personnel.

- G. Harassment, Hazing and/or Sexual Harassment: Students shall not threaten, act or participate in or attempt to threaten, act or participate in an act or acts that injures, degrades, disgraces or tends to injure, degrade or disgrace any student. This includes any unwanted sexual advances which may be verbal, visual or physical contact.
- H. Violations of School Bus Conduct Requirement: Students shall not act or participate in any act or acts or attempt to act or participate in any act which poses or tends to pose a danger to the safe operation of a school bus or conveyance, including, but not limited to, failing to remain seated, throwing objects as passengers, the driver or out of the window, extending arms or objects out of the window, shouting and other disorderly conduct which could cause physical harm, emotional stress or diversion of the driver's attention.
- I. Disrespect: Students shall not act so as to intimidate, insult or otherwise abuse, orally or in writing, any member of the school staff or student body.
- J. Disruption of School: Students shall not by use of violence, force, noise, coercion, threat, harassment, intimidation, fear, passive resistance or any other conduct, cause, attempt or threaten to cause the disruption or obstruction of any lawful mission, process, activity or function of the school. Students shall not urge other students to engage in such conduct for the purpose of causing, attempting or threatening to cause the disruption or obstruction of any lawful mission, process, activity or function of the school. While this list is not intended to be all-inclusive, the following acts illustrate the kinds of misconduct prohibited by this rule:
1. occupying any school building, school grounds or part thereof;
 2. blocking the entrance or exit of a school building or corridor or room therein;
 3. setting fire or attempting to set fire to or damaging or attempting to damage or defacing or attempting to deface any school building or property;
 4. making, by telephone call, letter or other means, a threat to damage or destroy any school property or to disrupt any school- sponsored or related activity, function or event on or off school grounds. Any bomb threat to a school building, or to any premises at which a school activity is occurring will subject the offender to a one-year (1) expulsion;
 5. activating or attempting to activate an emergency alarm system in the absence of an emergency;
 6. preventing or attempting to prevent by physical act or verbal utterance the convening or continuing function of any school, class or activity or any lawful meeting or assembly on or off the school property;
 7. preventing or attempting to prevent students from attending a class or any school-sponsored or related activity or event;
 8. except under the direct instruction of the principal or other authorized school personnel, blocking pedestrian or vehicular traffic on school property or at the site of any school-sponsored activity or event; or
 9. continuously making noise or acting in a manner so as to interfere with a teacher's ability to conduct a class or an extracurricular activity.
- K. Damage, Destruction, Theft or Unauthorized Removal of School Property: Students shall not cause or attempt to cause damage to school property or steal or attempt to steal school property or engage in or attempt to engage in or participate or attempt to participate in the unauthorized removal of school property.
- L. Damage, Destruction, Theft, or Unauthorized Removal of Private Property: Students shall not cause or attempt to cause damage to private property of students, teachers, school personnel or other persons or steal or attempt to steal private property or engage or attempt to engage in or participate or attempt to participate in the unauthorized removal of private property.
- M. Physical or Verbal Assault on or Abusive Language Toward a School Employee, Authorized Visitor or Another Student: Intentionally or recklessly causing or threatening physical or emotional harm to another student or behaving in such a manner as to present an imminent risk of such harm. Students shall not use vulgar, profane or abusive gesture toward any school employee, authorized school visitor or another student, not cause or attempt to cause physical injury, or behave in such a way as could threaten to cause physical injury to a school employee, authorized school visitor or another student.
- N. Weapons, Dangerous Instruments, Fireworks and Explosives: Students shall not violate this District's policy against dangerous weapons in school Policy 5772. Students shall not use, possess, handle, transmit, sell, conceal or barter for, or bring upon school grounds, to a school activity or on to a school vehicle any object that can be classified as a weapon or dangerous instrument. Weapons and dangerous instruments shall include any object which is used or may be used to inflict

physical harm or property damage or to threaten to inflict such harm or damage. Items that have the appearance of a weapon or dangerous instrument are also prohibited.

Students shall not possess, handle, transmit, conceal, sell or barter for, or bring upon school grounds, to a school activity or on to a school vehicle any fireworks, explosives, inflammables, munitions or other objects that could cause physical harm or property damage. Students shall not ignite, explode, detonate or attempt to ignite, explode or detonate fireworks, explosions, munitions, inflammables or other objects that could cause physical harm or property damage.

Violations of this section of the Student Code of Conduct may be subject to a one-year (1) or more expulsion as detailed in policy 5772. Violations of this section will also result in notification to the registrar of motor vehicles and the county juvenile judge.

O. Narcotics, Alcoholic Beverages, Look-Alike Drugs and Stimulant or Depressant Drugs:

1. Students shall not possess, use, transmit, sell, conceal, or consume any alcoholic beverage or intoxicant or any of the drugs of abuse while on school property and/or involved in school activities. Likewise, students shall not consume or have discernible odor of any alcoholic beverages or intoxicant or drug of abuse at a time before the student's arrival at school or a school-sponsored or related event or activity. Examples of drugs of abuse include, but are not limited to, narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, glue, butane, cocaine, nonmedically prescribed anabolic steroids or other substances that could modify behavior.

Where a student is found to have violated this paragraph by using or consuming unauthorized drugs, drugs of abuse or intoxicants, s/he may be required to submit a letter from a psychiatrist or physician stating that the student is physically and mentally able to resume his/her studies prior to his/her reentry on the school premises or participation in school-related activities.

Use of drugs as authorized by a medical prescription from a licensed physician shall not be considered in violation of this rule provided proper documentation has been completed and filed with the school office. However, selling, transferring or otherwise providing prescription drugs to a student to whom the drugs are not prescribed is a violation of this rule.

2. Students shall not possess, use, transmit, sell, consume or conceal any drug or look-alike drugs of abuse, instruments or drug paraphernalia (i.e., hypodermic needle, syringe, water pipe, roach clip, etc.).
3. Students who are knowingly in the presence of other students who are engaging in substance abuse and who fail to report such substance abuse to school authorities will also be in violation of this policy forbidding alcohol and drug use and will be subject to at least a five (5) day suspension.
4. Violations of this section may also result in notification to the registrar of motor vehicles and the county juvenile judge.

P. Trespass:

1. Students shall not enter upon school grounds or premises of a school building to which the students are not assigned during or after school hours except with the express permission of the school principal of that building or to attend or participate in a school-sponsored event in which their regularly assigned school is involved or where students from their regularly assigned school have been invited to attend or participate.
2. Students already under suspension, expulsion or emergency removal shall not enter upon grounds or premises of the students regularly assigned or other school buildings without the express permission of the principal.

Q. Misconduct Away From School: Students who sell or transmit any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, cocaine, marijuana or other controlled substance or drug of abuse off school property or at a nonschool-sponsored or related activity, function or event, or on school property before or after school, may in accordance with the procedures set forth in R.C. 3313.66, be subject to suspension or expulsion from school if the Superintendent determines that the student's continued presence in the school is reasonably certain to disrupt or interfere with the educational process or endanger the health or safety of the students or others.

Students who engage in an assault upon a school employee or other student off school property, at a nonschool-sponsored or related activity, function or event, or on school property before or after school hours may, in accordance with the procedures set forth in R.C. 3313.66, be subject to suspension or expulsion from school if it is determined that the student's continued presence in the school is reasonably certain to disrupt or interfere with the educational process or endanger the health or safety of the students or others.

- R. Falsification or Misstatement of Facts or Other Information: Students shall not forge the writing of another or falsely use the name of another person or falsify times, dates, grades, addresses or other data on school forms or school-related correspondence. Cheating and/or plagiarism on school assignments is considered fraud. Lying is considered fraud.
- S. Gambling: Students shall not engage in or promote games of chance, placing bets or risk anything of value.
- T. Obtaining Property or Things of Value by Use of Coercion and Related Misconduct: Students shall not use or attempt to use an express or implied threat, violence, harassment, coercion or intimidation to obtain money or any other type of property belonging to another student, a school employee or others.
- U. Public Display of Affection or Sexual Acts: Students shall not engage in kissing, embracing or any sexual acts or displays not appropriate to the educational environment.
- V. Repeated Violations: Students who repeatedly engage in acts which violate this code shall be subject to more severe punishment, including suspension or expulsion, for subsequent violations. The District shall be entitled to maintain records of each student's misconduct and consider such records in arriving at the type and severity of punishment to be imposed for a violation of this code.
- W. Violation of Rules: Students shall not violate the policies of the Board, school rules, classroom rules or regulations. Such policies and rules and regulations will be posted in a conspicuous place. Students are responsible for becoming familiar with those items.
- X. Personal Communication Devices: Students are not permitted to use personal communication devices in a manner contrary to Wadsworth City School District Policy 5136: Personal Communication Devices. Personal communication devices include: computers, tablets (e.g., iPads and similar devices), electronic readers ("e-readers"; e.g., Kindles and similar devices), cell phones (e.g., mobile/cellular telephones, smartphones (e.g., BlackBerry, iPhone, Android devices, Windows Mobile devices, etc.)), telephone paging devices (e.g., beepers or pagers), and/or other web-enabled devices of any type.
- Y. Aiding and Abetting: Aiding and abetting any violation of this Student Code of Conduct will result in disciplinary action.
- Z. Failure to Provide Evidence/Providing False Information/Lying: Students are expected to be honest concerning violations of the Code of Conduct and to help school officials establish the truth about a possible violation of the Student Code of Conduct. In establishing the facts concerning an incident, students shall be expected to cooperate with school officials. Students shall not give or assist in giving false or fictitious accounts to any school official, policy official, fire official or any other person acting in an official or lawful capacity.
- AA. Violating Acceptable Use Policy: Students shall not use school-owned computers in a manner that violates the school's Acceptable Use Policy.
- BB. Violation of Student Publications Policy: Students shall not violate the Student Publications Policy, Policy 5722, with respect to content of student and nonstudent publications and requirements before distributing such publications.
- CC. Other Misconduct: Any misconduct which is contrary to the school's educational mission is prohibited.

A copy of this policy is to be posted in a central location in each school and made available to students and parents upon request. Key provisions of the policy should also be included in the parent-student handbook.

Revised 2/24/11

Revised 3/9/15

Revised 4/10/17

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R.C. 2919.222, 3313.534, 3313.649, 3313.66, 3313.661, 3313.662, 3313.663

R.C. 3313.664, 3321.13 (B)(3) and (C), 3327.014

18 U.S.C. Section 921

20 U.S.C. 3351, 20 U.S.C. 7151, 20 U.S.C. 8921

Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised IN-SCHOOL DISCIPLINE
Number	po5610.02
Status	
Adopted	November 19, 2007

5610.02 - **IN-SCHOOL DISCIPLINE**

It is the purpose of this policy to allow for an alternative to out-of-school suspension. The availability of in-school discipline options is dependent upon the financial ability of the Board of Education to support them.

In-school discipline will only be offered at the discretion of the _____ Building Administrator for offenses found in the Student Code of Conduct/Student Discipline Code.

~~The Superintendent is to establish administrative guidelines for the proper operation of such programs.~~ As long as the in-school disciplinary alternatives are served entirely in the school setting, they will not require any notice, hearing or appeal rights. Any student who is issued an in-school disciplinary assignment shall serve such assignment in a supervised learning environment within the school setting and shall be permitted to complete any classroom assignments missed because of the in-school discipline.

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Legal R.C. 3313.66, 3313.661

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised EMERGENCY REMOVAL OF STUDENTS
Number	po5610.03
Status	
Adopted	November 19, 2007

5610.03 - EMERGENCY REMOVAL OF STUDENTS

If a student's presence poses a continuing danger to persons or property, or an ongoing threat of disrupting the academic process taking place either in a classroom or elsewhere on school premises, then the Superintendent, Principal or assistant Principal may remove the student from curricular activities or from the school premises. A teacher may remove the student from curricular activities under the teacher's supervision, but not from the premises. If a teacher makes an emergency removal, the teacher will notify a building administrator of the circumstances surrounding the removal in writing, as soon as practicable. Because such removal is not subject to the normal suspension and expulsion procedures, ~~no~~ no prior notice or hearing is required for any removal under this policy. ~~In all cases of normal disciplinary procedures where a student is removed from a curricular activity for less than one (1) school day and is not subject to further suspension or expulsion, the following due process requirements do not apply.~~

~~If the emergency removal exceeds one (1) school day, then a~~ A due process hearing will be held ~~within three (3) school days on the next school day~~ after the removal is ordered. Written notice of the hearing and the reason for the removal and any intended disciplinary action will be given to the student as soon as practical prior to the hearing. If the student is subject to out-of-school suspension, the student will have the opportunity to appear at an informal hearing before the Principal, assistant Principal, Superintendent or designee and has the right to challenge the reasons for the intended suspension or otherwise explain his/her actions. Within one (1) school day of the decision to suspend, written notification will be given to the parent(s)/guardian(s) or custodian of the student ~~and Treasurer of the Board of Education~~. This notice will include the reasons for the suspension, the right of the student or parent(s)/guardian(s) to appeal to the Board or its designee and the student's right to be represented in all appeal proceedings. If it is probable that the student may be subject to expulsion, the hearing will take place ~~within three (3) school days on the next school day after the date of the initial removal~~ and will be held in accordance with the procedures outlined in the Policy 5611 - Due Process Rights. The person who ordered or requested the removal will be present at the hearing.

A student in any of grades pre-kindergarten through 3 may be removed only for the remainder of the school day, and shall be permitted to return to any curricular and extra-curricular activities on the next school day (following the day in which the student was removed or excluded). When a student in any of grades pre-kindergarten through 3 is removed and returned to his/her curricular and extra-curricular activities the next school day, the Principal is not required to hold a hearing (or provide written notice of same).

The Principal shall not initiate suspension or expulsion proceedings against a student in any grades pre-kindergarten through 3 who was removed unless the student has committed one (1) of the following acts:

- A. The student brings a firearm or knife capable of causing serious bodily injury to a school building or on to any other property (including a school vehicle) owned, controlled, or operated by the Board, to an interscholastic competition, an extra-curricular event, or to any other school program or activity that is not located in a school or on property that is owned or controlled by the Board. Similarly, the Principal can initiate suspension or expulsion proceedings if the student possesses a firearm or knife capable of causing serious bodily injury at school or on any other property (including a school vehicle) owned, controlled, or operated by the Board, at interscholastic competition, an extra-curricular event, or at any other school program or activity that is not located in a school or on property that is owned or controlled by the Board.
- B. The student commits an act at school, on other school property, at an interscholastic competition, extra-curricular event, or any other school program or activity and the act: 1) would be a criminal offense if committed by an adult; and 2) results in serious physical harm to person(s) as defined in R.C. 2901.01(A)(5), or to property as defined in R.C. 2901.01(A)(6).
- C. The student engages in behavior of such a nature that suspension or expulsion is necessary to protect the immediate health and safety of the student, the student's fellow classmates, the classroom staff and teachers, or other school employees.

If the Superintendent or Principal reinstates a student prior to the hearing for emergency removal, the teacher may request and will be 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 misconduct is disposed of either by reinstatement, suspension or expulsion.

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R.C. Chapter 2506, 3313.66, 3313.661, 3313.662

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Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised DUE PROCESS RIGHTS
Number	po5611
Status	
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Last Revised	April 9, 2018

5611 - DUE PROCESS RIGHTS

The Board of Education recognizes that students have limited ~~waive certain~~ constitutional rights when it comes to, ~~regarding~~ their education.

Accordingly, the Board establishes the following procedures:

A. Student subject to suspension:

When a student is being considered for an out-of-school suspension by the Superintendent, principal, or other administrator:

1. The student will be informed in writing of the potential suspension and the reasons for the proposed action.
2. The student will be provided an opportunity for an informal hearing to challenge the reason for the intended suspension and to explain his/her actions.
3. An attempt will be made to notify parents or guardians by telephone if a suspension is issued.
4. Within one (1) school day of the suspension the Superintendent, principal, or other administrator will notify the parents, guardians, or custodians of the student ~~and the Treasurer of the Board~~. The notice will include the reasons for the suspension and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; and the right to request the hearing be held in executive session if before the Board. The notice shall also specify that if the student, parent, guardian, or custodian intends to appeal the suspension to the Board or its designee, such notice of appeal shall be filed, in writing, with the Treasurer of the Board or the Superintendent within five (5) calendar days after the date of the notice to suspend. **[Note: It is recommended that the Board require individuals to file the notice of appeal within a specific number of calendar days after the suspension notice. The Board cannot specify a date for the filing of a notice of appeal of an expulsion that is less than fourteen (14) days].** If the offense is one for which the District may seek permanent exclusion, then the notice will contain that information.
5. Notice of this suspension will also be sent to the:
 - a. Superintendent;
 - b. ~~Board Treasurer;~~
 - c. student's school record (not for inclusion in the permanent record).
6. If a student leaves school property without permission immediately upon violation (or suspected violation) of a provision of the Student Code of Conduct/Student Discipline Code or prior to an administrator conducting an informal

hearing as specified above, and the student fails to return to school on the following school day, the principal, assistant principal, Superintendent, or any other administrator, may send the student and his/her parent(s)/guardian(s) notice of the suspension, and offer to provide the student and/or his/her parents an informal hearing upon request to discuss the reasons for the suspension and to allow the student to challenge the reasons and to explain his/her actions, any time prior to the end of the suspension period.

Appeal of Suspension to the Board or its designee

The student who is eighteen (18) or older or the student's parent(s) or guardian(s) may appeal the suspension to the Board or its designee. They may be represented in all such appeal proceedings.

A verbatim record will be kept of the hearing which may be held in executive session at the request of the student, parent, or guardian, if held before the Board.

The procedure to pursue such appeal will be provided in regulations approved by the Superintendent. Notice of appeal must be filed, in writing, with the Treasurer or the Superintendent within five (5) calendar days after the date of the notice to suspend. **[Note: It is recommended that the Board require individuals to file the notice of appeal within a specific number of calendar days after the suspension notice. The Board cannot specify a date for the filing of a notice of appeal of an expulsion that is less than fourteen (14) days].**

While a hearing before the Board may occur in executive session, the Board must act in public.

Appeal to the Court

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

B. Students subject to expulsion:

When a student is being considered for expulsion by the Superintendent:

1. The Superintendent will give the student and parent, guardian, or custodian written notice of the intended expulsion, including reasons for the intended expulsion.
2. The student and parent or representative have the opportunity to appear before the Superintendent or designee to challenge the proposed action or to otherwise explain the student's actions. The written notice will state the time and place to appear, which must not be earlier than three (3) school days nor later than five (5) school days after the notice is given, unless the Superintendent grants an extension upon request of the student or parent.
3. Within one (1) school day of the expulsion, the Superintendent will notify the parents, guardians, or custodians of the student and Treasurer of the Board. The notice will include the reasons for the expulsion and the right of the student, parent, guardian, or custodian to appeal to the Board or its designee; the right to be represented at the appeal; and the right to request the hearing be held in executive session if before the Board. The notice shall also specify that if the student, parent, guardian, or custodian intends to appeal the expulsion to the Board or its designee, such notice of appeal shall be filed, in writing, with the Treasurer of the Board or the Superintendent within fourteen (14) calendar days after the date of the notice of expulsion. **[Note: Under statute, the Board cannot specify a date for the filing of a notice of appeal of an expulsion that is less than fourteen (14) days].** If the offense is one for which the District may seek permanent exclusion, then the notice will contain that information.

Appeal of Expulsion to the Board

A student who is eighteen (18) or older or a student's parent(s) or guardian(s) may appeal the expulsion by the Superintendent to the Board or its designee. They may be represented in all such appeal proceedings and will be granted a hearing before the Board or its designee.

A verbatim record will be kept of the hearing which may be held in executive session at the request of the student, parent, or guardian, if it is held before the Board.

The procedure to pursue such appeal will be in accordance with regulations approved by the Superintendent. Notice of appeal must be filed, in writing, within fourteen (14) calendar days after the date of the Superintendent's decision to expel with the Treasurer of the Board or the Superintendent. **[Note: Under statute, the Board cannot specify a date for the filing of a notice of appeal of an expulsion that is less than fourteen (14) days].**

While a hearing before the Board may occur in executive session, the Board must act in public.

Appeal to the Court

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

C. Students subject to emergency removal:

Students whose conduct warrants emergency removal shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.03 - Emergency Removal.

D. Students subject to permanent exclusion:

Students whose conduct is that for which permanent exclusion is warranted shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.01 - Permanent Exclusion of Nondisabled Students.

E. Students subject to suspension from bus riding/transportation privileges:

Student whose conduct warrant suspension from bus riding and/or transportation services shall be dealt with in accordance with the rights and procedures outlined in Policy 5610.04 - Suspension of Bus Riding/Transportation Privileges.

The Superintendent shall ensure that all members of the staff use the above procedures when dealing with students. In addition, this statement of due process rights is to be placed in all student handbooks in a manner that will facilitate understanding by students and their parents.

These procedures shall not apply to in-school disciplinary alternatives including in-school suspensions. An in-school suspension is one served entirely in a supervised learning environment within a school setting. Nor shall these disciplinary alternative procedures apply to students who are prohibited by authorized school personnel from all or part of their participation in co-curricular, interscholastic, and/or noninterscholastic extra-curricular activities.

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Book Policy Manual

Section Ready for Production

Title Vol. 37, No. 1 - August 2018 Revised USE OF CREDIT CARDS

Number po6423

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Adopted November 19, 2007

Last Revised April 10, 2017

6423 - USE OF CREDIT CARDS

The Board of Education recognizes the value of an efficient method of payment and recordkeeping for certain expenses.

The Board, therefore, authorizes the use of District credit cards. The name of the District shall appear on each District credit card and check related to a credit card account held by the District. A "credit card account" shall include any bank-issued credit card account, store-issued credit card account, financial institution-issued credit card account, financial depository-issued credit card account, affinity credit card account, or any other card account allowing the holder to purchase goods or services on credit or otherwise transact with the account, and any debit or gift card account related to the receipt of grant monies. The term expressly excludes any procurement card account, gasoline or telephone credit card account, or any other card account where merchant category codes are in place as a system of control for use of the account. ~~The authorization, handling and use of credit cards has been established to provide a convenient and efficient means to purchase goods and services from vendors. Credit cards, however, shall not be used in order to circumvent the general purchasing procedures established by State law and Board policy. The Board affirms that credit cards shall only be used in connection with Board-approved or school-related activities and that only those types of expenses that are for the benefit of the District and serve a valid and proper public purpose shall be paid for by credit card. However, under no circumstances shall credit cards be used for personal purchases or the purchase of alcoholic beverages regardless of whether the purchase of such beverages is made in connection with a meal.~~

The authorization, handling and use of credit cards has been established to provide a convenient and efficient means to purchase goods and services from vendors. Credit cards, however, shall not be used in order to circumvent the general purchasing procedures established by State law and Board policy. The Board affirms that credit cards shall only be used in connection with Board-approved or school-related activities and that only those types of expenses that are for the benefit of the District and serve a valid and proper public purpose shall be paid for by credit card. However, under no circumstances shall credit cards be used for personal purchases or the purchase of alcoholic beverages regardless of whether the purchase of such beverages is made in connection with a meal. Use of credit cards in an unauthorized or illegal manner may result in revocation of credit card privileges, disciplinary action and/or, where appropriate, may require the user to pay any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase. Additionally, any officer or employee of the District who knowingly misuses a credit card account is guilty of the criminal offense of misuse of credit cards. Violations will be reported to the appropriate law enforcement authorities and any applicable licensure board(s).

[X] Subject to the discretion of the Board and the approval of the Treasurer, credit cards may be used for eligible goods and services including:

- A. (X) transportation reservations and expenses;
- B. (X) conference registrations;
- C. (X) hotel reservation guarantees and expenses;
- D. (X) reasonable meal expenses (both in-town and out-of-town), including a maximum gratuity of _____ percent (_____ %), but excluding alcoholic beverages;

- E. (X) purchases from vendors who do not accept purchase orders or vouchers, with prior approval from Treasurer;
- F. (X) safety and security reasons in connection with a student field trip, competition, and/or other activity or event, if monies are budgeted and deposited with the Treasurer in advance;
- G. _____; ()
- H. ~~() other purchases approved by the _____ on a case-by-case basis.~~

Officers and employees are liable in person and upon official bond for any unauthorized use of credit cards and any officer or employee who suspects the loss, theft, or possibility of unauthorized use of a credit card must notify the _____ Treasurer _____ immediately, who shall notify the Board.

The Board prohibits the use of debit card accounts except for the receipt of grant monies. Any officer or employee of the District who uses a debit card account for any other purpose is guilty of the criminal offense of misuse of credit cards.

[CHOOSE OPTION #1 OR OPTION #2]

[X] [OPTION #1 RECOMMENDED]

Use of the District credit card for any cash withdrawal transaction is strictly prohibited.

OR

[] [OPTION # 2]

~~Use of the District credit card for a cash withdrawal transaction may only be permitted with the prior approval of the Superintendent and only under the following circumstances:~~

- A. _____
- B. _____
- C. _____

~~Such approved cash withdrawal transactions shall be limited to no more than \$ _____ per transaction.~~

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

~~[] [OPTION #1]~~

~~The Treasurer/CFO shall retain general possession and control of the credit card account or presentation instruments related to an account, such as credit cards and checks.~~

~~[OR]~~

[X] [OPTION #2]

The _____ Treasurer's Office [someone other than the chief financial officer] shall retain general possession and control of the credit card account or presentation instruments related to an account, such as credit cards and checks. Accordingly, the Board shall appoint _____ the Superintendent _____ to serve as the credit card compliance officer. The compliance officer shall review officers' and employees' use of credit card accounts under the policy at least once every six (6) months. The review shall identify the number of cards issued, the number of active cards issued, the cards' expiration dates, and the cards' credit limits. The compliance officer may not authorize an employee to use a credit card account.

[X] The Treasurer/CFO shall review the credit card account transaction detail monthly and shall sign a written attestation confirming the review. [DRAFTING NOTE: this option should only be selected if the Board appoints the Superintendent to serve as the credit card compliance officer AND the Superintendent has authority to use the credit card.]

[DRAFTING NOTE: If the Board's Treasurer/CFO does not retain general possession and control of a credit card account or presentation instruments related to an account, the Board must appoint a compliance officer. The District's

Treasurer/CFO is not eligible for appointment as the compliance officer. The appointed compliance officer may not use a credit card unless s/he is the Superintendent.

[END OF OPTIONS]

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

~~[-]~~ The Board authorizes the following employees to use District credit cards:

[insert the title of the position for each individual]

- A. Superintendent
- B. Treasurer
- C. Administrators
- D. Teachers
- E. Support Staff
- F. Advisors

Each request for use of a District credit card shall contain:

- A. (X) date signed out ~~needed,~~
- B. (X) date ~~to be~~ returned,
- C. (X) vendor ~~purpose,~~
- D. ~~authorization,(-)~~
- E. (X) other Purchase Order Number.

Upon receipt of a District credit card, employees shall:

- A. (X) inform merchants that the purchase is for "official School District business" and is not subject to State or local sales tax;
However, if the merchant fails to waive the tax, the employee shall pay it. For large purchases where the merchant refuses to waive the tax, the employee shall present a tax exemption form.
- B. (X) maintain credit cards in a secure fashion and prevent unauthorized charges to the account;
- C. (X) use reasonable care when making purchases online, refrain from providing the credit card number to unknown online merchants, and do not auto-save credit card number for any online account;
- D. (X) maintain sufficient documentation of all purchases, including, but not limited to, charge receipts, original cash register slip or other detailed receipt, and invoices;
- E. (X) provide documentation of all purchases to the Treasurer's Office in a timely manner to ensure prompt payment;
- F. (X) immediately notify his/her immediate supervisor and the Treasurer if the card is lost or stolen, or if s/he becomes aware of a data breach which may involve the card;
- G. ~~refrain from allowing anyone else to use the credit card or account number;(-)~~

- H. (X) refrain from splitting the costs of an invoice or purchase in order to circumvent the credit card process and established, pre-approved single purchase limits, monthly spending limits, and/or funds availability.

(X) The officer or employee is liable in person and upon any official bond to reimburse the District the amount for which the officer or employee does not provide itemized receipts in accordance with the credit card policy described herein.

(X) After use, District credit cards are to be returned to the _____ Treasurer's Office _____ along with appropriate receipt copies of all charges within three (3) business days upon completion of any approved use.

(X) Employees, ~~when possible,~~ shall include a copy of the cash ~~n original cash~~ register slip or other detailed receipt ~~(i.e., a receipt from a restaurant itemizing all purchases made), in addition to the receipt copy of all charges. In addition, employees shall include, shipping documents and receipts received with the merchandise.~~ Employees using a district credit card are responsible for providing a copy of the receipt or invoice detailing the purchase.

(X) Employees shall specify on the ~~back of the~~ receipt the following information:

- A. (X) Purchase Order Number ~~a brief description of the school-related purpose of the purchase~~
- B. (X) Signature ~~the names and affiliation of each attendee if a purchase is made on behalf of a group of individuals~~
- C. (X) Date ~~verification that family members or other individuals having no school-related purpose for their attendance paid their own expenses~~

Failure to return District credit cards and/or receipts within the above-referenced time period may result in the suspension of credit card privileges and/or charges being deemed unrelated or unsubstantiated.

(X) Employees shall be responsible for any and all unrelated or unsubstantiated purchases and shall be required to make full reimbursement to the District within thirty (30) business days.

(X) If an employee reimburses the District for an unsupported purchase, it shall be documented in the monthly credit card reconciliation.

The _____ Treasurer's Office _____ will keep a record/activity log of all credit card uses and review and approve all purchases to verify that the expenses are incurred in connection with Board-approved or school-related activities, are for the benefit of the District, and serve a valid and proper public purpose prior to disbursing public funds for payment of such expenses.

(X) Any and all reviews and approvals must be evidenced by the _____ employee _____'s initials and/or signature.

() In addition to evidencing review and approval of the purchase, the _____ Treasurer's Office _____ should immediately send all questionable items to the employee purchasing the item for explanation. These explanations shall be approved by the employee's immediate supervisor and the _____ employee _____ prior to the payment of such expenses. If an employee reimburses the District for a questionable purchase, it shall be documented in the monthly credit card reconciliation.

(X) Upon review and approval, all appropriate documentation shall be forwarded to the _____ Treasurer's Office _____.

(X) Upon receipt of the appropriate documentation, credit card expenditures will be paid through the Treasurer's office.

(X) The _____ Treasurer's Office _____ will monitor the credit card account(s) and reconcile all credit accounts on a monthly basis.

~~() The Board directs the () Superintendent () Treasurer/CFO to determine and specify those employees authorized to use District credit cards. The () Superintendent () Treasurer/CFO shall be responsible for giving direction to and supervising such employees' use of District credit cards.~~

The maximum limit for each credit card shall be as follows:

Card: Maximum Limit:

Medina County Federal Credit Union \$6,000.00

PNC \$20,000.00

Chase \$34,000.00

Huntington \$5,000.00

Walmart \$4,000.00

Home Depot \$7,800.00

Lowe's \$17,600.00

Synchrony Bank \$7,000.00

The Treasurer/CFO shall file a report with the Board annually, detailing all rewards received based on the use of District's credit card account.

R.C. 2921.01, 2913.21, 3313.311

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Legal R.C. 2921.01, 2913.21, 3313.311

Last Modified by Andrew Hill on October 2, 2018

Book	Policy Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised MANDATORY REPORTING OF MISCONDUCT BY LICENSED EMPLOYEES
Number	po8141
Status	
Adopted	January 12, 2009
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8141 - MANDATORY REPORTING OF MISCONDUCT BY LICENSED EMPLOYEES

The Board of Education recognizes its responsibility to effectively address employee misconduct and, where determined appropriate, to provide a measured disciplinary response consistent with due process. In addition, with respect to licensed professional staff members, matters of misconduct, including guilty pleas and/or conviction of certain crimes (including intervention in lieu of conviction and/or pre-trial diversion programs) enumerated by law and/or conduct which is unbecoming to the teaching profession under certain specific circumstances, will be reported by the Superintendent (or Board President if the Superintendent or Treasurer are determined to have engaged in such misconduct) to the Ohio Department of Education.

Definitions

"Licensed professional staff member" refers to Board employees who hold an educator's license or certification with the Ohio Department of Education (ODE) (including the Treasurer and Business Manager), educational assistants (aides with a permit and paraprofessionals with a license from ODE), individuals holding a one (1) year conditional teaching permit in the area of intervention specialist or seeking an alternative educator license, and those individuals who do not hold a valid educator's license but who are employed by the Board under a Pupil Activity Program Permit.

The definition of "conduct unbecoming the teaching profession" is set forth in the Licensure Code of Professional Conduct for Ohio Educators enacted by the Ohio State Board of Education and includes:

- A. crimes or misconduct involving minors;
- B. crimes or misconduct involving school children;
- C. crimes or misconduct involving academic fraud;
- D. crimes or misconduct involving the school community;
- E. making, or causing to be made, any false or misleading statement or concealing a material fact in obtaining the issuance or renewal of any educator licensing documents;
- F. the violation of the terms and conditions of a consent agreement with the State Board of Education;
- G. a plea of guilty to or a finding of guilt or conviction upon any offense enumerated under R.C. 3319.39, or a judicial finding for intervention in lieu of conviction and/or participation in a pre-trial diversion program relating to any of the offenses listed therein;
- H. a failure to adhere to the Licensure Code of Professional Conduct for Ohio Educators enacted by the Ohio State Board of Education.

Reporting Professional Misconduct

The Superintendent will file a report to the Ohio Department of Education, on forms provided for that purpose, matters of misconduct on the part of licensed professional staff members, under any of the following circumstances:

- A. When the Board obtains knowledge that a licensed professional staff member has pled guilty, has been found guilty, or has been convicted, and/or subject to a judicial finding for intervention in lieu of conviction and/or participated in a pre-trial

diversion program for a crime specified in R.C. 3319.31(B)(2) or R.C. 3319.39(B)(1), including but not limited to any felony, any misdemeanor sex offense, any offense of violence, any theft offense and any drug abuse offense that is not a minor misdemeanor.

[**X**] A comprehensive list of the crimes which must result in a report are set forth in AG 3121.

- B. When the Board has initiated termination or non-renewal proceedings against a professional staff member who is reasonably believed to have committed an act that is unbecoming to the teaching profession.
- C. When the professional staff member has resigned under threat of termination or non-renewal for any of the reasons set forth in paragraphs A and B above.
- D. When the professional staff member has resigned during the course of an investigation of alleged misconduct which is reasonably believed to be unbecoming to the teaching profession.

Reporting Professional Misconduct – Dual Licensure

In addition to required misconduct reporting to the Ohio Department of Education, the Board designates the Superintendent to file reports of misconduct with any other State Professional Board if an employee is required to hold a license or certificate issued by that Board to practice in the school setting. This applies to pupil services employees including school nurses, audiologists, social workers, speech-language pathologists, occupational therapists, assistant occupational therapists, physical therapists, and physical therapy assistants, as well as registered nurses, licensed practical nurses, medication aids, and certified community health workers.

Misconduct by Superintendent or Treasurer

If the employee to whom any of the above conditions apply is either the Superintendent or Treasurer, the Board President shall make the report required under this policy and in accordance with R.C. 3319.313.

Failure to File Report/Filing of False Report

The Board acknowledges that if the Superintendent (or Board President, where applicable) knowingly fails to file a required report of misconduct by a licensed educator or cause a false report of misconduct by a licensed employee of the Board to be filed, they will be subject to criminal penalties under law. In addition, failure to file a required report will subject the designated reporter to a potential denial, limitation, suspension or revocation of the educator license of such designated reporter.

Investigation Reports Regarding Professional Misconduct

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

Suspension From Duties Involving Care, Custody or Control of a Child

In accordance with Policy 3138 and Policy 4138, the Superintendent, Treasurer, or Board (depending upon the position of the employee being charged) shall immediately suspend a licensed employee from all duties that require the care, custody, or control of a child during any pending criminal action for which that person has been arrested, summoned and/or indicted for any crimes listed under R.C. 3319.31(C).

[**X**] A comprehensive list of the crimes which must result in a suspension are set forth in AG 3121.

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Legal R.C. 3319.31, 3319.311, 3319.313, 3319.317, 3319.39, 3319.392, 3319.40
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Book Administrative Guideline Manual

Section Ready for Production

Title Vol. 37, No. 1 - August 2018 Revised SUSPENSION AND EXPULSION

Number ag5610

Status

Adopted November 19, 2007

Last Revised May 8, 2017

~~5610—SUSPENSION AND EXPULSION~~

~~The following administrative guidelines should be followed to provide due process for each student charged with an offense leading to suspension or expulsion.~~

A. Suspension

~~The~~

~~() assistant superintendent~~

~~() principal~~

~~() assistant principal~~

~~() Athletic Director (if an administrator)~~

~~() other administrator _____~~

~~may impose a suspension from school not to exceed ten (10) days duration.~~

~~[] If at the time of the suspension, there are fewer school days than the number of days of the suspension, the Superintendent may require the student to participate in a community service program or alternative consequence for a number of hours equal to the remaining portion of the period of the suspension. The student shall be required to begin such community service program or alternative consequence during the first full week day of summer break.~~

~~[] The following are examples of appropriate alternative consequences, including but not limited to:~~

~~() _____~~

~~() _____~~

~~() _____~~

~~() _____~~

~~In the event, the student fails to complete the required community service or the assigned alternative consequence, the Superintendent shall determine the next course of action. Such course of action, however, shall not include requiring the student to serve the remaining time of the suspension at the beginning of the following year.~~

~~[] The following are examples of appropriate courses of action including, but not limited to:~~

~~() _____~~

~~() _____~~

~~() _____~~

~~() _____~~

The

~~(-) assistant superintendent~~

~~(-) principal~~

~~(-) assistant principal~~

~~(-) Athletic Director (if an administrator)~~

~~(-) coach or activity supervisor~~

~~may also prohibit a student from participating in any or all co-curricular and extra-curricular activities in accordance with the Code of Conduct/Student Discipline Code.~~

1. **Preliminary Hearing**

~~No student is to be suspended without an informal, preliminary hearing, unless a clear and present danger exists, or it is otherwise impossible or unreasonably difficult to hold such hearing (e.g., the student intentionally makes himself/herself unavailable). In such instances, the necessary written notice and hearing shall follow as soon as practicable (see Form 5610-F1).~~

~~The principal shall provide the student with a written notice of the charge(s) against him/her and shall provide a hearing for the student before a suspension is ordered so that the student has a full opportunity to state why s/he should not be suspended. The student's parents may be informed of the charges and the preliminary hearing if the principal so chooses. The hearing shall be held on the day of the alleged infraction or as soon thereafter as possible if an emergency prohibits an immediate hearing (see Form 5610-F2, Form 5610-F3, Form 5610-F4, and Form 5610-F5).~~

~~[] If the principal believes the student's parents should participate in a parent training program, the parents must be notified with the suspension notice of the time(s), date(s), and location(s) of the session(s).~~

2. **Suspension Appeal Notice**

~~Within one (1) school day after the suspension, the principal shall notify, in writing, both the student's parents and the Treasurer. Such notification is to include the reason for the suspension, and the right of the student or the student's parent or guardian to appeal the suspension to the Board of Education or its designee, to be represented in all appeal proceedings, to be granted a hearing before the Board or its designee in order to be heard against the suspension, and to request that the hearing be held in executive session. The notice shall also specify that if the student, parent, guardian, or custodian intends to appeal the suspension to the Board or its designee, such notice of appeal shall be filed, in writing, with the Treasurer of the Board or the Superintendent within _____ calendar days after the date of the notice to suspend. **[Note: It is recommended that the Board require individuals to file the notice of appeal within a specific number of calendar days after the suspension notice. The Board cannot specify a date for the filing of a notice of appeal of an expulsion that is less than fourteen (14) days.]** In addition, the document must include notice that the Superintendent may seek the student's permanent exclusion if the suspension was based on a violation listed in (R.C. 3313.662(A) that was committed when the student was sixteen (16) years of age or older and if the student is convicted of or adjudicated a delinquent child for that violation (see Form 5610-F3).~~

3. **Appeal**

~~Suspensions may be appealed to the Board or its designee within _____ calendar days of the date of the written suspension notice. **[Note: It is recommended that the Board require individuals to file the notice of appeal within a specific number of calendar days after the suspension notice. The Board cannot specify a date for the filing of a notice of appeal of an expulsion that is less than fourteen (14) days.]** The written appeal must be filed with the Treasurer of the Board or the Superintendent and contain the reason(s) that the suspension is being appealed.~~

~~[] The student may be reinstated during the appeal process unless it is determined that the student's attendance would jeopardize the safety of others.~~

~~[] Upon review, the Board or its designee may affirm the suspension, reverse the suspension in its entirety, or otherwise reverse, vacate, or modify the suspension.~~

~~[] The Board or its designee shall reach the decision and inform the parent in writing within two (2) school days of~~

~~the hearing.~~

~~[] A verbatim record of the appeal hearing shall be made in the event of an appeal to the Court of Common Pleas.~~

4. ~~Responsibility for School Work~~

~~For an in-school restriction, credit will be given for all classroom assignments that can be completed during the in-school restriction or as homework. A student who is serving an out-of-school suspension shall be permitted to complete any classroom assignments missed because of the suspension.~~

~~[] For an in-school restriction, credit will be given for all classroom assignments that can be completed during the in-school restriction or as homework.~~

~~[] Credit ~~()~~ will ~~()~~ will not be given for work missed due to out-of-school suspension~~

~~() provided the student completes and submits all required assignments upon return to school.~~

~~[Note: Verify that option selected is consistent with option set forth in Board policy.]~~

~~[] Failures may be given for any classroom work that cannot be attended such as laboratories or skill sessions.~~

5. ~~Mandatory Reporting to the Bureau of Motor Vehicles and Juvenile Judge~~

~~The Superintendent shall notify the County Registrar of Motor Vehicles and Juvenile Judge, within two (2) weeks, when a student has been suspended, expelled, removed, or permanently excluded from school for misconduct involving a firearm, knife capable of causing serious bodily injury, or other weapon as defined in Board policy.~~

6. ~~Discretionary Reporting to the Bureau of Motor Vehicles and Juvenile Judge~~

~~The principal may notify the Bureau of Motor Vehicles that a student has been suspended or expelled for use or possession of alcohol, a drug of abuse, or alcohol and a drug of abuse. Such notification shall be made in the manner determined by the Bureau. If a report is made to the Bureau of Motor Vehicles, a report should also be made to the Juvenile Judge.~~

7. ~~() Abeyance~~

~~The principal may hold all, or any part of, a suspension in abeyance, that is, set it aside and not implement it, if such action is part of a behavior contract to which the student and his/her parents, if appropriate, agree. This contract shall establish specific conditions that must be met by the student and his/her parents, if appropriate, for the suspension to be set aside for a designated period of time. At the end of that period of time the portion of the suspension that was held in abeyance will be forgiven, provided all conditions of the behavior contract were met satisfactorily.~~

B. Expulsion

~~Expulsion is the removal of a student from the schools of this District for a period not to exceed the greater of eighty (80) school days or the number of school days remaining in the semester or term in which the incident that gave rise to the expulsion takes place. Specific offenses involving firearms and knives capable of causing serious bodily injury shall result in the student's expulsion for one (1) year. The term of that expulsion may be reduced to less than one (1) year by the Superintendent for the reasons listed in Policy 5610 so long as the modification is made in writing. Specific offenses involving violent conduct may result in the student's expulsion for a period of up to one (1) year at the discretion of the Superintendent. Bomb threats may result in the student's expulsion for a period of up to one (1) year at the discretion of the Superintendent.~~

~~If at the time of the expulsion, there are fewer school days than the number of days of expulsion, the Superintendent has the option to:~~

~~() apply the remaining period of expulsion to the following school year; or~~

~~() impose a community service requirement beyond the end of the school year in lieu of applying the expulsion into the next school year;~~

~~() require the parents to participate in a parent education program after receiving proper notice of the time(s), date(s), and location(s) of the session(s). Any parent who fails to complete the program shall be reported to law enforcement authorities for neglect of parent education, a fourth class misdemeanor if found guilty.~~

1. **Documentation**

~~If, in the principal's opinion, the alleged infraction may warrant expulsion, s/he shall, as soon as practicable after the infraction, refer the case to the _____ and submit the following documentation:~~

- ~~a. the rule(s) alleged to have been violated~~
- ~~b. the charges against the student~~
- ~~c. approximate date of the violation~~
- ~~d. recommendation(s) for expulsion~~
- ~~e. copy of the removal~~
- ~~f. chronology of disciplinary/corrective actions and witness statements, and~~
- ~~g. written notice to parents within one (1) day after removal~~

~~Upon request, the principal shall also submit:~~

- ~~1. () transcript of grades~~
- ~~2. () attendance records~~
- ~~3. () statements from professional staff regarding student's efforts, attitudes, or particular problems~~
- ~~4. () statement from counselor regarding help to student, attempts at remediation or correction, etc. and/or~~
- ~~5. () _____~~

~~The _____ shall review the documents for accuracy and completeness and schedule a hearing not earlier than three (3) nor later than five (5) days after proper written notice has been provided to the parents by means of:~~

- ~~a. () personal delivery by a staff member or _____.~~
- ~~b. () certified mail.~~
- ~~c. () _____.~~

2. **Hearing Notice** (see Form 5610-F6)

~~The notice shall contain:~~

- ~~a. the reason(s) for the intended expulsion (e.g., the rule(s) alleged to have been violated), the charges against the student, and the approximate date of the violation;~~
- ~~b. notification of the opportunity of the student and the student's parent or guardian or representative to appear before the Superintendent or his/her designee to challenge the reason(s) for the intended expulsion or otherwise to explain the student's actions;~~
- ~~c. the time and place for the hearing;~~
- ~~d. () a statement of the student's and parents' pre-hearing rights;~~
- ~~e. () to review written statements about the alleged misconduct;~~
- ~~f. () to review the student's records;~~
- ~~g. () to request a delay in the hearing of up to _____ school days;~~

h. ~~(-) a statement of the student's hearing rights:~~

1. ~~(-) to a representative;~~
2. ~~(-) to a translator;~~
3. ~~(-) to appear in his/her own behalf and for parents or guardians to appear;~~
4. ~~(-) to produce witnesses and present evidence on his/her behalf; [NOT RECOMMENDED]~~
5. ~~(-) to a transcript of the hearing. [NOT RECOMMENDED]~~

~~If the proposed expulsion is based on a violation listed in R.C. 3313.662(A) and the student is sixteen (16) years of age or older, the notice shall also include a statement that the Superintendent may seek to permanently exclude the student if the student is convicted of or adjudicated a delinquent child for that violation.~~

3. **Hearing**

~~The hearing shall be held before the Superintendent or the person s/he authorizes. The student and his/her parents or representative shall be given the charges and the opportunity to defend against such charges.~~

4. **Waiver**

~~It is the student's/parent's prerogative to waive his/her right to a hearing with the Superintendent or his/her designee. This waiver is to be in writing and signed by both student and parents. The signatures should be witnessed. Additionally, the student/parent can constructively waive the hearing by simply not availing himself/herself of the opportunity for it, but such waiver cannot be construed before the passage of a considerable period of time, since it operates to close off the student's rights.~~

5. **Notice of Expulsion** (see Form 5610-F7)

~~Within one (1) school day after the student's expulsion, the Superintendent shall notify, in writing, the student's parents and the Treasurer of the reasons for the expulsion, the right of the student or the student's parent or guardian to appeal the expulsion to the Board or its designee, the right to be represented in all appeal proceedings, to be granted a hearing before the Board or its designee in order to be heard against the expulsion, and the right to request the appeal hearing be held in executive session. The notice shall also specify that if the student, parent, guardian, or custodian intends to appeal the expulsion to the Board or its designee, such notice of appeal shall be filed, in writing, with the Treasurer of the Board or the Superintendent within _____ calendar days after the date of the notice of expulsion. [Note: Under statute, the Board cannot specify a date for the filing of a notice of appeal of an expulsion that is less than fourteen (14) days.] The document must also include notice that the expulsion may be subject to extension pursuant to R.C. 3313.66(F) if the student is sixteen (16) years of age or older, and that the Superintendent may seek the student's permanent exclusion if the expulsion was based on a violation listed in R.C. 3313.662(A) that was committed when the student was sixteen (16) years of age or older and if the student is convicted of or adjudicated a delinquent child for that violation. Finally, if the expulsion is for more than twenty (20) school days or for any period of time if the expulsion will extend into the following semester or school year, the notice must provide the student and the student's parent or guardian with information about services or programs offered by public and private agencies that work toward improving those aspects of the student's attitudes and behavior that contributed to the incident that gave rise to the student's expulsion. The information shall include the names, addresses, and phone numbers of the appropriate public and private agencies.~~

~~Such proceedings shall be conducted in accordance with R.C. 3313.66, 3313.661, and R.C. 3313.662. (see AG 5610.01)~~

6. **Appeal**

~~Expulsions may be appealed to the Board or its designee within _____ days after the date of the written expulsion notice. [Note: Under statute, the Board cannot specify a date for the filing of a notice of appeal of an expulsion that is less than fourteen (14) days.] The written appeal must be filed with the Treasurer of the Board or the Superintendent and contain the reason(s) that the expulsion is being appealed.~~

~~[] Upon review, the Board or its designee may affirm the expulsion, reverse the expulsion in its entirety, or otherwise reverse, vacate, or modify the expulsion.~~

~~[] The Board or its designee shall reach the decision and inform the parent in writing within two (2) school days of~~

~~the hearing.~~

~~[] A verbatim record of the appeal hearing shall be made in the event of an appeal to the Court of Common Pleas.~~

7. **Student Records**

~~A record of a student's suspension or expulsion~~

~~() is to be made a part of his/her permanent record~~

~~() may be made a part of his/her permanent record at the discretion of the principal~~

~~until s/he leaves the school and may be released in accordance with AG 8330 Student Records. Days of absence shall be noted in the student's permanent attendance record~~

~~() as an unexcused absence because of suspension () or expulsion.~~

~~() as an authorized absence because of suspension () or expulsion.~~

~~In accordance with Ohio Administrative Code Section 3301.18-01(J), students who are expelled and not receiving instructional services shall be withdrawn from the District during the term of the expulsion.~~

8. **Mandatory Reporting to the Bureau of Motor Vehicles and Juvenile Judge**

~~The Superintendent shall notify the County Registrar of Motor Vehicles and Juvenile Judge, within two (2) weeks, when a student has been suspended, expelled, removed, or permanently excluded from school for misconduct involving a firearm, knife capable of causing serious bodily injury, or other weapon as defined in Board policy.~~

9. **Discretionary Reporting to the Bureau of Motor Vehicles and Juvenile Judge**

~~The principal may notify the Bureau of Motor Vehicles that a student has been suspended or expelled for use or possession of alcohol, a drug of abuse, or alcohol and a drug of abuse. Such notification shall be made in the manner determined by the Bureau. If a report is made to the Bureau of Motor Vehicles, a report should also be made to the Juvenile Judge.~~

10. **Expulsion Proceedings Against Students Who Withdraw**

~~If a student commits an act that warrants expulsion under Board policy, the Superintendent shall schedule a hearing, conduct the hearing, and make a decision regarding the student's expulsion even if the student withdraws from school prior to the hearing or before the Superintendent makes his/her decision regarding the expulsion. Furthermore, if the Superintendent determines that the student should be expelled, s/he shall provide notice of that expulsion and make that expulsion part of the student's permanent record as provided in this guideline.~~

11. **() Abeyance**

~~The Superintendent may hold all, or any part of, an expulsion in abeyance, that is, set it aside and not implement it, if such action is part of a behavior contract to which the student and his/her parent(s), if appropriate, agree. This contract shall establish specific conditions that must be met by the student and his/her parents, if appropriate, for the expulsion to be set aside for a designated period of time. At the end of that period of time, the portion of the expulsion that was held in abeyance will be forgiven, provided all conditions of the behavior contract were met satisfactorily.~~

12. **() Notification of Colleges/Universities**

~~If a student who is currently enrolled in a Postsecondary Enrollment Program is expelled, the Superintendent shall notify the college or university of the expulsion. The notice shall indicate the date the expulsion will expire, and of any extension of such expulsions. The notice shall also indicate whether the District has adopted a policy to deny high school credit for postsecondary courses taken during an expulsion.~~

C. **Disabled Students**

~~Where proposed disciplinary removals are or may be in excess of ten (10) days or where such removals will effect a change in placement, students with identified disabilities under IDEA and/or Section 504 will be referred to _____, who will make arrangements for additional procedures in accordance with Board Policy 5605, the Model Policies and Procedures for the Education of Children with Disabilities, and/or Section 504.~~

D. ~~Alternatives to Suspension or Expulsion~~

~~Based on the evidence presented at the hearing, the following alternatives may be explored:~~

1. ~~() in-school restriction and/or Saturday School (see AG 5610.02)~~
2. ~~() assignment to the _____ Program~~
3. ~~() enrollment in the Alternative School (see AG 2451)~~
4. ~~() assignment to community service~~

~~A student may be placed in community service in conjunction with or in place of a suspension or expulsion in accordance with a plan developed by the principal, approved by the Superintendent, and published in the Student Code of Conduct. Such a plan must meet the following conditions:~~

- a. ~~() The misbehavior was not drug related or an act of violence against a person.~~
- b. ~~() The service is provided to one (1) or more departments or schools in the District or one of the following organizations or agencies located in the District.~~
 1. ~~() a department of government~~
 2. ~~() a hospital or nursing home~~
 3. ~~() a senior citizen or child care center~~
 4. ~~() a church~~
 5. ~~() a charity~~
- c. ~~() When applicable, the service provides restitution for damages created by the student's misconduct.~~
- d. ~~() The agency, or if the service is to be provided to the District, a staff member, agrees:~~
 1. ~~() to inform the principal of the tasks the student will be asked to perform;~~
 2. ~~() provide appropriate supervision;~~
 3. ~~() assume responsibility for the safety and welfare of the student;~~
 4. ~~() submit a periodic progress report as to the student's behavior and quality of service.~~

E. ~~Referral to Criminal Justice or Juvenile Delinquency System~~

~~The Superintendent shall refer any student who brings a firearm (as defined in 18 U.S.C. 921(a)(3)) or a weapon to school to the criminal justice or juvenile delinquency system serving the District.~~

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Book	Administrative Guideline Manual
Section	Ready for Production
Title	Vol. 37, No. 1- August 2018 Revised IN-SCHOOL DISCIPLINE
Number	ag5610.02
Status	
Adopted	November 19, 2007
Last Revised	April 11, 2016

~~5610.02—IN-SCHOOL DISCIPLINE~~

~~(In-school restriction) (In-school suspension) (Saturday school) (detention)~~ are progressive discipline options that the principal Principal may use to improve attendance and/or to modify student behavior and to monitor the student's behavior during the disciplinary process. (see Form 5610.02 F1)

~~Students who have violated the Code of Conduct/Student Discipline Code may be assigned to (in-school restriction) (in-school suspension) (Saturday school) (detention) by the principalPrincipal.~~

~~[] Students who violate the drug abuse section of the Code of Conduct/Student Discipline Code may be assigned to (in-school restriction) (in-school suspension) (Saturday school) in total or in part, if they agree to participate in a voluntary alcohol/drug education program approved by the principalPrincipal.~~

Detention

A. ~~(-) Lunch Time Detention~~

~~The principal Principal (or faculty member) may designate an area in which the student must remain during the lunch period. Failure to report to or remain in the area may lead to in-school restriction, Saturday school, or out-of-school suspension.~~

B. ~~(-) After School Detention~~

~~The principal Principal (or faculty member) may require a student to remain after school providing the parents have been given at least one (1) day's notice and have agreed to be responsible for their child's transportation at the end of the detention period. If the student is a bus rider and the principal Principal can not verify that the parents agree to be responsible for the student's transportation, after-school detention should not be used or should be delayed until verification is received. The student is to be given definite assignments or duties to complete during the detention period. Failure to report for or to complete the detention may result in:~~

- ~~1. (-) an in-school restriction;~~
- ~~2. (-) assignment to Saturday school;~~
- ~~3. (-) an out-of-school suspension~~

C. Early Arrival Detention

~~The principal Principal (or faculty member) may require a student to come to school early providing the parent(s) have been given at least one (1) day's notice and have agreed to be responsible for their child's transportation to school before the detention period. The student is to be given definite assignments or duties to complete during the detention period. Failure to report for or to complete the detention may result in:~~

- ~~1. (-) an in-school restriction;~~
- ~~2. (-) assignment to Saturday school;~~

3. ~~(-) an out-of-school suspension.~~**In-School Restriction/Saturday School**

Assignment to in-school restriction means that the student is removed from the classroom but not from the educational program. S/he will report to the assigned location where the student will work on classroom tasks assigned by the teacher(s) all of which are related to a course of study in which the student is currently enrolled. When completed, the assignments are to be turned in to the teacher(s) for review and grading. Thus, the student continues his/her academic program albeit in a different setting and receives full credit for the completed work.

Attendance is to be taken from the attendance sheet and recorded by the supervising personnel. Any discrepancy noted should be promptly reported to the administrative personnel.

The Saturday school will be in session from _____ to _____.

Assigned students will attend a continuous _____ hour period during which time they will be permitted one _____ minute break at _____ (a.m.) (p.m.). Each student shall arrive with sufficient educational materials to be busy during this _____ hour study period.

A student missing any portion of his/her assigned time in **(in-school restriction) (Saturday school)** may be given an additional _____ hour period. Failure to timely serve **(in-school restriction) (Saturday school)** assignment(s) may lead to a suspension from school for a period not to exceed _____ days. Any such suspension shall be in accordance with AG **5610**.

The rules and procedures regarding participation are to be published in the student handbooks. Rules should include, but not necessarily be limited to the following:

- A. ~~(-) Students are to have sufficient learning activities and materials for the period of their restriction.~~
- B. ~~(-) Students are not to communicate with each other unless given special permission to do so.~~
- C. ~~(-) Students are to remain in their designated seats at all times unless permission is granted to do otherwise.~~
- D. ~~(-) Students shall not be allowed to use the telephone or to go to their lockers.~~
- E. ~~(-) Students shall not be allowed to put their heads down or sleep.~~
- F. ~~(-) No radios, cards, magazines, or other recreational articles shall be allowed in the room.~~
- G. ~~(-) No food or beverages shall be consumed.~~
- H. ~~(-) Students are required to have class assignments with them when they attend the Saturday school.~~

Transportation to and from Saturday school shall be the responsibility of the parent/guardian of the student.

The Saturday school shall be held in a school building as determined by the Superintendent.

Since there has been no denial of rights to an education, due process can be limited to notification of the student's parents (see Form 5610.02 F1) with no right of appeal.

If the student fails to obey the rules established for in-school restriction/Saturday school or to fulfill the assignments properly, s/he may be assigned to:

- ~~(-) the in-school suspension program.~~
- ~~(-) other in-school disciplinary options.~~
- ~~(-) out-of-school suspension.~~
- ~~(-) _____ [alternative school].~~

Any assignment to in-school or out-of-school suspension or an alternative program requires that due process (notification, hearing, suspension or assignment notice, appeal) be followed.

In-School Suspension

As a means for keeping a student in school rather than suspending him/her out of school, the District has established an in-school suspension program. The student is not only removed from the classroom and assigned to a designated work area, s/he is also denied participation in any school activity for the length of the suspension.

~~Any student who is issued an in-school suspension shall serve such suspension in a supervised learning environment within the school setting and shall be permitted to complete any classroom assignments missed because of the in-school suspension.~~

~~[] The teacher(s) is to assign work related to a course of study for which the student will receive () no credit () partial credit () full credit.~~

~~[] The teacher(s) is to assign some type of work that will benefit the student but does not have to be directly related to the student's current course of study. The student will receive () no credit () partial credit for completing the work but will be recorded as attending school () full credit for completing the work and will be recorded as attending school.~~

~~The same rules of conduct established for in-school restriction/Saturday school shall apply and any violation of these rules will result in the student's removal from school through out of school suspension () or alternative placement in~~

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Book	Administrative Guideline Manual
Section	Ready for Production
Title	Vol. 37, No. 1 - August 2018 Revised EMERGENCY REMOVAL OF STUDENTS
Number	ag5610.03
Status	
Adopted	November 19, 2007

~~5610.03 — EMERGENCY REMOVAL OF STUDENTS~~

~~A student may be removed or excluded from a classroom or a school when s/he poses a continuing danger to persons or property or represents an on-going threat of disrupting the educational process taking place in the classroom or the school premises. Such removal may be for a period of less than twenty four (24) hours without being is not subject to the suspension and expulsion notice and hearing procedures. (see Form 5610-F1)~~

~~If a member of the school faculty removes a student, under his/her supervision, from a classroom or activity, s/he must submit to the principal written reasons for the removal as soon as practicable. If the principal should reinstate the student prior to a hearing following the removal, s/he shall provide the faculty member with written reasons for the reinstatement, if the staff member requests the reasons.~~

~~As soon as practicable On the next day after a removal in excess of twenty four (24) clock hours but within three (3) school days, a hearing must be held by the principal. The person who caused, ordered, or requested the removal must be present.~~

~~Written notice must be provided to the student as soon as practicable prior to the hearing. If the probable outcome of the hearing is suspension, the hearing procedures applicable to a suspension, as delineated in Policy 5610, must be applied. If the probable outcome is expulsion of the student, the hearing procedures applicable to an expulsion, as delineated in Policy 5610, must be followed, except that the hearing shall be held on the next school day after the date of the initial removal.~~

~~A student in any of grades pre kindergarten through 3 may be removed only for the remainder of the school day, and shall be permitted to return to any curricular and extracurricular activities on the next school day (following the day in which the student was removed or excluded). When a student in any of grades pre kindergarten through Three is removed and returned to his/her curricular and extracurricular activities the next school day, the Principal is not required to hold a hearing (or provide written notice of same).~~

~~The Principal shall not initiate suspension or expulsion proceedings against a student in any grades pre kindergarten through 3 who was removed unless the student has committed one (1) of the following acts:~~

- ~~A. The student brings a firearm or knife capable of causing serious bodily injury to a school building or on to any other property (including a school vehicle) owned, controlled, or operated by the Board of Education, to an interscholastic competition, an extra-curricular event, or to any other school program or activity that is not located in a school or on property that is owned or controlled by the Board. Similarly, the Principal can initiate suspension or expulsion proceedings if the student possesses a firearm or knife capable of causing serious bodily injury at school or on any other property (including a school vehicle) owned, controlled, or operated by the Board, at interscholastic competition, an extra-curricular event, or at any other school program or activity that is not located in a school or on property that is owned or controlled by the Board.~~
- ~~B. The student commits an act at school, on other school property, at an interscholastic competition, extra-curricular event, or any other school program or activity and the act: 1) would be a criminal offense if committed by an adult; and 2) results in serious physical harm to person(s) as defined in R.C. 2901.01(A)(5), or to property as defined in R.C. 2901.01(A)(6).~~
- ~~C. The student engages in behavior of such a nature that suspension or expulsion is necessary to protect the immediate health and safety of the student, the student's fellow classmates, the classroom staff and teachers, or other school employees.~~

~~The Superintendent shall notify the County Registrar of Motor Vehicles and Juvenile Judge, within two (2) weeks, when a student has been removed from school for misconduct involving a firearm, knife, or other weapon as defined in Board policy.~~

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Book Administrative Guideline Manual

Section Ready for Production

Title Copy of USE OF CREDIT CARDS

Number ag6423

Status

Adopted November 19, 2007

Last Revised April 10, 2017

~~6423—USE OF CREDIT CARDS~~

~~The Board of Education recognizes the convenience and efficiency afforded by the use of District credit cards (see Form 6423-F1). Credit cards, however, shall not be used in order to circumvent the general purchasing procedures established by State law and Board policy. As such, employees are required to abide by the following guidelines when using a District credit card.~~

- ~~A. All credit cards issued to and in the name of the Wadsworth School District shall be held and supervised by the Treasurer.~~
- ~~B. Board member(s) and administrative staff may use credit cards only in connection with Board approved or school related activities and in accordance with established, pre-approved single purchase limits, monthly spending limits, funds availability, and the appropriation of a particular building or department budget, grant provision, or student activity purpose clause.~~
 - ~~1. Credit cards may only be used to purchase single item goods and services in an amount not exceeding amount of purchase order.~~
 - ~~2. Board member and administrative staff limits will be established by the approved purchase order. Spending limits may be increased or decreased as necessary.~~
- ~~C. Subject to the discretion of the Board and the approval of the Treasurer, credit cards may be used for eligible goods and services including:~~
 - ~~1. transportation reservations and expenses;~~
 - ~~2. conference registrations;~~
 - ~~3. hotel reservation guarantees and expenses;~~
 - ~~4. reasonable meal expenses (both in town and out of town), including a maximum gratuity of twenty percent (20%), but excluding alcoholic beverages, since the purchase of such beverages clearly fails to serve a valid and proper public purpose; (Policy 6550)~~
 - ~~5. purchases from vendors who do not accept purchase orders or vouchers, with prior approval from an approved PO;~~
 - ~~6. safety and security reasons in connection with a student field trip, competition, and/or other activity or event, if monies are budgeted and deposited with the Treasurer in advance;~~
 - ~~7. other purchases approved by the Treasurer on a case by case basis.~~
- ~~D. Credit cards shall not be used for personal purchases or expenditures not allowed under this guideline. In particular, credit cards shall not be used for expenses that are not incurred in connection with Board approved or school related activities, are not for the benefit of the District, and do not serve a valid and proper public purpose. Use of credit cards in an unauthorized or illegal manner may result in revocation of credit card privileges, disciplinary action and/or, where appropriate, may require the user to pay any and all inappropriate charges, including finance charges and interest assessed in connection with the purchase.~~
- ~~Use of the District credit card for any cash withdrawal transaction is strictly prohibited.~~
- ~~E. Employees requiring the use of District credit cards shall request (in writing) such cards from the Treasurer/designee.~~
- ~~F. Each request for use of a District credit card shall contain:~~
 - ~~1. date needed;~~
 - ~~2. date to be returned;~~
 - ~~3. purpose;~~
 - ~~4. Authorization / Purchase order~~
- ~~G. The District is a nonprofit political subdivision of the State of Ohio. Tax exemption forms shall be utilized and are available at the Treasurer's Office.~~
- ~~H. Upon receipt of a District credit card, employees shall:~~
 - ~~1. Inform merchants that the purchase is for "official School District business" and is not subject to State or local sales tax. For large purchases where the merchant refuses to waive the tax, the employee shall present a tax exemption~~

form. For purchases made using a credit card from a vendor that would accept a purchase order and tax is charged the person making the charge may be responsible for sales tax.

2. ~~Maintain credit cards in a secure fashion and prevent unauthorized charges to the account.~~
3. ~~Maintain sufficient documentation of all purchases, including, but not limited to, charge receipts, original cash register slip or other detailed receipt, and invoices.~~
4. ~~Provide documentation of all purchases to the _credit card_ in a timely manner to ensure prompt payment.~~
5. ~~Immediately notify his/her immediate supervisor and the Treasurer if the card is lost or stolen.~~
6. ~~Refrain from allowing anyone else to use the credit card or account number.~~
7. ~~Refrain from splitting the costs of an invoice or purchase in order to circumvent the credit card process and established, pre-approved single purchase limits, monthly spending limits, and/or funds availability.~~
8. ~~When using the card for over the counter purchases:~~
 - a. ~~Identify the purchase needed and determine funds availability.~~
 - b. ~~Determine if the purchase amount is within his/her pre-approved single purchase limit. If yes, proceed to the next step. If no, check with his/her supervisor for details on how to proceed.~~
 - c. ~~In purchasing goods and/or services, employee(s) shall provide merchant with the credit card and inform the merchant that the purchase is for "official School District business" and is not subject to State or local sales tax. If merchant refuses to waive the sales tax, employee shall pay it.~~
 - d. ~~Retain receipts, including cash register receipt and credit card charge slip.~~
 - e. ~~Give receipt and supporting documentation to the Treasurer/designee.~~

I. ~~When using the card for telephone orders:~~

1. ~~Identify the purchase needed and determine funds availability.~~
2. ~~Determine if the purchase amount is within his/her pre-approved single purchase limit. If yes, proceed to the next step. If no, check with his/her supervisor for details on how to proceed.~~
3. ~~Contact the merchant and place the order.~~
4. ~~Provide merchant with card number and expiration date and any and all pertinent information, including the name of the Cardholder, shipping address, etc.~~
5. ~~Upon arrival of merchandise, employee shall inspect and verify order accuracy, quality, and price and retain shipping documents and receipts received with the merchandise.~~
6. ~~Give all related documents to the Treasurer/designee.~~

J. ~~When using the card for Internet orders:~~

1. ~~Identify the purchase needed and determine funds availability.~~
2. ~~Determine if the purchase amount is within his/her pre-approved single purchase limit. If yes, proceed to the next step. If no, check with his/her supervisor for details on how to proceed.~~
3. ~~Locate the merchant's website and place the order.~~
4. ~~In purchasing goods and/or services, employee(s) shall enter card number and expiration date. The employee(s) shall indicate that the purchase is tax exempt if the website does not automatically recognize that the purchase is tax exempt. Note: The employee(s) should verify whether the website s/he is accessing is secure before entering his/her credit card account number.~~
5. ~~Provide all pertinent information to supplier, including the name of the Cardholder, shipping address, etc. Note: If downloading a purchased product from the Internet, employee shall print out the electronic confirmation and include it with the transaction documentation.~~
6. ~~Upon arrival of merchandise, employee(s) shall inspect and verify order accuracy, quality, and price and retain shipping documentation received with merchandise.~~
7. ~~Give all related documents to the _Treasurer / designee_.~~

K. ~~After use, District credit cards are to be returned to the Treasurer along with appropriate receipt copies of all charges within three (3) business days upon completion of any approved use.~~

1. ~~Employees, when possible, shall include an original cash register slip or other detailed receipt (i.e., a receipt from a restaurant itemizing all purchases made), in addition to the receipt copy of all charges. In addition, employees shall include, shipping documents and receipts received with the merchandise.~~
2. ~~Employees shall specify on the FRONT of the receipt the Purchase order number and approving signature.~~

L. ~~Failure to return District credit cards and/or receipts within the above referenced time period may result in the suspension of credit card privileges and/or charges being deemed unrelated or unsubstantiated.~~

1. ~~Employees shall be responsible for any and all unrelated or unsubstantiated purchases and shall be required to make full reimbursement to the District within thirty (30) business days.~~
2. ~~If an employee(s) reimburses the District for an unsupported purchase, it shall be documented in the monthly credit card reconciliation.~~

M. ~~The Treasurer/designee will keep a record/activity log of all credit card uses and review and approve all purchases to verify that the expenses are incurred in connection with Board approved or school related activities, are for the benefit of the District, and serve a valid and proper public purpose prior to disbursing public funds for payment of such expenses.~~

1. ~~Any and all reviews and approvals must be evidenced by the purchasers initials and/or signature.~~
 2. ~~In addition to evidencing review and approval of the purchase, the Treasurer/designee should immediately send all questionable items to the employee purchasing the item for explanation. These explanations shall be approved by the employee's immediate supervisor and the Treasurer/designee prior to the payment of such expenses. If an employee reimburses the District for a questionable purchase, it shall be documented in the monthly credit card reconciliation.~~
 3. ~~Upon review and approval, all appropriate documentation shall be forwarded to the Treasurer/designee.~~
- N. ~~Upon receipt of the appropriate documentation, credit card expenditures will be paid through the Treasurer's Office.~~
- O. ~~The Treasurer/designee will monitor the credit card account(s) and reconcile all credit card accounts on a monthly basis.~~
- P. ~~If the employee is terminated or resigns, then s/he must return the credit card and remain responsible for any inappropriate use.~~

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Book	Policy Manual
Section	Vol. 37, No. 1 - August 2018
Title	Vol. 37, No. 1 - August 2018 Nonteaching Employees in Non-Civil Service Districts
Number	3-Legal Alert
Status	From Neola

Legal Alert

TO: Neola Ohio Clients

FROM: Ennis Britton

DATE: July 2018

RE: Significant legislative changes on nonteaching employees in non-civil service districts

Classified employees will now receive 4 limited contracts before obtaining continuing contract status.

As part of the many changes provided through SB 216, the General Assembly voted to extend the limited contract status of nonteaching employees by amending Ohio Revised Code Section 3319.081. Effective ninety days after the Governor's expected signature, newly hired regular nonteaching school employees (including regular hourly rate and per diem staff) will still have an initial contract of not more than one year as before. However, instead of re-employment under a single 2-year contract prior to continuing contract status upon re-employment of that contract, boards of education (in districts wherein the civil service laws do not apply i.e., other than city school districts) will now issue a series of three, 2-year limited contracts before continuing contract status can be obtained.

In essence, the new sequence of "1 - 2 - 2 - 2" before continuing somewhat mirrors prior changes made to teachers contracts - that is, new teachers must now serve under limited contracts for seven years before becoming eligible for tenure. The implications for school boards here are even more significant, since the non-renewal process for limited contract nonteaching school employees is (comparatively) uncomplicated - simple notice of nonrenewal by June 1. As such, these changes will allow districts to have four (instead of two) opportunities to determine whether an employee warrants further employment before being required to extend continuing contract status.

It is extremely critical to understand that this beneficial reform may be muted by collective bargaining language. For those who have already agreed to a lesser process to obtain the benefits of continuing contract status (specifically "just cause" for removal) it may be time to revisit the issue. For those who have followed the statutory process, expect that your non-teacher units will be asking to lessen the impact of SB 216. Proceed with caution.

Disclaimer: This Alert is provided for informational purposes only. It does not constitute legal advice and does not create an attorney-client relationship. Any questions about actual situations regarding licensure should be addressed to the school district's legal counsel for specific legal advice.

Last Modified by Andrew Hill on September 26, 2018

Book Policy Manual

Section Vol. 37, No. 1 - August 2018

Title Vol. 37, No.1 - August 2018 ESC Bill Changes Options for Local Districts

Number 1-Legal Alert

Status From Neola

Legal Alert

TO: Neola Ohio Clients

FROM: Ennis Britton

DATE: August 2018

RE: ESC bill changes options for local districts

Sub. H.B. 438 has been sent to the Governor for signature and makes a number of changes that affect ESC's and consequently, the local districts and other districts that purchase services from ESC's. This Legal Alert is a summary of those changes.

Composition of ESC Governing Board changes: The adopted plan to add appointed board members to an ESC governing board must now specify the experience, knowledge, skills that advance the mission and vision of the service center for those appointed members. The appointed members may be representatives of client school districts, but the new law adds that these members may not be otherwise represented on the governing board. (R.C.3311.056)

Transfers to a different ESC by a local school district: The law provides an additional process for a local district to sever its territory from an ESC and annex to the territory of an adjacent ESC (upon a resolution passed by a majority of the full board.) This procedure may be used instead of transfers provided under R.C. 3311.231. The resolution to sever from the current ESC and annex to an adjacent ESC must be sent to the affected ESC's Board and to the State Board of Education. The State Board must approve the transfer before it can become effective, and the law includes the factors that will be considered. The transfer would be effective one year after the July 1 following the State Board approval.

The new process also provides for local voters to exercise an option to sign a petition and cause a referendum vote to approve or disapprove the transfer. For such a referendum to reach the ballot, twenty percent (20%) of the electors that voted for governor in the last election must sign a petition within sixty (60) days of the resolution and file it with the board of elections. If the petition is certified, it would appear on the ballot at the first general or primary election taking place at least ninety (90) days after the petition is certified. If the voters disapprove the resolution, it will not become effective. If approved, the resolution becomes effective one (1) year after July 1 following the date the board of elections certifies the results of the referendum election.

A local board of education that implements a severance and transfer under the new process would be barred from severing and annexing to another ESC for a period of 4 years after the effective date of the most recent transfer. (R.C. 3311.059)

Local professional development committees: Regional professional development centers and special education regional resource centers were removed from the list of entities that may establish local professional development committees. If those entities provide educational services and employ or contract for licensed/certificated employees, they still may do so upon the approval of the department of education under a provision of existing law.

Current law provides for ESC's to establish LPDC's, but new language allows them to establish an LPDC for educators not employed in Ohio schools, including licensed pupil services employees. The LPDC's may review licensed/certificated employees who are not currently employed as an educator or by an entity that operates an LPDC. (R.C. 3319.22)

Disclaimer: This Alert is provided for informational purposes only. It does not constitute legal advice and does not create an attorney-client relationship. Any questions about actual situations regarding governing board plan and appointed member qualifications, ESC severance, transfer and annexation, the referendum process, or LPDC's should be addressed to the school district's legal counsel for specific legal advice.

Last Modified by Andrew Hill on September 26, 2018

Book Policy Manual

Section Vol. 37, No. 1 - August 2018

Title Vol. 37, No 1 - August 2018 - "Fair Share" Fees Rules Unconstitutional

Number 4-Legal Alert

Status From Neola

Legal Alert

TO: Neola Ohio Clients

FROM: Ennis Britton

DATE: August 2018

RE: "Fair Share" Fees Ruled Unconstitutional

On June 27, the U.S. Supreme Court ruled in *Janus v. AFSCME Council 31* that a public sector collective bargaining agreement which includes an agency fee clause (also referred to as "fair share" fee) requiring non-union employees of the unit to pay union dues is a violation of those public employees' First Amendment right to freedom of speech. As a result, employers and unions must immediately cease fair share fee collections.

This highly-anticipated decision overturns 40-year-old precedent established by the Court in *Abood v. Detroit Board of Education*, which permitted the collection of public sector agency fees from non-union bargaining unit employees as long as the fees only covered costs related to collective bargaining, contract administration and grievances. 431 U.S. 209 (1977).

Effective immediately, fair share fees may no longer be lawfully collected from public sector employees. Agency fee arrangements that have been negotiated in a public sector collective bargaining agreement have thus been rendered void. Failure to comply may nullify any indemnity clauses in a collective bargaining agreement and may result in civil liability. Again, this Supreme Court decision takes precedence over any contractual bargaining language.

Prior to the *Janus* decision, Ohio and 21 other states plus Washington, D.C., allowed public sector unions to charge fees to nonmembers for collective bargaining activities.

The *Janus* ruling does not change the collection of dues from current union members. Dues from association members should continue to be collected without interruption. Union members who wish to make changes to their membership should follow the regular procedure of providing the union with their notification to withdraw.

The *Janus* ruling does not change the collection of dues from current union members. Dues from association members should continue to be collected without interruption. Union members who wish to make changes to their membership should follow the regular procedure of providing the union with their notification to withdraw.

Disclaimer: This Alert is provided for informational purposes only. It does not constitute legal advice and does not create an attorney-client relationship. Any questions about the effects or implementation of the *Janus* decision should be addressed to the school district's legal counsel for specific legal advice.

Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Vol. 37, No. 1 - August 2018
Title	Vol. 37, No. 1 - August 2018 Graduation Changes
Number	2-Legal Alert
Status	From Neola

Legal Alert

TO: Neola Ohio Clients

FROM: Ennis Britton

DATE: August 2018

RE: Graduation changes update

Legislature declined to extend additional graduation options beyond the Class of 2018

Two additional options to earn a diploma were enacted in the biennial budget, HB 49, only applicable students in the Class of 2018. These changes were in response to widespread concern about implementation of the new graduation requirements to that class.

The State Board voted to recommend to the Legislature to extend the additional graduation options (initially applicable only to the Class of 2018) for two additional years. However, the Legislature declined to adopt that extension of the two additional options at this time. The result of this (for now) is that the additional options for graduation for the Class of 2018 **will not** be applicable to the Class of 2019 and beyond. Now, students will have to meet one of the three (3) existing pathways to earn a diploma without access to the additional options.

Neola has issued guidance concerning the graduation requirements applicable only to the Class of 2018 without changing Policy 5460, since the requirements apply only to one class of graduation students.

However, ODE's Graduation Requirements Advisory Committee is expected to make additional recommendations for the Class of 2021 and beyond in September of this year.

If you have questions about the policy or the requirements, please contact your legal counsel or the Ohio Department of Education.

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Last Modified by Andrew Hill on September 26, 2018

Book	Policy Manual
Section	Vol. 37, No. 1 - August 2018
Title	Vol. 37, No 1 - August 2018 - OTES Changes Again in Senate Bill 216
Number	5-Legal Alert
Status	From Neola

Legal Alert

TO: Neola Ohio Clients

FROM: Ennis Britton

DATE: August 2018

RE: OTES Changes Again in Senate Bill 216

Among the various bills signed by Governor Kasich on August 3, 2018, was Senate Bill 216, initially dubbed the "Education Deregulation Bill." Among its many provisions, this legislation took yet another effort at reforming the Ohio Teacher Evaluation System (OTES).

Revised Framework

Through this legislation, the State Board of Education is charged to revise the OTES framework based on recommendations of the Educator Standards Board. The state board must hold at least one public hearing on the revised framework and make the full text of the revised framework available. Below are important dates for the implementation of the new OTES framework:

- A. May 1, 2020 – Deadline for state board to adopt revised framework
- B. July 1, 2020 – Deadline for school boards to update OTES policy
- C. 2019–2020--- OTES Pilot Program. ODE will establish a pilot program to guide implementation of the new OTES framework, request and select districts to participate, and provide professional development and technical assistance to participating districts.

Teacher Evaluations – R.C. 3319.111

SB 216 removes the student academic growth measure as a separate component of the final summative rating for teacher evaluations. It also removes the option for boards to adopt a resolution requiring only one formal observation of a teacher rated accomplished if the teacher completes a project demonstrating growth.

The bill now requires student performance measures to use "high-quality student data." This may include data from ODE's list of student assessments that measure mastery of course content for the appropriate grade level.

Accomplished teachers may be evaluated once every three years, so long as the teacher submits a self-directed professional growth plan focusing on specific areas in the observations and evaluation, and the evaluator determines the teacher is making progress on the plan.

Skilled teachers may be evaluated once every two years, so long as the teacher and evaluator jointly develop a professional growth plan focusing on specific areas in the observations and evaluation, and the evaluator determines the teacher is making progress on the plan

Off-years for both accomplished and skilled teachers must include at least one observation and one conference. The conference must include a discussion of progress on the teacher's professional growth plan.

Standards-based Evaluation Framework – R.C. 3319.112

This section of the Revised Code has been revised as follows:

- A. Removes student academic growth measure from the final summative rating and instead requires the data to be embedded as evidence in five of the ten domains (see, below)
- B. Prohibits shared attribution of student performance data and the use of student learning objectives
- C. Requires development of a professional growth or improvement plan based on evaluation results and aligned to district or building improvement plan under ESSA
- D. Repeals the alternative framework (R.C. 3319.114) but directs ODE to develop guidance on how information obtained from the approved alternative framework tools may be used as evidence in evaluations

High-quality student data. The state board shall define "high-quality student data." Districts must use at least two measures as evidence. When applicable to the grade level or subject area taught, high-quality student data must include the value-added progress dimension and at least one other measure. High-quality student data may be used as evidence in any component of the evaluation related to the following domains:

- A. Knowledge of students
- B. Teacher's use of differentiated instructional practices
- C. Assessment of student learning
- D. Teacher's use of assessment data
- E. Professional responsibility and growth

Guidance for districts

ODE is directed to provide guidance to districts on how high-quality student data may be used as evidence of student learning attributable to a particular teacher, complete with examples of appropriate use of that data. ODE must also develop a list of student assessments that measure mastery of course content for each grade level; however, the clause that this is only when value-added data or academic growth do not apply has been removed from this section of the bill. Data from these student assessments may be used as high-quality student data.

Note on collective bargaining

The bill specifies the new policy will become operative at the expiration of a district's current collective bargaining agreement that is in effect on the effective date of SB 216. However, the statute further provides that a board of education has until no later than July 1, 2020 to adopt a revised policy. **Districts with CBAs that expire prior to July 1, 2020 may need to adopt a revised policy and begin implementation before 2020 as a result.** This same issue of timing occurred when OTES was initially adopted into law in 2011. Even though the board was not required to adopt a policy until July 2013, some districts had to modify policies and implement OTES sooner because of this timing issue. Contact Board counsel to discuss implementation if your CBA expires prior to 2020.

Neola intends to address these necessary policy changes in the 2019 Winter Update, which will be well in advance of the various compliance dates.

Last Modified by Andrew Hill on September 26, 2018

Medina County Economic Development Corporation
Application for Membership

Name: Andrew Hill Dr. Mr. Ms.
Company: Wadsworth City School District Title: Superintendent
Address: 524 Broad St
City: Wadsworth State: OH Zip: 44281
Business Phone: 330-335-1301 Fax: 330-335-1310
E-mail Address: ahill@wadsworthschools.org Website: www.wadsworth.k12.oh.us

Alternate Company Designee

Name: Gabe Tudor Dr. Mr. Ms.
Company: Wadsworth City School District Title: Assistant Superintendent
Address: 524 Broad St
City: Wadsworth State: OH Zip: 44281
Business Phone: 330-336-3571 Fax: 330-335-1313
E-mail Address: gtudor@wadsworthschools.org Website: www.wadsworth.k12.oh.us

Company Information

Principal Product or Activity of Company: Public Education

Check the Company's appropriate category:

☐ Corporation ☐ Partnership ☐ Sole Proprietor ☐ Individual

Twitter Handle: _____ Facebook: www.facebook.com/wadsworthcityschools

If you were referred by someone, please let us know! _____

Applicant's Signature _____

Date 10/4/18

Tiered Dues Schedule: Place an X by the appropriate category

☐ Revenues of \$500,000 or less:	\$575
☐ Revenues of \$500,000 to \$1 million:	\$1,000
☐ Revenues of \$1 million to \$5 million:	\$1,725
☐ Revenues of \$5 million or more:	\$2,500
☒ Public Agency:	\$1,500

Send Application to:

Medina County Economic Development Corporation
144 N. Broadway Street, Suite 202 Medina, OH 44256
Phone: 330-722-9215 Fax: 330-764-8449 Email: jrobbins@medinacounty.org



**Economic
Development
Corporation**
KNOW-BEST GOVERNMENT
MEDINA COUNTY, OHIO

Jostens Yearbook Agreement Printing Terms

Once this Agreement has been signed by Jostens, Inc. ("Jostens"), it becomes a binding contract between Jostens and the customer named on the front of this Agreement ("Customer"). Any changes to this Agreement must be approved in writing by both parties; provided, that Customer may change the specifications, which may result in changes to the price and/or delivery.

9/25/18

SUBMISSION OF AND RESPONSIBILITY FOR MATERIALS: Jostens will provide Customer with instructions and specifications for submitting information and materials (collectively, "Materials") to Jostens. Materials include, without limitation, content, titles, photographs, videos, designs, drawings, images, artwork, songs, lyrics, recordings, page layouts and other such materials. Customer agrees to submit all Materials in a timely manner and in accordance with Jostens' instructions and specifications. Late or non-conforming submissions may result in additional charges, missed or delayed deadlines, delayed shipments, and/or rejection of submitted Materials. Customer is responsible for all Materials furnished to Jostens for incorporation in the publication or other product provided by Jostens under this Agreement, regardless of form or medium (the "Publication"). Jostens reserves the right in its discretion to refuse to process, print, reproduce or duplicate Material submitted for incorporation in the Publication, including Material which may reasonably be believed to violate patent, trademark, copyright, license or other proprietary rights or be pornographic or offensive, provided Jostens assumes no duty to make such determination. ~~Except to the extent expressly prohibited by applicable law, Customer agrees to indemnify and hold Jostens, its licensors, and its affiliates harmless from any and all damages of every kind and character (including reasonable attorneys' fees) arising out of claims, defenses, demands, actions or proceedings that may be asserted or brought against Jostens by parents, students or any third party (s) on the grounds that the Material, Publication, or the marketing of a Publication causes injury to persons or property, violates a trademark, copyright, license or other proprietary right or interest or that it contains material giving rise to an action for defamation, negligence, intentional infliction of emotional distress, or invades a person's right to privacy; or (b) related to or arising from a breach of Customer's obligations relating to Jostens Digital Tools below.~~ Customer represents and warrants to Jostens that Customer has the unconditional and unfettered right to allow Jostens to print, reproduce and/or duplicate all of the Materials and to receive back any returned Materials, and Jostens is hereby authorized to reproduce for and on behalf of Customer and other third parties all of the Materials provided by Customer, in order to produce and/or market the Publication, and that all appropriate licenses or consents have been obtained where applicable. Customer further warrants that the Materials comply with all applicable state, local and federal laws, do not infringe on any trademark, service mark, copyright or any other proprietary right, or any license relating thereto, do not contain any libelous or otherwise actionable statement, and do not otherwise violate the rights of or cause damage or injury to any person.

This shall be out.

Customer expressly agrees that Jostens, its sales representatives and service providers may use Materials provided by Customer to market the Publication to potential purchasers and to provide information on Jostens products and services to potential purchasers, except where Customer has indicated otherwise in writing or through a Jostens online interface. Jostens will not sell or rent student information to any third party. Please see Jostens' Privacy Policy at <http://www.jostens.com/privacy> for more information on Jostens' privacy practices.

Customer grants Jostens a perpetual, royalty-free, fully paid-up right and license to use, reprint, reproduce, digitize and duplicate Customer's cover design, yearbook pages, and Materials in any manner, form or media now known or later developed, such as in Jostens' marketing and promotional materials and websites, as samples, in Jostens software applications, and in collections of Jostens yearbooks and yearbook pages.

With respect to any artwork created in whole or in part by Jostens, Jostens retains its rights to such artwork, which may only be reproduced with the written consent of Jostens. Customer understands and agrees that all dies, including those for which a charge has been made, remain the sole property of Jostens. This provision shall survive the termination or expiration of this Agreement.

ADDITIONAL SERVICES CHARGES: Jostens will charge for Jostens artwork, corrective work or customer copy, customer alterations and non-standard composition, which may result in changes to the purchase price.

JOSTENS DIGITAL TOOLS: In consideration of payment of any required license fee, for the term of this Agreement Jostens grants Customer a limited, non-assignable license to use certain of its proprietary local, online, mobile and cloud-based yearbook development software tools, fonts and clip art, apps, websites and environments, including without limitation the Yearbook Avenue portal, YearTech® software, Yearbooker's Field Kit app, and related materials and updates (all such tools, apps, websites and environments made available to Customer, the "Jostens Digital Tools"), solely for the limited purpose of producing its Publication with Jostens and for no other purpose. Customer and its representatives will comply with any terms of use, license agreements, and other terms or policies applicable to Jostens Digital Tools. Customer acknowledges and agrees that the Jostens Digital Tools and all other materials supplied by Jostens are proprietary in nature and are owned or licensed by Jostens, and Customer agrees not to copy, duplicate, reverse engineer, or attempt to learn the source code of Jostens Digital Tools, or to rent, share, distribute or provide the Jostens Digital Tools to any third party. Customer is strictly prohibited from providing production materials in whole or in part, including but not limited to the Publication created under this Agreement, created with the

Jostens Digital Tools to a third party for printing, digitizing, reproduction or any other purpose. Upon termination or expiration of the relationship between Customer and Jostens, Customer will promptly return any Jostens Digital Tools to Jostens, and destroy and delete any copies of Jostens Digital Tools and any login credentials provided. Certain products of Adobe Corporation or other third parties may be required for use of the Jostens Digital Tools, and Customer acknowledges that Jostens is not obligated to provide training or other support for third-party products.

ORDER PROCESSING: If Customer elects to participate in an order processing and management program offered by Jostens (a "Program"), Customer acknowledges and agrees that Jostens or other third parties will act on behalf of Customer to bill students for yearbooks and related products and collect payment from them. Customer acknowledges it has been given materials explaining the Program and understands the Program, and the billing process under that program.

DELIVERY: Shipment will be made pursuant to the shipment method and vendor chosen by Jostens, in its sole discretion, and according to terms of the Deadline Schedule established between the parties, provided that Customer sends all materials conforming to specifications and on time according to the Schedule. Title to and risk of loss for all shipments is F.O.B. Jostens production plant. Due to the printing process, there may be a limited number of copies of the yearbook produced in excess of Customer's order. Jostens may ship the excess yearbooks to Customer, who may keep and pay for the overages or return them to Jostens for credit.

FORCE MAJEURE; WARRANTY; LIMITATIONS: Jostens shall not be liable for delays or losses caused by strikes, accidents, government restrictions, acts of God or other causes beyond its reasonable control, and such delays shall not constitute a breach of contract. Jostens will perform the work in a good and workmanlike manner. EXCEPT AS EXPRESSLY PROVIDED HEREIN, JOSTENS MAKES NO OTHER EXPRESS OR IMPLIED WARRANTIES AND DISCLAIMS ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. BECAUSE SOFTWARE, APPS AND SYSTEMS ARE INHERENTLY COMPLEX AND MAY NOT BE COMPLETELY FREE OF ERRORS, YOU ARE ADVISED TO VERIFY YOUR WORK. IN NO EVENT WILL JOSTENS BE LIABLE FOR INDIRECT, SPECIAL, INCIDENTAL, OR CONSEQUENTIAL DAMAGES INCLUDING, WITHOUT LIMITATION, LOST PROFITS OR BUSINESS INTERRUPTION, HOWEVER FORESEEABLE, ARISING OUT OF THIS AGREEMENT. ~~THE WORK PERFORMED HEREUNDER, THE SERVICES PROVIDED OR THE PRODUCTS PRODUCED HEREUNDER, THE LIABILITY OF JOSTENS, IF ANY, FOR CLAIMS RELATING TO ANY DEFICIENT OR DEFECTIVE SERVICE OR PRODUCT PRODUCED HEREUNDER SHALL BE LIMITED TO THE ACTUAL FEE PAYABLE TO JOSTENS FOR THE DEFICIENT OR DEFECTIVE SERVICE OR PRODUCT HEREUNDER. JOSTENS SHALL NOT BE LIABLE FOR TYPOGRAPHICAL ERRORS, MISSPELLINGS OR OTHER DEVIATIONS OR ERRORS.~~

PAYMENT TERMS: Customer agrees to pay a 40% deposit November 1st (December 1st for CY Customers) and an additional 40% deposit March 1st (April 1st for CY Customers) that will bring the total deposit up to 80% of the base price.

Customer will receive a final invoice when the Publication is completed. Final payment is due within thirty (30) calendar days after the final invoice is received. A service charge of 1.5% a month on the unpaid balance (18% annual percentage rate) or the maximum allowed by local law will be assessed for late payment. ~~Should it be necessary for Jostens to institute collection procedures against Customer, Jostens shall be entitled to recover its reasonable attorneys' fees and costs from Customer.~~

All payments and checks must be made payable to and sent directly to Jostens, Inc., 21336 Networks Place, Chicago, IL 60673-1213.

TAXES: Applicable sales taxes will be charged unless evidence of tax exemption is furnished prior to invoicing. A number of states do not exempt schools from the requirement to collect sales tax on sales. It is Customer's responsibility to collect and remit sales tax on its distribution or resale of yearbooks based on sales tax regulations in its state, including the tax on any yearbook sales. Customer directs Jostens to collect on-line (other than through the Program as described above or direct sales between Jostens and any third party in which Customer is not otherwise a party thereto). Where Jostens accepts orders on a school's behalf and collects applicable sales taxes on such orders, Jostens may, at Jostens' option, remit taxes collected on such orders directly to the taxing authority.

MISCELLANEOUS: The person signing this Agreement represents that he/she is fully authorized to execute this Agreement on behalf of Customer. Jostens may use its corporate affiliates as subcontractors to perform obligations under this Agreement. Customer understands that this is a binding Agreement between the parties hereto for the term specified in the Agreement, and represents that it has all necessary power and authority to execute this Agreement. This Agreement, including specifications agreed upon by the parties related to the products manufactured by Jostens under this Agreement (which shall automatically be incorporated by reference into this Agreement), represents the entire agreement between the parties. In the event that after the date hereof Customer submits purchase orders or other written instructions that contain any terms or conditions, those terms and conditions shall be of no force and effect. The parties are independent contractors; nothing herein contained shall in any way constitute a partnership between, or joint venture by, any of the parties hereto.

All Approver, Aux Intinar 9/27/18
Alle

Jostens® Yearbook Agreement

Jostens, Inc. | 3601 Minnesota Drive | Minneapolis, MN 55435 | 952-830-3300

Customer Name	Wadsworth High School	Contact Name	Charles Berg
Customer Address	625 BROAD ST WADSWORTH, OH 44281-2399 (Physical 911 Address and No P.O. Boxes)	Title	Adviser
Customer Phone	(330) 335-1400	Email & Phone	cberg@wadsworthschools.org (330) 335-1400

The Customer has selected Jostens, Inc. to be their exclusive yearbook provider for the years identified below (the "Term"). The parties agree as follows:

- 1 Jostens and the Customer will work together to establish all yearbook specifications (including things such as size, copies and pages), completion deadlines, price, and delivery schedules for each year during the Term and subject to the terms and conditions shown on page 2.
- 2 After this Agreement is signed, as the Customer's exclusive yearbook provider Jostens will invest in and allocate resources to provide training and assistance to the Customer to help with the creation, production and marketing of the Customer's yearbook, including without limitation the planning, content, theme, layout, and merchandising.
- 3 The Term of this Agreement is for the following years:

2018-2019-2020

Additional Notes/Specifications Agreed Upon:

Previous Term: 2015 through 2017

This Agreement is subject to acceptance by Jostens and to Jostens' standard printing terms and conditions shown on page 2

X

X _____

PRINTED NAME

DATE

X

SIGNATURE OF JOSTENS AUTHORIZED REPRESENTATIVE

PRINTED NAME

DATE

REP # 5065

JOB # 34376

MEMORANDUM OF UNDERSTANDING for Medina County School Districts: E4 Youth Summit 2018

On the dates of October 26, 2018 and November 3, 2018, the United Way of Medina County is presenting the E4 Youth Summit 2018 for high school participants from all school districts in Medina County. Each school district has agreed and taken responsibility for beginning and end-of-day return-trip transportation for their students, and under their protocols, from their home schools to:

10/26	Buffalo Creek Retreat
11/3	Medina High School

On Saturday, November 3rd, participants will be working in cross-district teams to execute community projects at a variety of locations within the county. School transportation will be used to transport from Medina High School and back. The opportunity to meet and work on community issues with participants from other school districts is an important experience for participants from every district. In this spirit, each school district agrees to transport student participants from another school district, at any time, to and from project destinations.

The above represents a mutual understanding among and between all school districts and United Way of Medina County.

CEO, United Way of Medina County

____/____/____

Superintendent, Black River School District

____/____/____

Superintendent, Brunswick School District

____/____/____

Superintendent, Buckeye School District

____/____/____

Superintendent, Highland School District

____/____/____

Superintendent, Cloverleaf School District

____/____/____

Superintendent, Medina School District

____/____/____

Superintendent, Wadsworth School District

____/____/____



DATE: 10/04/2018

TO:
Wadsworth City Schools
524 Broad Street
Wadsworth, OH 44281

FROM:
Otis Elevator Company
1450 Firestone Pkwy
Akron, OH 44301

EQUIPMENT LOCATION:
Wadsworth YMCA / Summa Rehab
625 Broad Street
Wadsworth, OH 44281

David Blatter
Phone: (330) 724-9702
Fax: (860) 353-2634

CONTRACT NUMBER: CRN05780

CONTRACT DATE: 07/01/2018

We propose the following modification to the Contract referred to above, to take effect as of: 11/01/2018

The Otis Elevator Company will add two elevators with State ID#'s 61036 (YMCA MAIN) and 61037 (SUMMA REHAB) to the master Wadsworth City Schools contract referenced above for the sum of \$290.00 (Two Hundred and Ninety 00/ Dollars) a month payable annually.

All terms and conditions in Master contract will apply.

This proposal, when accepted by you below and approved by our authorized representative, will become binding as an addendum and modification to the Contract. All other terms, conditions and obligations in the Contract referred to are to remain in full force and effect. This quotation is valid for ninety (90) days from the proposal date.

Submitted by: David Blatter
Title: Branch Sales Manager
E-mail: David.Blatter@otis.com

Accepted in Duplicate

CUSTOMER
Approved by Authorized Representative

Otis Elevator Company
Approved by Authorized Representative

Date: _____

Date: _____

Signed: _____

Signed: _____

Print Name: _____

Print Name: Mike Pytash

Title _____

Title Akron Branch Manager

E-mail: _____

Name of Company _____

☐ Principal, Owner or Authorized Representative of Principal or Owner

☐ Agent: _____
(Name of Principal or Owner)



GALAXY

September 19, 2018

Robert Lynn
1 School Drive
Wadsworth, OH 44281

RE: Wadsworth Junior Banquet

Dear Rob:

The Galaxy Restaurant & Banquet Center is pleased to propose the following arrangements for your upcoming event.

Date	Start Time	End Time	Function	Room	Setup	Approx. Attendance
Friday, May 3, 2019	7:00 PM	11:00 PM	Dinner Dance	Grand Ballroom	Rounds of 10	250

Banquet function rooms are assigned according to the anticipated number of guests. If there are fluctuations in the number of attendees, The Galaxy Restaurant & Banquet Center reserves the right to reassign the banquet function room accordingly. It is required that The Galaxy Restaurant & Banquet Center be notified of the exact number of meals to be served at least **three (3) business days** prior to the function. If no guarantee is received, The Galaxy Restaurant & Banquet Center will consider your originally agreed number of people to be the guarantee. This number will be considered a guarantee for which you will be charged even if fewer guests attend. The Galaxy Restaurant & Banquet Center will be prepared to serve up to a 5% increase for attendees above the guarantee count.

Deposits

A deposit of \$WAIVED is due with the signed contract to hold your event space as definite. All deposits received will be applied toward the total charges of the event.

Banquet Rental

The Galaxy Restaurant & Banquet Center is pleased to extend a **Banquet Minimum of \$7,500.00** for your event. Failure to meet the established Banquet Minimum will result in a room rental charge being applied to reach the required Banquet Minimum.

Cancellation Policy

Cancellations must be provided in writing to The Galaxy Restaurant & Banquet Center. If the cancellation notice is received more than 180 days prior to the event date, the deposit(s) will be forfeited. If the cancellation notice is received less than 180 days prior to the event date, the deposit(s) will be forfeited and a \$500.00 cancellation fee imposed. The cancellation fee is to serve as liquidated damages on behalf of The Galaxy Restaurant & Banquet Center's inability or difficulty rebooking requested date(s), in the time frame mentioned, and not meant as a penalty to the client. If The Galaxy Restaurant & Banquet Center rebooks a like event on the same date that was cancelled, the cancellation fee will be refunded minus a \$100.00 administrative fee. Cancellation fees are due and payable within thirty (30) days after cancellation of the agreement. An interest fee will be assessed at the rate of 1.5% per month.

The performance of this agreement by either party is subject to acts of God, government regulations, disasters, strikes, civil disorders or other emergencies making it illegal or impossible to provide the facilities for your event. It is provided that this agreement may be terminated for any one or more such reasons by written notice from one party to the other. In the event of such written notice of cancellation for the above mentioned reasons, no cancellation penalties will be invoked.



Payment

The balance based on the guaranteed number of attendees is due the day of the event. Acceptable forms of payment include cash, credit card or cashier's check; unless prior payment arrangements have been made with the Banquet Director. Any additional charges resulting from such things as increased number of attendees or damage to the facility will be due upon departure. If a remaining balance is left outstanding, an interest fee will be assessed at the rate of 1.5% per month.

Hours

Time allotment for The Galaxy Restaurant & Banquet Center's functions is based on specific time availability. Functions exceeding the pre-determined departure time will be assessed an additional charge of seventy-five dollars (\$75.00) plus tax per half hour. Evening departure time will be no later than 12:00 AM (midnight) unless pre-arranged with the Banquet Director.

Banquet Regulations

The Galaxy Restaurant & Banquet Center must provide all food and beverage unless approved by Banquet Director. All alcohol must be purchased through The Galaxy Restaurant & Banquet Center. All bartenders must be employees of The Galaxy Restaurant & Banquet Center. Purchaser agrees to abide by all state laws regarding alcohol consumption including restrictions of consumption by a minor. Management reserves the right of refusal or discontinuance of alcoholic beverage to any individual guests. All serving of alcohol at banquet functions are to cease at 11:45 PM. Your group acknowledges that The Galaxy Restaurant & Banquet Center cannot be responsible for the safekeeping of equipment, supplies, written material or other valuable items. Accordingly, your group acknowledges that it will be responsible for providing security for any such aforementioned items and hereby assumes the responsibility for loss thereof. Likewise, the function host will be responsible and charged for any damage(s) or theft of The Galaxy Restaurant & Banquet Center's facilities caused by its group during the scheduled function. The Galaxy Restaurant & Banquet Center will arrange for security personnel when necessary at any contracted event, the charge for which will be an additional fee to the function host. In accordance with local and state health department regulations, no food or beverage may be taken out of the banquet facility following the event.

Menus

We will be contacting you in the future to finalize your menu selections. Menu selections should be finalized and submitted no later than fourteen (14) days prior to the event. If you do not find specifically what you would like, we would be pleased to design special menus to fit your needs. *As economic conditions and inflation vary, The Galaxy Restaurant & Banquet Center reserves the right to adjust pricing at its sole discretion. The Galaxy Restaurant & Banquet Center will guarantee the price per person for your event for 180 days prior to your event.*

Set-Up Fee and Tax

The set-up fee covers expenses of setup, clean up, centerpieces, standard linens and any overhead expenses. The set-up fee (18%) will be added to the food and beverage total. Applicable Ohio sales tax (6.75%) also apply to this charge. Any specialty requested services may also be added to the event total by the client and said services will be subject to Ohio sales tax.

Gratuity

Our banquet staff are paid wages that are not dependent on gratuity to meet minimum wage requirements. If you feel the staff went above and beyond your expectations please feel free to provide gratuity based on your discretion.

We are currently holding event space for you on a tentative basis. This agreement will only become binding when signed and dated by both the client and The Galaxy Restaurant & Banquet Center along with simultaneous receipt of the client's deposit.

Please review and sign one copy of this event contract and return it to our office with your deposit no later than Wednesday, October 3, 2018. Thank you again for choosing The Galaxy Restaurant & Banquet Center. It will be a pleasure working with you in making your event a success!

Sincerely,

The Galaxy Restaurant & Banquet Center

Event Name: Wadsworth Junior Banquet

Client Signature

Date

David Cavalier, Banquet Director

Date



GALAXY

GALAXY

June 7, 2018

RE: 2019 Wadsworth High School Prom

Dear Amy,

The Galaxy Restaurant & Banquet Center is pleased to propose the following arrangements for your upcoming event.

Date	Start Time	End Time	Function	Room	Setup	Approx. Attendance
Saturday, May 18, 2019	11:00 AM	12:00 AM	Dinner Buffet	Grand Ballroom	Rounds of 10	500

Banquet function rooms are assigned according to the anticipated number of guests. If there are fluctuations in the number of attendees, The Galaxy Restaurant & Banquet Center reserves the right to reassign the banquet function room accordingly. It is required that The Galaxy Restaurant & Banquet Center be notified of the exact number of meals to be served at least **three (3) business days** prior to the function. If no guarantee is received, The Galaxy Restaurant & Banquet Center will consider your originally agreed number of people to be the guarantee. This number will be considered a guarantee for which you will be charged even if fewer guests attend. The Galaxy Restaurant & Banquet Center will be prepared to serve up to a 5% increase for attendees above the guarantee count.

Deposits

A deposit of \$1,000.00 is due with the signed contract to hold your event space as definite. All deposits received will be applied toward the total charges of the event.

Banquet Rental

The Galaxy Restaurant & Banquet Center is pleased to extend a **Banquet Minimum of \$10,000.00** for your event. Failure to meet the established Banquet Minimum will result in a room rental charge being applied to reach the required Banquet Minimum.

Cancellation Policy

Cancellations must be provided in writing to The Galaxy Restaurant & Banquet Center. If the cancellation notice is received more than 180 days prior to the event date, the deposit(s) will be forfeited. If the cancellation notice is received less than 180 days prior to the event date, the deposit(s) will be forfeited and a \$500.00 cancellation fee imposed. The cancellation fee is to serve as liquidated damages on behalf of The Galaxy Restaurant & Banquet Center's inability or difficulty rebooking requested date(s), in the time frame mentioned, and not meant as a penalty to the client. If The Galaxy Restaurant & Banquet Center rebooks a like event on the same date that was cancelled, the cancellation fee will be refunded minus a \$100.00 administrative fee. Cancellation fees are due and payable within thirty (30) days after cancellation of the agreement. An interest fee will be assessed at the rate of 1.5% per month.

The performance of this agreement by either party is subject to acts of God, government regulations, disasters, strikes, civil disorders or other emergencies making it illegal or impossible to provide the facilities for your event. It is provided that this agreement may be terminated for any one or more such reasons by written notice from one party to the other. In the event of such written notice of cancellation for the above mentioned reasons, no cancellation penalties will be invoked.

Payment

The balance based on the guaranteed number of attendees is due the **day of the event**. Acceptable forms of payment include cash, credit card or cashier's check; unless prior payment arrangements have been made with the Banquet Director. Any additional charges resulting from such things as increased number of attendees or damage to the facility will be due upon departure. If a remaining balance is left outstanding, an interest fee will be assessed at the rate of 1.5% per month.



Hours

Time allotment for The Galaxy Restaurant & Banquet Center's functions is based on specific time availability. Functions exceeding the pre-determined departure time will be assessed an additional charge of seventy-five dollars (\$75.00) plus tax per half hour. Evening departure time will be no later than 12:00 AM (midnight) unless pre-arranged with the Banquet Director.

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The Galaxy Restaurant & Banquet Center must provide all food and beverage unless approved by Banquet Director. All alcohol must be purchased through The Galaxy Restaurant & Banquet Center. All bartenders must be employees of The Galaxy Restaurant & Banquet Center. Purchaser agrees to abide by all state laws regarding alcohol consumption including restrictions of consumption by a minor. Management reserves the right of refusal or discontinuance of alcoholic beverage to any individual guests. All serving of alcohol at banquet functions are to cease at 11:45 PM. Your group acknowledges that The Galaxy Restaurant & Banquet Center cannot be responsible for the safekeeping of equipment, supplies, written material or other valuable items. Accordingly, your group acknowledges that it will be responsible for providing security for any such aforementioned items and hereby assumes the responsibility for loss thereof. Likewise, the function host will be responsible and charged for any damage(s) or theft of The Galaxy Restaurant & Banquet Center's facilities caused by its group during the scheduled function. The Galaxy Restaurant & Banquet Center will arrange for security personnel when necessary at any contracted event, the charge for which will be an additional fee to the function host. In accordance with local and state health department regulations, no food or beverage may be taken out of the banquet facility following the event.

Menus

We will be contacting you in the future to finalize your menu selections. Menu selections should be finalized and submitted no later than fourteen (14) days prior to the event. If you do not find specifically what you would like, we would be pleased to design special menus to fit your needs. As economic conditions and inflation vary, The Galaxy Restaurant & Banquet Center reserves the right to adjust pricing at its sole discretion. The Galaxy Restaurant & Banquet Center will guarantee the price per person for your event for 180 days prior to your event.

Set-Up Fee and Tax

The set-up fee covers expenses of setup, clean up, centerpieces, standard linens and any overhead expenses. The set-up fee (18%) will be added to the food and beverage total. Applicable Ohio sales tax (6.75%) also apply to this charge. Any specialty requested services may also be added to the event total by the client and said services will be subject to Ohio sales tax.

Gratuity

Our banquet staff are paid wages that are not dependent on gratuity to meet minimum wage requirements. If you feel the staff went above and beyond your expectations please feel free to provide gratuity based on your discretion.

We are currently holding event space for you on a tentative basis. This agreement will only become binding when signed and dated by both the client and The Galaxy Restaurant & Banquet Center along with simultaneous receipt of the client's deposit.

Please review and sign one copy of this event contract and return it to our office with your deposit no later than Tuesday, June 19, 2018. Thank you again for choosing The Galaxy Restaurant & Banquet Center. It will be a pleasure working with you in making your event a success!

Sincerely,

The Galaxy Restaurant & Banquet Center

Event Name: 2019 Wadsworth High School Prom

A. Broadhurst 8/30/18
Client Signature Date

David K. Cavalier 6/7/18
David Cavalier, Banquet Director Date

GALAXY

**MEMORANDUM OF UNDERSTANDING
WADSWORTH CITY SCHOOL DISTRICT BOARD OF EDUCATION AND
WADSWORTH EDUCATION ASSOCIATION**

ASSOCIATION PRESIDENT RELEASE TIME FOR THE 2018-2019 SCHOOL YEAR

This agreement is entered into between the Wadsworth Education Association (hereinafter, "WEA") and the Wadsworth City School District Board of Education (hereinafter referred to as "Board").

The parties desire to enter into an agreement clarifying the Association President Release time for the 2018-2019 school year described in this agreement.

Stephine Schmeltzer, an elementary teacher at Isham Elementary, and Rob Earle, a middle school teacher, were elected Co-Presidents of the Wadsworth Education Association effective May 2018.

Consistent with the 2017-2020 Collective Bargaining Agreement between the Wadsworth City School District Board of Education and the Wadsworth Education Association, Section 4.02 (B) (2):

B. Release Time for Association President

2. If the Association President is assigned to grades Pre-K through six, the Association President shall meet with the Administration to write a Memorandum of Understanding that will provide adequate release time for the President to conduct Association business, and also minimize disruption to the school day. The Association President may be expected to cover a class or duty during this time, but only as a last resort.

Therefore, the parties agree to the following:

1. The Elementary WEA Co-President's release time shall be 3:00 p.m.-3:40 p.m. daily. The Elementary WEA Co-President shall be relieved of all work related responsibilities in order to conduct Association business during this time.
2. The Middle School WEA Co-President release time shall be 10:50-11:20 daily. The Middle School WEA Co-President shall be relieved of all work related responsibilities in order to conduct Association business during this time.
3. This agreement represents the full and complete understanding of the parties.

4. All parties to this agreement acknowledge and agree that this agreement is in no way precedent setting and does not demonstrate custom or practice by either party. This agreement shall not be introduced, referred to, or in any other way utilized in any subsequent grievance, arbitration, litigation, or administrative hearing, except as may be necessary to enforce its provision and terms. Nothing contained in this MOU shall be construed to alter, amend or modify any Article, section or provision of the current contract except as specifically enumerated herein.

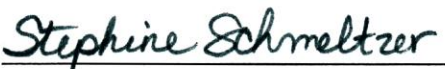


Mr. Eric Jackson, WMS Principal *10/2/18*
Date

Mr. Rob Earle, WEA Co-President Date



Mrs. Nance Watts, Isham Principal *10-1-18*
Date



Mrs. Stephine Schmeltzer, WEA Co-President *10-1-18*
Date



Dr. Andy Hill, Superintendent *10/4/18*
Date

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is entered into this ___th day of October, 2018 between the Wadsworth City School District Board of Education, by and through its Superintendent, Dr. Andrew Hill and the Wadsworth Education Association (“WEA”) by and through its Presidents, Rob Earle and Stephine Schmeltzer.

The parties agree that bargaining unit members who participate in the Fall 2018 Biometric Screening will receive an incentive of \$25.00 cash.

It is understood that any future incentives tied to a bargaining unit member’s participation in a wellness related program will be subject to bargaining and that this MOU has no precedential value or effect.

Dr. Andrew Hill, Superintendent, for the Board
of Education

Date

Rob Earle, for the WEA

Date

Stephine Schmeltzer, for the WEA

Date

Wadsworth City Schools

For the Fiscal Years Ended June 30, 2016, 2017 and 2018 Actual;

Forecasted Fiscal Years Ending June 30, 2019 Through 2023

	Actual			Average Change	Forecasted				
	Fiscal Year 2016	Fiscal Year 2017	Fiscal Year 2018		Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
Revenues									
1.010 General Property Tax (Real Estate)	\$19,315,179	\$20,708,171	\$21,833,111	6.3%	\$22,093,208	\$22,535,072	\$22,985,774	\$23,215,631	\$23,447,788
1.020 Tangible Personal Property Tax	661								
1.030 Income Tax									
1.035 Unrestricted State Grants-in-Aid	18,514,262	18,902,460	\$18,978,336	1.2%	18,978,336	18,982,506	18,986,718	18,990,973	18,995,269
1.040 Restricted State Grants-in-Aid	557,368	532,591	\$592,182	3.4%	569,025	574,025	576,025	579,025	579,025
1.045 Restricted Federal Grants-in-Aid - (SFSF -532) (Ed jobs Bill-504)									
1.050 Property Tax Allocation	2,573,899	2,508,075	\$2,504,013	-1.4%	2,504,013	2,504,013	2,504,013	2,504,013	2,504,013
1.060 All Other Revenues	1,874,612	1,823,877	\$2,107,280	6.4%	2,035,774	1,997,035	1,936,195	1,924,662	1,913,264
1.070 <i>Total Revenues</i>	42,835,981	44,475,174	46,014,922	3.6%	46,180,356	46,592,651	46,988,725	47,214,304	47,439,359
Other Financing Sources									
2.010 Proceeds from Sale of Notes									
2.020 State Emergency Loans and Advancements (Approved)									
2.040 Operating Transfers-In									
2.050 Advances-In	2,287,123	2,336,017	3,963,017	35.9%	4,220,461	25,000	100,000	100,000	100,000
2.060 All Other Financing Sources	70,097	61,052	535,706	382.3%	85,314	26,500	26,500	26,500	26,500
2.070 <i>Total Other Financing Sources</i>	2,357,220	2,397,069	4,498,723	44.7%	4,305,775	51,500	126,500	126,500	126,500
2.080 <i>Total Revenues and Other Financing Sources</i>	45,193,201	46,872,243	50,513,645	5.7%	50,486,131	46,644,151	47,115,225	47,340,804	47,565,859
Expenditures									
3.010 Personnel Services	23,412,084	24,501,781	25,803,212	5.0%	27,446,648	29,055,034	30,277,272	31,791,135	33,380,692
3.020 Employees' Retirement/Insurance Benefits	8,889,154	9,136,849	9,590,078	3.9%	10,220,312	11,172,365	11,910,735	12,799,656	13,758,700
3.030 Purchased Services	5,906,708	6,282,032	6,356,836	3.8%	6,833,138	7,090,111	7,283,395	7,520,025	7,790,335
3.040 Supplies and Materials	1,486,958	1,338,133	1,475,449	0.1%	1,929,846	1,984,221	2,025,406	1,823,172	2,127,589
3.050 Capital Outlay	751,401	812,676	708,188	-2.4%	724,549	752,937	782,633	813,697	846,194
3.060 Intergovernmental									
Debt Service:									
4.010 Principal-All (Historical Only)									
4.020 Principal-Notes									
4.030 Principal-State Loans									
4.040 Principal-State Advancements									
4.050 Principal-HB 264 Loans									
4.055 Principal-Other									
4.060 Interest and Fiscal Charges									
4.300 Other Objects	477,480	434,902	444,296	-3.4%	446,278	479,495	492,652	506,232	520,251
4.500 <i>Total Expenditures</i>	40,923,785	42,506,373	44,378,059	4.1%	47,600,770	50,534,164	52,772,092	55,253,917	58,423,761
Other Financing Uses									
5.010 Operating Transfers-Out	19,416	15,960	32,004	41.4%	25,000	70,000	20,000	20,000	20,000
5.020 Advances-Out	2,314,017	3,963,017	4,220,461	38.9%	25,000	100,000	100,000	100,000	100,000
5.030 All Other Financing Uses									
5.040 <i>Total Other Financing Uses</i>	2,333,433	3,978,977	4,252,465	38.7%	50,000	170,000	120,000	120,000	120,000
5.050 <i>Total Expenditures and Other Financing Uses</i>	43,257,218	46,485,350	48,630,524	6.0%	47,650,770	50,704,164	52,892,092	55,373,917	58,543,761
6.010 <i>Excess of Revenues and Other Financing Sources over (under) Expenditures and Other Financing Uses</i>	1,935,983	386,893	1,883,121	153.4%	2,835,360	4,060,013-	5,776,867-	8,033,114-	10,977,903-
7.010 Cash Balance July 1 - Excluding Proposed Renewal/Replacement and New Levies	11,278,431	13,214,414	13,601,307	10.0%	15,484,428	18,319,788	14,259,775	8,482,908	449,795
7.020 <i>Cash Balance June 30</i>	13,214,414	13,601,307	15,484,428	8.4%	18,319,788	14,259,775	8,482,908	449,795	10,528,108-
8.010 <i>Estimated Encumbrances June 30</i>	1,121,566	1,077,489	997,228	-5.7%	1,000,000				
10.010 <i>Fund Balance June 30 for Certification of Appropriations</i>	12,092,848	12,523,818	14,487,200	9.6%	17,319,788	14,259,775	8,482,908	449,795	10,528,108-

Wadsworth City Schools
Fiscal Year 2019 – Five-Year Forecast
October 2018
EXECUTIVE SUMMARY

The first three pages of this report comprises the Executive Summary, which is intended to provide a summary of the Five-Year Forecast and highlight changes.

For a complete understanding of the Forecast, readers are encouraged to read the Assumptions that follow the Executive Summary.

- Key forecast components that maintain a positive cash balance through FY 2022:
 - Fall 2018 Local Property Tax collections increased 1.2% versus fall of 2017. Property taxes are projected to increase a conservative 1.2% for FY 2019.
 - House Bill 49: The FY 2018-2019 Biennial Budget was finalized the summer of 2017 and the Wadsworth City Schools are projected to be \$600,000 into the guarantee this year. In other words, we would need to grow by over 100 students or have a change in our State share index in order to see increased State Aid.
 - Line 1.035 of the Forecast includes Basic State Aid and a few items funded outside the formula (casino money, preschool aid and special education transportation). The Forecast assumes a 0% increase in FY 2019. A .48% increase in FY 2020 through 2023.
 - Federal Grants:
 - IDEA-B: The IDEA-B Special Education Grant funds seven (7) special education teachers' salaries. In addition, the State provided additional special education restoration grant funds for 2018-19 school year. Three new special education staff members are funded from the grant this year. However, for FY 2020 – 2023 these staff members will be paid by the general fund.
 - Title I: The Title I Grant primarily funds our K-8 tutors. In addition, in the 2016-17 school year we funded 1½ teachers at Lincoln Elementary from Title I. We will be able to continue to fund these positions for the current school year but beginning next year (FY 2020) the 1½ teachers at Lincoln will need to be paid for from the general fund. The Forecast accounts for this change beginning next year.
 - Salaries: Projected to increase 6.31% in FY 2019. The increase is due to step increases for classified and teaching staff, base increase and the staffing adjustments outlined below.

- An addition of 5.6 (FTE) teachers for the 2018-19 school year (see staffing note below).
- Numerous support staff (primarily special education paraprofessionals).
- Healthcare Renewal: FY 19 – 4.9% increase in health care premiums (see health care in the Assumptions for more detail).
- FY 2019 Advances In /Out: There is a \$4.2M advance into the general fund because of the advance out in FY 2018. This large advance is a product of our construction project and the negative balance in the Building Fund (004). Once close out is completed with the OFCC and the City of Wadsworth, the 004 fund will be made whole by the 010 OFCC fund and the City of Wadsworth.

REVENUE:

- Property tax revenue for FY 2019 is projected to increase 1.2% for the following reasons:
 - 1.47% increase in property values for 2017 (tax year 2018).
 - Fall 2018 property tax collections were 1.2% greater than the same period last year.
 - 2019 Medina County Reappraisal.
- State Aid projected to increase 0% in FY 2019 – Guarantee District.
- HB 64 (2016-2017 Biennial Budget) phased out the TPP reimbursements resulting in a decrease from \$653,311 in FY 2015 to \$57,556 in FY 2016 (a total loss of \$595,755). The phase out continues in FY 2017 and the District's reimbursements are reduced to \$0.00. A loss of over \$2 million from five (5) years ago.

EXPENDITURES:

- The District has a net increase of 5.6 FTE certified staff in FY 2019.
 - WHS:
 - Reduce Social Studies teacher (-.1 FTE)
 - One new Math teacher (+1 FTE)
 - WMS
 - On new Health teacher (+.5FTE)
 - Elementary:
 - One new Preschool teacher (+.1 FTE)
 - Special Education:
 - Four new Intervention specialists (+4 FTE)
 - One new Speech Teachers (+.6 FTE)
- **Total Expenditures:**
 - FY 2019 projected expenditures May vs. October forecasts:
 - May 2018 \$47.6M
 - October 2018 \$48.25M (difference of 1.2%)
 - Primarily due to new staff paid from IDEA B restoration grant.

Wadsworth City Schools

Fiscal Year 2019 - Five-Year Forecast

October 2018

ASSUMPTIONS

Overview

This financial report is published by the Treasurer of the Wadsworth City School District in good faith and within the scope of his employment. Said Forecast and the underlying assumptions will be presented to the Wadsworth City Board of Education at its Regular Meeting on October 8, 2018.

The Forecast and Assumptions are intended to provide the Board of Education and the Wadsworth Community with information about the current financial status of the District, as well as the projected future. The information presented in the Five-Year Forecast is supported by the underlying assumptions. In order for the Board and Community to better understand the Forecast, they are encouraged to read and understand the supporting assumptions.

The Forecast is in the second year of HB 49 (the biennial budget) passed by the legislation during the summer of 2017. The current biennial budget once again tweaked the formula from previous years.

Funding formulas, referred to as the SF-3, PASS and the Bridge Formula for Ohio's public school districts were eliminated in previous budget bills. Under the K-12 education funding formula, school districts are either on the guarantee, the formula or are a capped district. Schools on the guarantee receive the same State Aid as the previous year. Schools on the formula receive the amount of funding the formula calculates based on the District's enrollment and State Share Index. Schools that are capped were scheduled to receive additional aid but are capped at a certain percentage above what they received in the previous fiscal year. The Wadsworth City Schools are a guarantee district under the current Biennial Budget. See the Unrestricted Aid Section for more information on the 2018-19 Biennial Budget and State Aid.

This Forecast includes the General Fund only. Information related to all other funds of the District can be found on the Certificate of Revenue and the Annual Appropriations Resolution. In this fiscal year, the general fund is projected to account for 51.3% of all expenditures.

As with any projection, accuracy diminishes the further one speculates into the future. There are three State biennial budgets within the five years of this projection.

General Fund Revenue

1.010 Property Tax (Real Estate)

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
1.010 General Property Tax (Real Estate)	\$22,093,208	\$22,535,072	\$22,985,774	\$23,215,631	\$23,447,788

Property tax collections are a stable revenue source and less dependent on the economy than other revenue sources. Tax collections increased 5.4% in FY 2018 and are projected to increase 1.2% in FY 2019 for the following reasons:

- In the fall of 2018, property tax collections were 1.2% higher than the same period in 2017.
 - Last year they were 8.3%
- 2018 Assessed Valuation (property values) increased 1.47%.

The Nexus gas transmission pipeline is nearing completion in Medina County and is projected to bring a significant property tax revenue increase to the Wadsworth Schools. Because of the uncertainty regarding the Nexus gas pipeline, the current Forecast does not account for this new revenue source. Once the pipeline is added to the tax duplicate, the Forecast will be adjusted.

Real estate taxes account for 47.8% of our projected revenue (last year = 47.5%) in the general fund. Our assessed valuation is the core component of real estate taxes and an involved part of the State funding formula. Medina County experienced a reappraisal in 2013, a triennial update in 2016 and will see another reappraisal in 2019. Wadsworth City Schools assessed valuation (AV) decreased 5% for 2013 (tax year 2014) because of the reappraisal. Total assessed valuation increased 2.3% for 2014 (tax year 2015), 1.6% for 2015 (tax year 2016), 12.7% for 2016 (tax year 2017) and 1.47% for 2017 (tax year 2018). However, due to HB 920, districts see very little additional (or loss of) revenue from a reappraisal or triennial update years. HB 920 rolls back the effective millage on voted levies, thus the District receives no additional or loss of revenue because of reappraisal on voted levies. However, the District will gain revenue on the inside millage and new construction.

Key components of line 1.010 of the Forecast are:

- Fiscal Year 2019 - 1.2% increase in Real Estate Tax collections (Fall 2017 vs. 2018 collections up 1.2%)
- Fiscal Years 2020 and 2021 projected increase of 2% due to the reappraisal in 2019 (tax year 2020)
- Fiscal Years 2022 and 2023 include a 1% increase in Real Estate Tax collections
 - Reminder: The addition of the Nexus Pipeline to the tax duplicate will alter real estate taxes beginning in the first year of collections!

1.020 Tangible Personal Property Tax (TPP)

The 2009 Biennial Budget eliminated the Tangible Personal Property (TPP) tax on the business community and thus began phasing out a major source of local revenue to school districts throughout the State of Ohio. Beginning in FY 2012, the Wadsworth City Schools local TPP revenue had been eliminated. The District continued to receive TPP reimbursements from the State through FY 2016. During the previous Biennial Budget, the phase out was suspended and the District received the same reimbursements for three straight years. The current Biennial Budget restarts the phase out of the TPP reimbursements. Wadsworth City Schools TPP reimbursements (Line 1.050) are outlined below:

FY 2015	\$653,311
FY 2016	\$ 57,556
FY 2017	\$ 0.00
FY 2018	\$ 0.00
FY 2019	\$ 0.00

1.035 Unrestricted Grants in Aid (State Aid)

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
1.035 Unrestricted State Grants-in-Aid	18,978,336	18,982,506	18,986,718	18,990,973	18,995,269

The previous Biennial Budget (passed in the summer of 2015) changed the way we receive funding from the State. The major changes to the formula included the addition of capacity aid, a change in the formula “Caps” and the restart of the TPP phase out (referenced above). Wadsworth City Schools are not impacted by capacity aid and the District is no longer capped by the formula. During Fiscal Years 2016 and 2017 the Wadsworth City Schools were funded on “The Formula”. Beginning in Fiscal Year 2018 due to an enrollment decrease of 100 students and the basic aid allowance from the State only increasing by \$10.00 per student Wadsworth (along with 201 other districts) transitioned to the Guarantee. The Wadsworth City Schools project to be on the guarantee for FY 2019 (current projections from the Ohio Department of Education show Wadsworth \$600,000 into the guarantee). Career Tech enrollment and Special Education enrollment will also affect State funding to the District.

Since the District is on the guarantee the forecast does not project an increase in Basic State Aid.

Key components of line 1.035 of the Forecast are:

- All five years project Wadsworth City Schools remaining on the Guarantee and the State continuing to fund the Guarantee
- There is a 1% increase in funding sources outside the formula (Special Education)

The Forecast assumes the Ohio Casino Tax will remain consistent at \$237,376 (FY 2018 collection amount) for all five years. The law mandates the casinos will pay a 34% tax rate and 33% of the tax is to go to school districts in Ohio to be distributed on a per student basis. The law also implies that this money goes to education outside the funding formula and should not be part of the SFPR but is included on line 1.035.

- \$1,186,880 in revenue projected over the life of the Forecast from the Ohio Casino tax.

1.040 Restricted State Grants in Aid

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
1.040 Restricted State Grants-in-Aid	569,025	574,025	576,025	579,025	579,025

There are two primary sources of revenue on this line: Career Tech (C.T.) weighted funds and Special Education Catastrophic Cost rebates. Each year, we are required to spend 100% of the funds we receive categorized as weighted C.T. funds or return them to the State (i.e. restricted to these programs). It is similar to having a grant within the general fund. Historically, other sources of revenue on this line include Lead School (C.T.) and Transportation. Again, this money is “restricted” because it must be spent in the specified areas.

- In years 2019-2023 the Forecast is not projecting an increase in Career Tech Funds.

The second primary source of revenue is Catastrophic Cost reimbursements for Special Education students. Catastrophic Costs are reimbursements from ODE for qualifying special needs students the District provides services for above a certain price point depending on their disability

- In years 2019-2022 the Forecast does project a small, increase each year in Catastrophic Cost reimbursements.

1.050 Homestead Exemption, 10% Rollback and Tangible Personal Property Reimbursement

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
1.050 Property Tax Allocation	2,504,013	2,504,013	2,504,013	2,504,013	2,504,013

Homestead Exemption: The 10% and 2.5% rollback of property taxes changed with the 2009/2010 Biennial Budget. The State increased the eligibility of seniors for this credit. In addition, HB 59 (2014-15) eliminated this reimbursement on future levies. All current levies will continue to receive this reimbursement.

- The Forecast projects a 0% increase in Homestead Exemption for each year.

Tangible Personal Property Reimbursements from the State were recorded on line 1.050 of the Forecast. See discussion in section 1.020 TPP related to TPP reimbursements.

1.060 All Other Revenues (Local Income)

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
1.060 All Other Revenues	2,035,774	1,997,035	1,936,195	1,924,662	1,913,264

There are five primary revenue sources to All Other Revenues:

1. Tuition (open enrollment, special education, preschool and summer school)
2. Extracurricular activities assessment fees
3. Student paid fees and fines
4. Investment income
5. Medicaid reimbursements
6. Revenue sharing agreements with the City of Wadsworth related to Tax Abatements

- The activity assessment fee is projected to be stable over the life of the Forecast. There are currently no plans to increase or eliminate the activity assessment fee.
- Fines and other fees are projected to remain consistent over the life of the Forecast with no plan to increase fees.
- Investment income is projected to decrease between 20% and 40% each year over the life of the forecast. As fund balances and cash flow decreases there are less funds available to be invested.
- Medicaid reimbursements are projected to remain consistent.

2.050 Advances – In

- Advances-In reflected on line 2.050 are a result of the advances to 004 LFI Construction Fund in FY 2018. These advances are needed until the OFCC releases the money in the 010 fund to cover these deficits. The Advance-In directly impacts total revenue and line 6.010 excess revenue and other financing sources. It appears on line 6.010 that the District has \$2.85M more in revenue than expenditures. However, when you remove the Advance In, the District is actually deficit spending by \$1.37M in FY 2019. It is important to account for the Advance In when analyzing FY 2019 in the attached Forecast.

2.060 Other Financing Sources

- Other Sources includes Sale of District Assets and Refunds of Prior Year Expenditures. The District projects to receive a BWC rebate of \$75,000 in FY 2019. We are not projecting significant revenue sources for line 2.060 in future years of the Forecast.

Revenue Summary

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
2.080 Total Revenues	50,486,131	46,644,151	47,115,225	47,340,804	47,565,859

Decrease in revenue due to “Advance”

The Forecast projects an increase in revenue for FY 2019 for the sixth time since FY 2009. The District is not planning a new operating levy in the near future and projects State Aid to remain relatively consistent throughout the life of the Forecast.

Major revenue issues affecting the Forecast:

- State Aid – Guarantee District.
- Local property tax increase of 1.2% delinquent tax payments
- Investment income decreasing as fund balances decrease leaving less funds available for investing
- Advance In (FY 2019 only)

General Fund Expenditures

3.010 Salaries and Wages

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
3.010 Personnel Services	27,46,648	29,055,034	30,277,272	31,791,135	33,380,692

Salaries and wages projected to **increase** 6.3% over FY 2018 expenses (as compared to a 5.3% increase for the same period last year). The District added four teaching positions to address special education, a part-time W.M.S. health teacher and a part time preschool teacher.

The complete analysis of the District's teaching staff is outlined below.

Beginning in FY 2017, the District contracted with Renhill and the Summit County ESC for substitute teacher services. Therefore, our substitute services moved from the Salaries (line 3.010) to the Purchased Services (line 3.030) of the Forecast.

- The District and the Wadsworth Education Association (WEA) are in the second year of a three-year contract that continues through June 30, 2020. The Agreement includes step increases for eligible employees and a base increase in each year of the contract. In addition, employees pay 9% of the cost for health care insurance in the first year and increases 1% each year after.
- The District and the Wadsworth Education Support Personnel Association (WESPA) are in the second year of a three-year contract that continues through June 30, 2020. The WESPA Agreement includes step increases for eligible employees and a base increase in each year of the contract. In addition, employees will pay 6% / 9% (Family / Single) of the cost for health care insurance.
- The 2017-18 salaries and benefits are projected to be 79.13% of general funds expenditures (compared to 79.8% last year).
- The District's 2018-19 teaching staff consists of 258 full-time and 12 part-time professionals. We have 13 licensed professionals working as tutors in the District (9 tutors are funded with grant money and are not part of this Forecast), 21 Licensed Administrators and 17 Exempt Salaried employees (4 of the exempt salaried employees are not paid from the general fund).
- If District enrollment continues to decline, we must continue to monitor our staffing and reductions may need to be made. The Forecast currently does not account for any reductions in staffing.
- The Forecast accounts for the following staffing changes:
 - **2018-19**
 - WHS:
 - Reduce Social Studies teacher (-.1 FTE)
 - One new Math teacher (+1 FTE)
 - WMS
 - On new Health teacher (+.5FTE)
 - Elementary:
 - One new Preschool teacher (+.5 FTE)
 - Special Education:
 - Four new Intervention specialists (+4 FTE)
 - One new Speech Teachers (+.6 FTE)
 - **2019-20**
 - The 2019-20 school year includes an allowance for step and base increases and additional support staff as deemed necessary to meet student and district needs. The District is currently assessing additional needs addressed in the strategic plan related to fine arts and the elementary schedule (art, music and physical education). The results of this

study have not been determined and are not included in the Forecast. However, it is recognized that the Forecast maybe adjusted to meet the needs of the strategic plan.

- Grant Money:
 - IDEA-B Recovery: Three of the new special education (intervention specialists) teaching positions hired in 2018-19 are being paid out of the IDEA-B Recovery grant. This grant is a one-time grant; therefore, these three teachers will be paid from the general fund in all succeeding years.
 - Title I: One teacher at Lincoln (school wide Title building) is funded by the Title I grant. Beginning with the 2019-20 school year this teacher will also be paid from the general fund.

- **FY 2021, 2022 and 2023:**

- The Forecast includes an allowance for base, step and staffing increases during the last three years of the forecast.

3.020 Employee Retirement / Insurance Benefits

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
Employees' Retirement/Insurance 3.020 Benefits	10,220,312	11,172,365	11,910,735	12,799,656	13,758,700

The largest expense outside of salaries and wages is the Board's share of healthcare benefit premiums. In FY 2011, the District began participating in the Summit Regional Healthcare Consortium (SRHCC) to pool administrative fees with Barberton, Copley-Fairlawn, Norton and Revere Schools. In FY 2015, Cuyahoga Falls joined of the SRHCC. In addition, the SRHCC continues to maximize resources and implement best practices related to healthcare and wellness. The Consortium works with Be-Well Solutions to provide wellness support to all six districts in order to encourage employees to make healthy lifestyle changes. Employees enrolled in the District's healthcare plan are encouraged to participate in the annual biometric screenings, health risk assessment, as well as the many Grizzly Challenge Wellness programs offered throughout the year. Non-union and WESPA employees are rewarded with a credit to an HRA card based on positive results on their biometric screening.

The Board of Education and members of both the teachers (WEA) and support staff (WESPA) unions agreed to a new three-year contract that began July 1, 2017. The new contract increases employee deductibles and out of pocket expenses by 100% resulting in a projected savings of \$150,000 annually. The health insurance premium rates for the 2018-19 school year increased 4.9%. The SRHCC bid insurance to multiple providers in the spring of 2018. In addition, members of the WEA will pay an additional 1% of the premium in the second year of the contract and an additional 1% (total of 2%) in the third year of the contract. These insurance changes are reflected in the Forecast and Assumptions below:

- Healthcare costs are projected to increase 8.2% in FY 2019.
 - The Forecast allows for the cost of the five new benefit eligible positions. All five benefits are paid form the general fund. Four new interventions specialists and the part-time health at WMS that was converted to full time.

- Healthcare premiums are projected to increase 9% (net 8% - WEA's additional 1% contribution) in FY 2020. The overall health care costs are projected to increase 12.9% to account for additional staff.
- Healthcare premiums are projected to increase 9% (net 8% - WEA's additional 1% contribution) in FY 2021. The overall health care costs are projected to increase 8.6% to account for additional staff.
- Healthcare premiums are projected to increase 9% in FY 2022.
- Healthcare premiums are projected to increase 9% in FY 2023.
- In addition, the Forecast accounts for additional staffing outlined above related to health care, assuming each new staff elects a family plan.
- There is a \$40,000 allowance for changes in health care plans (single to family) during the 2018-19 school year..

Language in the WEA contract requires retirees age 55 or older to contribute 100% of their severance payment to a 403(b) annuity as an employer contribution. Employer contributions to a 403(b) are considered a fringe benefit. Therefore, 85% of the certified severance is now paid from benefits (line 3.020), instead of salaries and wages (line 3.010).

Currently, by State law, the Board contributes 14% of the salaries and wages to two retirement systems. Members of STRS are required to pay 14% of their earnings to the retirement system. The Board pays 10% of the Administrators' 14% employee share of STRS (10% of their salary). In addition, the Board pays a surcharge to SERS for all support staff employees whose annual income is less than \$35,800. That is, for any employee making less than \$35,800 annually, the District must pay the 14% on \$35,800 and not what they actually earn. SERS does have a cap of 2% percent of total SERS wages to be paid to the surcharge. We are above the cap. Therefore, we pay 16% of our total SERS payroll to the retirement system. A large percentage of the surcharge is paid by the Food Service Fund (006), which is not part of this Forecast. All but one employee in the Food Service Department earns less than \$35,800.

The other two items that make up our employee benefits are Medicare Tax and Workers' Compensation. Our District pays 1.45% Medicare tax on all employees hired after 1986.

3.030 Purchased Services

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
3.030 Purchased Services	6,833,138	7,090,111	7,283,395	7,520,025	7,790,335

This category covers all our contracted services including tuition to other schools, legal services, copier leases, property/fleet insurance, gifted services from the Medina County ESC, special education services (such as occupational and physical therapy) and the School Resource Officers (2) in collaboration with the City of Wadsworth. In addition, it also covers professional development, utilities, contracted services as well as College Credit Plus (CCP) tuition for high school students.

FY 2018:

- The projection increases Purchased Services 7.5% in FY 2019.

- An average 3 – 4% increase in Purchased Services in the later years of the Forecast.
- Includes the additional cost of adding a School Resource Officer (total of 2) for the 2018-19 school year.
- Includes tuition paid to community and charter schools. The Grizzly Digital Academy is helping to offset some students leaving our District for alternate educational choices.
- Tuition (open enrollment, community schools and CCP) and utilities (natural gas, electric, water and sewer) account for over 50% of this category.
- Teacher substitute expenses for the third year are included in Purchased Services because we now contract substitute services with the Summit County ESC / Renhill. See note in the Salaries section as the offset.

3.040 Supplies and Materials (500)

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
3.040 Supplies and Materials	1,947,595	1,984,221	2,025,406	1,842,172	2,127,589

Supplies and materials are projected to be substantially higher in FY 2019 for the following reasons:

- Textbooks:
 - College Credit Plus Textbooks costs continue to grow.
 - Replacement textbooks.
- Bus fuel is included in supplies and can be very difficult to project. Bus fuel accounts for 13.2% of the Supplies Category. Fuel costs have been down the past few years. If fuel costs rise, a budget adjustment may be needed.
- Weighted Career Tech (CT) funds from the State account for a portion of the expenses. We are required to spend CT money on CT programs within the school year (see discussion under Restricted Revenue above).
- In 2022 supplies are down considerable. This is due to the textbook adoption planned in 2022. See attached schedule.

The District plans the following curriculum cycle and related textbook adoption. The up and down in the Forecast (see FY 2022) for supplies is primarily related to textbook purchases. The Forecast does allow for a textbook adoption in each year.

Text Book Adoption Cycle

Fiscal Year	Subject	Grade Level	First Year of Use	Projected Cost
2017	World Language Fine Arts Business AP Stats Health	9-12 K-12 9-12 11-12 7-12	2017-18	~~\$175,000~~ ~~\$150,000~~ ~~\$150,000~~ ~~\$15,000~~ TBD
2018	Science	K-12	2018-19	\$500,000
2019	Social Studies	K-12	2019-20	\$500,000
2020	English/Lang. Arts	K-12	2020-21	\$500,000
2021	Math	K-12	2021-22	\$500,000
2022	Intervention	K-12	2022-23	\$250,000
2023	World Language Fine Arts Business AP Stats Health	9-12 K-12 9-12 11-12 7-12	2023-24	\$175,000 \$150,000 \$150,000 \$15,000 \$20,000

An additional \$100,000 per year is projected for College Credit Plus textbooks and textbook replacement and/or additions.

3.050 Capital Outlay (600 & 700)

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
3.050 Capital Outlay	681,815	724,549	752,937	813,697	846,194

The General Fund and the Sales Tax Fund support capital needs in the District. Approximately 70% of the sales tax proceeds go to pay debt service related to the construction of the new Valley View and Isham Elementary Schools, as well as the 1/2 mill maintenance levy requirement of the OFCC. This amounts to \$1,464,000 annually from the Sales Tax Fund. Because of the commitments of the sales tax to the construction project, the District will continue to support capital improvements to buildings, technology and buses from the General Fund.

- The Forecast allows for the purchase of two new school buses per year.
- Thirty-five percent (35%) of the projected capital expenditures for FY 2019 are technology related.

- The District has developed a five-year technology and facilities plan. The expenses associated with these plans are NOT included in this Forecast. These expenses will come from the Sales Tax Fund or the Construction Fund when the funds are released by the OFCC.
- The District has allocated a total of \$681,815 for capital improvement for the 2018-19 school year.
- Future years of the Forecast allow for an average 4% per year increase.
- If any major capital improvements funded by the general fund are needed it would adversely affect the Forecast. In addition, there are reserves in the Sales Tax fund to assist with any unplanned capital needs.

4.050 / 4.060 HB 264 Principal and Interest

The final payment on the debt service requirement related to the Central Intermediate School HB 264 program was made in FY 2015. There are currently no general fund debt issues.

4.300 Other Objects (Miscellaneous)

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
4.300 Other Objects	446,278	479,495	492,652	506,232	520,251

This area covers County Auditor and Treasurer Fees, election expenses, liability insurance and membership dues for the Board. County fees charged by the County Auditor and Treasurer are the primary expense (75%) in this category. In addition, election expenses are included in “other objects”.

7.020 Ending Cash Balance

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022	Fiscal Year 2023
7.020 Cash Balance June 30	18,319,788	14,259,775	8,482,908	449,795	10,528,108

The Forecast shows a balanced budget for FY 2019. However, if the Advance-In is eliminated, the District is deficit spending this year. In addition, the Forecast projects a positive cash balance through FY 2022. As time progresses and circumstances change, the forecasted assumptions will change and the ending cash balance will fluctuate.

-- Options Summary --

Summary or Detail Report? (S,D) D

Output file: FINTOTD.TXT

Type: CSV

Print options page? (Y,N) Y

Generate FINDET report for comparison? (Y,N) N

Sort options: FD

Subtotal options: FD

Include future encumbrance amounts? (Y,N) N

Include accounts with zero amounts? (Y,N) N

Include accounts which are no longer active? (Y,N,I) Y

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WADSWORTH CITY SCHOOL DISTRICT
Financial Report by Fund

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Fund #	Fund Description	FYTD	MTD	FYTD	Current	Current	Unencumbered	Bank
Begin	Balance	Receipts	Expenditures	Expenditures	Fund Balance	Encumbrances	Fund Balance	Code
001	0000 GENERAL FUND:							
15,443,472.15	2,407,157.18	20,081,171.24	3,838,193.03	11,771,700.63	23,752,942.76	5,121,165.38	18,631,777.38	
001	9001 GENERAL FUND: ADVERTISING /FACILITIES ACCOUNT							
41,240.58	1,740.54	8,571.89	455.00	455.00	49,357.47	17,500.00	31,857.47	
001	9002 GENERAL FUND: FOOD SERV. DONATIONS							
284.27-	126.94	492.85	0.00	0.00	208.58	0.00	208.58	
	TOTAL FOR Fund 001 - GENERAL:							
15,484,428.46	2,409,024.66	20,090,235.98	3,838,648.03	11,772,155.63	23,802,508.81	5,138,665.38	18,663,843.43	
002	0000 BOND RETIREMENT SERIES 98,99,00 ISSUES							
2,796,486.28	38,166.76	932,696.76	13,759.75	13,759.75	3,715,423.29	0.00	3,715,423.29	
002	9300 BOND RETIRE LIBRARY 2001							
483,926.63	5,972.16	145,732.16	2,149.98	2,149.98	627,508.81	0.00	627,508.81	
002	9400 BOND RETIRE: 2008 BONDS (\$65,650,000)							
2,140,202.57	22,741,641.94	24,633,196.75	22,696,643.90	22,696,643.90	4,076,755.42	0.00	4,076,755.42	
	TOTAL FOR Fund 002 - BOND RETIREMENT:							
5,420,615.48	22,785,780.86	25,711,625.67	22,712,553.63	22,712,553.63	8,419,687.52	0.00	8,419,687.52	
003	900C COMMUNITY CENTER ENTERPRISE FUND							
155,292.30	0.00	0.00	0.00	1,500.00	153,792.30	0.00	153,792.30	
003	900S SUMMA HOSPITAL ENTERPRISE FUND							
38,347.62	0.00	0.00	0.00	0.00	38,347.62	911.00	37,436.62	
	TOTAL FOR Fund 003 - PERMANENT IMPROVEMENT:							
193,639.92	0.00	0.00	0.00	1,500.00	192,139.92	911.00	191,228.92	
004	0000 CONSTRUCTION FUND							
2,099,675.57-	0.00	0.00	0.00	1,701.31	2,101,376.88-	0.00	2,101,376.88-	
004	900C BUILDING FUND: CITY OF WADS. COMM. CENTER							
2,367,880.93	0.00	0.00	0.00	4,063,800.33	1,695,919.40-	7,381.88	1,703,301.28-	
	TOTAL FOR Fund 004 - BUILDING:							
268,205.36	0.00	0.00	0.00	4,065,501.64	3,797,296.28-	7,381.88	3,804,678.16-	
006	0000 FOOD SERVICES							
968,292.90	72,932.65	127,385.07	71,142.02	136,856.06	958,821.91	571,914.10	386,907.81	
006	9001 FOOD SERVICE FEDERAL AWARD:							
0.00	22,757.99	22,757.99	37,236.05	87,265.08	64,507.09-	0.00	64,507.09-	

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WADSWORTH CITY SCHOOL DISTRICT
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Begin	Balance	Receipts	Expenditures	Expenditures	Fund Balance	Encumbrances	Fund Balance	Code
	TOTAL FOR Fund 006 - FOOD SERVICE:							
	968,292.90	95,690.64	150,143.06	108,378.07	224,121.14	894,314.82	571,914.10	322,400.72
009	0000 UNIFORM SCHOOL SUPPLIES FUND							
	22,490.88	2,625.00	5,438.00	4,180.50	5,350.15	22,578.73	19,129.38	3,449.35
	TOTAL FOR Fund 009 - UNIFORM SCHOOL SUPPLIES:							
	22,490.88	2,625.00	5,438.00	4,180.50	5,350.15	22,578.73	19,129.38	3,449.35
010	900L OSFC LOCAL SHARE							
	6,232,540.03	0.00	0.00	0.00	2,699.58	6,229,840.45	0.00	6,229,840.45
010	900Q OSFC: QSCB BONDS (ISHAM / VALLEY VIEW)							
	543,055.88-	0.00	0.00	0.00	0.00	543,055.88-	0.00	543,055.88-
010	900S OSFC STATE SHARE							
	321,876.76-	0.00	0.00	0.00	0.00	321,876.76-	13,906.79	335,783.55-
	TOTAL FOR Fund 010 - CLASSROOM FACILITIES:							
	5,367,607.39	0.00	0.00	0.00	2,699.58	5,364,907.81	13,906.79	5,351,001.02
011	0000 C.T. CUSTOMER SERVICE FUND							
	123,720.03	500.00	500.00	22,380.17	29,150.91	95,069.12	84,181.19	10,887.93
011	9001 C.T. CUSTOMER SERV AUTOMOTIVES							
	0.00	685.43	685.43	318.20	318.20	367.23	10,981.80	10,614.57-
011	9002 C.T. CUSTOMER SERV JR CARPENTRY							
	0.00	0.00	0.00	207.50	207.50	207.50-	27,792.50	28,000.00-
	TOTAL FOR Fund 011 - ROTARY-SPECIAL SERVICES:							
	123,720.03	1,185.43	1,185.43	22,905.87	29,676.61	95,228.85	122,955.49	27,726.64-
013	900C COMMUNITY CENTER/WH'S OPERATING FUND							
	24,075.69	0.00	0.00	0.00	2,614.59	21,461.10	15,076.55	6,384.55
	TOTAL FOR Fund 013 - RECREATION:							
	24,075.69	0.00	0.00	0.00	2,614.59	21,461.10	15,076.55	6,384.55
014	0000 FOUR CITIES CAREER TECH COMPACT FUND							
	106,698.88	0.00	0.00	17,142.97	61,354.24	45,344.64	23,650.31	21,694.33
014	9001 FOUR CITIES: FIRST PROGRAM (NORTON)							
	0.01	0.00	0.00	0.00	0.00	0.01	0.00	0.01
	TOTAL FOR Fund 014 - ROTARY-INTERNAL SERVICES:							
	106,698.89	0.00	0.00	17,142.97	61,354.24	45,344.65	23,650.31	21,694.34

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WADSWORTH CITY SCHOOL DISTRICT
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Fund #	Fund Description	FYTD	MTD	FYTD	Current	Current	Unencumbered	Bank
Begin	Balance	Receipts	Expenditures	Expenditures	Fund Balance	Encumbrances	Fund Balance	Code
018 973C	FOUR CITY CTA COMPACT DIRECTORS FUND							
	2.31	0.00	0.00	0.00	2.31	0.00	2.31	
018 974A	CENTRAL OFFICE ADMINISTRATORS FUND							
	4,672.89	0.00	350.00	0.00	5,022.89	661.50	4,361.39	
018 974B	DISTRICT SPIRIT COMMITTEE FUND							
	6,068.50	0.00	0.00	0.00	6,068.50	0.00	6,068.50	
018 974C	CENTRAL INTERMEDIATE PRINCIPAL FUND							
	15,109.88	2,422.17	2,962.67	512.70	2,520.52	15,552.03	14,681.52	870.51
018 974T	TRANSPORTATION 018 ACCOUNT							
	1,351.16	0.00	66.43	0.00	0.00	1,417.59	450.00	967.59
018 975F	FRANKLIN SCHOOL PRINCIPAL'S FUND							
	4,092.61	2,110.00	2,510.00	49.50	1,179.58	5,423.03	9,517.75	4,094.72-
018 976I	ISHAM SCHOOL PRINCIPAL'S FUND							
	2,765.75	19,641.15	20,649.40	33.00	761.75	22,653.40	26,422.12	3,768.72-
018 977L	LINCOLN SCHOOL PRINCIPAL'S FUND							
	10,090.46	182.00	254.00	311.63	1,782.24	8,562.22	3,693.78	4,868.44
018 9780	OVERLOOK SCHOOL PRINCIPAL'S FUND							
	7,023.56	1,467.03	1,697.03	846.58	6,431.12	2,289.47	5,132.21	2,842.74-
018 979V	VALLEY VIEW PRINCIPAL'S FUND							
	7,132.28	1,124.00	1,536.00	1,897.89	2,871.36	5,796.92	2,176.02	3,620.90
018 980D	WMS: DOLLARS FOR DENIM PAY IT FORWARD							
	482.66	120.00	720.00	0.00	0.00	1,202.66	150.00	1,052.66
018 980M	WADSWORTH MIDDLE SCHOOL PRINCIPAL FUND							
	2,494.02	445.50	2,872.50	365.00	1,209.46	4,157.06	8,845.40	4,688.34-
018 981D	WHS: DOLLARS FOR DENIM PAY IT FORWARD							
	1,864.04	495.00	1,689.00	0.00	0.00	3,553.04	0.00	3,553.04
018 981H	HIGH SCHOOL PRINCIPAL'S FUND							
	432.74-	2,767.00	12,346.00	586.55	2,735.85	9,177.41	13,379.18	4,201.77-
	TOTAL FOR Fund 018 - PUBLIC SCHOOL SUPPORT:							
	62,717.38	30,773.85	47,653.03	4,602.85	19,491.88	90,878.53	85,109.48	5,769.05
019 9024	TECH PREP: FIRE, ATH/HLTH TRAINING, NURSING							
	1,177.51	0.00	0.00	0.00	0.00	1,177.51	0.00	1,177.51

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019 9101	MHJ GRANT:C. JOHNSON READING STRATEGIES THAT							
	349.22	0.00	0.00	0.00	349.22	0.00	349.22	
019 9106	LUKE ENG GRANT: MAKERS SPACE V.V.							
	1,191.36	0.00	2,150.00	0.00	3,128.65	453.99	2,674.66	
019 9107	MHJ GRANT: STEM CAMP							
	245.00-	0.00	0.00	923.27	9,002.04	9,247.04-	0.00	9,247.04-
019 9108	STEM CAMP LOCAL GRANTS / DONATIONS							
	34,599.00	0.00	1,260.00	10,000.00-	44,597.55	8,738.55-	2,433.07	11,171.62-
019 9114	BELIEVE IN OHIO GRANT WHS (FY2016)							
	636.12	0.00	0.00	0.00	0.00	636.12	189.07	447.05
019 9131	DEPARTMENT OF NATURAL RESOURCE - GRANT							
	500.00	0.00	0.00	0.00	0.00	500.00	0.00	500.00
019 918M	MCDAC FY 2018 GRANT							
	5,773.21	0.00	0.00	0.00	5,773.21	0.00	0.00	0.00
019 919M	MCDAC GRANT FY 2019							
	0.00	0.00	19,000.00	6,748.00	7,688.66	11,311.34	287.80	11,023.54
019 9202	SPECIAL ED WORKFORCE: SCHROCK FY 2012							
	1,810.68	0.00	0.00	0.00	0.00	1,810.68	0.00	1,810.68
019 9306	GENE HAAS FOUNDATION CAREER TECH SCHOLARSHIP							
	600.00	0.00	0.00	0.00	0.00	600.00	0.00	600.00
019 9308	ISHAM WEATHER CLINICAL RESEARCH GRANT							
	960.29	0.00	0.00	0.00	0.00	960.29	0.00	960.29
019 9403	SME - PRIME SCHOOL GRANT							
	29,750.00	0.00	0.00	40.91	1,059.91	28,690.09	3,478.69	25,211.40
019 9404	TECH PREP: NETWORKING TECHNOLOGY							
	2,835.34	0.00	0.00	0.00	0.00	2,835.34	0.00	2,835.34
019 9407	TECH PREP: ATHLETIC, HEALTH CARE GRANT							
	5,653.10	0.00	0.00	0.00	0.00	5,653.10	0.00	5,653.10
019 9501	WMS PRINCIPALS GROUP: JACKSON							
	2,256.07	750.00	750.00	0.00	361.51	2,644.56	1,589.45	1,055.11
019 9604	TECH PREP: FY06 AUTOMOTIVE TECH PREP							
	2,435.00	0.00	0.00	0.00	0.00	2,435.00	0.00	2,435.00

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WADSWORTH CITY SCHOOL DISTRICT
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Fund #	Fund Description	FYTD	MTD	FYTD	Current	Current	Unencumbered	Bank
Begin	MTD Receipts	Receipts	Expenditures	Expenditures	Fund Balance	Encumbrances	Fund Balance	Code
019 9605	TECH PREP: FY06 WEB PROGRAMING TECH PREP							
1,127.68	0.00	0.00	0.00	0.00	1,127.68	0.00	1,127.68	
019 9803	TECH PREP: MARKETING - BARBERTON							
4,000.00	0.00	0.00	0.00	0.00	4,000.00	0.00	4,000.00	
019 9804	WMS: CARE TEAM AFTER SCHOOL PROGRAM							
3,123.88	0.00	0.00	0.00	3,265.00	141.12-	8,000.00	8,141.12-	
019 9806	TECH PREP: FY08 MARKETING WADSWORTH							
1,004.49	0.00	0.00	0.00	0.00	1,004.49	0.00	1,004.49	
019 9901	TECH PREP: FY09 J VANKIRK COMPUTER TRAINING							
383.08	0.00	0.00	0.00	0.00	383.08	0.00	383.08	
	TOTAL FOR Fund 019 - OTHER GRANT:							
99,921.03	750.00	23,160.00	2,287.82-	71,960.59	51,120.44	16,432.07	34,688.37	
020 0000	BEAR CUB ACADEMY							
58,711.36	27,792.70	34,250.30	23,451.99	50,550.50	42,411.16	42,749.85	338.69-	
	TOTAL FOR Fund 020 - SPECIAL ENTERPRISE FUND:							
58,711.36	27,792.70	34,250.30	23,451.99	50,550.50	42,411.16	42,749.85	338.69-	
022 901H	JOHN AUL MEMORIAL							
61.99	0.00	0.00	0.00	0.00	61.99	0.00	61.99	
022 9090	L & J FUND ORIGINAL CONTRIBUTIONS							
9,910.59	0.00	0.00	376.00	2,303.45	7,607.14	2,640.00	4,967.14	
022 9091	L & J FUND: FIELD TRIP FUND							
7,720.56	0.00	0.00	0.00	0.00	7,720.56	0.00	7,720.56	
022 9512	OHSAA TOURNAMENT: BOYS BASKETBALL							
134.51	0.00	0.00	0.00	0.00	134.51	0.00	134.51	
022 9513	OHSAA TOURNAMENT: BOYS SOCCER							
1,432.52	0.00	0.00	0.00	0.00	1,432.52	0.00	1,432.52	
022 9516	OHSAA TOURNAMENT: FOOTBALL							
91.12	0.00	0.00	0.00	0.00	91.12	0.00	91.12	
022 9528	OHSAA TOURNAMENT: WRESTLING							
972.02	0.00	0.00	0.00	0.00	972.02	0.00	972.02	
022 9532	OHSAA TOURNAMENT: GIRLS BASKETBALL							
108.94	0.00	0.00	0.00	0.00	108.94	0.00	108.94	

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Begin	Balance	MTD Receipts	Receipts	Expenditures	Expenditures	Fund Balance	Encumbrances	Fund Balance
								Code
022 9533	OHSAA TOURNAMENT: GIRLS SOCCER							
	496.97-	0.00	0.00	0.00	0.00	496.97-	0.00	496.97-
022 9536	OHSAA TOURNAMENT: GIRLS LACROSSE							
	45.36	0.00	0.00	0.00	0.00	45.36	0.00	45.36
	TOTAL FOR Fund 022 - DISTRICT AGENCY:							
	19,980.64	0.00	0.00	376.00	2,303.45	17,677.19	2,640.00	15,037.19
024 0000	WCSD EMPLOYEE BENEFITS INSURANCE FUND							
	61,980.03	17,724.15	55,903.67	37,803.36	66,958.19	50,925.51	191,955.93	141,030.42-
	TOTAL FOR Fund 024 - EMPLOYEE BENEFITS SELF INS.:							
	61,980.03	17,724.15	55,903.67	37,803.36	66,958.19	50,925.51	191,955.93	141,030.42-
029 0000	FRANK H. CLOSE SCHOLARSHIP FUND							
	185.04	0.00	0.00	0.00	0.00	185.04	0.00	185.04
029 9001	BERNADINE H. KOVALCHIN SCHOLARSHIP FUND							
	37,540.28	0.00	0.00	0.00	0.00	37,540.28	4,500.00	33,040.28
029 9002	MARK SCHERBA MEMORIAL SCHOLARSHIP							
	1.66	0.00	0.00	0.00	0.00	1.66	0.00	1.66
029 9005	KAHL, WILLIAM SR AND RUTH WHS SCHOLARSHIP							
	8,203.29	0.00	0.00	0.00	300.00	7,903.29	1,822.00	6,081.29
029 9006	MACKEY SCHOLARSHIP							
	22,163.46	0.00	0.00	0.00	0.00	22,163.46	0.00	22,163.46
029 9007	DANIEL VAN AUKEN SCHOLARSHIP FUND							
	24,741.61	0.00	0.00	0.00	315.67	24,425.94	0.00	24,425.94
029 9008	DAVID SLADKY SCHOLARSHIP FUND							
	8,589.62	0.00	500.00	0.00	0.00	9,089.62	0.00	9,089.62
029 9009	GEORGE ZITO SCHOLARSHIP							
	2,355.00	0.00	0.00	0.00	0.00	2,355.00	0.00	2,355.00
	TOTAL FOR Fund 029 - EDUCATION FOUNDATION FUND:							
	103,779.96	0.00	500.00	0.00	615.67	103,664.29	6,322.00	97,342.29
034 0000	CLASSROOM FACILITIES MAINTENANCE FUND							
	2,177,441.50	0.00	0.00	0.00	50,114.00	2,127,327.50	9,980.00	2,117,347.50
	TOTAL FOR Fund 034 - CLASSROOM FACILITIES MAINT.:							
	2,177,441.50	0.00	0.00	0.00	50,114.00	2,127,327.50	9,980.00	2,117,347.50

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Fund #	Fund Description	FYTD	MTD	FYTD	Current	Current	Unencumbered	Bank
Begin	MTD Receipts	Receipts	Expenditures	Expenditures	Fund Balance	Encumbrances	Fund Balance	Code
071 0000	SALES TAX: PERM. IMPROVEMENTS FUND							
2,518,108.11	0.00	507,162.45	104,738.66	122,438.66	2,902,831.90	0.00	2,902,831.90	
	TOTAL FOR Fund 071 - CAPITAL GRANTS:							
2,518,108.11	0.00	507,162.45	104,738.66	122,438.66	2,902,831.90	0.00	2,902,831.90	
200 907H	WEB PROGRAMMING AND DESIGN							
249.86	0.00	0.00	0.00	0.00	249.86	0.00	249.86	
200 908H	ROTARY INTER-ACT: YOUTH ROTARY CLUB							
70.99	0.00	0.00	0.00	0.00	70.99	0.00	70.99	
200 909H	CADD STUDENT ACTIVITY ACCOUNT							
325.84-	0.00	0.00	0.00	0.00	325.84-	0.00	325.84-	
200 910W	CLASS OF 2010							
215.44	0.00	0.00	0.00	0.00	215.44	0.00	215.44	
200 911W	CLASS OF 2011							
20.00	0.00	0.00	0.00	0.00	20.00	0.00	20.00	
200 912W	CLASS OF 2012							
20.00	0.00	0.00	0.00	0.00	20.00	0.00	20.00	
200 913W	CLASS OF 2013							
156.48	0.00	0.00	0.00	0.00	156.48	0.00	156.48	
200 914H	S.A.D.D. WADSWORTH HIGH SCHOOL							
192.38-	0.00	0.00	0.00	0.00	192.38-	0.00	192.38-	
200 914M	TAGG - WADSWORTH MIDDLE SCHOOL							
1,103.93	0.00	0.00	0.00	0.00	1,103.93	0.00	1,103.93	
200 914W	CLASS OF 2014:							
122.04	0.00	0.00	0.00	0.00	122.04	0.00	122.04	
200 915W	CLASS OF 2015							
198.07	0.00	0.00	0.00	0.00	198.07	0.00	198.07	
200 916H	LATIN CLUB							
2.60	0.00	0.00	0.00	0.00	2.60	0.00	2.60	
200 916W	CLASS OF 2016							
1,368.72-	0.00	0.00	0.00	0.00	1,368.72-	0.00	1,368.72-	
200 917H	H.S. SCIENCE CLUB							
309.68	0.00	0.00	0.00	0.00	309.68	0.00	309.68	

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Begin	Balance	MTD Receipts	Receipts	Expenditures	Expenditures	Fund Balance	Encumbrances	Fund Balance	Code
200	917W CLASS OF 2017								
	1,934.44	0.00	0.00	0.00	0.00	1,934.44	0.00	1,934.44	
200	918H ACADEMIC CHALLENGE								
	938.47	0.00	0.00	0.00	0.00	938.47	400.00	538.47	
200	918W CLASS OF 2018								
	1,895.69	0.00	150.00	0.00	0.00	2,045.69	200.00	1,845.69	
200	919H SPEECH AND DEBATE TEAM								
	1,933.33-	0.00	0.00	0.00	4,098.33	6,031.66-	12,249.00	18,280.66-	
200	919W CLASS OF 2019								
	1,717.90	900.00	3,684.60	0.00	1,000.00	4,402.50	13,750.00	9,347.50-	
200	920H N. H. S.								
	198.68-	0.00	300.00	0.00	385.00	283.68-	0.00	283.68-	
200	920W CLASS OF 2020								
	1,477.75	0.00	0.00	0.00	0.00	1,477.75	0.00	1,477.75	
200	921H F.C.C.L.A.								
	1,010.21	0.00	0.00	0.00	0.00	1,010.21	0.00	1,010.21	
200	921W CLASS OF 2021								
	576.87	0.00	0.00	0.00	0.00	576.87	0.00	576.87	
200	922H PEP CLUB								
	272.63	0.00	0.00	0.00	0.00	272.63	0.00	272.63	
200	922W CLASS OF 2022								
	1,325.38	0.00	0.00	0.00	0.00	1,325.38	0.00	1,325.38	
200	923H INTERNATIONAL CLUB (FOREIGN LANGUAGES)								
	5,473.81	0.00	0.00	0.00	0.00	5,473.81	971.85	4,501.96	
200	923W CLASS OF 2023								
	770.42	0.00	0.00	0.00	0.00	770.42	0.00	770.42	
200	924C CENTRAL INTERMEDIATE STUDENT COUNCIL								
	3,478.87	0.00	0.00	0.00	3,418.60	60.27	2,599.01	2,538.74-	
200	924H STUDENT COUNCIL								
	13,599.29	2,177.00	3,608.00	1,933.25	6,579.10	10,628.19	14,251.90	3,623.71-	
200	924I ISHAM STUDENT COUNCIL								
	529.79	0.00	0.00	0.00	0.00	529.79	0.00	529.79	

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Fund #	Fund Description	FYTD Receipts	MTD Expenditures	FYTD Expenditures	Current Fund Balance	Current Encumbrances	Unencumbered Fund Balance	Bank Code
Begin	Balance	MTD Receipts						
200 924M	WADSWORTH MIDDLE STUDENT COUNCIL							
	575.12	0.00	0.00	0.00	575.12	0.00	575.12	
200 926H	D. E. C. A.							
	1,174.58	2,537.00	2,537.00	298.08	3,413.50	15,571.50	12,158.00	-
200 928H	C.B.I.P.							
	179.82	0.00	0.00	0.00	179.82	0.00	179.82	
200 931H	MEDIA COMMUNICATIONS WHS							
	566.76	0.00	0.00	0.00	566.76	0.00	566.76	
200 945H	AUTOMOTIVES							
	617.50	0.00	0.00	0.00	617.50	0.00	617.50	
200 946H	CARPENTRY							
	2,657.32	0.00	0.00	0.00	2,657.32	0.00	2,657.32	
200 952C	MIDDLE SCHOOL DRAMA/ MUSICAL CLUB							
	7,351.31	0.00	0.00	764.84	6,586.47	6,675.00	88.53	-
	TOTAL FOR Fund 200 - STUDENT MANAGED ACTIVITY:							
	46,574.07	5,614.00	10,279.60	2,996.17	16,543.95	40,309.72	66,668.26	26,358.54
300 0000	WHS ATHLETICS							
	31,308.40	46,010.00	94,227.27	20,970.05	70,882.13	7,963.26	71,411.19	79,374.45
300 900A	WHS ATHLETICS: BENEFIT GAMES/COMM SERVICE							
	0.95	0.00	0.00	0.00	0.95	0.00	0.95	
300 900H	WHS BAND UNIFORM REPLACEMENT							
	69,993.49	0.00	0.00	0.00	69,993.49	0.00	69,993.49	
300 900R	WHS ATHLETICS-ROTARY							
	1,108.84	65.75	2,541.75	560.00	2,541.75	1,108.84	500.00	1,608.84
300 902H	WHS JOURNALISM / BRUIN FUND							
	4,652.51	3,068.00	3,703.00	0.00	0.00	8,355.51	12,961.05	4,605.54
300 910H	WHS DRAMA FUND							
	12,052.86	0.00	0.00	500.00	753.81	11,299.05	15,507.50	4,208.45
300 911M	WMS FISHING CLUB							
	157.36	0.00	0.00	0.00	0.00	157.36	0.00	157.36
300 917H	WHS MUSIC-INSTRUMENTAL							
	1,476.97	500.00	500.00	0.00	449.00	1,527.97	299.00	1,228.97

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WADSWORTH CITY SCHOOL DISTRICT
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Fund #	Fund Description	FYTD	MTD	FYTD	Current	Current	Unencumbered	Bank	
Begin	Balance	MTD Receipts	Receipts	Expenditures	Expenditures	Fund Balance	Encumbrances	Fund Balance	Code
300	918H WHS MUSIC-VOCAL GENERAL CHOIR								
	5,363.30	7,617.95	9,772.95	7,163.86	10,822.69	4,313.56	23,990.54	19,676.98-	
300	918M WMS VOCAL MUSIC STUDENT ACTIVITY ACCOUNT								
	2,298.56-	1,627.00	4,747.00	2,312.66	3,138.47	690.03-	19,364.19	20,054.22-	
300	918S WHS SHOW CHOIR								
	1,715.88	0.00	0.00	0.00	0.00	1,715.88	0.00	1,715.88	
300	950M ATHLETICS: WMS "CAMP" ACCOUNT ALL SPORTS								
	827.00	0.00	0.00	0.00	0.00	827.00	150.00	677.00	
300	9511 ATHLETIC CAMPS: BASEBALL								
	4,382.24	0.00	0.00	1,076.90	2,043.58	2,338.66	0.00	2,338.66	
300	9512 ATHLETIC CAMPS: BOYS BASKETBALL								
	10,315.91	0.00	0.00	295.00	2,698.06	7,617.85	1,467.64	6,150.21	
300	9513 ATHLETIC CAMPS: B SOCCER								
	300.00	12.00	12.00	0.00	0.00	312.00	0.00	312.00	
300	9516 ATHLETIC CAMPS: FOOTBALL								
	22,407.60	5,923.00	25,193.00	8,993.51	36,070.04	11,530.56	5,042.69	6,487.87	
300	9523 ATHLETIC CAMPS: CROSS COUNTRY								
	1,025.65	0.00	0.00	0.00	0.00	1,025.65	150.00	875.65	
300	9528 ATHLETIC CAMPS: WRESTLING								
	1,884.20-	0.00	0.00	0.00	0.00	1,884.20-	4,200.00	6,084.20-	
300	9532 ATHLETIC CAMPS: GIRLS BASKETBALL								
	21,130.92	0.00	2,075.00	0.00	3,297.68	19,908.24	700.00	19,208.24	
300	9534 ATHLETIC CAMPS: SOFTBALL CAMP								
	741.78	0.00	790.00	0.00	90.00	1,441.78	0.00	1,441.78	
300	9535 ATHLETIC CAMPS: VOLLEYBALL								
	7,577.29	0.00	122.50	1,080.00	2,635.83	5,063.96	1,500.00	3,563.96	
300	9544 ATHLETIC CAMPS: GIRLS GOLF FUND								
	995.00	0.00	0.00	0.00	0.00	995.00	0.00	995.00	
300	9546 ATHLETIC CAMPS: GIRLS TENNIS								
	4,422.52	65.00	1,922.00	0.00	2,448.95	3,895.57	1,872.00	2,023.57	
300	9553 ATHLETIC CAMPS: CHERLEADING								
	11,058.68	285.00	3,178.00	0.00	8,790.56	5,446.12	376.29	5,069.83	

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Fund #	Fund Description	FYTD	MTD	FYTD	Current	Current	Unencumbered	Bank
Begin	Balance	Receipts	Expenditures	Expenditures	Fund Balance	Encumbrances	Fund Balance	Code
300	9555 ATHLETIC CAMPS: WMS CHEER							
	3,322.82	0.00	0.00	2,117.96	1,204.86	46.28	1,158.58	
300	988H WHS YEARBOOK/WHISPERER FUND							
	20,959.12	460.00	480.00	5,544.05	15,895.07	4,803.45	11,091.62	
	TOTAL FOR Fund 300 - DISTRICT MANAGED ACTIVITY:							
	168,279.85	65,633.70	149,264.47	48,496.03	154,324.56	163,219.76	164,341.82	1,122.06-
401	9018 AUX SERVICES FY 2018 SACRED HEART							
	2,776.69	0.00	0.00	0.00	7,824.15	5,047.46-	0.00	5,047.46-
401	9019 AUX SERVICES FY19: SACRED HEART							
	0.00	0.00	55,785.87	8,784.63	41,935.50	13,850.37	131,401.46	117,551.09-
	TOTAL FOR Fund 401 - AUXILIARY SERVICES:							
	2,776.69	0.00	55,785.87	8,784.63	49,759.65	8,802.91	131,401.46	122,598.55-
499	9017 OHIO CAREER COUNSELING GRANT: FY2017							
	27,857.51	0.00	0.00	647.88	3,443.88	24,413.63	2,249.40	22,164.23
499	9018 SECONDARY TRANSITION STUDENT W/ DISABILITIES							
	0.00	0.00	0.00	0.00	1,210.96	1,210.96-	758.00	1,968.96-
	TOTAL FOR Fund 499 - MISCELLANEOUS STATE GRANT FUN							
	27,857.51	0.00	0.00	647.88	4,654.84	23,202.67	3,007.40	20,195.27
516	9018 IDEA-B FED GRANT FY 2018							
	5,297.58	0.00	0.00	34,474.99-	92,259.37	86,961.79-	0.00	86,961.79-
516	9019 IDEA-B FED GRANT FY 2019							
	0.00	0.00	0.00	71,111.65	114,330.52	114,330.52-	36,289.55	150,620.07-
516	919R IDEA-B RESTORATION GRANT FY2019							
	0.00	0.00	0.00	7,095.13	7,095.13	7,095.13-	0.00	7,095.13-
	TOTAL FOR Fund 516 - IDEA PART B GRANTS:							
	5,297.58	0.00	0.00	43,731.79	213,685.02	208,387.44-	36,289.55	244,676.99-
524	9018 CARL PERKINS FY 2018							
	0.00	0.00	0.00	2,450.72	181,443.28	181,443.28-	0.00	181,443.28-
524	9019 CARL PERKINS: FY 2019							
	0.00	0.00	0.00	14,024.07	21,037.75	21,037.75-	0.00	21,037.75-
	TOTAL FOR Fund 524 - VOC ED: CARL D. PERKINS - 198							
	0.00	0.00	0.00	16,474.79	202,481.03	202,481.03-	0.00	202,481.03-

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Fund #	Fund Description	FYTD Receipts	MTD Expenditures	FYTD Expenditures	Current Fund Balance	Current Encumbrances	Unencumbered Fund Balance	Bank Code
Begin	Balance MTD Receipts							
572 9018	TITLE I: FY 2018							
	0.00 0.00	0.00	2,815.60-	65,734.21	65,734.21-	0.00	65,734.21-	
572 9019	TITLE ONE FY 2019							
	0.00 0.00	0.00	34,321.34	50,718.48	50,718.48-	0.00	50,718.48-	
	TOTAL FOR Fund 572 - TITLE I DISADVANTAGED CHILDRE							
	0.00 0.00	0.00	31,505.74	116,452.69	116,452.69-	0.00	116,452.69-	
590 9018	IMPRV. TEAC. QUALITY GRANT							
	1,969.59 0.00	0.00	3,867.64-	10,251.06	8,281.47-	0.00	8,281.47-	
590 9019	TITLE II-A SUPP EFF INST FY 19							
	0.00 0.00	0.00	7,295.54	10,944.57	10,944.57-	1,900.00	12,844.57-	
	TOTAL FOR Fund 590 - IMPROVING TEACHER QUALITY:							
	1,969.59 0.00	0.00	3,427.90	21,195.63	19,226.04-	1,900.00	21,126.04-	
599 9018	IV-A STUDENT SUPPORT GRANT FY18							
	0.00 0.00	0.00	10,000.00	10,000.00	10,000.00-	0.00	10,000.00-	
	TOTAL FOR Fund 599 - MISCELLANEOUS FED. GRANT FUND							
	0.00 0.00	0.00	10,000.00	10,000.00	10,000.00-	0.00	10,000.00-	
	GRAND TOTALS:							
	33,335,170.30 25,442,594.99	46,842,587.53	27,038,559.04	40,051,057.52	40,126,700.31	6,672,388.70	33,454,311.61	



WADSWORTH CITY SCHOOL DISTRICT
MONTHLY FINANCIAL UPDATE
SEPTEMBER 2018



General Fund
Budget to Actual Report

	FY 2019	FY 2019			
	Budget	Actual to Date	Variance	Variance %	Target %
Beginning Cash Balance	\$ 15,484,428	\$ 15,484,428			
Total Revenue	\$ 50,486,131	\$ 20,090,236	\$ (30,395,895)	39.8%	25.0%
Expenditures:					
Salaries and Wages	\$ 27,446,648	\$ 6,969,287	\$ (20,477,361)	25.4%	26.92%
Employee Fringe Benefits	\$ 10,220,312	\$ 2,618,871	\$ (7,601,441)	25.6%	25.0%
Purchased Services	\$ 6,833,138	\$ 1,447,772	\$ (5,385,366)	21.2%	25.0%
Supplies and Materials	\$ 1,929,846	\$ 400,508	\$ (1,529,338)	20.8%	25.0%
Capital Outlay	\$ 724,549	\$ 130,755	\$ (593,794)	18.0%	25.0%
HB 264 Payments	\$ -	\$ -	\$ -		
Other	\$ 446,278	\$ 204,962	\$ (241,316)	45.9%	25.0%
Transfers/ Advances out	\$ 50,000	\$ -	\$ (50,000)	0.0%	25.0%
Total Expenditures	\$ 47,650,771	\$ 11,772,156	\$ (35,878,615)	24.7%	25.0%
Revenue over (under) Expenditures	\$ 2,835,360	\$ 8,318,080			
Ending Cash Balance	\$ 18,319,788	\$ 23,802,508			
Encumbrances		\$ 5,121,153			35.45%
Available Unencumbered Balance		\$ 18,681,355			

Financial Summary - All Funds

Cash Flow Summary:

Total Revenue Current Month All Funds	\$ 25,442,594.99
Total Expenditures Current Month All Funds	\$ 27,038,559.04
Total Month End Cash Balance	\$ 40,126,700.31

Appropriation Summary:

Total Appropriations Current Year All Funds	\$ 92,815,790.71
Prior Fiscal Year Carryover Encumbrances	\$ 1,546,799.37
Total Available All Funds	\$ 94,362,590.08
Fiscal Year To Date Expenses All Funds	\$ 40,051,057.52
Fiscal Year To Date % expended All Funds	42.4%